

MINUTES  
COUNTY COMMISSIONERS MEETING  
JUNE 7, 1993

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The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. in the Stage Area of the Vanderburgh Auditorium with President Rick Borries presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order -- noting there is a quorum present of the Board --welcomed the attendees to the beautiful Vanderburgh Auditorium, introduced members of the County Staff (Abell, Kissinger, Tuley, himself, Hunter, Humphrey and Matthews) and asked the group to stand for the Pledge of Allegiance.

Commissioner Borries said printed agendas are available to everyone. One of the items concerns report on a Study of this particular facility which, of course, is under the administration of Vanderburgh County.

Mr. Borries then asked if there are any persons at this time who wish to address the Board who do not see their particular item of interest on this evening's agenda. There was no response from the audience.

RE: DATA PROCESSING/REQUEST FOR APPROVAL TO PURCHASE DCA ENGINEERING SOFTWARE VERSION 12 UPGRADE

It was noted by President Borries that Roger Elliott could not be present this evening, therefore Item "B" will be deferred to June 14th.

RE: AGREEMENT BETWEEN THE COUNTY AND THE SOUTHWESTERN INDIANA ASSOCIATION OF REALTORS

Mr. Borries said Messrs. David Matthews and Bill Kattmann, members of the Computer Committee of the Southwestern Indiana Association of Realtors are here. They had talked with the Commissioners on May 24th concerning an agreement with the County Assessor and the Association. He then recognized Mr. Kattmann.

Mr. Kattmann said they have the final version of the Agreement, which includes the requested change, as well as a check for the County. He would request the Commissioners execute the agreement at this time.

Mr. Borries asked that, for the record, Mr. Kattmann explain the change.

Mr. Kattmann said it was merely to show there was a specific fee (\$1.00) and Attorney Kissinger commented that the agreement has been reviewed in all other aspects and is in the appropriate legal form.

Mr. Borries entertained a motion.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter, the agreement discussed at previous meetings was approved and signed. So ordered. (Copy of agreement attached hereto.)

RE: VIRGINIA STREET EXTENSION

President Borries stated that the County has been working with a group concerning the proposed Virginia Street Extension. In order to do that -- which has become a very complicated matter --

it has been of concern to the County because it will complete a part of an extension of a proposed network that will certainly ease some traffic problems in the Green River Rd. area. At this time he would ask the Board to consider the authorization of Mr. Ken Hanson to handle the appraisal concerning the purchase of certain property along what is known as the Virginia Street Extension, as well as a contract with Mr. Francis Miller to represent Vanderburgh County in these negotiations. Mr. Borries noted the County received a negotiated amount or at least what we consider a significant amount from American Star Properties to enter into these proceedings, which could result in a condemnation of certain property along this Virginia Street Extension. But in order to move this project forward to meet certain deadlines in construction, we have to take action at this time. If this Board would see fit, he would entertain a motion authorizing Messrs. Hanson and Miller to conduct these activities.

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

RE: REPORT ON STUDY RE VANDERBURGH AUDITORIUM

The meeting continued with President Borries saying the reason the Board is meeting in this particular meeting site this evening is to hear a lot of information about this building. This building was built through a bond issue by Vanderburgh County in the 1960's. It's part of a statement really to be a part of what was at that time called the downtown renewal, redevelopment in the central city. It has, in his opinion, served this community very well and it has on many occasions been the source of great personal enjoyment to him to attend a wide variety of events in this specific building. It is under the direct responsibility of this Board, since it is a County facility, although it is located in the heart of the City of Evansville. As the Commissioners have seen and heard a lot of discussions, from time to time they have also planned regarding the future of this building. Studies were conducted in 1987, he believes, and a basic plan for the future was outlined at that time. The Commissioners have felt that within context of other discussion within the community that it is also very important to look to the future in regards to this. He believes that presently the current management firm, charged with the responsibility of managing this facility, have felt the same way. At this time he would like to introduce Mr. Danny Spindler, President of the Given-Spindler management firm to make further introductions and a presentation. Sandy Toton, the Auditorium Manager, has indicated we might have a speaker or two or perhaps a pager or two that could give us a little difficulty. However, the Commissioners are pleased with the sound quality of the microphones this evening. He then recognized Mr. Spindler.

Mr. Spindler said, "Thank you, Mr. Borries, and welcome to you and the other Commissioners. Also, to the Ladies and Gentlemen in the audience and the news media. We welcome you to the Vanderburgh County Auditorium and Gold Room. I also want to, in behalf of our company and our management team, thank the Commissioners for agreeing to this very unique setting for a Commission meeting. We are very excited about not only the possibilities of this entire facility, but the study that is going to be outlined for you this evening. We think just as unique as the setting for your Commission meeting, we think you will also find the concepts that are going to be outlined in the overall study. I'd like at this time to introduce to you Mr. Mike Shoulders, who is President of Knapp, Given, Veazey & Shoulders, who will be making the actual presentation of the study. Just a short background on Mr. Shoulders' qualifications. I think he is well known in this particular community and his firm is well known. He is very familiar with this facility in terms of conducting the 1987 Study, as well as his firm has been involved in other facilities that deal with entertainment. So not only does he himself, but his firm

certainly has credentials and qualifications -- not only in regards to this particular facility, but facilities of its kind. Without further adieu I'd like to call on Mike Shoulders."

Mr. Mike Shoulders approached the podium and stated, "Thank you, Dan. We appreciate this opportunity to come and share with you some of the ideas and findings that we've been working on .....  
...(presentation interrupted by severe static that lasted several seconds).....

Mr. Shoulders continued, "We have been retained to take a look at this facility in an update manner, updating the work that we did in 1987 concerning the Vanderburgh Auditorium and the Gold Room and we have been working since December. We brought theatrical consultants on board with us, whom I will introduce shortly, to work alongside us -- so we've been working several months on the facility. We agreed to begin at our own risk and sort of began before any funding was allocated and agreed with Mr. Spindler that should funding be a problem it was our risk to begin. So we have done that and we are at an interim stage. If you look at the cover of the handout, it is dated June 15th -- so this report is structured in a manner by which we can add information and refine it. We are certainly seeking the input of the Commissioners and the general public on this effort. We are at an interim stage; we are not, by any means, totally finished with the exploration and after you'd had a chance to read through this report we would welcome any comments and any input that you might have. The goal of the report itself is to first take a look at optimizing the revenues for this facility and, again, when we talk about Vanderburgh Auditorium, we are talking about both the auditorium here as well as the Gold Room. The Gold Room accounts for some 60% of the revenues in the facility. So we've also taken a look at how we might better serve the waiting list that frequently grows rather long to use the Gold Room. The first goal is to optimize the revenues.

The second goal is to put into some sort of meaningful framework what improvements are needed and whether they be minor maintenance items or whether we're talking about major improvements. So we felt that before major work in terms of re-roofing, heating and ventilating, the ADA -- before that work takes place an overall general framework for looking at the future of this facility should be established.

As I mentioned, the third goal was to simply update the information and give a more timely version of our 1987 Study. I wanted to comment real quickly on some recent local news and a 9-page report by Artech Company and we were delighted to see that, for the most part, agreed wholeheartedly with our study of 1987. I would draw to your attention in Section 1 of the report the last 8 pages is a copy of Appendix "B" out of the 1987 Study in which we had reprinted -- actually a 1984 Study -- which talks about the problems with the wide span configuration for a seating chamber. It talks about the problem with the low ceilings; it talks about the mechanical problems (the noise with the diffusers, etc.). So we were delighted to see that Artech agreed with our findings in 1987. And we agree virtually with everything they said, except their conclusion with which we wholeheartedly disagree -- that nothing can be done here at the Vanderburgh Auditorium. What we'd like to do here today is present a concept for something that can be done -- both to the Auditorium and the Gold Room -- and my theatrical consultant will share with you also a bit of history about these types of facilities -- the fan shapes that were popular in the 60's."

"Okay. These boards on this end of the presentation represent a concept for renovation of the Vanderburgh Auditorium and these three boards deal with the Gold room. As I mentioned, we took a look at other facilities across the country that had dealt with fan

shapes -- everywhere from Detroit, where they have abandoned their fan shaped facility, down to St. Petersburg, FL. Down there they have done a thorough renovation-restoration and Bill Conner will talk a bit more about that. So we looked at some items that are common to these types of facilities and, again, we found that the ceilings are extremely low in comparison to what they would ideally be in a symphony hall. The walls that are splayed and not parallel cause problems with dead sound in the corners, not to mention the poor site lines for the persons who are sitting in the extreme corner, who are missing out on about one-third of the contents of the stage itself. Having reviewed our study of 1987 and what we knew to be the problems of the Vanderburgh Auditorium, we set out to come up with a concept which would deal with these problems and in essence give us a renovated Vanderburgh Auditorium that would be a world class type of facility that would respond and perform in a first class way, both acoustically with site lines and in terms of its amenities. The concept involves building some parallel walls and we have sort of charted the footprint or the exterior perimeter in the yellow tape and Mr. Conner will speak about that momentarily. But we envisioned building parallel walls within this present footprint -- within the present building -- and then for the portion of the roof directly above these parallel walls raising the roof, in essence reconstructing it so it's seismic in earthquake qualities or much better than the present roof and thereby allowing ourselves height enough to build in what we call a mezzanine and above it a balcony level. The key to achieving 2,500 seats (which we have 2,547 seats in this scheme) of course is to build in the two tiers of additional seating within this high volume space that we're creating. The present height from the floor -- the average elevation of the floor to the underside of the structure in this building is about 35 ft. and we have looked at this facility in terms of raising that to about 75 ft. So we're talking about a pretty high internal space -- but what it does, it gives us a cocoon of sort of intimacy with excellent site lines and excellent acoustical performance.

On this first board, what we have shown here is the main level seating that would be on the lowest level. It would account for about 1,429 seats -- and that makes a nice flexible amount. If we then shut off the other two balconies we have a house that if we have an audience attendance of 1,400 or 1,500, it plays like it's a full house at that point. We then build the mezzanine level -- and it's roughly about where you see the control room now -- and Mr. Conner will point those landmarks and those benchmarks out to you in a moment. The mezzanine level would have about 700 seats and in addition there would be a series of boxes along the parallel walls -- so some premium seating boxes, which would also account for an additional 84 seats. These boxes would be connected to private lounges, which would then allow for excellent fund raising and revenue enhancement for the Auditorium and even for the Philharmonic should they choose to have their patrons look into leasing-renting, using private lounges and box seating. The upper level or balcony level would then be about 334 seats. If you add all of that up and include 108 removable seats in the pit location when the pit is down, you have about 2,547 seats. Now, we've done that all within the same footprint of this present building. We have used no additional real estate on this side and have kept all the parking intact. We have thought -- well, we would probably have to add a couple of stair towers at the corner of this building to allow for fire codes and exiting out of the upper levels. And then another item that we would like to consider as an alternate add on or an optional component in this project would be adding on a rehearsal/recital space for (probably a 60 x 60 space) maybe 100 seats, which would then give the Philharmonic a space for rehearsals should this facility be in use and it would also allow for some recitals and small ensembles and activities of that sort. We are looking at a system of acoustical clouds that would be hanging in this space that would conceal several catwalks and lighting positions up in the new tall space -- and we are looking

at the possibility then of connecting this mezzanine level (and here, again, the mezzanine is our middle balcony which falls somewhere in line with the control room that you see back there) connecting that to our present mezzanine. So if you think about our mezzanine where all the toilet facilities are located and where our elevator gets us up to that level, that would then be connected into our mezzanine level of seating. We have a view here as if we were sitting in the orchestra looking out and what we've tried to do then is to get this very state-of-the-art feeling of intimacy, of excellent site lines, and top quality world class acoustics -- and we certainly think it can be done here at Vanderburgh Auditorium.

Now, switching gears momentarily to the Gold Room, the concept for the Gold Room is a building expansion shown in yellow here. These concepts are all included in your handout in the report in Section 3 -- and you have the foldout maps and drawings. The Gold Room proper -- just the open space within the room -- is somewhere around 10,000 sq. ft. to 11,000 sq. ft. and we're talking about an addition just in terms of conferencing space of about 7,500 sq. ft. to 8,000 sq. ft. What this will allow us to do is capitalize on functions, receptions, gatherings, meetings, corporate activities that we can now not house. The space would be built to allow the entire Gold Room to be open to some 18,000 sq. ft. or the individual new areas could be segregated or divided off with removable partitions to house smaller functions. Now one of the problems that has been experienced by users of both the Gold Room and the Auditorium is conflicts that arise due to use of the common lobby -- noise transfer from one side of the facility to the other. What we would propose is a new lobby and an entirely new entrance on the west side of this building that would give the Gold Room its own lobby and would return the present lobby to the Vanderburgh Auditorium. The lobby would then also have close by new restroom facilities. There would be new Auditorium offices constructed and space on the wings for use of storage, etc. I failed to mention that we're looking at in this scheme -- in this space -- the possibility of a restaurant that could serve the private lounges and boxes and we're also looking at the possibility in the far wing on the north side of building in some executive suites for the Philharmonic offices. The other idea that we're looking at for the Gold Room is turning the -- reworking the meeting rooms that you see up on the mezzanine level in the Gold Room -- they're turning their back on the Gold Room. There is a problem trying to have activity in both spaces -- the small meeting rooms as well as the Gold Room. So we would orient those meeting rooms along an internal corridor and we would add and build two or three additional meeting rooms on out over our expansion, giving us that much more flexibility in terms of community meetings and functions. The costs that we have compiled to date are based on what we -- we have not done detailed engineering -- so the costs are based on what we know about other facilities that been built in the country, as well as some square foot indices that we have examined for facilities of this type. Structural engineers have estimated that raising the roof over the facility in the parts that we need it raised would be about \$1.5 million. Then, the improvements that would need to go into the Vanderburgh Auditorium itself to turn it into our world class facility would be about \$8.25 million -- so we have a project about \$9-3/4 million, including raising the roof and the complete renovation-restoration of the Auditorium itself. The construction and full renovation of the Gold Room we are now estimating at about \$4.125 million. So you see we have a project for the entire facility of somewhere close to \$14 million. What I would like to do now is turn the program over to Bill Conner. Bill comes to us from Jerit Boys, Inc. out of Oak Park, IL. He is a graduate of the Yale School of Drama and has been a theatrical and acoustical consultant for many years. I don't want to give away his age, but he has had experience across the country. He has worked on the restoration of the Victory Theater in Holyoke, MA and has recently done two new auditorium-theater of the performing arts

of about 2,000 to 2,200 seats -- one in Greenville, SC and the other in Springfield, MO. Therefore, he comes to us with a great background in dealing with facilities for the type we have here at the Vanderburgh Auditorium. He is very knowledgeable and has helped me a great deal in arriving at this concept and I wanted Bill to come in and just talk to you briefly about the fan shaped facilities that he knows about and about the concept as we're looking at it here actually on the site. With that, Bill, I will turn it over to you."

Mr. Bill Conner said, "Thank you. Before I get into a lot of details I'm reminded by Mr. Borries' introductory remarks that being from New England most of my life that I can take an objective -- I can remember that when I was at Yale my professor, who worked on a number of facilities in the midwest, referred to the midwest as the great cultural flywheel of America -- and I think that the amount that I have learned about this community and the arts activity in it certainly verifies that. There is a kind of continuing without failure an effort to provide performing arts and visual arts activities to all of the citizens. This wide fan design -- and I hope it is apparent where that name comes from -- was a design that became popular in the very late 50's and early 60's. It is sort of a tradition of modern architecture -- where bigger is better -- and it was felt that if a fan 10 rows deep was okay that you could just extend that a little bit more. At the time I'm certain that it seemed appealing -- that it was less expensive to build all on one level and cover more land rather than build up and get into the detail and fussiness of the popular houses and grand theaters for the past. We learned by the late 60's that this was probably a mistake and we saw in the late 60's in terms of theater design overall, concert halls included in that -- and a movement back towards the multi-level, multi-tier facility and moved back towards what I call peopling the inside walls of the auditorium -- the upper boxes or wings or whatever you want to call them. There are a few examples. I brought photographs of five (5) halls. Two of these projects are not in our office and three of them are. The first one very recently opened. They're all in the 2,000 up to 2,600 seating range -- so they're all kind of equivalent size with what we're proposing here. The first one in California opened within the last few months. There are three tiers of boxes and galleries in it and it sort of follows the European Opera Hall mode. The next one opened about a year ago in Dallas, TX. Again, that is sort of a classic Opera House picture. The next one is our project in Greenville, SC that opened about two years ago. It has 2,200 seats -- three main seating levels and side boxes. The next one is the Morrison Center in Boise, ID and then the Alaska Center for the Performing Arts in Anchorage, AL -- all just visual examples of this idea of the site of the people sidewalled and the volume. Now, I was asked to look at this project and identify some of the problems based on what I heard and could read -- and I've certainly been exposed to lots of pieces of material and talked to some people. I've been in Evansville because I've been working on a project at the University of Evansville. Obviously, since it is my business I ask questions basically of anybody I run into about facilities in the area. We were asked to look at what were perceived as problems and identify those problems. I hate to make it sound like my job was easy, but I think it was fairly obvious from walking in here and reading the reports -- there are a number of acoustical studies that all identify the same problem of the wide walls -- nearly 400 ft. from corner to corner -- somewhere in my background I've learned that from somewhere round 75 ft. to 100 ft. is the maximum. What we've proposed is between the face of the boxes which form an acoustical side wall for reflections is about 90 ft. or in that range. So it is in the ballpark. A 2,500 seat facility is about at the limit of what you can do with natural acoustics for major symphony type music and 2,800 maybe you can stretch it to. So we're right at the edge of that envelope in this scheme. So the sidewalls are brought in about half -- it's about half as wide. The height is taken up -

- one of the other reasons we wanted to cut off the "corners" is because I know that mechanical fan rooms are located above those four corners and I wanted to get those as far removed from the volume of the space because of the noise they create -- because even now to me this is a terribly noisy hall and I know it has recently been repaired. But I can hear it in the background. It should be like a T.V. studio -- you shouldn't hear anything. So that is the basic scheme. As Mike explained it, we developed this upper balcony which would be about -- the mezzanine would be about at the cross aisle and then the second balcony is further up. One of the things we were asked to emphasize was this idea of what I call "premium seating", which develops some special opportunities. There are a couple of rows here that I have labeled "dress circle" which is much wider spacing and where perhaps instead of theater seats there are living room type chairs. It's sort of in the ideal space at the front of the -- not quite underneath the balcony. It's an option to consider. The side boxes and the mezzanine boxes and the concept of some private tiers or some sort of private sky box lounge. You look at the baseball type box -- they are rebuilding the ballparks to include that. County Stadium in Milwaukee will provide the same kind of thing some day -- and it's an important amenity in what is a business. This is a factory for the performing arts and it needs to be capitalized and re-capitalized like any industry and that is one of the features that we've incorporated. I don't really have anything else to say -- but I would be happy to answer any questions.

Mr. Shoulders said, "Yes, we certainly want to answer any questions the Commissioners might have. In conclusion, some of the objections to the noise issue we feel we've addressed also by the fact we're bringing this shell internal -- making it internal -- thereby insulating the new shell from the ambient noise in the environment. In conclusion, I would say that to build a new performing arts center of the kind that we can achieve here would probably be on the order of \$30 million if we were to go down to the riverfront and build a new performing arts hall. Bill was just involved in a 2,200 seat facility in Greenville, SC that cost about \$29 million. We think that here at Vanderburgh Auditorium we can do it for \$15 million or under and we think that is good value and good economy to achieve a world class facility. With that I would turn it back over to Mr. Spindler."

Mr. Spindler said, "Thank you, Mike; thank you, Bill. I think the Commissioners have been provided with a copy of the new study, as well as a copy of the 1987 study and we do have additional copies of both studies available if there is anyone in the audience or from the media who may wish to have a copy. They're on the table. If not, please see Sandy Toton or me and we'll be glad to furnish a copy to you. We're really pleased this evening, Commissioners, to be able to unveil the updated study of suggested renovations to be made to the Vanderburgh County Auditorium and Gold Room. We have been involved in the management of this facility now just a little over a year and we've certainly learned of where the pluses and minuses of this facility -- when I speak "facility" I'm including both the Gold Room and the auditorium and the other parts of this particular building. We've learned certainly where the pluses and the minuses are in this building. And the building does have pluses. I'm certain when this facility was constructed some twenty-seven years it was state of the art in terms of what that facility could be in those days.

To give you some examples of some of the inherent problems that we have experienced, the facility as it stands today in terms of its electrical capacity, shows of 27 years ago did not have the lighting, the sound and the equipment that is necessary to be able to do the types of productions that they're doing today. There are many times that we're experiencing with today's productions where for a promoter to come into Evansville and use this facility, we're literally having to go outside and rent portable generators to put

on the Walnut Street lobby side to help supplement the electrical loads of this building. Recently our company furnished a report to the Commissioners, including pictorial representations of where the roof is in terms of needing repair. In fact, in many cases it is beyond the need of repair and we're looking at literally replacing that particular roof. When we experience the fact of having to watch which type of performances can be going on simultaneously in the building between the Gold Room and the orchestra or the auditorium side in having to limit, in many cases, only a single use of this particular facility, it is disheartening to see the loss of that type of revenue coming to what this building is capable of doing. Even though I know the Commission, in the past, has spent money on updating -- and I know Commissioner Borries, who was instrumental in seeing that our restrooms were updated for purposes of handicap accessibility and the accessibility with the addition of the elevator outside -- since those days the American Disabilities Act has come to play and there continue to be additional problems associated with this entire facility that we need to address in terms of compliance with the American Disabilities Act. When we look at the capacity of the Gold Room and its limitations, we continue to see the need and the requests for the use of that facility -- and it's at its limit with a thousand people in there -- and that is basically wall to wall and elbow to elbow trying to have any type of dinner; we see not only the requests and the need and the demand for a facility that could accommodate more people than that, but at the same time there is a perceived notion that unless you have a large event you certainly cannot use the Gold Room. We've overcome some of those objections in the last year. In fact, I think our smallest party in the Gold Room was that of 100 people. But to be able to serve the demand of the inquiries that we see for this facility, those have been incorporated into the study that has been presented here today. As Mr. Mike Shoulders of Knapp, Given, Veazey & Shoulders, along with Mr. Bill Conner of Jerit Boys of Oak Park, ILL have explained, the accumulated problems throughout the Vanderburgh County Auditorium and the Gold Room during the first twenty-seven years of its existence and the range of the possible improvements that need to be made in order to bring Vanderburgh Auditorium and the Gold Room up to standards for present and future use, money will need to be spent on this facility -- whether it is in terms of repair; whether it is in terms of renovation; and it doesn't make sense in our opinion to look at updating the facility in terms of replacing a roof that needs to be replaced and not look at a building that is 27 years old. It is tired. It needs to be brought up into today's usage -- and to have the wisdom of looking at the next 25 to 27 years of this facility we think is very important. Mr. Shoulders, in detail, has illustrated and discussed the creative solutions for Vanderburgh Auditorium and the Gold Room. If the decision by the responsible elected bodies of Vanderburgh County, being the Commission and the Council, is to implement this plan, it would certainly be after, in our opinion, a full ranging review by those elected officials. What we are saying is that this is not something that can be acted upon necessarily today. We are certain that any commitment to bond this kind of dramatic project would be predicated in great part by the retention of Vanderburgh Auditorium's major lessee, which is the Evansville Philharmonic Orchestra. This is why the Auditorium portion of the study so specifically offers solutions to their problems at the Auditorium over the past 27 years. We've had the ability now as the management agent of this building to be able to work with the Philharmonic Orchestra and many of their concerns and the problems they have had and experience with this building, we have been able to accommodate. Many of those we cannot accommodate simply because of the limitations that this facility as it sits today presently has to offer in terms of solutions to their real needs. In addition to solving the Philharmonic objections to the Vanderburgh Auditorium, renovation would also entice many additional events, such as larger Broadway productions that currently can't play our Auditorium because of limited capacity of 2,001 seats and the

outdated technical equipment. If you will look at today's performances, if we're to attract a promoter to bring a show in, it is a simple matter of economics. There is a cost associated with the promoter with bringing that production to Evansville. If the cost of that production has to be spread out over 2,001 seats, and the cost is so high that the cost per ticket makes that performance no longer a sellable performance in our market, the promoters will move on to other markets where they do have facilities that they can sell at a fair and competitive price and still be able to make the money they want. By increasing this capacity -- with the renovated capacity of 1,500 seats, the ability for us to attract performances today that are just outside of our reach with 2,000 seats, certainly increases. Evansville, even though it is a great place to live and to work, is not necessarily on the beaten path of every major Broadway performance that is out there. We tend to attract, to a large extent, performances that are on their way up and performances that are on their way down in scope of popularity. By increasing the capacity of the seating, we widen that gap -- if you would graph this -- both in the number of performances and the type of performances both on the way up dramatically, as well as on the way down that we believe we could attract to this particular facility. If the seating capacity were increased to 2,500 seats, we believe the Philharmonic would not only be able to grow in their audience size, but also in terms of income and they wouldn't lose audience size that they presently may enjoy for some of their performances by a smaller seating capacity that is at least being projected to be apparent at the Victory Theater. When we talk about growing in terms of income, it is not only accommodating them also in terms of seeing they could grow in size of their performances, but if you look out into the Auditorium today and you look on the outside of the yellow taped areas and you look at that amount of additional space that could be available for restaurant-type facilities where they could be able to sell sponsorships to tables, the box seats that could be sold or sponsorships to help generate additional revenue for the Evansville Philharmonic Orchestra. Having mentioned the Victory a while ago, we feel it is also important for our company as a private management firm of Vanderburgh Auditorium and the Gold Room to articulate our opinion of the Theater District and its component facilities. We want to go on record today by saying that we certainly support the Theater District's concept and the renovation of the Victory Theater -- and we do that one hundred percent. We would like to see the Victory Theater itself saved. However, our vision of the completed Theater District would change the mix of facility usages from the plan that was submitted to the public by the Victory Theater Foundation Group. We feel that the Victory Theater renovation could be accomplished with much less financial burden to the Victory Theater Foundation Group and the City of Evansville if the end usage of a renovated Victory was more for a local, regional theater on the Victory main floor and possibly some type of an experimental theater or recital hall in the balcony area of the Victory, plus the revamping of the old Civic Plaza Hotel space into galleries and offices for the various organizations that are in our area. We feel the Vanderburgh Auditorium and the Gold Room should be renovated for the study that has been released here today -- not only to increase the demand that we are seeing, but also to serve the citizens of this area. We also feel, however, that the proposed ballroom for the top of the Victory would be an unnecessary duplication of what would, as we envision, be an enhanced Gold Room. Our suggested outline of what goes where also takes into account that the smaller theaters at the Victory would allow the attendees to be able to park and to accommodate more on-street parking in the parking garages that would be within a block area of the Victory, while at the same time the recommended larger Vanderburgh Auditorium with its capacity increased to 2,500 would as always -- the patron would be able to park on our adjacent surface parking lots immediately adjoining this facility. Given & Spindler Management Co. requests that all concerned and interested parties, including the Commission, the County Council, that are

charged with the final decision making, as well as the Victory Theater Foundation Group, the Evansville Philharmonic Orchestra Officers and Board of Directors all give careful considerations to our suggestions. We feel that no decision could be made until all the important entities have had ample time to be able to think through not only the proper renovation of Vanderburgh Auditorium and the Gold Room, but also the proper usage mix of the entire proposed Theater District. Given & Spindler Management, in conclusion, just want to say that what we want is what is best for the Evansville Philharmonic Orchestra. What we want is what is best for this facility. And what we want is what is best for the taxpayers of Vanderburgh County. We believe that the renovations as outlined here today, together with changing the facility usage mix of the Victory, would provide for a Theater District area -- this entire area downtown here that we are looking at -- it would provide that area with facilities that would complement each other rather than possibly compete. Again, I want to thank you for your time and your considerations and your graciously agreeing to be able to bring your meeting to this unique setting for the presentation. If it is all right with the Commission, we would be more than happy to answer any questions that you or anyone may have."

President Borries expressed appreciation to Messrs. Spindler, Shoulders and Conner for their professional, outstanding way of making the presentation and said there are a lot of things for the Commissioners to consider.

Commissioner Tuley said he does not have any questions at this time. He does think it important that if we continue to pursue this -- or at last study it -- that there be the input from the Philharmonic, the Theater District Group. And, he thinks somebody we left out -- very important -- the citizens of Vanderburgh County are going to be responsible for paying for this. Quite candidly, he thinks that is something all of us are going to have to evaluate and see if we get a good mix here -- and see if we can have the two working hand-in-hand alongside each other and not on a collision course. He thinks it important that we keep that in mind.

Commissioner Hunter said he was kind of reflecting on some comments that were made. This building opened its doors, he believes, in 1967. If it were a new automobile in 1967, it would not qualify for antique auto license. He also was watching the media doing their job. He wonders how effective our T.V. programming would be if they used 1967 technology or the newspaper folks had to revert back to 1967 technology. Basically, that is what we're doing here today. We're dealing with a building that has 1967 technology. It was good then; but we all agree it is not good now. Therefore, he sincerely hopes that everyone -- the community, the Philharmonic, the Theater District people, will all take a hard look at what has been presented here this evening and give us some input of what they would like to see done. He does have one quick question for Mike. He read the report of Artech over the weekend. Have all the concerns -- they did a bit of comparison between the Victory and this building and pointed out all the weaknesses. Have all those weaknesses been addressed in the work KGVS has done?

Mr. Conner said he has a lot of respect for Artech. They are KGVS's competitors, but they're a competent firm. Yes, he believes that in the larger picture there was something they did not envision -- raising the roof, for instance. So he thinks it is a little hard to take their report and use it as an analysis of the proposed design; but he believes what KGVS has proposed as a scheme they would be happy to work on and would probably agree that is a no compromise approach. When Mike first asked him to look at this project and advise them on it, he took back some information and talked with his firm. His firm's opinion was that we don't want to do a band-aid job, because that is too easy and is not going to do much to fix it. This proposal is a no compromise approach and he

has full faith that Artech would approve of these choices and will probably want to work on it as badly as his firm does.

Mr. Shoulders said, "I guess I'm not as kind to Artech as Bill. I think that in their study they were comparing an \$8.2 million improvement program at the Victory to a zero dollar improvement here which, to me, is an apples and oranges comparison. If we look at what could be done here, regardless of the Gold Room -- if we look at what can be done here, what we will have is a world class facility against what is being called by Artech a mediocre to a marginally good facility. So I think, yes, we have answered the questions. We have answered the questions concerning the ambient noise. We have answered the questions concerning the low ceilings. We have answered the questions regarding the fan shape and we've answered questions concerning the technology, the feeder technology and the HVAC. So I think we've answered them all and we believe very firmly -- very strongly -- that this facility, the Vanderburgh Auditorium, could in essence be one of the finest in this region -- if not in the country."

Mr. Hunter said he guesses one of his concerns he never thought about was that this building opened in 1967. Just from some of the comments that have been made today on the fan shape, it was out of date -- the concept -- almost before this building opened its doors.

Further comments were made by Mr. Conner, but were completely inaudible.

Mr. Hunter said, "What you're saying is that the overhaul suggestions you all have will carry us into the next 26 years in good stock. Thank you."

Commissioner Borries said he thinks Don hit right on target -- much of his sentiments about 1967. No Faxes, no lasers -- if somebody had asked him how his VCR would have been he probably would have slapped them or wanted to fight or do something -- because all this technology has emerged rapidly in this last quarter of a century to the point that we don't listen to 29 year old or 27 year old stereos unless, again, we are a history buff of which he and Don probably focus in a bit on some of those things they'd like to treasure from the past. But he thinks it is time we address -- as also pointed out by our speakers this evening -- the aspect of this community owning this facility. It was built over a quarter century ago as a statement by the taxpayers in Vanderburgh County, owned by the taxpayers in Vanderburgh County -- as a statement for and to try to accommodate many of the performing arts of their day. We find and we know that things have changed. And I think -- at least I am kind of visually excited by what could be -- and to get some glimpses of what this place could look like for the 21st century. He thinks that as County Administrators acutely aware of all the responsibilities that this building has, we have on a regular basis to be accountable for not only looking at the day-to-day expenses -- and sometimes those get very difficult to maintain in the short run -- but to look at the long run to look and see what the next 27 years have to be like. So I certainly, again, have gained a lot of ideas here. He thinks it definitely must involve the community for discussion of some of these items. He hopes Mike and Dan can be available later for technical questions if there are members in the audience who have questions. Mr. Borries said he can recall having to drain some real old boilers and literally save some of the chemicals that were going to cool some of the old chillers that used to be in this building and literally having them sometimes in small plastic swimming pools to save this valuable liquid so we could re-cool the chillers. So he's seen a lot in this building -- as he knows all of the people in this community have. But, again, he thinks he's been excited this evening to look at some possibilities of what could be and he thinks it is the Commissioners' role as County Administrators to

look at those things and put it out for the community. Again, he thinks Messrs. Spindler, Shoulders and Conner for their outstanding presentations this evening.

RE: COUNTY ATTORNEY - ALAN KISSINGER

Tax Sale Refund: Attorney Kissinger said he would request authority for the County Auditor to refund expenses of a tax sale in the amount of \$2,873.61. This was for the tax sale for a piece of real estate which is located at 3312 Kingsbury Avenue. Everyone acted in good faith on this. The money was paid into the Auditor's office, etc., as it should have been, only to find after the fact of the sale we received a notice that this particular piece of property was protected by a petition filed in bankruptcy. So it is appropriate for us to refund this money and he requests the Commissioners consider authorizing the Auditor to refund this amount.

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

Authorization to Purchase Real Estate: Attorney Kissinger said the Commissioners having appointed Messrs. Hanson and Miller earlier in the meeting, he would now request that the Commissioners authorize Mr. Francis Miller as the County's Purchasing Agent to make an offer to purchase the particular parcel of real estate which he will refer to as Parcel #1 in the Virginia Street Extension project for an amount of no more than \$52,000, assuming that amount is not less than the actual appraisal based on Mr. Hanson's appraisal.

Motion to authorize Mr. Miller to begin negotiations was made by Commissioner Tuley, with a second by Commissioner Hunter. So ordered.

Compliance with ADA: Attorney Kissinger said in our continuing efforts to maintain compliance with the ADA, he has been advised by Mr. Mark Abell that it would be appropriate tonight for a Statement of Commitment by the Vanderburgh County Board of Commissioners, which has been prepared, to be approved by the Commissioners and read into the record -- or at least made a part of the record.

Mr. Borries asked if he may take it that the Commissioners have had advance copies of this and the Board could take this item without having to read it for the record, but it essentially includes a listing of Mr. Mark Abell as the Vanderburgh County ADA Coordinator. It list his responsibilities in this fashion. It does authorize us to direct the following kinds of activities to insure that the ADA is implemented in Vanderburgh County. With the other Commissioners' permission, he would request approval to sign this document.

Motion to this effect was made by Commissioner Hunter, with a second from Commissioner Tuley. Copy of the Statement to be attached to the minutes as part of the permanent record. So ordered.

Mr. Borries asked if Mr. Abell has further comments with regard to the ADA. Mr. Abell responded negatively. Mr. Borries said Mark has begun to coordinate those activities that involve the consultants that are assisting in this compliance. He knows Mr. Abell will keep the Commissioners appraised as events move forward and he thinks they will now -- in rather quick fashion.

RE: CLAIMS

Mr. Borries said he has some claims he would like to include as a consent item. Again, they were inadvertently omitted from the consent agenda. They are part of the County Engineer's report and he would ask that the Commissioners review same at this time.

RE: NEW BUSINESS

Executive Session: President Borries no Executive Session will be scheduled for next Monday, June 14th. There will be needed to be added to the list of Scheduled Meetings a Solid Waste District Committee Meeting at 4:30 p.m. on Monday, June 14th, in Room 307.

Scheduled Executive Sessions: Mr. Borries said he would request permission at this time to advertise for Executive Sessions in Room 307 on Monday, June 21st and also on Monday, June 28th. Purpose of said meetings is to discuss Pending Litigation and Personnel Matters.

RE: COUNTY HIGHWAY - FRED HOWARD

Commissioner Borries said he understands that Mr. Morpew is out of the city tonight and Mr. Fred Howard is here this evening. He then welcomed Mr. Howard.

Weekly Work Report: Mr. Howard submitted the written Weekly Work Report for period of May 28 thru June 3.....report received and filed.

Weed Cutting: Commissioner Tuley asked if the County Highway has been able to keep up with the weed cutting in view of the rain.

Mr. Howard said they have not -- they are behind on weeds right now. The weeds are growing faster than they can get to them, plus they are still stuck with the sickle bars and they break down constantly. Hopefully, Bill has some money now where he can possibly get one more this year -- but he doesn't know if we're going to get it in time. Hopefully they will have the money in the R&S account next year to get some other equipment.

Commissioner Borries said he has had calls this week regarding various matters, which he will pass along at this time.

Rucker Rd.: It is his understanding this is a county-accepted road and they have requested some rock be put rock out there. If Mr. Howard could research this to verify this is a county-accepted road he would appreciate it.

Lynn Rd.: Also, a portion of Lenn Rd. where it ends near the Ohio River in Vanderburgh County. Again, this is not a paved road, but is a county-accepted road. As always, when the Ohio River rises in the spring it sometimes leaves some real gaps in there.

Agreement w/Posey County re County Line Rd.: Mr. Borries said we need to move this project along. He receives a lot of calls and he never knows what to tell the residents in that area. If Mr. Howard can follow up on this, perhaps we can within the next week or so begin to move forward with this project.

Mr. Borries entertained questions from the Board. There were none.

RE: COUNTY ENGINEER - JOHN STOLL

Awarding of Bids: Mr. Stoll said the first item he has concerns the awarding of the five (5) bids opened last week. All of the contractors listed on the agenda are the low bidders on all the projects. Would the Board like to take these individually?

Mr. Borries said he thinks the Board should act on these separately because they come from different funding sources.

USI Interchange Construction: Mr. Stoll said this is the first item; to be awarded to low bidders Koester & Blankenberger Bros. Amount of the bid was \$3,657,000.

Motion to award the bid as recommended was made by Commissioner Tuley , with a second from Commissioner Hunter. So ordered.

Bridge #214/Darmstadt Rd.: Mr. Stoll said the low bid was from Sam Oxley & Co., Inc. in the amount of \$204,189.40 and it is his recommendation the Commissioners so approve.

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

Crack Sealing Contract: This item will be with Pavement Maintenance Specialists, Inc., in the amount of \$45,850.00.

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

Contract Paving/Various County Rds.: It is his recommendation that the contract be awarded to Koester Contracting Corp. in the amount of 132,186.50.

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

Concrete Repair/Various County Rds.: Mr. Stoll said it is his recommendation that the bid be awarded to Concrete Pavers, Inc. in the amount of \$82,675.00.

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

Lynch Rd. Construction/INDOT Loan Agreement: Mr. Stoll said this is the \$800,000 loan for the construction of Lynch Rd. that INDOT will be giving us. It's a two year loan. He has given Alan Kissinger a draft copy of the agreement for his review so that hopefully the Board can take action on this matter at next week's meeting.

Revisions to Speed Limit Ordinance: Mr. Stoll said he has also given this information to Alan, which involves three changes -- revising the speed limit on Speaker Rd. from 45 mph to 25 mph; revising the speed limit on Skyline from 45 mph to 25 mph; and revising the speed limit on Petersburg Rd. between Petersburg Place and Highway 41 to 40 mph. They've just copied the same format that was done last time a revision was made to the ordinance. If everything is in order following Alan's review, hopefully next week the Board can authorize advertising.

Mr. Borries asked if the ordinance will have to be prepared and brought back to the Board.

Mr. Stoll said he has given a copy to Alan Kissinger. He can bring copies to everybody next week.

Mr. Borries asked Ms. Matthews if this will have to be advertised and she replied affirmatively. Mr. Stoll said he will get with Joanne to see what needs to be done.

Mr. Borries said he is always reminded of a well-intentioned person who once called him right after the County had paved a road which was apparently near her house. She was so happy that this road was all new, etc. She the asked if they could have speed bumps put on it. He replied, "No, I don't think we can put speed bumps along a public way now that we've just finished the road." The individual was real serious about it. What he is trying to say is, for our citizens out there in the county, everyone needs to know that when we post them (and I think that instigated the series of calls from the folks on Speaker Rd.) that County roads are 45 mph and when we get a request for a sign we're going to post them according to the County ordinance. As John is correctly doing here, he is asking

the Board to amend our ordinance -- which we have done and we will do in subdivisions -- and we're happy to do that. But, again, I think we need to remind the public a bit that when we're talking about slower speeds, etc., that, again, unless posted otherwise the county-accepted speed limit is 45 mph. And that is probably true in most counties throughout the state. But, again, we routinely make a lot of changes and the County Engineer and the public bring them to the attention of the Commissioners and they are happy to accommodate those requests whenever possible.

Dedication of Right-of-Way/Waltz Property: Mr. Stoll said this is out off Hogue Rd. just east of Peerless Rd. In order for them to do a parcelization according to Area Plan Commission requirements, they need to have access on a public road. Right now they have a 50 ft. easement and it needs to be revised to 50 ft. right-of-way. In the information provided to the Commissioners there is a legal description of a right-of-way to be dedicated to the County so that they would have access to a road instead of an easement. This road will be a privately maintained, 16 ft. wide gravel road and they recognize the fact it would have to be brought up to County standards before it would ever be accepted by the County.

President Borries asked if we're specific enough on Point #2 that any future and additional development on the property will require substantial improvement to the 16 ft. right-of-way? Are you satisfied with that?

Mr. Stoll responded, "Yes. That was a provision that the APC requested to be put in there and if they want further development, it will require construction of a road to County standards -- because they have total of 28 acres."

Mr. Borries asked, "Can't we put that in there to say that it would require approval to the current County standards?"

Mr. Stoll said, "I can request that. They want to record this tomorrow. That is why they have requested I bring it to the meeting this evening. But if you would like that change I can tell them that is going to be required."

Mr. Borries said, "No offense to our Attorneys or our high tech typists or anything, but if we want to make that correction we can just make that correction by hand and it can be typed up later. What is your feeling on this, Commissioners? Is that satisfactory?"

Mr. Tuley said, "I am afraid that substantial improvements is too vague. If we know what we want it to be brought up to, then that is what should be stated in there. If we can do it by pen, then that is fine."

Commissioner Hunter said he agrees. It should be whatever the current county standards are.

Mr. Borries said, "Well, if you approve that, then we will initial that and make those corrections. If they choose not to record it tomorrow, then you will just have to bring it back next week. May I have a motion to that effect? In Part 2, what we're doing -- where it says "substantial improvement", we would probably put -- I would probably cut everything out from "substantial improvement" and just require "improvement to current Vanderburgh County road standards"."

Mr. Hunter said, "Let me read it now. "Any future and additional development of the property will require improvement to current Vanderburgh County road standards".

Mr. Borries suggested, "And let's add one other word there, which is always important. "Current **accepted** Vanderburgh County road

standards".

Mr. Stoll asked, "If they make those revisions then, should I tell Barbara that it is okay -- they can go ahead and record this tomorrow as long as that wording is changed?"

Mr. Borries gave an affirmative response and entertained a motion to this effect.

So moved by Commissioner Hunter and seconded by Commissioner Tuley. So ordered.

West Summit Subdivision Road Plans: Mr. Stoll said we've all been out there and had a chance to look at it. Based on the Commissioners' input he would recommend the Board approve the road plans subject to it being a private road from Station 21 + 25 (which is the beginning of the dam) on to the end of the cul-de-sac.

President Borries asked if there is any discussion concerning Mr. Stoll's recommendation.

Commissioners Tuley and Hunter indicated they had no problem with this.

Commissioner Borries entertained a motion to this effect.

Motion to this effect made by Commissioner Hunter, with a second from Commissioner Tuley, based on Mr. Stoll's recommendation made following input from the three Commissioners.

Commissioner Tuley asked if the Board could have a roll call vote. These things have a way of coming back and he wants to be sure everyone understands all three Commissioners are voting.

President Borries asked for a roll call vote, saying what Commissioner Tuley has asked for is a roll call vote because we are not going to go into this continuing saga of this particular subdivision's plans. The Commissioners have talked about for weeks and studied this at length -- so it is not a new item. But, essentially, it involves a dam and a road constructed over a dam. At this point Mr. Stoll's recommendation -- which the Commissioners are about to vote on -- is going to indicate that the County at this point will not accept that particular area. Mr. Nord, a brief comment please.

Mr. Jerry Nord, the developer, stated he would like to make it a part of the record that he does intend to build that to County standards and he would like to have the cooperation with the County in making sure it is put in correctly so maybe at some future date it could again be reconsidered for acceptance.

President Borries requested that the record state that Mr. Nord will work with the County Engineer's office to insure that all of the roadway will be built to current County accepted standards.

Mr. Stoll said we will have inspectors out there, as they are requested, for Mr. Nord.

President Borries asked that Mr. Stoll repeat the exact location so we can get this on for a roll call vote.

Mr. Stoll said, "From the beginning of the dam at Station 21 + 25 to the end of the road into the cul-de-sac."

Mr. Borries asked, "And the road's name is?"

Mr. Nord responded, "West Summit Drive".

Mr. Borries then entertained a motion to accept the portion of West Summit Drive to a point known as Station 21 + 25.

Mr. Stoll said, "We want to approve the road plans, but not accept the road for future County maintenance."

Mr. Hunter said, "So moved." Mr. Tuley seconded.

President Borries asked for a roll call vote: Commissioner Hunter, yes; Commissioner Tuley, yes; and Commissioner Borries, yes. Motion unanimously approved on roll call vote.

USI INTERCHANGE/GROUNDBREAKING CEREMONY: Mr. Borries asked if we've been working with Bernardin-Lochmueller -- again we've had an excellent presentation here this evening, but he knows there are folks within the USI community that would like to see us do something next week that perhaps we need to announce -- and perhaps the media will assist us with. Have we set a time for the ground breaking in the USI project?

Mr. Stoll replied he received a note from Bernardin-Lochmueller today with regard to the ground breaking ceremony next Monday at 3:00 p.m.

President Borries requested that the ground breaking ceremony will be held on USI grounds near S.R. 62 at 3:00 p.m. on Monday, June 14th.

RE: CONSENT AGENDA

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the Board approved the Consent Agenda, as printed. 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 said he believes the Executive Sessions scheduled for June 21st and June 28th, as well as the ground breaking ceremony at USI next Monday have been covered. The list of scheduled meetings is on the Consent Agenda.

The meeting concluded with President Borries expressing appreciation to Sandy Toton and Danny Spindler for the meeting accommodations and all Department Heads for their excellent cooperation. He said this is one of our records here -- in terms of brevity -- for a Commission meeting this evening.

There being no further business to come before the Board at this time, President Borries declared the meeting adjourned at 7:10 p.m.

PRESENT:

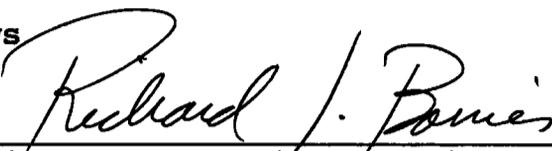
Richard J. Borries, President  
Pat Tuley, Vice President  
Don Hunter, Member  
Sam Humphrey, County Auditor  
Alan M. Kissinger, County Attorney  
Mark Abell/Commissioner Office  
John Stoll, County Engineer  
Fred Howard, County Highway Dept.  
Danny Spindler, Given & Spindler Mgmt.  
Jerry Nord/Nord Enterprises, Inc.  
Bill Kattmann/Realtor  
Sandra Toton/Auditorium

COMMISSION MEETING  
June 7, 1993

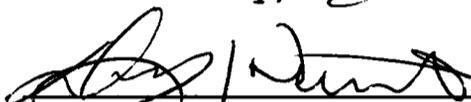
18

Andy Davidson/Given & Spindler  
Doug Given/Given & Spindler  
Pete Popham/Popham Construction  
John Arnold/Given & Spindler  
Margaret Hagerman/EPO, Exec. Dir.  
Mike Shoulders/KGVS  
Bill Conner/Jerit Boys, Inc.  
Rita Eykamp/EPO Board  
Others (Unidentified)  
News Media

SECRETARY: Joanne A. Matthews

  
Richard J. Borries, President

  
Patrick Tuley, Vice President

  
Don Hunter, Member



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

**AGENDA**

**VANDERBURGH COUNTY COMMISSIONERS**

**JUNE 7, 1993**

**5:30 P.M.**

**FINAL**

1. **CALL TO ORDER**
2. **INTRODUCTIONS**
3. **PLEDGE OF ALLEGIANCE**
4. **ACTION ITEMS**
  - A. Any group/individual wishing to address the commission
  - B. Roger Elliott/Data Processing  
re: Approval for the purchase of DCA Engineering Software version 12 upgrade \*\*\*\*defer until 7/14/93 per Mr. Elliott
  - C. David Matthews/Bill Kattmann, Members of the Computer Committee Southwestern Indiana Association of Realtors  
re: Approval/signature(s) on an agreement with the County Assessor and Southwestern Indiana Association of Realtors  
\*deferred from 5/24/93
  - D. Virginia Street Extension  
re: authorization of Ken Hanson to handle appraisal  
re: contract Francis Miller to represent in negotiations
5. **DEPARTMENT HEADS**

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

**6. CONSENT ITEMS**

**A. Travel/Education Requests**

Health (3)

**B. Claims for payment**

- 1) Given & Spindler.....5,977.66  
\*reimbursement of expenses per contract
- 2) Given & Spindler.....4,100.15  
\*management fee

**C. Employment Changes (See Attached)**

**8. OLD BUSINESS**

**9. NEW BUSINESS**

**10. MEETING ADJOURNED**

**Scheduled Meetings**

Mon	June 7	County Commissioners Department Head Meeting	4:00 PM	Rm 303
	<b>Executive Session</b>	<b>4:30 PM</b>		<b>Vanderburgh Auditorium</b>
	<b>County Commissioners</b>	<b>4:30 PM</b>		<b>Vanderburgh Auditorium</b>
	* Notice change of location			
Mon	June 14	County Commissioners	5:30 PM	RM 307
Tues	June 15	Insurance Committee	9:00 AM	RM 303
Thurs	June 17	Employee Steering Comm	9:00 AM	RM 303
Mon	June 21	County Commissioners	5:30 PM	RM 307
		Rezoning	7:00 PM	RM 307
Mon	June 28	County Commissioners	5:30 PM	RM 307
		Drainage Board Immediately Following		
Wed	June 30	County Council Personnel/Finance	3:30 PM	RM 301

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Vanderburgh Auditorium

## APPOINTMENTS MADE

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
Larry W. Craddock	2250 Cass Ave.	Security	\$12.00 / hour	6/4/93 ✓
Michael A. Hertweck Sr.	741 Herndon Dr.	Security	\$12.00/ hour	6/4/93 ✓
Robert C. Tribble	1045 Hensz Ave	Security	\$12.00/ hour	6/4/93 ✓
James W. Spence	6405 Kamball Dr.	Security	\$12.00/ hour	6/4/93 ✓

ORDER

COMMISSIONER'S RECORD

SIGNED BY

*Janice Bente*

DATE

6/4/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Vanderburgh Auditorium

## APPOINTMENTS MADE

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
Alfred L. Askins		Security	\$12.00/ hour	6/4/93 ✓
Eric R. Williams	352-C Rosenberger	Security	\$12.00/ hour	6/4/93 ✓
Scott M. Molden		Security	\$12.00/ hour	6/4/93 ✓

ORDER

COMMISSIONER'S RECORD

SIGNED BY

*Janice Bente*

DATE

6/7/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105011300209	Lori Dillback		Clerk/Typist	14950 00	6-8-93 ✓
10501750	Shannon Henry		Deputy	Other Clothing	5-27-93
10501750	Robert Goedde		"	"	5-6-93 ✓
10501750	Douglas Daza		"	"	5-6-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105011300209	Lori Dillback		Clerk/Typist	14269 00	6-7-93 ✓
105011300205	Andrea Patterson		P/T Clerk	7137 00	5-29-93 ✓
10501750	Stanley Garrett		Deputy	Other Clothing	2-28-93 ✓

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*Ray Hamm*

DATE 6-4-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
10501750	Samuel Preston		Deputy	Other Clothing	5-6-93 ✓
10501750	Jeffrey Dedmond		"	"	5-6-93
10501750	Kenneth Tenborge		"	"	5-6-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*Ray Hamm*

DATE 6-4-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff - Jail

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105111300335	Kirk Kuester		Correction Off.	9 4918 19819 00	6-1-93 ✓
105111300336	James Hamner		"	9 4918 19819 00	6-1-93 ✓
10511750	Kirk Kuester		"	Other Clothing	6-1-93 ✓
10511750	James Hamner		"	Other Clothing	6-1-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Ray Hamner

DATE 6-4-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff - Misdemeanor

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
8013602780	Jason Ashworth		Probationary Corr. Officer	9 2523 19319 00	6-1-93
8013702780	Brian Spradlin		" "	9 2523 19319 00	6-1-93
801750	Jason Ashworth		" "	Other Clothing	6-1-93
801750	Brian Spradlin		" "	Other Clothing	6-1-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
3013602780	Kirk Kuester		Corr. Officer	9 4918 19819 00	5-31-93 ✓
3013702780	James Hamner		" "	9 4918 19819 00	5-31-93 ✓
301750	Kirk Kuester		" "	Other Clothing	5-31-93 ✓
301750	James Hamner		" "	"	5-31-93 ✓

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Ray Hamner

DATE 6-4-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department                      Knight Township Assessor *sd*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
113-1190	Steven Folz	3600 Keck Ave	Deputy Real Est	14,889.00 <sup>by 5/27/93</sup>	5/31/93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
113-199	Steven Folz (STILL PD ON 6/11/93)	3600 Keck Ave.	Deputy	5.00 per hr	5/31/93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*Stanley Reeder*  
Chief Deputy  
Knight Twp

DATE 6/3/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department                      Knight Township Assessor *sd*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
113-199	Hurshel Cobb	2216 E. Tennessee	Deputy	5.00 per hr	5/29/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
113-1190	Hurshel Cobb (STILL PD ON 5-11-93)	2216 E. Tennessee	Deputy	14,889.00 <sup>7.15/HR</sup>	5/29/93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*Stanley Reeder*  
Chief Deputy  
Knight Twp

DATE 6/3/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Pigeon Township Assessor

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1150-1990	Jerome R. Zeller	5544 Hogue Rd.	Part Time Deputy	Hourly \$5.00	3 6/4/93 (LIEUTENANT W. REED) POL. J. McINTOSH (6-4-93)

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Dana G. Fox 6-4-93  
*gm*

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department COOPERATIVE EXTENSION SERVICE --- 1230

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1150-1990	Kyberly L McIntosh	9700 Denzer Rd. Evansville 47720	part-time	4.88	5-25-93 ✓
1150-1990	Angela S Reininga	12440 Old State Rd Evansville 47711	part-time	4.63	5-25-93 ✓
1150-1990	Mark A Riggs	1161 Volkman Rd Evansville 47711	part-time	4.63	5-25-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Mark Placencia DATE 6-3-93

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department VANDEBURGH COUNTY HWY. DEPT. 20101990 EXTRA HELP

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
20101990	JEFFREY W. EFFINGER	6720 ROSSER DR.	EXTRA HELP	HR.	5 00	5-21-93
20101990	SCOTT A. O'RISKY	814 STONEBRIDGE DR	EXTRA HELP	HR	5 00	5-21-93
20101990	DAVID J. HANCOCK	2067 E. GUM ST.	EXTRA HELP	HR	5 00	5-28-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY William F. Maguire, DATE 6-4-93

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Pigeon Township Assessor *pl*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1150-1990	Jerome R. Zeller	5544 Hogue Rd.	Part Time Deputy	Hourly \$5 00	6/3/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*David A. Fox* DATE 6-1-93  
*jd*

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT *pl*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136.1-1980	MELISSA A. HAMILTON		INTERN	\$5.00 HR	5-24-93
136-1990	EMILEE A. FRESON		INTERN	\$4.75 HR	5-24-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136-1990	DAVID W. MONTGOMERY		INTERN	\$4.75 HR	5-16-93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

JUDGE, CIRCUIT COURT

DATE

*June 2, 1993*

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department County Recorder

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
104-1170	Tracy Newcomb	1514 Redwing Dr.	Release Deputy	15607 00	7-1-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
104-1170	Tracy Newcomb	1514 Redwing Dr.	Release Deputy	14889 00	6-30-93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Betty J. Hermann DATE 6/1/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Vanderburgh County Surveyor #1060

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1060-1160	Philip J. Wiener	9225 Hedden Rd.	Chief Draftsman	\$19,643.00	April 4, 1993
1060-1130	Jeanne M. Jennings	8508 Larch Lane	Party Chief	\$19,323.00	April 14, 1993
**Effective dates reflect the above employees' six month step.					

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1060-1160	Philip J. Wiener	9225 Hedden Road	Chief Draftsman	\$18,733.00	April 4, 1993
1060-1130	Jeanne M. Jennings	8508 Larch Lane	Party Chief	\$18,427.00	April 14, 1993

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Robert W. Brennan June 1, 1993

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Health 213.0

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
1990	Block, Frederick L.	7416 Wren Drive Evansville 47715	Vector Control Technician	\$5.00/	hr.	6/01/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

DIRECTOR

DATE

6/02/93



# Vanderburgh County Engineering Department

715-A Locust Street - Evansville, Indiana 47708 Telephone: (812)424-9603

## Vanderburgh County Engineering Department Agenda for June 7, 1993

1. Awarding of bids:
  - USI Interchange - Blankenberger/Koester - \$3,657,000
  - Bridge #214 - Sam Oxley and Co., Inc. - \$204,189.40
  - Crack Sealing - Pavement Maintenance Specialist Inc. - \$45,850
  - Contract Paving - Koester Contracting Corp. - \$132,186.50
  - Concrete Repair - Concrete Pavers, Inc. - \$82,675
2. Agreement for INDOT loan for the construction of Lynch Road
3. Revisions to the speed limit ordinance
- ✓4. Dedication of right of way from Harlan, Edna and David Waltz
5. West Summit Subdivision road plans

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COUNTY ENGINEER'S

CONSENT AGENDA

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JUNE 7, 1993

ITEMS

1. CLAIMS:

EICKHOFF-KORESSEL - PHASE 2 216-4741

Bernardin Lochmueller (Inv. #90-42-1(22)) \$ 1,076.91

/ LYNCH ROAD EXTENSION 216-4827

Vanderburgh Co. Clerk (82DO3-9211-CP-2094) \$ 1,200.00

Bernardin Lochmueller (Inv. #91-60-5(12)) \$ 76.81

✓ GREEN RIVER ROAD NORTH 216-4910

United Consulting Engineers (Inv. #14) \$13,529.26

Vanderburgh Co. Clerk (82DO3-9210-CP-1859) \$ 1,350.00

Interprop Fund III, Ltd. (82DO3-9105-CP-957) \$30,692.60

✓ USI INTERCHANGE 430 BOND

Vanderburgh Co. Clerk (82DO3-9303-CP-545) \$ 1,500.00

Vanderburgh Co. Clerk (82DO3-9301-CP-149) \$ 1,200.00

Bernardin Lochmueller (Inv. 91-98-5(12)) \$ 125.00

✓ COLUMBIA/DELAWARE BRIDGE #1C 203-4353

United Consulting Engineers (Inv. 7) \$17,938.94

✓ OHIO STREET BRIDGE #3C 203-4345

Bernardin Lochmueller (Inv. #91-068-1(12)) \$ 7,548.19

ACCEPTANCE OF RIGHT OF WAY GRANTS - GREEN RIVER NORTH

✓ Robert Skipper, Jr. & Karen Skipper (Parcel #29)

✓ ACCEPTANCE OF TEMPORARY EASEMENT GRANT - GREEN RIVER NORTH

Temple of Praise of Evansville, Inc. (Parcel #34)

Harold Chapman & Michael D. Chapman (Parcel #40)

✓ ACCEPTANCE OF WARRANTY DEED - GREEN RIVER NORTH

Roy G. Shrote, Trustee/Roy G. Shrote Rev. Trust (Parcel #43)

✓ ACCEPTANCE OF CORRECTIVE WARRANTY DEED - GREEN RIVER NORTH

Roy Kixmiller & Patricia Kixmiller (Parcel #28)



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

**STATEMENT OF COMMITMENT  
BY THE VANDERBURGH COUNTY BOARD OF COMMISSIONERS**

The Americans with Disabilities Act of 1990 (ADA) is designed to empower persons with disabilities to lead independent and productive lives and to participate fully in their communities. The ADA further opens the doors of opportunity for many citizens with disabilities to seek to be judged on the basis of their abilities, not their disabilities. The ADA requires all Vanderburgh County services, programs and activities, when viewed in their entirety, to be readily accessible to and usable by individuals with disabilities, regardless of whether those services, programs and activities are provided directly by Vanderburgh County governmental agencies/offices or through service purchase agreements of other contracts.

The Vanderburgh County Commission, consistent with its commitment to equal rights and opportunities for all citizens, appoints Mark Abell as the Vanderburgh County ADA Coordinator. Mark's responsibilities include:

- planning and coordinating overall compliance efforts
- providing notice of ADA requirements
- involving people with disabilities and interested parties in the compliance process
- conducting the self-evaluation
- preparing the transition plan
- establishing a grievance procedure

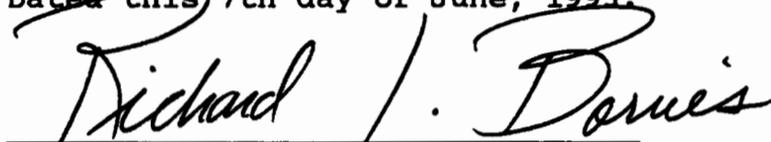
Now, therefore, the Vanderburgh County Commission does hereby order and direct the following:

No Vanderburgh County agency, board, or commission under the jurisdiction of the Vanderburgh County Commission shall discriminate against any individual with a disability. Individuals with disabilities shall be treated with respect and dignity and be provided meaningful access to Vanderburgh County services, programs, activities, and employment opportunities.

All Vanderburgh County agencies, boards, or commissions under the jurisdiction of the Vanderburgh County Commission shall use "people first" language when referring to individuals with disabilities. This includes, but is not limited to, press releases, proclamations, brochures, and any official printed material. Vanderburgh County agency/office publications are to recognize that individuals with disabilities are people first, with the rights, aspirations, and talents possessed by all of us with their disabilities treated as a significant but secondary factor.

All Vanderburgh County agencies, boards, and commissions under the jurisdiction of the Vanderburgh County Commission shall cooperate fully with the Vanderburgh County ADA Coordinator in the implementation of the Americans with Disabilities Act and shall provide assistance and information as needed to carry out said implementation.

Dated ~~this~~ 7th day of June, 1993.

  
Richard J. Borries, President

  
Don L. Hunter

  
Patrick Tuley

JOHN SICILLI  
COUNTY ENGINEER

COPY

June 7, 1993

Mrs. Barbara Cunningham  
Director, Area Plan Commission  
Civic Center Complex  
1 N.W. M. L. King, Jr. Blvd.  
Evansville, Indiana 47708

RE: Building Permit / David Waltz

Dear Mrs. Cunningham:

Pursuant to our agreement of June 4, 1993, we have enclosed a Dedication of Public Roadway in recordable form. Also enclosed is a site plan and legal descriptions. Further, with regard to future development of the property which is the subject of the dedication, we will agree as follows:

1. That the easement will be widened to 16 feet and will be used as a private roadway for no more than two (2) residences (not including the Harlan and Edna Waltz residence).
2. That any future and additional development on the property will require ~~substantial improvement to the 16-foot roadway.~~ <sup>in pavement</sup> ~~current Vanderburgh~~ <sup>accepted</sup> ~~roadway.~~
3. The owners agree to maintain the roadway until such time as it may be accepted for maintenance by the County.

*Waltz or Arbor ST*

Thank you for your assistance in this regard. Call if you have any questions.

\_\_\_\_\_  
Harlan J. Waltz

\_\_\_\_\_  
Edna Mae Waltz

\_\_\_\_\_  
David A. Waltz

STATE OF INDIANA        )  
                              )SS:  
VANDERBURGH COUNTY    )

BEFORE ME, a Notary Public, in and for said County and State, personally appeared HARLAN J. WALTZ, EDNA MAE WALTZ and DAVID A. WALTZ who acknowledged the execution of the foregoing as their voluntary act and deed.

WITNESS my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 1993.

My Commission Expires:  
\_\_\_\_\_

\_\_\_\_\_  
Notary Public  
(PRINTED)\_\_\_\_\_

Notary Public resides in  
\_\_\_\_\_ County, IN.

COPY

DEDICATION OF PUBLIC ROADWAY

KNOW ALL MEN BY THESE PRESENTS:

THAT the undersigned, HARLAN J. WALTZ, EDNA MAE WALTZ, DAVID J. WALTZ, HARLAN J. WALTZ as Trustee under a written trust agreement dated June 18, 1992, and EDNA MAE WALTZ as Trustee, under a written trust agreement dated June 18, 1992, here GRANT and dedicate to the COUNTY OF VANDERBURGH, the easements and rights-of-way for roadway purposes described on Exhibit A attached hereto and adopted by reference herein, said roadways hereby dedicated also being shown on the plat marked Exhibit B attached hereto and adopted by reference herein, TO HAVE AND TO HOLD for future public use should the property owned by Grantors be subdivided or parceled in excess of three (3) residences on the entire tract.

WITNESS THE EXECUTION hereof this \_\_\_\_ day of \_\_\_\_\_, 1993.

\_\_\_\_\_  
Harlan J. Waltz

\_\_\_\_\_  
Edna Mae Waltz

\_\_\_\_\_  
David A. Waltz

\_\_\_\_\_  
Harlan J. Waltz, Trustee

\_\_\_\_\_  
Edna Mae Waltz, Trustee

STATE OF INDIANA     )  
                              )SS:  
VANDERBURGH COUNTY )

BEFORE ME, a Notary Public, in and for said County and State, personally appeared the within named HARLAN J. WALTZ, EDNA MAE WALTZ, DAVID A. WALTZ, HARLAN J. WALTZ as Trustee, and EDNA MAE WALTZ as Trustee, who acknowledged the execution of the above and foregoing road dedication as their voluntary acts and deeds.

WITNESS my hand and Notarial Seal this \_\_\_\_ day of \_\_\_\_\_, 1993.

\_\_\_\_\_  
Notary Public  
(PRINTED)

My Commission Expires:

\_\_\_\_\_

\_\_\_\_\_  
Notary Public resides in \_\_\_\_\_ County, IN.

THIS INSTRUMENT PREPARED BY WAYNE S. TROCKMAN, ATTORNEY AT LAW.

EXHIBIT A

A 50 foot wide easement for a private road and right of way, the centerline being described as follows:

Beginning at a point on the North line of the East Half of the Northeast Quarter of said Section 29 a distance of 460.0 feet West of the Northeast corner thereof, thence South 0 degrees 55 minutes 46 seconds West a distance of 250.0 feet, this being the point of beginning, thence South 0 degrees 55 minutes 46 seconds West a distance of 36.16 feet, thence South 17 degrees 16 minutes 50 seconds East a distance of 73.42 feet, thence South 34 degrees 07 minutes 02 seconds East a distance of 65.84 feet, thence South 71 degrees 04 minutes 54 seconds East a distance of 82.07 feet, thence South 54 degrees 51 minutes 00 seconds East a distance of 83.17 feet, thence South 28 degrees 01 minute East a distance of 201.78 feet, thence South 16 degrees 39 minutes 44 seconds East a distance of 120.97 feet, thence South 00 degrees 55 minutes 46 seconds West a distance of 321.7 feet.

ALSO:

A part of the Southeast Quarter of the Southeast Quarter, Section 20, Township 6 South, Range 11 West and more particularly described as follows:

Beginning at a point on the South line of said quarter quarter (which is also the North line of Section 29, Township 6 South, Range 11 West) 435.0 feet West of the Southeast corner thereof, thence continuing along said South line for 50.0 feet, thence North and parallel to the East line of said quarter quarter for 314.93 feet to a point in the center of Hogue Road, thence running in a Southeast direction along the center of said road for 50.29 feet, thence South and parallel to the East line of said quarter quarter for 307.0 feet to the place of beginning, containing a gross area of 0.36 acres.

ALSO, part of the East Half of the Northeast Quarter of Section 29, Township 6 South, Range 11 West, Vanderburgh County, Indiana described as follows:

A 50 foot wide easement for a roadway and right of way, the centerline of which begins at a point on the North line of the East Half of the Northeast Quarter of said Section 29 a distance of 460.0 feet West of the Northeast corner thereof, thence South 0 degrees, 55 minutes 46 seconds West a distance of 250.0 feet.



A G R E E M E N T

THIS AGREEMENT made this 2 day of JAN, 1993, by and between the VANDERBURGH COUNTY ASSESSOR (hereinafter "ASSESSOR") and the SOUTHWESTERN INDIANA ASSOCIATION OF REALTORS, Inc. ("CORPORATION.") for the consideration of \$1.00 paid to Vanderburgh County,

WITNESSETH, THAT:

WHEREAS, CORPORATION maintains a computerized multiple listing service providing data on listings submitted to said multiple listing service which said data includes real estate property tax and assessment information;

WHEREAS, the ASSESSOR maintains said public records regarding said real estate property assessments and tax information;

WHEREAS, both parties are desirous of implementing a system whereby said information can be obtained by the CORPORATION on a timely basis with the least amount of interference with the day to day operations of the office of the ASSESSOR;

WHEREAS, the parties have agreed, in order to facilitate the mutual goals of the parties, to enter into this Agreement whereby said real estate property assessments and tax information would be provided to the CORPORATION via computerized data base.

NOW, THEREFORE, in consideration of the promises herein expressed, it is agreed by and between ASSESSOR and CORPORATION as follows:

1. ASSESSOR shall supply to CORPORATION timely data regarding real estate property assessment information which ASSESSOR maintains as part of its public records by computer tape or similar computer data material which can be used by the CORPORATION'S computer hardware and software programs utilized in maintaining its multiple listing service information.
2. CORPORATION, in consideration of the ASSESSOR providing said information in a usable computerized data format shall agree to utilize this system of retrieving said assessment information for obtaining said assessment information from the ASSESSOR'S office in order to reduce the number of direct requests for information to office of ASSESSOR.

3. CORPORATION assumes the responsibility of obtaining downloaded assessment data tape(s) from the County on a periodic basis at no cost to the county.
4. The CORPORATION will assume the responsibility and control of having the tape(s) modified for use by the CORPORATION'S computer system.
5. The County will be responsible for downloading the current data base of all field sheet data from the real estate property record cards for real estate in Vanderburgh County, Indiana. Information on individual property taxes due and payable will be provided to the extent available.
6. The parties acknowledge that the sole consideration for this agreement is the mutual convenience and benefits which both parties shall derive from said system of obtaining property assessment information.
7. This agreement shall be for a term of ten (10) years commencing with the date of execution of this agreement and shall automatically become renewable for successive ten (10) years terms unless terminated by either party upon sixty (60) days written notice prior to said anniversary date.

IN WITNESS WHEREOF, the parties have entered into this Agreement on the day and year first written above.

VANDERBURGH COUNTY ASSESSOR  
*James P. Dwyer*  
 DATE MAY 20 1993

SWIAR, INC.  
 BY: *Beverly S. Dushie*  
President

Its:  
 DATE 5-21-93

APPROVAL BY COUNTY COMMISSIONERS.  
*Richard J. Barnes*  
*Robert J. ...*  
*...*  
 DATE 6/7/93

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

Friday, May 28, 1993 thru Thursday, June 3, 1993

Friday, May 28, 1993

Gradall & one crew placed steel plate on drop box at 11th Avenue and Allens Lane.  
Roller, Paver, and 6 crews paved Myrtle Ave.  
Tiger Mower worked on Wright Road and Kleitz Road.  
Cycle Mowers worked on Adler, Outer Darmstadt, Boehne Camp and Middle Mt. Vernon.  
Tree crew worked on St. Wendell and Boonville New Harmony Road.  
Gradall & one crew worked on S. Weinbach.  
Summer Crew worked at various intersections.

Monday, May 31, 1993

HOLIDAY

Tuesday, June 1, 1993

Gradall & one crew replaced culvert on Korressel Road.  
Gradall & one crew ditched on Wimberg.  
Roller, Paver and 7 crews paved Staub Lane.  
Trash crew ran regular routes.  
Weed crews - one worked on the Southwest Side, one worked on the West side.  
Tiger Mower worked on Orchard Road and St. Joe Avenue.  
Cycle mowers worked on the North and Northeast sides.

Wednesday, June 2, 1993

Gradall & one crew ditched on Wedeking.  
Gradall & one crew ditched on S. Weinbach.  
Roller, Paver and 7 crews paved Staub Lane and Barton Lane.  
Weed crews - one worked Southwest side, one worked West side.  
Tiger Mower - worked on Upper Mt. Vernon Road.  
Cycle Mowers worked on the Northeast and North Side.

Thursday, June 3, 1993

Gradall & one crew ditched on Wedeking.  
Gradall & one crew ditched on S. Weinbach.  
Paver, Roller, and 6 crews paved on Staub Lane and Barton Lane.  
Rock crew rocked mailbox approaches per work orders.  
Summer Crews - one worked on Koring Road, Red Bank, and Dieffenbach, one worked on the Eastside and Northeast Side.  
Cycle mowers worked Southeast, East and Northeast sides.  
Tiger Mower worked on Upper Mt. Vernon Road.

VANDEBURGH COUNTY BRIDGE CREW

PROGRESS REPORT

Friday, May 28, 1993 thru Thursday, June 3, 1993

Friday, May 28, 1993

Crew #1 - Mqsh, load up, and haul pipe.  
Crew #2 - cleaned out trucks and worked on Korressel and Marx.  
Cree #3 - hauled, cleaned yard, washed trucks, and greased and oil equipment.

Monday, May 31, 1993

HOLIDAY

Tuesday, June 1, 1993

Crew #1 - install culvert on Korressel.  
Crew #2 - install concrete cover on drop box, seal pipe at 831 Wortman Road.  
Crew #3 - cut weeds on Big Schaeffer, Fisher, Braun, Orchard and Schenk Road.

Wednesday, June 2, 1993

Crew #1 - cut Stringtown Road Bridge, 1st Avenue, Maryland St, Old State Road and Sunrise Road.  
Crew #2 - repair pipe on Wortman, cut weeds on Old State and Volkman.  
Crew #3 - cut guardrailrails and bridges on Petersburg, Schlensker and McCutchan.

Thursday, June 3, 1993

Crew #1 & #2 - mashed metal, hauled from yard, and cleaned yard.  
Crew #3 - cut guardrails in St. Wendell area.  
Crew #4 - cut hardrails on Red Bank, Hogue, Middle Mt. Vernon Road.

MINUTES  
COMMISSIONERS MEETING  
JUNE 14, 1993

I N D E X

<u>Subject</u>	<u>No.</u>
Meeting Opened @ 5:30 p.m. ....	1
Introductions & Pledge of Allegiance .....	1
Request for Hearing re Petition to Vacate Unnamed Street in Crane Subdivision/Les Shively .....	1
Traffic Schedule Ordinance/Stop Intersections (Second Reading) .....	1
Building Commission/Request to Move House .....	1
Vanderburgh Auditorium/Request to Go on Council Call ....	2
Data Processing/Roger Elliott/Request to Advertise for RFP...Bid Opening July 19th.....	3
County Attorney/Alan M. Kissinger .....	3
Lynch Rd. Loan Agreement Amendment to Chapter 72 Schedule I/Speed Limits Resolution Establishing a Cumulative Capital Development Fund	
Superintendent of County Bldgs./Mark Abell/Request to Go on Council Call .....	6
County Highway/Bill Morpew .....	7
Weekly Work Report BFI Contract/Trash Pick-Up County Line Rd. Weed Cutting/Oak Hill Rd.	
County Engineer/John Stoll .....	8
Supplemental Agreements/Bernardin-Lochmueller on Lynch Rd. & Eickhoff-Koressel Rd. Lynch Rd. Loan Agreement/INDOT Amended Speed Limit Ordinance Request to Go on Council Call/Vogel Rd. Bridge County Line Rd. Agreement	
Consent Agenda .....	9
Memo to be sent re Travel, etc. Payment to Waggoner, Irwin, Scheele Assoc.	
Old Business .....	9
Groundbreaking Ceremony/USI Interchange	
New Business .....	9
Retirement/Jack Wade/Cooperative Extension Service Executive Sessions (June 21st and June 28th) Overtime/Commission Minutes (to be discussed at Executive Session on 6/21) Incentive Fund Payments, etc. (Courts)	
Meeting Adjourned @ 6:48 p.m. ....	12

MINUTES  
COUNTY COMMISSIONERS MEETING  
JUNE 14, 1993

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

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order, welcomed the attendees, introduced members of the County Staff (Abell, Farrell, Kissinger, Tuley, himself, Hunter, Humphrey and Matthews; Ann Nichols, Summer Intern in the Commission office, was also introduced) and asked the group to stand for the Pledge of Allegiance.

Commissioner Borries said that, for the record, he would note that it is Flag Day and he heard one report today that the big flag made in Evansville was unveiled today in Washington, D.C.

Mr. Borries subsequently asked if there are any groups/individuals 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: REQUEST FOR PUBLIC HEARING RE PETITION TO VACATE UNKNOWN STREET IN CRANE SUBDIVISION

Attorney Les Shively was recognized and stated the Petition is pretty self-explanatory. This is a vacation petition for an unnamed street at the end of Grove Avenue, which is just inside the County -- just off Allen's Lane -- in an area that is predominantly industrial and near CSX's right-of-way, Southern Railway's right-of-way, and the State of Indiana's right-of-way for Diamond Avenue. He thinks the reason he was asked to be here today was to set a Public Hearing date and answer any questions the Commissioners might have.

Commissioner Borries entertained questions from the Board. There were none and he asked that the record so reflect and ask Ms. Matthews if the Board needs to approve this on First Reading today or enter it for the record.

Ms. Matthews said the Board just needs to set the Public Hearing date so the Petition can be advertised and it must be advertised no less than 10 days prior to the hearing. It was subsequently determined the hearing will be set at 5:30 p.m. on Tuesday, July 6, 1993 (in view of the July 4th holiday observance on Monday).

In conclusion, Attorney Shively said he wanted to thank Joanne Matthews; she has been real helpful on this. These things get a little complicated. They don't do these often and they appreciate all the assistance Joanne has given them.

RE: TRAFFIC SCHEDULE ORDINANCE/STOP INTERSECTIONS

President Borries noted the Commissioners have a Second Reading today on the Stop Intersection section of the Traffic Schedule Ordinance. Final Reading is scheduled for next week.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the Ordinance was approved on Second Reading. So ordered.

RE: BUILDING COMMISSION/REQUEST TO MOVE HOUSE

Mr. Borries said Mr. Roger Lehman is not present today but has

submitted a request for approval to move the Old Schoolhouse to USI property the last of June. A route map for the house move is included with the request.

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

RE: VANDEBURGH AUDITORIUM/REQUEST TO GO ON COUNCIL CALL

Ms. Sandy Toton, Manager/Vanderburgh Auditorium, was recognized and said she believes the Commissioners have copies of a Request for Appropriation and a Transfer, which she would like to take to Council again.

Mr. Borries said there are some contractual obligations here that each of the Commissioners should be aware of. It is his understanding that if we don't address this contractual obligation that a grievance is going to be filed and, in effect, as a result of that the only way we can settle the grievance is to pay them the overtime due. If we want to change this, then this would be a subject of negotiations with the Teamsters Union and we can do so. But right now we have some contractual obligations due and Council turned the request down. Ms. Toton's best alternative is to look at some other accounts to see if she can transfer monies and that is what she has done.

Ms. Toton said that \$968.88 is coming out of an employee who is on medical leave (a gentleman who has M.S. and has been in the hospital for three weeks now). This amount would help the deficit in the budget right now for overtime. This amount would not help pay what overtime has been earned. Hopefully the \$7,500 appropriation will pass this time and that will get them through the next few months. They do have the Public Education Foundation coming in for three solid weeks, seven days a week from 8:00 a.m. to midnight -- and she has to have staff in house. So she will have quite a bit of overtime in July.

Commissioner Tuley asked if the \$7,500 request is new money, plus she has money she can transfer?

Ms. Toton said the \$7,500 is half of what they requested from Council and they were turned down. She asked \$15,000 which would take her through the end of the year -- if she did not book another thing into the Auditorium as of two weeks ago. The \$7,500 would help them breathe a little easier for the contracts we're obligated to. She will address the other \$7,500 during the last quarter of the year as she sees things loosening up a bit. The \$968.88 will only address the deficit right now and Mr. Humphrey said it is really more than that. She has a union employee who did not get paid some \$300 for his overtime last week. So, again, they are going in the hole daily. They are trying to re-schedule and tight schedule the crew.

Following further brief comments upon motion made by Commissioner Hunter and seconded by Commissioner Hunter the request to go on Council Call for appropriation and transfer of funds was approved. So ordered.

President Borries again expressed appreciation to Ms. Toton for the accommodations provided last week for the Commission meeting held at the Auditorium. He thinks it was a very interesting meeting and certainly one that has a lot of people talking.

Ms. Toton said just as a point of interest she has started a scrapbook.

RE: DATA PROCESSING/ROGER ELLIOTT

Commissioner Borries said Mr. Roger Elliott is here with regard to request for DCA Software Version 12 Upgrade. He then recognized Mr. Elliott.

Mr. Elliott said he will start with an apology. He is not quite sure whether his typing doesn't say what he thinks it does -- or whether the wrong sheet of paper was sent to the Commissioners. What he is here for today is **Requesting approval to release an RFP to purchase computer equipment that will cost approximately \$372,000.** Both Commissioners said this is the request in their meeting packets. Mr. Elliott said, however, that is not what the meeting agenda says and that is what has him confused. He has today a conglomeration of things. This is a joint RFP between the Board of Public Works and the County Commission. Funding for this RFP will come from a multitude of sources; some of it will be provided by the Central Dispatch Board; some is being provided by the County Recorder's office; some is coming from a special project being run jointly between the City and the County (this is the Codemaster project I am referring to) and some is coming directly out of the Computer Services budget. We have available funding of approximately \$537,000 and at this point in time he is requesting approval to expend \$372,000 of that amount. The figures he is using are based strictly on digital standard pricing. As in the past he expects to be able to provide the equipment for probably 20% to 25% less, as they have done. The equipment will be in various places (Central Dispatch, here, and the Sheriff's Command Post). If the Commissioners approve the release today of the RFP, it would be opened at the Commission meeting on **July 19, 1993.** It is anticipated it would be awarded during the first BPW meeting in August, with delivery of equipment starting in August and September. As in the past we will be charging vendors for the receipt -- \$20.00 to receive a copy of the specifications. What that guarantees is UPS delivery of the specifications and UPS delivery of any addendums to the specifications -- to be sure they get it in the most timely manner -- and reduces the cost both to the County and the City.

Motion made by Commissioner Tuley and seconded by Commissioner Hunter to approve the request to advertise for bids. So ordered.

RE: COUNTY ATTORNEY - ALAN M. KISSINGER

Lynch Rd. Loan Agreement: Attorney Kissinger said he has approved the Lynch Rd. Loan Agreement as far as legal form and content is concerned and returned same to the County Engineer.

Amendment to Chapter 72 Schedule I/Speed Limit Ordinance: He has also reviewed this and it is going to require some changes. He will get together with John Stoll and make said changes. They will bring the Ordinance back next week.

Resolution Establishing a Cumulative Capital Development Fund: At Sam Humphrey's request, he has also prepared this Resolution. He doesn't know if everyone is familiar with this fund, but if anyone is not he will advise that this is the fund by which we could add to the assessed valuation of real estate each \$100 valuation five cents (5 cents) the first year and ten cents (10 cents) the two following years thereafter to be used for this Cumulative Capital Development Fund. Sam tells him that we need to get this submitted for advertising. As far as purposes are concerned, he has referred to a specific statute that is very broad and general in nature as to what purposes this can be used for and this statute is one that is specifically referred to in materials received from the State Board of Tax Commissioners.

Commissioner Borries said he would like to have Auditor Humphrey talk about this and he believes it is something this Board is going

to have to seriously consider. Ironically, we're going to hear from Mr. Mark Abell in terms of requests for additional funding for buildings and grounds -- and throughout his terms on the County Commission he has always been intrigued by the fact that it seems as though every year we lurch forward trying to short range plan on a year to year budget for what turns out to be extremely costly repairs and costly capital improvements. We just do not have any way to set up a long range plan to insure that roofs are put on the County Garage. We have to have everybody crawling all over the Auditorium to see if there is a leak of the roof when we know there is a leak on the roof -- and then we have to find out how we can patch it. He remembers battling through the Soldiers & Sailors Coliseum various things -- a crisis comes up where they need to have roof improvements, etc., -- and all these things we have to fund out of our year-to-year budget. We have generally purchased all kinds of things through the General Fund for Burdette Park and the list just goes on. He asked Auditor Humphrey to research and have the Commissioners consider a way -- similar to what the School District does and what the City of Evansville does -- is to somehow set up a plan for capital improvements in a way that we're not just impacting the General Fund all the time. On one hand we're hearing County Council say they don't have enough money in the General Fund and cannot afford to do this and pay that. That is not going to make the roof at the Auditorium any better. Magic will not repair it. Magic is not going to get the County Highway roof done. Magic won't get a multi-purpose building done at Burdette Park. If we have these facilities and we're not going to be able to find ways to maintain them on a regular basis -- which you sometimes find in the schools with some thirty-seven sites and numerous buildings -- they set up an on going maintenance schedule -- every year -- and those things are put forth in almost a five year plan. So when you have school buildings that were built in 1926 (such as Bosse High School) that they know there are going to be some renovations made and they are going to be able to have a way to fund them. We've never been able to do that in the County and he thinks we get very short term kinds of solutions to very complicated problems -- even for buildings that are historic buildings in this County that are under the County's responsibility. Maybe some day the Vanderburgh Auditorium will even be a historic building. It is now 27 years old and one day it may qualify as one of those historic buildings -- such as the Old Court House -- where we're wanting to put in window air conditioners because we just can't find the money to move the County Engineer over there because they don't have enough money to plan to do that in that beautiful Old Court House. And we have all kinds of other historic buildings -- the Soldiers & Sailors Coliseum, the Old Vanderburgh County Jail -- all these things we have maintenance problems on and they just don't get fixed by magic. Maybe Auditor Humphrey can provide us with information so we can recommend to County Council they're not going to be able to fix things unless they come up with more revenue.

Auditor Humphrey said that in 1992, the State changed the provision for Cumulative Capital Development Funds and eliminated the requirement that these be taken out of the General Fund. Whatever the Commissioners do here will not impact the General Fund's ability to level and that is the first time this has occurred. Always before if you put a Cumulative Fund on, whatever you put on detracted from the amount you could raise for the General Fund. That is no longer the case. He thinks they did this because we're running out of sources to fund the various on going projects we have and it is a tool to allow the Commissioners to do these sorts of things and this is the first time they've done it. There are counties that had Cumulative Funds before obviously, but they always impacted the General Fund and those counties that were able to use it weren't as strapped as this large county is with the additional requirements we've had put on it. The reason this has come up at this time, a bulletin was handed to him up at Merrillville on May 24th and they reminded him that the procedures for establishing this money had certain time requirements and we're

just at about the limit of those requirements. That is the only reason or sense for doing it now. But this will allow you to raise funds to repair, maintain, build required buildings and not impact the General Fund at the same time.

Commissioner Tuley asked if it requires a plan? He knows we're going to put 5 cents and then 10 cents and 10 cents. But do we have to have a written plan that we plan to do "X" with it?

Auditor Humphrey said we do not. The ability to use these funds is cited in the cite that Mr. Kissinger noted -- you can do about anything with them in terms of buildings or building. You don't have to file a plan for it.

Mr. Tuley said the Commissioners, by vote, can enact it -- then there is a period of time where remonstrators can come in?

Mr. Humphrey said that is correct -- thirty days.

Mr. Tuley said if we enact it a nickel and then a dime and then a dime - he guesses what he is driving at is that Council has to put it into effect, but they control the monies allocated?

Mr. Humphrey said the Commissioners put it into effect, but Council appropriates the money -- but the monies can't be used for anything except that which is outlined in the law. The Board of Commissioners can also rescind this at some point in time. There is a mechanism to do that if the Board so desires. If they get everything done in two years they don't have to do it the third year. Or, they could lower the amount. This is the first time they've given counties this kind of a tool.

Commissioner Hunter asked if we went with five cents, how much money would that generate?

Auditor Humphrey said it will generate \$1/2 million and \$1 million on ten cents.

Commissioner Hunter said he likes this idea. About a year and a half ago he went to Sam. The EARC building is badly in need of a new roof and has been for many, many years. We're looking at \$150,000 to \$200,000 to repair it -- and it hasn't happened. Every time it rains they have a bucket brigade out there and they're going to have serious damage sooner or later to some of the computers and other equipment they have. He and Sam talked about it at the time and the way he explained it to him was that it would be somewhat similar to a Cumulative Bridge Fund, where you build up the money, but you don't have to use it. Yet, you have the funds available to work on buildings when leaky roofs occur -- and not have to go to Council to ask for \$200,000 -- we'll have the \$200,000.

Auditor Humphrey said the EARC comes under another new law which allows us to include in the Commissioners' budget expense for repairing that outside the levy. So it no longer impacts the General Fund either. That is another new law.

Mr. Borries noted the Mental Health formula works the same way. He would clearly state that before we do anything there he wants a commitment from the EARC that they will not park on the roof anymore -- once it is fixed.

Mr. Humphrey said that could be a condition for it.

Mr. Hunter said perhaps they can buy some property across the street and build a parking lot.

Mr. Humphrey said the law on that is Financial Assistance 16-16-1-2 -- Board of County Commissioners for a county may authorize the

furnishing of financial assistance to any community mental health center or any community mental retardation or other developmental disability center. And they can impose up to a ten cent (10 cent) limit on that. We've got four cents (4 cents) in mental health right now. If we had to buy a couple of houses on Edgar Street, we could knock them down and make a parking lot. This does not impact the General Fund. Council's concern is the impact on the General Fund. On the Cumulative Capital Development Fund we have to have this process completed by August 2nd, including the 30 day remonstrance period. So we're backed right into the corner on that right now. We have to advertise it twice.

Commissioner Borries said when this is enacted, at that point we'd at least be able to have funds for these things we have to fund on almost a crisis basis -- a leaky roof, a boiler goes out -- and it goes on and on from that standpoint - to begin to develop some five year plans so those things are done on a timely and routine basis and that we have the funding in place. If the funding is not in place we delay it -- but at least we include it in the plan. Everything has had to be included in the regular budget and you don't have the funds to get things done -- and that is not a long range plan.

Mr. Tuley said this way we will not have to wait to get money from the General Fund when there is no money to get.

Motion made by Commissioner Tuley that the Resolution establishing the Cumulative Capital Development Fund under I.C. 36-9-14.5-1 be approved as discussed, 5 cents the first year and 10 cents the second and third years. Seconded by Commissioner Hunter.

Attorney Kissinger said the Commissioners do need to indicate the aye and nay votes on the Resolution.

Mr. Borries asked for a roll call vote: Commissioner Hunter, yes; Commissioner Tuley, yes; and Commissioner Borries, yes. So ordered.

Auditor Humphrey said he has on his agenda some new procedures in so far as minutes are concerned. He will do that under New Business.

RE: REQUEST TO GO ON COUNCIL CALL/SUPERINTENDENT OF COUNTY BUILDINGS

Mr. Mark Abell was recognized and said this request stems from the fact that the garage roof is in dire need of repair and has been for some time. Had we been able to get the money last year we could have done it for what we thought we could do it for. As it turns out, time went on and prices went up. He now needs an additional \$30,000 to get the job done. He is requesting permission to go on Council call for the remainder. If we don't do it this year, he can see it doubling next year.

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

Auditor Humphrey said the last time he looked at it, we had requests for \$331,000 and available funds of \$261,000.

Commissioner Borries said he knows the Commissioners are beginning to review the budgets as they are coming in. He is very pleased with what he sees in their budget and he sees some modifications. He thinks they're looking at some initiatives they can present to the Commissioners that will certainly address some of the on going concerns -- health care; phones; and in terms of what they have enacted today. They're going to do the best they can to address some of these concerns in 1994.

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Work Report: Mr. Morphey submitted the Weekly Work Report for the County Highway Dept. for period of June 4 thru June 10, 1993...report received and filed.

BFI Contract/Trash Pick-Up: It was noted by Mr. Morphey that he has given the Commissioners a copy of the contract with BFI for the dumpster installed at the County Highway Garage. The Commissioners approved placement of the dumpster on May 3rd. Mr. Morphey said there is a price change -- a reduced price -- we're getting it for \$32.00 per month rather than \$52.50.

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

County Line Rd.": Mr. Borries said he continues to receive calls on the Posey County Line Rd. When they get closer to paving in that area, he would like to know. Apparently Posey County has approved the agreement, which was drafted by Attorney Kissinger.

Mr. Morphey said he and John Stoll were just discussing this a few minutes ago. One of his concerns is still the railroad tracks.

Mr. Stoll said the missing segment of the road will be added and he discussed with Alan Kissinger the language to be included. Mr. Stoll said he should have the agreement ready for signatures at the next meeting. The Posey County Engineer had no problems with it and said it was like a Christmas present for him. He also stated he'd not heard any bad comments from the Posey County Commissioners or their Attorney.

Commissioner Tuley asked, "We're going to pave from St. Wendel Rd. all those areas up to Schmitt Lane that are not currently paved? Is that correct?"

Mr. Stoll confirmed that is correct. The way he talked to Alan about adding the language in the agreement was to pave all sections of County Line Rd. from St. Wendel Rd. to Schmitt Rd. on any section that is on the share Posey County-Vanderburgh County Line. He said that should take care of it.

Mr. Hunter said the problem was, according to Ray Schmitt, that there had been 1/2 mile left out -- and that is all resolved?

Mr. Stoll said that is correct.

Mr. Tuley said at one time Bill Morphey brought up a very valid question about that railroad crossing and how we elected to remedy that. Somebody told him Posey County was going to put some 52's or something in there and try to take out that dip -- is that correct?

Mr. Morphey said he hasn't heard; of course, he has been gone for a week and that is another item he was talking to John about just before the meeting. We need to get with not only the Posey County Commissioners, but with the Posey County Highway Department and see what they can do with us.

Mr. Tuley said everybody wants this done yesterday, but in all sincerity Mr. Morphey made a very valid point and he doesn't care how much it slows us down -- but we need to get that corrected before we go and put asphalt over it.

Commissioner Borries said he thinks it would be real helpful for Bill, John, Steve Hahn and Posey County's highway person to have a site meeting out there and iron out those details -- because Pat is right; we don't want to get into this thing and not do it right.

Mr. Morphew said the preliminaries need to be done before the paving takes place. SIGECO is going to run a 2 inch natural gas line from connecting point up on County Line West on the Posey County section down to just north of the railroad track. That is something he is going to coordinate with SIGECO to make sure the gas line is installed before we pave, then we don't go out and tear up new pavement. SIGECO is going to do that within the next 60 days. In response to query from Commissioner Borries, Mr. Morphew said he will work with John Stoll to set up a site meeting.

Weed Cutting/Oak Hill Rd.: Commissioner Hunter noted he was out this morning looking for the Conservation Farm of the year and in process ran into three of the summer crew with three weed eaters and all three of them were working. It surely was nice to see three people with three pieces of equipment that were running and all three working -- not one working and two watching. By the time he had covered some of the things he had to do and went back, they had moved to another site and were working on it.

RE: COUNTY ENGINEER - JOHN STOLL

Supplemental Agreements/Bernardin-Lochmueller & Assoc.: Mr. Stoll noted he has two Supplemental Agreements for two road sign projects in process -- Lynch Rd./Phase II from Burkhardt Rd. to S.R. 62 and the other is Eickhoff-Koressel Rd./Phase I between S.R. 62 and S.R. 66. These are for preparation of Utility Agreements (Reimbursable and Non-Reimbursable Utility Agreements). He doesn't know why it wasn't in the original contract -- because it was something the Consultants did in the past. The Agreement for Lynch Rd./Phase II is in the amount of \$8,261 and the utility agreements will be prepared once it goes through all the hearing processes and gets to the stage where we would need those. The Agreement on Eickhoff-Koressel is in the amount of \$6,172. He is recommending that the Board execute these agreements.

Motion to approve the Lynch Rd./Phase II Supplemental Agreement was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Motion to approve the Eickhoff-Koressel Supplemental Agreement was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Lynch Rd. Loan Agreement: Mr. Stoll said this agreement is in the amount of \$800,000 from the Distressed Road Loan Fund. Alan Kissinger has reviewed the document and notes the agreement is correct in legal form, etc. It is an interest-free loan in the amount of \$800,000 and if we would not repay the loan, the State would start withholding our allotments of highway money. He has already put it in the budget next year for half that amount -- so it shouldn't be a problem to repay the loan.

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

Amended Speed Limit Ordinance: Mr. Stoll said he has this Ordinance and Alan saw some problems with the way it was worded in the past. Therefore, some changes will need to be incorporated. He will bring the revised ordinance back next week.

Request To Go On Council Call/Vogel Rd. Bridge: Mr. Stoll said now that we're in design on that, we're going to change it from a precast culvert to an actual bridge with a span of 30 ft. to 40 ft. and it has increased the cost. He needs to transfer \$40,000 for that. There have been some change orders on Orchard Rd. and he needs to transfer \$5,000 from the Darmstadt Rd. account to the Orchard Rd. account. Darmstadt Rd. came in at substantially under the engineer's estimate -- so that gave us a little money to play with.

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

County Line Rd. Agreement: Mr. Stoll said he needs to get with Alan to incorporate some changes. He should be able to bring it back next week for approval.

RE: CONSENT AGENDA

Commissioner Borries asked permission to write a memo to urge people to watch their travel and do everything they can to save. The other Commissioners concurred.

Waggoner, Irwin, Scheele: Mr. Hunter asked if we have money to pay this firm for their work on the ADA.

Mr. Borries said we do.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter, the Consent Agenda was approved, as submitted.

RE: OLD BUSINESS

Groundbreaking Ceremony/US Interchange: President Borries requested the record show we had this ceremony today, a long awaited event for the folks at USI and we hope this will move forward rather smoothly.

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

RE: NEW BUSINESS

Retirement/Jack Wade/Coop Extension: Mr. Borries said Jack Wade, Coop Extension Agent for Vanderburgh County, has had a distinguished career for many years in the County. A Retirement Reception will be held at the 4-H Center from 6:00 p.m. to 9:00 p.m. on Wednesday, June 16th. We certainly want to recognize Jack's many accomplishments and devoted service to Vanderburgh County in that capacity.

Executive Sessions: Commissioner Tuley said it looks like the advertising for Executive Sessions the next two weeks has already been done.

Overtime: Auditor Humphrey noted he has a lady on his left who has accumulated fifty (50) days comp time working on Commission Minutes, research, etc. His answer is pretty simple. We are required to take the action items and take the votes and record them -- and that is what we're going to do. If the Commission needs any detail on the minutes or any research, then they will have to supply someone from the Commission office to do it, because he doesn't have the people to do it.

Commissioner Borries said, "What the real question is, Sam, she is known officially as the Commissioners' Recording Secretary. She serves the Commissioners through you, the Auditor. I think the real question of what you're saying is in relation to what Joanne has done -- probably moved our minutes light years forward in all the years I've worked, in terms of the index which shows all the things discussed and the lengthy things in many of our meetings here. So she does do a wonderful job. When I first started a few years back we had no index of this at all. But I think the real question is, as you pointed out, do we have to record the minutes verbatim -- as she does -- by listening to everything and literally recording everything we say...."

Mr. Humphrey interrupted, "No, we do not."

Mr. Borries continued, "Or, should we -- or she could come up with a set of abbreviated minutes and not have to do that. However, the index probably ought to stay in case there were controversy, then we could go back and listen to the tapes?"

Mr. Humphrey said, "We can refer to the tapes and with the new Codemaster we'll have a complete index on everything -- and that is going to take quite a bit of input time."

Commissioner Borries said, "I don't know if that is your call or this Board's call if we do some modifications."

Mr. Humphrey said, "If you will read the law, I am the secretary."

Mr. Borries said, "I know you're the secretary, Sam."

Mr. Humphrey continued, "And that's the legal requirement. You can back that up with Kissinger."

Attorney Kissinger said, "I'm not getting into this yet."

Mr. Borries, "Well, I want the Commissioners here to...."

Mr. Humphrey continued, "We have asked for help and haven't gotten it."

Mr. Borries said, "The minutes are lengthy and I understand that -- and our minutes are not always easily capsulated here into short segments. They sometimee get hard; there are a lot of detailed things you have to assess."

Commissioner Tuley said, "B.J., can you help me out on this? We have almost half a secretary; I mean, we pay half the fee for Sara (I don't even know what her last name is) -- is there any way that she would be available to help? I don't know because I'm not here -- and she helps you -- but would she be available to help?"

B.J. said, "Happe is her last name. What Sara basically does is cover for Sandy; she answers the phone, helps me do mail, does the Pigeon Greenbelt minutes; Solid Waste and Personnel & Finance minutes".

Mr. Tuley said he doesn't think she has much time, then.

Commissioner Hunter said what he thinks Pat is aiming at, with that schedule would she have time to act as a supplement on the lengthy Commission meetings. He has a very real concern about the abbreviated minutes even if it is legal. He keeps thinking about some of the issues the Commissioners have dealt with over the last two and a half years. He has to agree with Rick. The Commission speaks through its minutes and we've had to go back into minutes in the 1970's and 1980's and pull things. Had we not been able to do that, we would have been obligated to have done some things we were not really obligated to do."

Auditor Humphrey said, "Let me remind you in that regard, we will have the tapes on permanent file and an index. So whatever comes up, we can go back -- and that is perfectly legal."

Mr. Hunter said, "I was just thinking from a time element -- it's a lot quicker to..."

Mr. Tuley asked, "How do you provide somebody with hard copy of public records if..."

Mr. Humphrey said, "The public record will become the official minutes."

Mr. Hunter asked, "How are we going to get hard copy in a hurry?"

That is my concern."

Ms. Farrell of the Commission Office said, "I use them all the time. People come in and I show it to them or I copy the hard copy minutes to send along with claims, etc."

Auditor Humphrey said, "From a legal standpoint, I agree with you. It is needed and desired. But it is not required for me to do it. If we don't have the time, we can't do it -- it's just that simple. We do an awful lot of research down there that attorneys or whatever office needs it should be doing it themselves, rather than us -- because everything goes through that office."

Commissioner Borries said, "I know that, but I have a lot of the same feelings."

Commissioner Tuley said, "I'm a little concerned. There are a lot of things that can be said that are pertinent."

Mr. Humphrey said, "I'm not going to argue with that; I'm going to tell you we simply don't have...."

Mr. Borries said, "I mean even last week -- this dam...."

Mr. Hunter interrupted, "That West Summit thing -- it was great to have those minutes from 1987 or whatever it was, because it told us exactly what had been said in that meeting and you could pick up from that the tone of concern in that meeting that you wouldn't have picked up in an abbreviation. Now, we've got to come up with something."

Mr. Humphrey said, "Well, one thing I can tell you -- we're not going to work anymore overtime in that office, since we don't have a way to pay it -- and I don't know what is going to happen if we lose this young lady for any reason. It's an obligation somebody will pay."

Mr. Borries asked, "Who, Joanne?"

Mr. Humphrey said, "That's right. And we can't keep accumulating this overtime -- so it's stopped. If the process has to stop in the meantime, that is just what is going to happen. I don't know how to bring it to a head anymore than that, but we've asked for help down there."

Commissioner Borries said, "You're doing a pretty good job, Sam. I got that message loud and clear. Commissioners, what do you want to do here? Take it under advisement?"

Mr. Humphrey said, "I understand your problem and I understand your desires and needs. But on the other hand, I have a problem..."

Mr. Borries countered, "No, it's not our needs. I'm putting this on a higher level. You know, this is Flag Day. This is the public's need. Lord, do you think I'd want to come up here and sit through all this stuff -- and I know you don't sometimes -- if the public didn't have a right to know? That is the whole purpose of typing these minutes."

Mr. Hunter asked, "Mark Abell, how is your typing?"

Mr. Abell replied, "Oh, my typing is good -- but I'm slow."

Mr. Borries asked, "Annie, how is your typing?"

Ms. Nichols responded, "Oh....."

Mr. Hunter asked, "Alan, how is your typing?"

Mr. Kissinger replied, "My typing is good at \$70.00 per hour."

Mr. Borries said, "We don't have that in the budget for next year, I'll tell you that."

Mr. Tuley said, "Talk about putting things in perspective."

Incentive Fund Payments: Auditor Humphrey said there is one more thing he received in the mail today; people are being paid illegally.

Mr. Borries remarked, "Sam, just don't open your mail anymore. Now what?"

Mr. Humphrey replied, "We are bound by the local control of County Government and whatever ordinance you have indoctrinated or the Council has done must be complied with no matter what funds are to be used. That includes User's Fees; Court Fees; everything. The Courts and the Clerk have been violating this. I am going to take the order over to the Judge tomorrow and to the Clerk and they can do whatever they like."

Mr. Tuley asked, "Mr. Humphrey asked, "Mr. Auditor, why don't do you do to them what you just did to us -- 'I'm not going to go it anymore' -- just go over there and tell them."

Mr. Humphrey said, "That is exactly what I shall do. We may go to Court about it, but unless something changes officially -- that is what is going to happen."

Mr. Borries said, "Okay. And you're going to let them know?"

Mr. Humphrey replied, "Yes Sir,."

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

Commissioner Tuley said he thinks the problem with the overtime and the minutes should be discussed at the upcoming Executive Session as a personnel problem. The other Commissioners concurred.

There being no further business to come before the Board, Commissioner Borries declared the meeting adjourned at 6:48 p.m.

PRESENT:

Richard J. Borries, President  
Pat Tuley, Vice President  
Don Hunter, Member  
Sam Humphrey, Auditor  
Alan M. Kissinger, County Attorney  
John Stoll, County Engineer  
Bill Morphew, County Highway Supt.  
Mark Abell/Supt./County Bldgs.  
B. J. Farrell/Commission Office  
Ann Nichols/Commission Office  
Roger Elliott/Data Processing  
Les Shively/Attorney  
Sandy Toton/Vanderburgh Auditorium  
Jack Waldroup/United Consulting Engineers  
News Media

SECRETARY: Joanne A. Matthews

  
Richard J. Borries, President

  
Pat Tuley, Vice President

  
Don Hunter, Member



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

RICHARD J. BORRIES  
DON L. HUNTER  
PATRICK TULEY

**AGENDA**

**VANDERBURGH COUNTY COMMISSIONERS**

**JUNE 14, 1993**

**5:30 P.M.**

**FINAL**

- ✓ 1. CALL TO ORDER — 5:40 pm.
- ✓ 2. INTRODUCTIONS — *R. Lee Jarrow, Owen Nichols, A. K. Simpson, Tuley, R. J. Johnson, S. Huntington - Matthews.*
- ✓ 3. PLEDGE OF ALLEGIANCE
- 4. ACTION ITEMS
  - A. Any group/individual wishing to address the commission — *done*
  - ✓ B. Les Shively/Attorney  
re: Hearing date for a petition to vacate — *5:30 pm. Tues. July 6, 1993*
  - ✓ C. Traffic Schedules II *PT/DW*  
re: second reading —
  - ✓ D. Roger Lehman — *PT/DW*  
re: House moving permit application  
(Mr. Lehman will not be present)
  - ✓ E. Sandy Toton, General Manager Vanderburgh Auditorium  
re: Council call — *DH/PT '7,500,000 Transfer '968.88*
  - ✓ F. Roger Elliott/Data Processing — *PT/DW*  
re: ~~Approval for the purchase of DCA Engineering Software version 12 upgrade \*\*deferred from 6/7/93 per Roger Elliott~~  
*Cost \$372,000 Adv. 5/13/93*

**5. DEPARTMENT HEADS**

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

**6. CONSENT ITEMS**

A. Travel/Education Requests  
Area Plan (1)

B. Claims for Payment

- 1) Bowers, Harrison, Kent, & Miller.....\$35.00
- 2) Waggoner, Irwin, Scheele, & Associates.....\$4,011.42
- 3) Kevin Bryant.....\$1,533.03
- 4) Ziemer, Stayman, Weitzel, & Shoulders \$534.99

C. Checks/Quietus

- 1) Kevin Bryant, Attorney, Check #504.....\$2,186.00  
Quietus #8539
- 2) Koester Contracting, Check #38479.....\$200.00  
Quietus #8538

D. Minutes for Acceptance/Approval

May 24, 1993

June 1, 1993

- ✓ 8. OLD BUSINESS
- ✓ 9. NEW BUSINESS
- 10. MEETING ADJOURNED

**Scheduled Meetings**

Mon	June 14	County Commissioners Solid Waste Commissioner Meeting	4:30 PM 5:30 PM	RM 307 RM 307
Tues	June 15	Insurance Committee	9:00 AM	RM 303
Thurs	June 17	Employee Steering Comm	9:00 AM	RM 303
Mon	June 21	County Commissioners Executive Session Commissioner Meeting Rezoning	4:30 PM 5:30 PM 7:00 PM	RM 307 RM 307 RM 307
Mon	June 28	County Commissioners Executive Session Commissioner Meeting Drainage Board Immediately Following	4:30 PM 5:30 PM	RM 307 RM 307
Wed	June 30	County Council Personnel/Finance	3:30 PM	RM 301

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department

BURDETTE PARK

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	ROBERT PARSON	1803 E MICHIGAN	MEDICAL STAFF	5 00	5/23/93 ✓
1180	TONY KNIGHT	1510 SASSAFRAS DR	MEDICAL STAFF	5 00	5/23/93
1180	SHANNA MCCUNE	368 S ROSENBERGER APT H	CASHIER	4 75	5/29/93 ✓
1180	ERIN ONEIL	810 LEMAY DR	CASHIER	4 25	5/29/93 ✓
1180	AMY CORRESSEL	7600 W TERRACE DR	CASHIER	4 50	5/29/93 ✓
1180	LISA MERKLEY	437 KIRCHOFF BLVD	CASHIER	4 25	5/29/93 ✓
1180	KARRIE POLZ	4300 MIDWAY LN	CASHIER	4 25	5/29/93 ✓
1180	ANGIE BECKER	5500 HAINES RD	CASHIER	4 25	5/29/93
1180	JENNA MARTIN	6311 HOGUE RD	CASHIER	4 25	5/29/93 ✓
1180	<del>STEPHANIE BONE</del>	<del>826 AGATHON DR</del>	<del>CASHIER</del>	<del>4 25</del>	<del>5/29/93</del>
1180	<del>LAURA BONE</del>	<del>826 AGATHON DR</del>	<del>CASHIER</del>	<del>4 25</del>	<del>5/29/93</del>
1180	JASON ZUBILLER	1430 WAGGONER AVE	CASHIER	4 25	5/29/93 ✓
1180	DANIEL HUMPHREY		CASHIER	4 25	5/29/93
1180	TIFFANY CRIDER	6801 SW FRANKLIN	CASHIER	4 25	5/29/93 ✓
1180	KIM BECHTEL	826 McDONALD LN	CASHIER	4 25	5/23/93
1180	ERICA MARTIN	6311 HOGUE RD	CASHIER	4 25	5/23/93
1180	TARA TAYLOR	4908 RIDGECNOLL	CASHIER	4 25	5/23/93
1180	STUART VANMETER	2514 W VIRGINIA	SECURITY	12 00	5/30/93
1180	ERIC REID Williams	352 C ROSENBERGER	SECURITY	12 00	5/29/93
1180	MICHAEL TAYLOR	9100 WILD CHERRY LN	SECURITY	12 00	5/23/93
1180	DOUGLAS DAZA	8600 STRUER HENDRICKS	SECURITY	12 00	5/29/93
1180	MIKE Hirshberg	9756 Cedar Hill	Lifeguard	4 35	5/23/93 ✓

**ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM**

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Mark T. Tuley DATE 6/1/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department **BURDETTE PARK**

RELEASE ~~EMPLOYMENTS~~ MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	MATTHEW A SINGER	5510 DOGWOOD DR	GRND CREW	4 25	5/23/93
1180	<del>CARRICK W BRINKMEYER</del>	<del>3079 E CHANDLER</del>	<del>GRND CREW</del>	<del>4 25</del>	<del>5/23/93</del>
1180	<del>GEN W MORAN</del>	<del>10811 E SUNSET DR</del>	<del>GRND CREW</del>	<del>4 25</del>	<del>5/23/93</del>
1180	DANIEL A GELARDEN	4619 STRINGTOWN RD	GRND CREW	4 25	5/23/93
1180	JAMIE L McFADDEN	1513 S BOSSE	GRND CREW	4 25	5/23/93
1180	ANDREA J MUTH	5277 BROOKHOLLOW	GRND CREW	4 25	5/23/93
1180	JEREMY S KEIFFNER	612 MELS DR	GRND CREW	4 25	5/23/93
1180	SARA B BERNHARDT	1601 FELSTEAD RD	GRND CREW	4 25	5/23/93
1180	MIKE L MOSER	3312 HARMONY WAY	GRND CREW	4 25	5/23/93
1180	MARY E WANGERIN	310 W DIVISION RD	GRND CREW	4 25	5/23/93
1180	MELISSA A MUENSTERMAN	6024 BROADWAY	GRND CREW	4 25	5/23/93
1180	ALAN W SHEU	5827 HARTMANN RD	GRND CREW	4 25	5/23/93
1180	SHAWN M HELMER	1249 FREY RD	GRND CREW	4 25	5/23/93
1180	LISA L AUSTILL	7533 NATIONAL LN	GRND CREW	4 25	5/23/93
1180	ANGELA D LUDWIG	8422 KIPER DR	GRND CREW	4 25	5/23/93
1180	<del>BELENE HUNTER</del>	<del>38 OAK MEADOW</del>	<del>GRND CREW</del>	<del>4 25</del>	<del>5/23/93</del>

**ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM**

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Mark T. Tulay DATE 5/23/93

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Co Clerk - 101 *sa*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1530	STEPHANIE J HARVEY		DEPUTY CLERK	15607 00	6-3-93
	ON SICK LEAVE, GALL BLADDER SURGERY 6-4-93				

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Betty Knight Smith DATE 6-9-93

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CLERK

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1010-1990	MINDY SUE NONWEILER	1436 FUQUAY RD	DEPT. CLERK	6 00	6-11-93
	<i>To be paid out of incentive fund as approved by Council Jan 2 1993</i>				

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Betty Knight Smith DATE 6-11-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Vanderburgh County Veterans Services

Room 107 *st*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1270-1990	Traci M. Robey	850 E. Gum	Tem. Sec.	Hr. 5.00	6/14/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
	Traci M. Robey	850 E. Gum	Tem. Sec.	Hr. 5.00	6/18/93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

DATE 6/11/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department 108.1

IV-D Child Support Division of Prosecutor's Office *st*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
0811990	Amy Meyer	440 Stonegate Rd.	Clerical P/T	5.00	6-7-93
			EX Help	per hour	

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
0811990	Jonathan Gore	19038 Northbrook Cir. Westfield, IN 46074	Ex Help	5.00	6-7-93
				per hour	

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

DATE 6-9-93

Stanley M. Levco  
Prosecutor

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CENTER ASSESSOR *ed*

### APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
11101	SUSAN L. GRAY	2024 W. ILLINOIS ST	PART TIME OFFICE DEPUTY	PER HR 5 00	6-14-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

### RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
11101990	WENDI L. OAKLEY	2819 S RUSTON AVE	PART TIME OFFICE DEP	HR 5 00	6-14-93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

DATE 6-14-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Pigeon Township Assessor *ed*

### APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1000- 1150-1990	Deborah K. Schulze	901 Stewart	Part Time	Hourly 5 00	6/14/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

### RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

DATE 6-11-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department 505-108-M DLEP Prosecutor

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1140	Jonathan J Parkhurst	818 SE Riverside Apt. A	Dep. Pros.	37,800.00	5-25-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1140	Jonathan J. Parkhurst	818 SE Riverside Apt. A	Dep. Pros.	36,000.00	5-24-93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*Stanley M. Levco*  
Stanley M. Levco  
Prosecutor

DATE June 9, 1993

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department 505-108-N Victim/Witness - Prosecutor

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1120	Gayle E. Ross	4049 Wethersfield	Clerical P/T	7.00	6-4-93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*Stanley M. Levco*  
Stanley M. Levco  
Prosecutor

DATE 6-9-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Vanderburgh County Surveyor #1060

\*\*CORRECTED COPY\*\*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1060-1160	Phillip J. Wiener	9225 Heddon Road	Chief Draftsman	\$19,643.00	March 4, 1993
1060-1130	Jeanne M. Jennings	8508 Larch Lane	Party Chief	\$19,323.00	March 14, 1993
** Effective dates reflect the above employees' six month step.					

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1060-1160	Phillip J. Wiener	9225 Heddon Road	Chief Draftsman	\$18,733.00	March 4, 1993
1060-1130	Jeanne M. Jennings	8508 Larch Lane	Party Chief	\$18,427.00	March 14, 1993

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Robert W. Bennett DATE 6-8-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Vanderburgh Auditorium

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

Leave of Absence

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
	Sylvester Lipson	827 Jefferson Ave Apt B	Laborer	\$11.01/hour	5/27/93
	with insurance				

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Janice Gentle DATE 6/9/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department **BURDETTE PARK**

RELEASE ~~EMPLOYMENTS~~ MADE

	NAME	ADDRESS	POSITION	SALARY	EFFEC
1180	MATTHEW A SINGER	5510 DOGWOOD DR	GRND CREW	4 25	5/23/
1180	<del>GARRICK W BRINKMEYER</del>	<del>3079 E CHANDLER</del>	<del>GRND CREW</del>	<del>4 25</del>	<del>5/23/</del>
1180	<del>BEN W MORAN</del>	<del>10811 E SUNSET DR</del>	<del>GRND CREW</del>	<del>4 25</del>	<del>5/23/</del>
1180	DANIEL A GELARDEN	4619 STRINGTOWN RD	GRND CREW	4 25	5/23/
1180	JAMIE L McFADDEN	1513 S BOSSE	GRND CREW	4 25	5/23/
1180	ANDREA J MUTH	5277 BROOKHOLLOW	GRND CREW	4 25	5/23/
1180	JEREMY S KEIFFNER	612 MELS DR	GRND CREW	4 25	5/23/
1180	SARA B BERNHARDT	1601 FELSTEAD RD	GRND CREW	4 25	5/23/
1180	MIKE L MOSER	3312 HARMONY WAY	GRND CREW	4 25	5/23/
1180	MARY E WANGERIN	310 W DIVISION RD	GRND CREW	4 25	5/23/
1180	MELISSA A MUESTERMAN	6024 BROADWAY	GRND CREW	4 25	5/23/
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1180	ANGELA D LUDWIG	8422 KIPER DR	GRND CREW	4 25	5/23/
1180	<del>BELENE HUNTER</del>	<del>38 OAK MEADOW</del>	<del>GRND CREW</del>	<del>5 25</del>	<del>5/23/</del>

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Mark T. Tulay DATE 5/23/12

# SCT

*City of Evansville/Vanderburgh County Computer Services  
Civic Center Complex, Room 205  
1 NW Martin Luther King Jr. Blvd.  
Evansville, Indiana 47708  
Fax (812) 426-5646*

Roger Elliott, Site Director  
(812) 424-4578

P. Richard Cappelletti, Sr. U.L. Justice Systems  
(812) 426-5608

Joseph Profaizer, Systems Manager  
(812) 426-5245

Russell Riddle, U.L. Financial Systems  
(812) 426-5644

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

Menzie Strickland, Operations  
(812) 426-5233

## AGENDA REQUEST

**NAME OF REQUESTOR:** Roger Elliott

**REQUESTOR TITLE:** Director

**DEPARTMENT:** Computer Services Department

**REQUEST(S) BEING MADE:**

- Request for approval to release a Request For Proposal (RFP) for the purchase of various items of Computer Equipment.
- Request to have certain equipment declared surplus allowing it to be sold or utilized for a trade-in allowance.

**DATE TO BE PLACED ON AGENDA:**

County Commissioners  
Board of Public Works

Monday, June 7, 1993  
Wednesday, June 9, 1993

**CITY OF EVANSVILLE/VANDERBURGH COUNTY  
RFB FOR 1993 EQUIPMENT REQUIREMENTS  
SCHEDULE**

**Data Board Approval  
Tuesday May 25, 1993**

**Joint Dispatch Board Approval  
Thursday May 27, 1993**

**County Commissioners Approval  
Monday June 7, 1993**

**Board of Public Works Approval  
Wednesday June 9, 1993**

**First Newspaper Advertisement  
Friday June 11, 1993**

**Second Newspaper Advertisement  
Friday June 18, 1993**

**Bid Opening by County Commissioners  
Monday July 12, 1993**

INVITATION TO BID

NOTICE IS HEREBY GIVEN THAT THE DEPARTMENT OF PUBLIC PURCHASE ACTING FOR AND ON THE BEHALF OF THE VANDERBURGH COUNTY COMMISSIONERS AND AND CITY OF EVANSVILLE BOARD OF PUBLIC WORKS WILL UNTIL TUESDAY, JULY 6, 1993, AT 5:30 P.M. LOCAL TIME, RECEIVE, IN ROOM 323 CITY/COUNTY ADMINISTRATION BUILDING, SEALED BIDS FOR THE FURNISHING AND DELIVERY OF THE BELOW LISTED EQUIPMENT. AT THAT TIME THE BIDS WILL BE PUBLICLY OPENED AND READ ALOUD DURING A REGULAR MEETING OF THE VANDERBURGH COUNTY COMMISSIONERS IN ROOM 307 IN THE CITY/COUNTY ADMINISTRATION BUILDING EVANSVILLE, INDIANA.

DIGITAL MICROVAX 3100-80 SYSTEM  
DIGITAL VAXSTATION 4000-60  
DIGITAL VAX 6000-620 MEMORY UPGRADE  
DIGITAL MICROVAX 3100-80 MEMORY UPGRADE  
DIGITAL MICROVAX 3100-10e MEMORY UPGRADE  
DIGITAL VAXSTATION 4000-60 MEMORY UPGRADE  
DIGITAL VTX 2000 TERMINAL MEMORY UPGRADE  
DIGITAL VAX 6000-620 DISK STORAGE  
DIGITAL VAX 4000-300 DISK STORAGE  
DIGITAL MICROVAX 3800 DISK STORAGE  
DIGITAL MICROVAX 3100-80 DISK STORAGE  
DIGITAL MICROVAX 3100-10e DISK STORAGE  
DIGITAL VAXSTATION 4000-60 DISK STORAGE  
DIGITAL LOCAL AREA COMMUNICATION DEVICES  
DIGITAL VIDEO TERMINALS AND PRINTERS  
DIGITAL MEDIA, DOCUMENTATION AND SOFTWARE LICENSES  
VARIOUS PIECES OF MISCELLANEOUS EQUIPMENT

1. The specifications may be obtained from the Computer Services Department, 1 NW Martin Luther King, Jr Blvd, Room 205, Evansville, IN 47708 upon receipt of a check for Twenty Dollars (\$20.00) for each set.
2. The bid must be in compliance with the specifications, executed by the bidder on forms provided and accompanied by a completed Standard Bid Form #95 in accordance with the Indiana State Board of Accounts.
3. Bids must be accompanied by a Bid Bond or Certified Check payable to the Board of County Commissioners and the Board of Public Works in an amount not less than five percent (5%) of the total bid amount as evidence of good faith of the bidder and such deposit shall be subject to forfeiture in the event the bidder fails to execute his contract in accordance with his bid.
4. Consideration of applicable taxes shall be observed as covered in the specifications and Bid Forms. In no instance, however, will Federal Taxes and Indiana Sales Taxes be applicable.
5. The Vanderburgh County Commissioners and Board of Public Works of the City of Evansville reserves the right to reject any and all bids or any part of any bid if considered in the best interest of Vanderburgh County and the City of Evansville.

Dated: June 7, 1993

June 9, 1993

COUNTY COMMISSIONERS,  
VANDERBURGH COUNTY

THE BOARD OF PUBLIC WORKS,  
CITY OF EVANSVILLE

Rick Borries, President  
Patrick Tuley, Vice-President  
Don Hunter, Member

Chris D. Melton, President  
Jack McNeely, Vice-President  
Jack Corn, Jr., Member

ATTESTED BY:

Sam Humphrey, Auditor

Sharon A. Evans, Secretary

PUBLISHED IN THE EVANSVILLE COURIER AND PRESS:

June 11, 1993  
June 18, 1993

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# COUNTY ENGINEERING DEPARTMENT

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## AGENDA

JUNE 14, 1993

### ITEMS

- 7/1/DW* 1. Lynch Road Phase II Supplemental Agreement  
for Utility Agreement Coordination \$8,261.00
- PT/DW* 2. Eickhoff-Koressel Road Supplemental Agreement  
for Utility Agreement Coordination \$6,172.00
- DH/PT* 3. Lynch Road loan agreement from INDOT
- ✓ 4. Speed Limit Ordinance Revision
- ✓ 5. Council Call Request  
Transfer \$40,000 from Darmstadt Br #214 to Vogel Br. #211  
Transfer \$ 5,000 from Darmstadt Br #214 to Orchard Br #158
- 6. County Line Road Agreement

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COUNTY ENGINEER'S

CONSENT AGENDA

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JUNE 14, 1993

ITEMS

1. CLAIMS:

EICKHOFF-KORESSEL - PHASE 2 216-4741 Bernardin Lochmueller (Inv. #90-40-1(24))	\$13,894.20
CRACKSEAL, GROUT VARIOUS COUNTY ROADS 216-3930 Huff Sealing Corporation (Inv. #VC-8-531)	\$ 8,356.86
USI INTERCHANGE 430 BOND The Westerly Group (Inv. #VS 93 06)	\$ 850.00

# REQUEST FOR APPROPRIATION

DEPARTMENT: Vanderburgh Auditorium

DATE: 6/10/93

<u>ACCOUNT</u>	<u>LINE ITEM</u>	<u>AMOUNT</u>
1440-1850	Union Overtime	\$7,500.00

### EXPLANATION OF NEED FOR REQUEST

One half(1/2) of original request on 5/11/93 for union overtime  
which will allow us to fulfill signed contracts possibly through  
September 1993.

### **BALANCE OF ACCOUNTS:**

<u>ACCOUNT NO.</u>	<u>BUDGET</u>	<u>DISBURSEMENTS</u>	<u>BALANCE</u>	<u>BALANCE AFTER APPR</u>

VCC-2

DEPARTMENT HEAD:

*Sandra Toton*



# REQUEST FOR APPROPRIATION

*approved*

DEPARTMENT: Superintendent of County Buildings DATE: 06-03-93

ACCOUNT	LINE ITEM	AMOUNT
131-3550	repairs to buildings and grounds	<u>30,000.00</u>

VANDERBURGH COUNTY

### EXPLANATION OF NEED FOR REQUEST

**FILED**

JUN 3 1993

*Sam Thompson*  
AUDITOR

County garage roof repair estimate came in over  
previously budgeted amount. Total repair estimated  
at 68,000.00. We had 40,000.00 budgeted.

### BALANCE OF ACCOUNTS:

ACCOUNT NO.	BUDGET	DISBURSEMENTS	BALANCE	BALANCE AFTER APPR
131-3550	40,000.00	none	40,000.00	70,000.00

VCC-2

DEPARTMENT HEAD: *[Signature]*



# SERVICE AGREEMENT

S: No 932244

ACCOUNT NO. \_\_\_\_\_ LOCATION CODE: \_\_\_\_\_ SALESPERSON: 003 REASON CODE: 118  
 NEW ACCOUNT     NEW SERVICE LOCATION     REINSTATE CUSTOMER     CHANGE SERVICE LEVEL     OTHER CHANGE

**BILLING INFORMATION**

CUSTOMER NAME: SAME  
 STREET NAME: \_\_\_\_\_  
 CITY: \_\_\_\_\_ STATE: \_\_\_\_\_  
 ZIP: \_\_\_\_\_ PHONE: ( ) - \_\_\_\_\_  
 CONTACT: \_\_\_\_\_  
 S.S.#/FED. I.D.# \_\_\_\_\_  
 NUMBER OF INVOICES REQUIRED: 1  
 CREDIT CODE: \_\_\_\_\_ ACCOUNT CLASS: \_\_\_\_\_  
 LATE CHARGE CODE: \_\_\_\_\_ COLLECTION LETTER: Y (Y/N)  
 INVOICE CODE: \_\_\_\_\_ RECEIPTS REQUIRED: N (Y/N)  
 MAJOR ACCOUNT: \_\_\_\_\_ (Y/N) BILLING SORT FIELD: \_\_\_\_\_

**SERVICE LOCATION INFORMATION**

CUSTOMER NAME: VANDERBURGH COUNTY GARAGE  
 STREET NAME: 5105 ST JOE AVE  
 CITY: EVANSVILLE STATE: IN  
 ZIP: 47712 PHONE: ( ) - 428-2573  
 CONTACT: BILL MAPPLEW  
 AGREEMENT DURATION: \_\_\_\_\_ (mos.) BILL FREQ.: \_\_\_\_\_  
 SIGNED AGREEMENT: Y (Y/N/P/R) ACCOUNT TYPE: P (T/P/S)  
 APPLY TAX: N (Y/N) INTERIM BILLING: N (Y/N)  
 COMPETITOR CODE: \_\_\_\_\_ CITY CODE: \_\_\_\_\_  
 CENTRAL MAIL CODE: S (B/S/X) SPECIAL ATTENTION: \_\_\_\_\_ (Y/N)  
 SERVICE LOC.SORT FIELD: \_\_\_\_\_ OTHER EQUIP.ON SITE: N (Y/N)

**SERVICE DESCRIPTION**

LINE NO.	SYSTEM	QTY	CONT. SIZE	VOL. CODE	REQ. FREQ.	ON CALL	EXTRA PICK UP / HALL RATE	EST. HAULS	DISP. SITE	MIN. HAULS	MIN. HAUL RATE	STD. CHARGE AMOUNT	EFF. DATE
<u>N 1</u>	<u>09</u>	<u>1</u>	<u>6</u>	<u>YD</u>	<u>C</u>		<u>32.00</u>					<u>32.00</u>	<u>5/25/93</u>
<u>E 2</u>				<u>YD</u>									<u>1 1</u>
<u>W 3</u>				<u>YD</u>									<u>1 1</u>
<u>O 1</u>				<u>YD</u>									<u>1 1</u>
<u>L 2</u>				<u>YD</u>									<u>1 1</u>
<u>D 3</u>				<u>YD</u>									<u>1 1</u>

OTHER SERVICE: \_\_\_\_\_ LANDFILL RATE \$ \_\_\_\_\_ Per \_\_\_\_\_ Min. \_\_\_\_\_ Change in Pick-up Rate \_\_\_\_\_  
 CUSTOMER DEPOSIT / PREPAYMENT \_\_\_\_\_ STD. CHARGES INCRMTL CHANGE: \_\_\_\_\_  
 PURCHASE ORDER NO. \_\_\_\_\_ P.O. DUR. IN MOS. \_\_\_\_\_ RATE RESTRICTIONS N (Y/N) NO RATE INCREASE UNTIL: \_\_\_\_\_  
 RECEIPTS REQUIRED: N (Y/N) C.O.D.? N (Y/N) SPECIAL BILLING?: N (Y/N) COMMENTS: \_\_\_\_\_  
 SPECIAL INSTRUCTIONS: \_\_\_\_\_

**TERMS AND CONDITIONS**

**ARTICLE I SERVICES RENDERED**  
 Customer grants to the undersigned (BFI) the exclusive right to collect and dispose of all of Customer's Waste Materials (which include recyclable materials) and agrees to make the payments as provided for herein and BFI agrees to furnish such services and equipment specified above, all in accordance with the terms of this Agreement.

**ARTICLE II TERM**  
 THE INITIAL TERM (THE "INITIAL TERM") OF THIS AGREEMENT IS THREE YEARS FROM THE DATE BFI'S EQUIPMENT IS DELIVERED TO CUSTOMER'S LOCATION ("EFFECTIVE SERVICE DATE"). THIS AGREEMENT SHALL AUTOMATICALLY RENEW FOR SUCCESSIVE THREE YEAR TERMS (THE "RENEWAL TERM") THEREAFTER UNLESS EITHER PARTY SHALL GIVE WRITTEN NOTICE OF TERMINATION BY CERTIFIED MAIL TO THE OTHER AT LEAST SIXTY (60) DAYS PRIOR TO THE TERMINATION OF THE INITIAL TERM OR ANY RENEWAL TERM.

**ARTICLE III WASTE MATERIALS**  
 The Waste Material to be collected and disposed of by BFI pursuant to this Agreement is all solid waste (including recyclable materials) generated by Customer (the "Waste Material"). Waste Material specifically excludes and Customer agrees not to deposit in BFI's equipment or place for collection by BFI any radioactive, volatile, corrosive, highly flammable, explosive, biomedical, infectious, biohazardous, toxic or hazardous material as defined by applicable federal, state, provincial or local laws or regulations ("Excluded Waste").

The Terms and Conditions continues on the reverse side of this page.

The undersigned individual signing this Agreement on behalf of Customer acknowledges that he or she has read and understands the terms and conditions of this Agreement and that he or she has the authority to sign the Agreement on behalf of Customer.

TERMS: NET 10 DAYS

**BROWNING-FERRIS INDUSTRIES OF INDIANA, INC.**  
 2017 NORTH FARES (47711) • P.O. Box 4309 Evansville, IN 47724  
 FAX 1-812-421-1434 • PHONE 812-424-3345

CUSTOMER: Richard J. Borries  
 BY: Richard J. Borries  
 PRINT NAME AND TITLE: Richard J. BORRIES  
 EFFECTIVE CONTRACT DATE: 5, 25, 93

BY/TITLE: [Signature]

WHITE-ORIGINAL, YELLOW-CUSTOMER

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

Friday, June 4, 1993 thru Thursday, June 10, 1993

Friday, June 4, 1993

Gradall & 2 crews ditched and replaced driveway culvert at 4018 Green River Rd.  
Patch crews - 2 crews worked in Evergreen Acres.  
Paving crews - 2 crews prepared 12th Avenue for paving.  
Two crews hauled rock to the Garage.  
Weed Crews - one crew worked on Allens Lane & Myrtle and one crew worked on St. Wendell Road.  
Cycle mowers worked on the Southeast side and in the Bottoms.  
Tiger Mower worked on Upper Mt. Vernon Road.  
Rock Crew spread rock on Mqasberg.  
One Crew cleaned trucks in the Garage.

Monday, June 7, 1993

Paver, Roller and 5 crews paved Wesbrook Ct.  
Gradall & one crew worked at 4018 Green River Road.  
Trash crews ran regular routes.  
Weed Crews - one crew worked on Frye Road and one crew worked on Mesker Park.  
Tiger Mower worked on Upper Mt. Vernon.

Tuesday, June 8, 1993

Paver, Roller and 5 crews paved Sheridan Road.  
Trash crews worked on Birch and Larch Hill Road.  
Gradall & one crew worked on Cypress Dale.  
Tiger Mower and one crew worked on Oak Hill Road.  
Summer crew worked in the Garage.

Wednesday, June 9, 1993

One crew set up barricades at various locations due to fallen trees.  
Three tree crews removed fallen trees from roads.  
7 crews cut bleeders on their snow routes due to heavy rainfall.  
Rock crews - rocked Rucker & Lynn Roads and Burdette Park.  
One crew cleaned Gradall.  
Summer crews cleaned up the Garage.

Thursday, June 10, 1993

Paver, Roller, & 6 crews paved Allens Lane.  
Gradall & 3 patch crews patched on Cypress Dale.  
One crew hauled rock to Burdette Park.  
Tiger Mower worked on Oak Hill.  
Summer Crew worked on Oak Hill Road.

VANDERBURGH COUNTY BRIDGE CREW

PROGRESS REPORT

Friday, June 4, 1993 thru Thursday, June 10, 1993

Friday, June 4, 1993

- Crew #1 - cut pipe on Mt. Pleasant Road, cut weeds on Middle Mt. Vernon and #6 School Road area.
- Crew #2 - cut weeds on Old State Road area.
- Crew #3 - install driveway culvert at 4018 Green River, cut weeds on Hirsch and Burkhardt Road area.

Monday, June 7, 1993

- Crew #1 - cut #6 School Road, St. Joe Road, Slate and Hillview.
- Crew #2 - rip rap corner of Schmitt Lane & County Line West, 9030 Schaeffer Road, and fill in cut on Korressel.
- Crew #3 - cut weeds on Wimberg Road Bridge, Schraeder Road, 7 Hills and Volkman, install culvert and ditch on Millersburg & Green River Road.

Tuesday, June 8, 1993

- Crew #1 - pick up guardrail, pick up plate and barricades on Korressel.
- Crew #2 - pick up guardrail on Delaware St. Overpass, cut Korressel & Marx.
- Crew #3 - cut guardrail on Delaware Overpass and Baseline.
- Crew #4 - add rock to Old State and Seib.

Wednesday, June 9, 1993

- Crew #1 - clean drains in Evergreen & Meadowview subdivisions.
- Crew #2 - clean drains in Shady Hills & Old Petersburg Place.
- Crew #3 - clean drains in West Haven and all westside subdivisions.

Thursday, June 10, 1993

- Crew #1 - blow out culverts at Green River Road, 7200 Pollack to just past Chicksaw Drive and Bexley Court and Oak Hill Road.
- Crew #2 - spray weeds at Burkhardt, Pollack Avenue guardrails & bridges.

**CITY OF EVANSVILLE**  
**INTER-DEPARTMENTAL MEMORANDUM**

**DATE:** June 11, 1993

**TO:** Board of County Commissioners

**FROM:** Building Commissioner, *Roger L. Lehman*

**SUBJECT:** HOUSE MOVING PERMIT APPLICATION

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**FROM:** EICHOFF RD. & MIDDLE MT. VERNON      **TAX CODE:**

**TO:** UNIVERSITY DR.      **TAX CODE:**

We have received the attached request from Jim Kabrick of Elmer Buchta, Inc. Moving Engineers to move an Old School House for University of Southern Indiana to the above referenced location. They hope to move the last of June. Request approval of application.

RLL:kek

Encl.

# Elmer Buchta, Inc.

MOVING ENGINEERS  
Box 8  
OTWELL, INDIANA 47564

Phones: 758-2231  
482-2232  
422-4952

June 09, 1993

City County Building  
Building Commissions  
Permit Section  
Evansville, IN

RE: Moving Old School House for U.S.I.

Dear Sir,

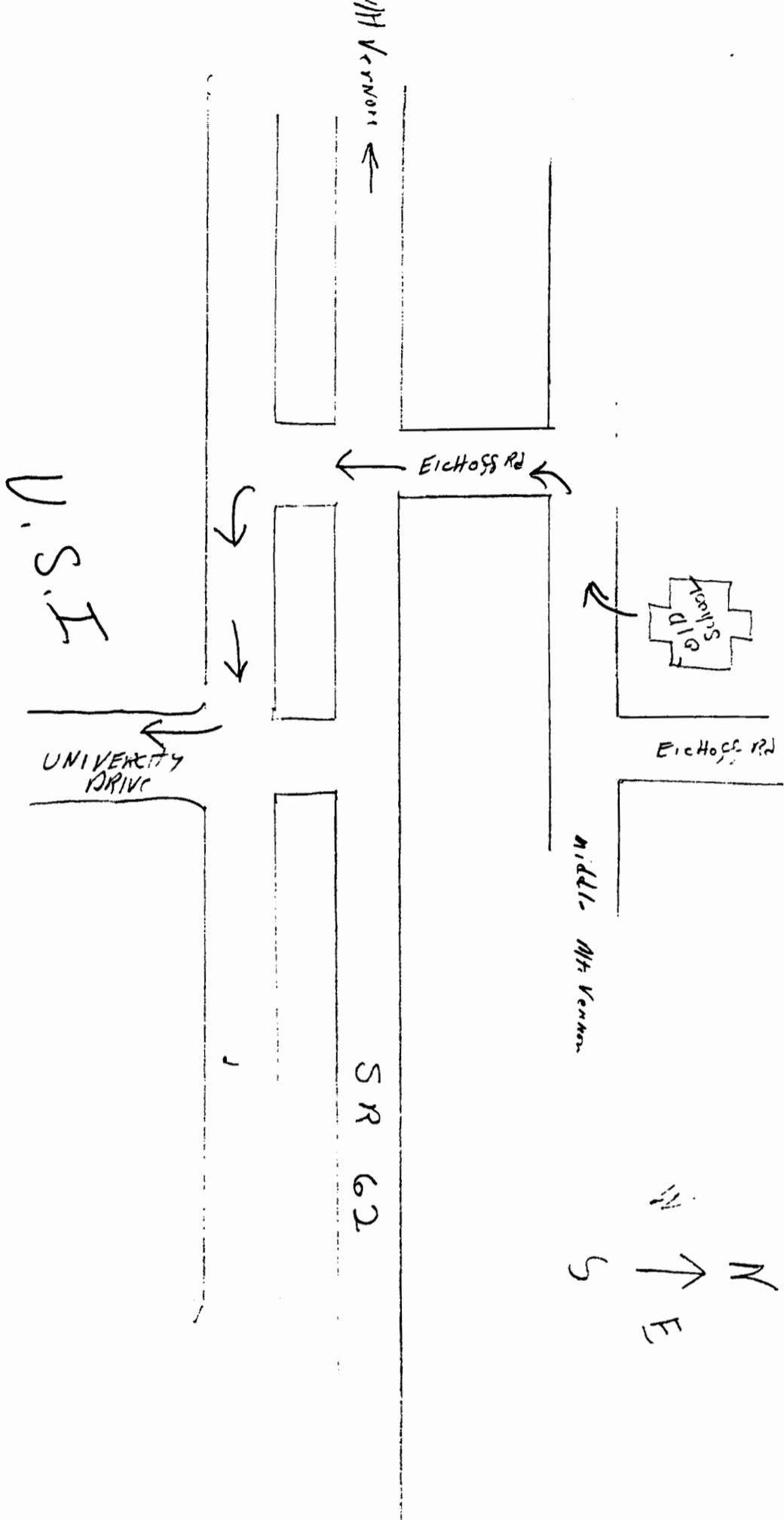
Elmer Buchta, Inc. request permit to move school house from Eichoff Road and Middle Mt. Vernon to U.S.I. Campus (see map).

We go a short distance on Eichoff and cross state road 62, to University Drive.

We hope to move the last of June. This is being moved so the state can build an over pass there at U.S.I.

Sincerely

  
Jim Kabrick



**AREA PLAN COMMISSION**  
**EVANSVILLE-VANDERBURGH COUNTY**  
*Room 312 Civic Center Complex*  
*1 N. W. Martin Luther King, Jr. Blvd.*  
*Evansville, IN 47708*  
*Phone (812) 426-5226*

Off. L.  
6/14/93

June 11, 1993

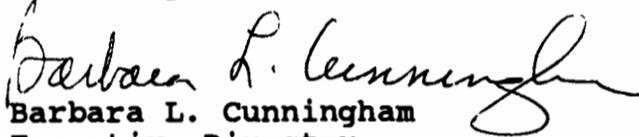
County Commissioners  
Room 305 Administration Building  
1 N. W. M L King Blvd.  
Evansville, IN 47708

Dear Commissioners:

I am requesting permission to travel to Indianapolis on June 18, 1993 to attend a Indiana Planning Association meeting. I need to attend this meeting as I am chairman of the Indiana Planning Association Awards Committee.

This will probably require an overnight stay. I will be using the County vehicle. We have money in our budget to cover these expenses.

Sincerely,

  
Barbara L. Cunningham  
Executive Director

BLC:kh

NOTICE OF HEARINGS  
TITLE VII - TRAFFIC SCHEDULES  
SCHEDULE II - STOP INTERSECTIONS  
OF THE  
VANDERBURGH COUNTY CODE OF ORDINANCES

NOTICE IS HEREBY GIVEN that the Board of Commissioners has scheduled public hearings with regard to the subject Ordinance at 4:30 p.m. in Room 307, Administration Building, Civic Center Complex, Evansville, Indiana, as follows:

Second Reading - Monday, June 14, 1993

Final Reading - Monday, June 21, 1993

Paragraph (A) of said Ordinance contains list of roads designated as STOP Intersections, requiring all vehicles to STOP at one or more entrances to these intersections. Ordinance lists road name, road that intersects and road that stops.

(B) Vanderburgh County shall be responsible for erecting and maintaining the appropriate signs at the intersections listed in Paragraph (A), in compliance with the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways.

(C) Any violation of this Traffic Schedule shall be punishable pursuant to the applicable section of Title 9 of the Indiana Code.

(D) This Ordinance amends and supersedes Vanderburgh County Traffic Schedules, Schedule II: Stop Intersections, which was passed on October 8, 1990.

APPROVED ON SECOND READING THIS 14<sup>th</sup> day of June, 1993.

APPROVED ON FINAL READING THIS \_\_\_\_\_ day of \_\_\_\_\_, 1993.

BOARD OF COMMISSIONERS OF  
VANDERBURGH COUNTY, INDIANA

Richard J. Borries  
Richard J. Borries, President

Patrick Tuley  
Patrick Tuley, Vice President

Don Hunter  
Don Hunter, Member

Sam Humphrey  
Sam Humphrey  
County Auditor

Alan M. Kissinger  
Alan M. Kissinger  
County Attorney

A C K N O W L E D G M E N T

State of Indiana County of Vanderburgh SS:

Before me, the undersigned Notary Public in and for said County personally appeared Richard J. Borries, Patrick Tuley and Don Hunter,  
(name of signers, their official  
Board of Commissioners of Vanderburgh County, Indiana  
capacity and firm name)

and each acknowledged the execution of the foregoing contract on this 14th  
day of June, 1993, and each acknowledged and stated that he is the  
party authorized by the said firm to execute the foregoing contract.

Witness my hand and seal the said last named date.

My Commission Expires  
JOANNE A MATTHEWS  
NOTARY PUBLIC STATE OF INDIANA  
VANDERBURGH COUNTY  
MY COMMISSION EXP. JUNE 12, 1996

*Joanne A. Matthews*  
Notary Public

Vanderburgh County  
County of Residence

Joanne A. Matthews  
Print of type name

A C K N O W L E D G M E N T

State of Indiana, County of Marion, SS:

Before me, the undersigned Notary Public in and for said County,  
personally appeared \_\_\_\_\_,  
(name) (title)

of the Indiana Department of Transportation, and acknowledged the execution of  
the foregoing contract on this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

Witness my hand and seal this said last named date.

My Commission Expires

\_\_\_\_\_  
County of Residence

\_\_\_\_\_  
Notary Public

Insofar as authorized by law this contract shall be binding upon the parties hereto, their successors or assigns.

This Contract shall not be effective unless and until approved by the Attorney General of Indiana, or his authorized representatives, as to legality and form.

In Witness whereof, the state of Indiana and the LPA, through their respective officials, have hereto affixed their signatures.

Clerk-Treasurer or County Auditor

Mayor, with (Board of Public Works)  
or (Town Board)  
or (County Commissioners)

ATTEST:

*Sam Humphrey*  
Signature  
SAM HUMPHREY, Auditor  
(Print or type Name and Title)

*Richard J. Barries*  
Signature  
RICHARD J. BARRIES (Commissioner)  
(Print or type Name and Title)  
*Patrick Tuley*  
Signature  
PATRICK TULEY (Commissioner)  
(Print or type Name and Title)  
*Don L. Hunter*  
Signature  
Don L. Hunter  
(Print or type Name and Title)

Signature

(Print or type Name and Title)

Approved as to legality and form

STATE OF INDIANA  
BY: INDIANA DEPARTMENT OF TRANSPORTATION

Pamela Carter  
Attorney General of Indiana  
Dated approved: \_\_\_\_\_

Frederick C. P'Pool  
Commissioner

ATTEST:

Daniel A. Novreske  
Deputy Commissioner, Administration

18. The LPA agrees to hold harmless and indemnify the State of Indiana, the Indiana Department of Highways and the Federal Highway Administration from any and all liability for any act or omission committed, suffered to be committed, or omitted to be done, by any office, agent, employee, servant or contractor of the LPA under this Agreement.
19. Pursuant to I.C. 22-9-1-10 the LPA and its subcontractor, if any, shall not discriminate against any employee or applicant for employment, to be employed in the performance of work under this Agreement, with respect to hire, tenure, terms, conditions or privileges of employment or any matter directly or indirectly related to employment, because of race, color, religion, sex, handicap, national origin or ancestry. Breach of this covenant may be regarded as a material breach of the Agreement.

Insofar as authorized by law this agreement shall be binding upon the parties hereto, their successors or assignees.

20. The LPA's share of the cost shall be the total amount of the entire cost of said project (approximately \$ 7,330,000 ) less the amount contributed by the Federal Government through Federal-aid. The LPA has by appropriation duly made and entered of record appropriated the sum of \$ 1,466,000 ) to apply to the cost of said project, which amount is estimated to equal the LPA's share of the entire cost of the project. \$800,000 of the LPA's match will be a loan from the Distressed Road Fund.

14. The LPA's share of the project cost shall be the amount as determined by the procedure outlined in Section 11 of this Agreement. If either party to this Agreement becomes more than sixty days late in making payments required by this Agreement the other party may proceed in accordance with I.C. 8-14-1-9 to obtain a mandatory transfer of funds from the delinquent party's motor vehicle highway account.
15. The LPA, prior to final acceptance of the project by the STATE and the Federal Highway Administration, shall place and maintain informational, regulatory, and warning signs or other markings and traffic signals necessary for proper traffic operations of the project subject to the approval of the STATE and the concurrence of the Federal Highway Administration.
16. After the completion of the construction work in accordance with the plans and specifications and the approval thereof by the LPA, the State and Federal Highway authorities, the LPA shall control the highway described in this agreement and shall provide all maintenance, satisfactory to the STATE and the Federal Highway Administration, at the LPA's expense.
17. During the contract period and for three (3) years from the date of final payment the LPA shall maintain all books, documents, papers, accounting records and other evidence pertaining to the cost incurred and shall make such materials available at their respective offices at all reasonable times for inspection by the Federal Highway Administration, the STATE, or other authorized representatives of any unit providing money for the project and copies thereof shall be furnished if requested.

ment. This cost is eligible for Federal-aid and is not included in the maximum limitation mentioned in Section 11B.

E. The LPA shall pay the STATE for expenses incurred in supervising the project according to the terms in Section 8 less the amount eligible for Federal-aid reimbursement. This cost is included in the maximum limitation mentioned in Section 11B.

12. A. Construction by Contractor - During the progress of the work, the contractor shall submit invoice vouchers to the STATE for construction completion.

B. Construction by LPA - During the progress of the work, the LPA shall submit claim vouchers to the STATE for construction completed.

When claiming costs, the LPA will certify by its responsible officer and/or engineer that those costs represented by the subject billing represent work physically completed. Upon approval of the voucher by the STATE, the STATE will request Federal-aid funds from the Federal Highway Administration for the amount of the subject voucher. Upon receipt of Federal-aid funds, the STATE will make payment to the LPA or contractor.

13. Construction Engineering by LPA or Consultant - The LPA shall be reimbursed ninety five percent (95%) of the federal share of construction engineering costs expended by submitting claim vouchers to the STATE not more often than once per month during the progress of the work. Upon approval of the claim voucher by the STATE, the STATE will request Federal-aid funds from the Federal Highway Administration for the amount of the subject claim voucher. Upon receipt of Federal-aid funds, the STATE will make payment to the LPA.

1. Construction Engineering by Consultant - A separate Agreement between the LPA and the Consultant, setting forth the scope of work and fee, is required and must be approved by the STATE and Federal Highway Administration before the letting. Only costs incurred after the STATE notice to proceed to the LPA and the LPA notice to proceed to the Consultant shall be eligible for Federal-aid reimbursement.  
  
The STATE must approve the Consultant's personnel prior to assignment to the project work.
  2. Construction Engineering by LPA - The personnel must be bona fide employees of the LPA. They can not be paid on a "retainer" basis. Only costs incurred after the STATE notice to proceed to the LPA shall be eligible for Federal-aid reimbursement.
- C. In accordance with IC 8-13-14-1 the LPA shall pay the STATE the actual cost, less the amount eligible for Federal-aid reimbursement, for performing laboratory testing of materials. The material-testing charge shall be determined by application of the approved material testing rate to actual construction costs incurred excluding construction engineering costs. This rate is based upon the amount of eligible costs of operating the Indiana Department of Highways material testing function divided by the total costs incurred for specific types of contracts which utilize the services of the material testing function. The cost of providing material testing is included in the maximum limitation mentioned in Section 11B.
- D. The LPA shall pay the STATE for expenses incurred in performing the final audit less the amount eligible for Federal-aid reimburse-

incompetent or inadequate, the STATE shall have the right to supplement the engineering and inspection force or to replace engineers or inspectors employed in such work at the expense of the LPA.

The STATE's supervising engineers shall supervise the work the same as on other construction contracts.

9. If the LPA or its consultant is providing construction engineering, the LPA shall make reports to the STATE as to the progress and performance of the work at such times as the STATE may require.
10. Upon completion of the construction and construction engineering and prior to final payment pursuant to this Agreement, a final audit shall be done by the Indiana Department of Highways' Division of Accounting and Control. After the final audit is approved by the STATE, then final payment shall be made.
11. A. The LPA portion of the construction cost shall equal the total payment to the contractor less the amount eligible for Federal-aid reimbursement.  
B. The LPA portion of the construction engineering shall equal the cost incurred by the LPA in providing such service for this project less the amount eligible for Federal-aid reimbursement. Costs eligible for Federal-aid reimbursement shall be limited to a maximum percentage of the construction cost.)

The maximum percentage rates are:

<u>Types of Funds</u>	<u>Project Prefix</u>	<u>Max %</u>
Interstate Substitution	IX	15%
Urban	M, MG	15%
Rural Secondary	RS, RSG, SR	15%
Bridge Replacement &	BRM, BRS, BRZ	10%
Bridge Rehabilitation	BHM, BHS, BHZ	10%
Railroad Demonstration	RR	10%
Hazard Elimination	HES	Unlimited
Railroad Protection	RRP	Unlimited
Railroad Crossing	RRS	Unlimited

The amount of the loan shall be equal to a portion of the LPA'S share of the construction cost. The construction cost shall equal the bid of the contractor who is awarded the construction contract in accordance with the STATE'S regular bidding procedures. If an Advice of Change Order, AC, is approved which increases the project cost, the LPA shall pay to the STATE within thirty (30) days a sum equal to ninety percent (90%) of the LPA'S portion of the increased cost. If the LPA'S final actual construction cost is determined prior to the due date of payment, the LPA will be notified of the revised loan amount for payment on the due date. If the LPA'S final actual cost (including construction, construction engineering, STATE supervision, laboratory testing and final audit) is determined after the due date of payment by the LPA to the STATE, any remaining amount of the final LPA share of the cost shall be paid to the STATE by the LPA within sixty (60) days, or any remaining overpayment of the final LPA share of the cost shall be paid by the STATE to the LPA within sixty (60) days.

7. If the loan is not repaid within two (2) years, the LPA authorizes and directs the Auditor of the State of Indiana to withhold monthly distributions from the LPA'S allocations from the motor vehicle highway account, and transfer the funds to the Indiana Department of Highways for deposit into the Distressed Road Fund.
8. The LPA shall provide competent and adequate engineering, testing, and inspection service to insure the performance of the work in accordance with the construction contract, plans and specifications. In the event that the engineering and inspection service to be performed by the LPA shall, in the opinion of the STATE, be

Highway Commission Policies Covering the Use and Occupancy of Public Highway by Utilities".

2. The LPA shall comply with the applicable conditions set forth in the (1) Title 23, U.S. Code, Highways, (2) the regulations issued pursuant thereto, and (3) the policies and procedures promulgated by the STATE and Federal Highway Administration relative to the project.
3. The LPA shall follow procedures as outlined in the STATE MBE Affirmative Action Plan and Federal Regulations concerning employment of minority business enterprises.
4. The plans and specifications shall be subject to the approval of the STATE and the Federal Highway Administration. The STATE shall advertise for bids, and upon receipt of an acceptable proposal, shall award a contract therefore. The contract shall be subject to the approval of the LPA, the STATE, and the Federal Highway Administration through their respective and proper authorities before it shall become effective.
5. The construction contract shall be awarded based on unit prices, on estimated quantities, and if the total payment to the contractor under the construction contract is more or less than the estimated cost at the time of the signing of the construction contract, the LPA portion of the cost shall increase or decrease accordingly. Changes in the construction contract shall not be made without approval of the LPA, the STATE and the Federal Highway Administration.
6. The LPA having made application and received approval from the STATE for a loan from the Distressed Road Fund in the amount of \$800,000 for the purpose of matching Federal-aid highway funds of the subject project does hereby agree to make payment in full on or before the first day of the month two years after the contract letting by the STATE.

CONSTRUCTION AND CONSTRUCTION ENGINEERING FOR FEDERAL AID PROJECTS

THIS AGREEMENT, made and entered into this 14<sup>th</sup> day of June, 19    , by and between the State of Indiana, acting by and through the Indiana Department of Highways, hereinafter referred to as the "STATE", and the Local Public Agency, Vanderburgh County, hereinafter referred to as the "LPA".

WITNESSETH

WHEREAS, plans and specifications have been prepared for this project, and

WHEREAS, the right-of-way for the project is of sufficient width to meet the approved design standards for the project, and

WHEREAS, any additional right-of-way procured for the project was obtained by the LPA in compliance with STATE and Federal Highway Administration policies and procedures.

WHEREAS, through the cooperation of the LPA, the STATE and the Federal Highway Administration, the following designated project has been approved by the Federal Highway Administration and is ready for letting by the STATE;

Project No. STP-E185(4) STP-MASTP-DSB-M-E185(1) STP-E185(5) Contract R-20843 Des. No. 7920560 7908365 7985835

Description: Lynch Rd. Ext. from Oak Hill Rd. to Burkhardt Rd. including Bridge # 10244 over Pigeon Ck. and 1070X over Crawford-Brandeis Ditch (PH I ) [GRADING]

NOW THEREFORE, in consideration of the mutual covenants, herein contained, the parties hereto mutually covenant and agree as follows:

- 1. The LPA hereby agrees that all utilities which cross or otherwise occupy the right-of-way of said highway shall be regulated on a continuing basis by the LPA with written use and occupancy agreements in accordance with the STATE's utility accommodation policy titled "State of Indiana State

Project No.: 90-38-1A

UTILITY AGREEMENT FEE JUSTIFICATION

rev. 06/4/93

PROJECT NO.: STP-6882() & STP-6887()  
 ROUTE: LYNCH RD. EXT. - PHASE II  
 COUNTY: VANDERBURGH

DESCRIPTION	MANHOURS BY JUSTIFICATION					TOTAL
	Principal	Senior Engineer	Engineer II	Engineer Technician	Clerical	MAN-HRS
Coordinate with Utilities		3	42		12	57
Review Relocation Plans & Estimate			29	14		43
Prepare Agreements			20	5	6	31
Prepare Special Provisions			9			9
Print sets of plans			4	16		20
<b>TOTAL MANHOURS</b>	<b>0</b>	<b>3</b>	<b>104</b>	<b>35</b>	<b>18</b>	<b>160</b>
<b>HOURLY RATES 1993</b>	<b>\$32.69</b>	<b>\$24.63</b>	<b>\$19.09</b>	<b>\$13.03</b>	<b>\$8.70</b>	
<b>MANHOURLY COSTS</b>	<b>\$0.00</b>	<b>\$74.00</b>	<b>\$1,985.00</b>	<b>\$456.00</b>	<b>\$157.00</b>	

<b>DIRECT NON-SALARY COSTS</b>			<b>DIRECT SALARY OVERHEAD</b>		<b>\$2,672.00</b>
Mileage: 10 mi. x 4 @ \$.24/mi.		\$9.60		157.84%	4,217.00
Reproduction: 47 SHTS x 7 SETS@ \$1.00/SHT		\$329.00	<b>SUBTOTAL</b>		<b>\$6,889.00</b>
Per Diem			<b>PROFIT</b>	15.00%	<b>\$1,033.00</b>
<b>TOTAL DIRECT NON-SALARY COSTS</b>		<b>\$339.00</b>	<b>DIRECT NON-SALARY</b>		<b>339.00</b>
			<b>GRAND TOTAL</b>		<b>\$8,261.00</b>

- ASSUMPTIONS:**
1. Coordinate @ 7 utilities (SIGECO Elec & Gas, City Wt, IBT, Texas Gas, Amoco Pipeline)
  2. Six reim. agmnts. (possibly 3 if utilities deep enough @ Line PR-1)
  3. One non-reim. agmnt. (possibly 4 - see comment #2)
  4. Seven special provisions
  5. Texas Gas & Amoco Pipeline have major facilities and could be very difficult agmnts.

(Form approved by the Attorney General)

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA )  
COUNTY OF Vanderburgh )

The undersigned, being duly sworn on oath says, that he is the contract ing party, or, that he is the representative, agent, member, or officer of the contracting party, that he has not, nor has any other member, representative, agent, or officer of the firm, company, corporation or partnership represented by him, directly or indirectly, entered into or offered to enter into any combination, collusion or agreement to receive or pay, and that he has not received or paid, any sum of money or other consideration for the execution of the annexed agreement other than that which appears upon the fact of the agreement.

BERNARDIN, LOCHMUELLER & ASSOC., INC.

Keith Lochmueller

Keith Lochmueller  
(Print or type name)

Subscribed and sworn to before me this 4th day of June, 1993.

Cynthia D. Evans  
Notary Public

My Commission Expires:

September 22, 1995

ACKNOWLEDGMENT

State of Indiana County of Vanderburgh SS:

Before me, the undersigned Notary Public in and for said County personally appeared Keith Lochmueller, President; Thomas G. Bernardin,  
(Name of signers, their official capacity and Agency Name)

Secretary, Bernardin, Lochmueller & Associates, Inc.  
(Firm Name)

and each acknowledged the execution of the foregoing agreement on this 4th day of June, 1993 and each acknowledged and stated that he is the party authorized by the said firm to execute the foregoing agreement.

Witness my hand and seal the said last named date.

My Commission Expires:

September 22, 1995

Cynthia L. Evans  
Notary Public

Cynthia L. Evans  
Print or type name

ACKNOWLEDGMENT

State of Indiana, County of Vanderburgh, SS:

Before me, the undersigned Notary Public in and for said County, personally appeared Richard J. Borries, President; Patrick Tuley Vice President and  
(Name of signers, their official capacity and Agency Name)

Don Hunter, Member; Vanderburgh County Board of Commissioners

and acknowledged the execution of the foregoing agreement on this 14<sup>th</sup> day of June, 1993.

Witness my hand and seal this said last named date.

My Commission Expires:

**JOANNE A MATTHEWS**  
**NOTARY PUBLIC STATE OF INDIANA**  
**VANDERBURGH COUNTY**  
**MY COUNTY OF RESIDENCE:**  
**MY COMMISSION EXP. JUNE 12, 1996**

Joanne A. Matthews  
Notary Public

IN TESTIMONY WHEREOF, the parties hereto have executed this Supplemental Agreement.

CONSULTANT

Bernardin, Lochmueller & Associates, Inc.

BY Keith Lochmueller  
Keith Lochmueller, President

Attest:

Thomas G. Bernardin  
Thomas G. Bernardin, Secretary

LOCAL PUBLIC AGENCY

Vanderburgh County Board of Commissioners

BY Richard J. Borries  
Richard J. Borries, President

BY Patrick Tuley  
Patrick Tuley, Vice President

BY Don Hunter  
Don Hunter, Member

ATTEST:

Sam Humphrey  
Sam Humphrey, County Auditor

Approved as to Legality and Form:

Alan Kissinger  
Alan Kissinger, Attorney for Vanderburgh County Board of Commissioners

Agreement the total fee not to exceed \$ 587,328.00 , unless a modification of the Agreement is approved in writing by the LOCAL PUBLIC AGENCY.

2. Appendix "D", Section A2 has been revised to include one new item called:

h. Utility Agreement Coordination \$8,261.00

3. Except as herein modified, changed and supplemented, all terms of the original Agreement dated August 6, 1990, shall continue in full force and effect.

The previous "not to exceed" total was \$579,067.00. This Supplemental increases this value by \$8,261.00, to a new "not to exceed" value of \$587,328.00.

SUPPLEMENTAL AGREEMENT NO. 2

This Supplemental Agreement is made and entered into June 14, 1993, by and between Vanderburgh County, acting by and through the Board of County Commissioners, hereinafter referred to as the "LOCAL PUBLIC AGENCY", and Bernardin, Lochmueller & Associates, Inc., hereinafter referred to as the "CONSULTANT".

WITNESSETH

WHEREAS, the "COUNTY" and the "CONSULTANT" did on August 6, 1990, enter into an Agreement providing for the "CONSULTANT" to prepare all preliminary engineering activities for Lynch Road-Phase 2 from 100 feet east of Burkhardt Road in Vanderburgh County to the intersection of S.R. 62 and Telephone Road in Warrick County, Indiana, Project Nos.: RS-6882( ) and RS-6887( ).

WHEREAS, utility agreement coordination and processing is required, and;

WHEREAS, in order to provide for completion of the work, it is necessary to amend and supplement said Agreement as follows:

1. Appendix "A": SERVICES BY CONSULTANT - Section J, Utility Agreement Coordination shall be included to read as follows:

J. Utility Agreement Coordination: The CONSULTANT shall, in conformance with INDOT guidelines and Volume 6, Chapter 6, Chapter 3, Sub-section 1 of the Federal-Aid Highway Program Manual, coordinate activities that will cause utility agreements (reimbursable and non-reimbursable) to be executed between affected utilities and the LOCAL PUBLIC AGENCY.

2. Appendix "D", Section A, Items 1 & 2 are changed to read as follows:

1. The CONSULTANT shall receive as payment for the work performed under this

Project No.: 90-40-1A

UTILITY AGREEMENT FEE JUSTIFICATION

rev. 05/15/92

PROJECT NO.: STP-E180(1) & STP-6582(1)  
 ROUTE: EICKHOFF-KORESSEL ROAD  
 COUNTY: VANDERBURGH

DESCRIPTION	MANHOURS BY JUSTIFICATION					TOTAL
	Principal	Senior Engineer	Engineer II	Engineer Technician	Clerical	MAN-HRS
Coordinate with Utilities		2	32		9	43
Review Relocation Plans & Estimate			22	11		33
Prepare Agreements			15	4	5	24
Prepare Special Provisions			7			7
Print sets of plans			3	12		15
<b>TOTAL MANHOURS</b>	<b>0</b>	<b>2</b>	<b>79</b>	<b>27</b>	<b>14</b>	<b>122</b>
<b>HOURLY RATES 1993</b>	<b>\$32.69</b>	<b>\$24.63</b>	<b>\$19.09</b>	<b>\$13.03</b>	<b>\$8.70</b>	
<b>MANHOURLY COSTS</b>	<b>\$0.00</b>	<b>\$49.00</b>	<b>\$1,508.00</b>	<b>\$352.00</b>	<b>\$122.00</b>	

DIRECT NON-SALARY COSTS				DIRECT SALARY	\$2,031.00
Mileage: 10 mi. x 4 @ \$.24/mi.	\$9.60			OVERHEAD	157.84%
Reproduction: 20 SHTS.x7 SETS@\$1.00/SHT.	\$140.00				3,206.00
Per Diem				SUBTOTAL	\$5,237.00
<b>TOTAL DIRECT NON-SALARY COSTS</b>	<b>\$150.00</b>			PROFIT 15	15.00%
				DIRECT NON-SALARY	150.00
				<b>GRAND TOTAL</b>	<b>\$6,173.00</b>

ASSUMPTIONS

1. Coordinate @ 7 utilities
2. Five reimbursable agreements
3. Two non-reimbursable agreements
4. Seven special provisions

(Form approved by the Attorney General)

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA )  
COUNTY OF Vanderburgh )

The undersigned, being duly sworn on oath says, that he is the contract ing party, or, that he is the representative, agent, member, or officer of the contracting party, that he has not, nor has any other member, representative, agent, or officer of the firm, company, corporation or partnership represented by him, directly or indirectly, entered into or offered to enter into any combination, collusion or agreement to receive or pay, and that he has not received or paid, any sum of money or other consideration for the execution of the annexed agreement other than that which appears upon the fact of the agreement.

BERNARDIN, LOCHMUELLER & ASSOC., INC.

Keith Lochmueller

Keith Lochmueller  
(Print or type name)

Subscribed and sworn to before me this 2nd day of June, 1993.

Cynthia S. Evans  
Notary Public

My Commission Expires:  
September 22, 1995

ACKNOWLEDGMENT

State of Indiana County of Vanderburgh SS:

Before me, the undersigned Notary Public in and for said County personally appeared Keith Lochmueller, President; Thomas G. Bernardin,  
(Name of signers, their official capacity and Agency Name)

Secretary, Bernardin, Lochmueller & Associates, Inc.  
(Firm Name)

and each acknowledged the execution of the foregoing agreement on this 2ND day of June, 1993 and each acknowledged and stated that he is the party authorized by the said firm to execute the foregoing agreement.

Witness my hand and seal the said last named date.

My Commission Expires:

September 22, 1995

Cynthia L. Evans  
Notary Public

Cynthia L. Evans  
Print or type name

ACKNOWLEDGMENT

State of Indiana, County of Vanderburgh, SS:

Before me, the undersigned Notary Public in and for said County, personally appeared Richard J. Borries, President; Patrick Tuley Vice President and  
(Name of signers, their official capacity and Agency Name)

Don Hunter, Member; Vanderburgh County Board of Commissioners

and acknowledged the execution of the foregoing agreement on this 14<sup>th</sup> day of June, 1993.

Witness my hand and seal this said last named date.

My Commission Expires:             
JOANNE A MATTHEWS  
NOTARY PUBLIC STATE OF INDIANA  
VANDERBURGH COUNTY  
~~My Commission Expires~~

Joanne A. Matthews  
Notary Public

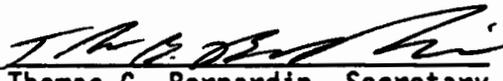
IN TESTIMONY WHEREOF, the parties hereto have executed this Supplemental Agreement.

CONSULTANT

Bernardin, Lochmueller & Associates, Inc.

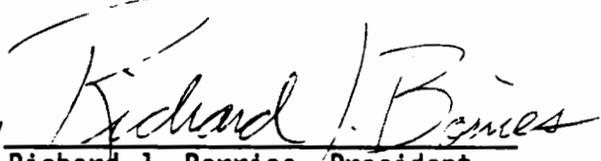
BY   
Keith Lochmueller, President

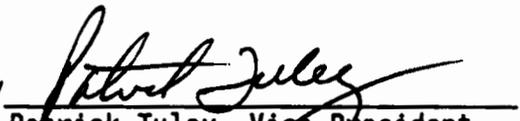
Attest:

  
Thomas G. Bernardin, Secretary

LOCAL PUBLIC AGENCY

Vanderburgh County Board of Commissioners

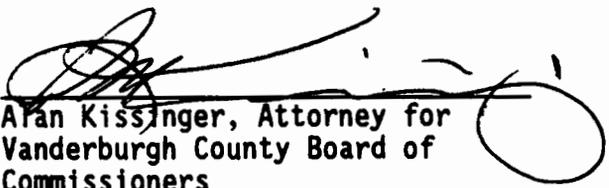
BY   
Richard J. Borries, President

BY   
Patrick Tuley, Vice President

BY   
Don Hunter, Member

ATTEST:  
  
Sam Humphrey, County Auditor

Approved as to Legality and Form:

  
Alan Kissinger, Attorney for Vanderburgh County Board of Commissioners

2. Appendix "D", Section A, Items 1 & 2 are changed to read as follows:

1. The CONSULTANT shall receive as payment for the work performed under this Agreement the total fee not to exceed \$ 804,784.00, unless a modification of the Agreement is approved in writing by the LOCAL PUBLIC AGENCY.

2. Appendix "D", Section A2 has been revised to include one new item called:

g. Utility Agreement Coordination \$6,172.00

3. Except as herein modified, changed and supplemented, all terms of the original Agreement dated September 17, 1990, shall continue in full force and effect.

The previous "not to exceed" total was \$798,612.00. This Supplemental increases this value by \$6,172.00, to a new "not to exceed" value of \$804,784.00.

SUPPLEMENTAL AGREEMENT NO. 2

This Supplemental Agreement is made and entered into June 14, 1993, by and between Vanderburgh County, acting by and through the Board of County Commissioners, hereinafter referred to as the "LOCAL PUBLIC AGENCY", and Bernardin, Lochmueller & Associates, Inc., hereinafter referred to as the "CONSULTANT".

WITNESSETH

WHEREAS, the "LOCAL PUBLIC AGENCY" and the "CONSULTANT" did on September 17, 1990 enter into an Agreement providing for the "CONSULTANT" to provide the services and documents, hereinbefore and hereinafter described, in relation to the following described project or projects:

Eickhoff-Koressel Road, Project No.: STP-E 180(1) & STP-6582 (1)

Design and furnish contract plans for the realignment of Eickhoff-Koressel Road from S.R. 62 to S.R. 66 in the western part of Vanderburgh County, Indiana.

WHEREAS, utility agreement coordination and processing is required, and;

WHEREAS, in order to provide for completion of the work, it is necessary to amend and supplement said Agreement as follows:

1. Appendix "A": SERVICES BY CONSULTANT - Section G, Utility Agreement Coordination shall be included to read as follows:

G. Utility Agreement Coordination: The CONSULTANT shall, in conformance with INDOT guidelines and Volume 6, Chapter 6, Chapter 3, Sub-section 1 of the Federal-Aid Highway Program Manual, coordinate activities that will cause utility agreements (reimbursable and non-reimbursable) to be executed between affected utilities and the LOCAL PUBLIC AGENCY.





Warrant No. \_\_\_\_\_

Claim No. \_\_\_\_\_

Date \_\_\_\_\_

IN FAVOR OF

Vendor Name Appraisal Company, Inc.

Vendor No. 3705 810

\$ 2,250.00

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name \_\_\_\_\_

Account No. \_\_\_\_\_

Allowed \_\_\_\_\_ 19 \_\_\_\_\_

In the sum of \$  
*Richard J. Bennis*  
*John Wiley*  
*[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

*Richard J. Bennis*  
Signature of Office Holder  
*John Wiley*

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>5/7/93</u>	<u>216-4910</u>	<u>2,250.<sup>00</sup></u>

TOTAL 2,250.<sup>00</sup>





CLAIM No. .... WARRANT No. ....

IN FAVOR OF <sup>985</sup>  
NAME AND ADDRESS  
BERNARDIN LOCHMUELLER  
SUITE 606  
HUMAN BEE  
47708

\$ 125.00

ON ACCOUNT OF APPROPRIATION  
ACCOUNT NO. 430 Bond  
PURCHASE ORDER NO. -  
INVOICE NO. 91-98-5(12)  
PURPOSE USE & SR 62

Allowed ..... 19 .....

In the sum of \$ Redmond Bonis  
Robert G. Jones  
W. H. Jones

Commissioners ..... County

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

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon  contract,  statutory authority.

That it is apparently  correct,  incorrect.

..... Auditor

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

.....  
June 7, 1993  
John Bell







CLAIM No. .... WARRANT No. ....

IN FAVOR OF  
NAME AND ADDRESS *1114*  
*INDIANA DEPT OF TRANSPORTATION*  
*100 N. SENATE AVE, Room 725 North*  
*INDIANAPOLIS, IN 46204*

*\$ 60,000.00*

**ON ACCOUNT OF APPROPRIATION**

ACCOUNT NO. *203-1353*  
PURCHASE ORDER NO. *-*  
INVOICE NO. *XW19300570*  
PURPOSE *Col / Dr B&B IC*

Allowed ..... 19

In the sum of \$  
*Richard J. Bomer*  
*Patricia J. Bomer*  
*Chris Hume*

Commissioners ..... County

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

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

..... Auditor

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

..... 19 .....

*Richard J. Bomer*

CLAIM No. .... WARRANT No. ....

IN FAVOR OF  
NAME AND ADDRESS 985

BERNARD W. LOCHMUELLER

SUITE 606

HULLMAN BLDG

47708

76.81

ON ACCOUNT OF APPROPRIATION

ACCOUNT NO. 216-4827

PURCHASE ORDER NO.

INVOICE NO. 91-60-5

PURPOSE Lynch Rd Ext.

Allowed ..... 19

In the sum of \$  
Richard J. Brown  
Auditor

Commissioners ..... County

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

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon contract. statutory authority.

That it is apparently correct. incorrect.

Auditor

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

June 7 19 93  
John Steel







Warrant No. \_\_\_\_\_

Claim No. \_\_\_\_\_

Date \_\_\_\_\_

IN FAVOR OF

Vendor Name Ward G. Clark

Vendor No. 1266

\$ 1500.00

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name BOND - USF

Account No. 430

Allowed \_\_\_\_\_ 19\_\_

In the sum of \$ Richard I. Davis  
Robert J. Kelly  
[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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

June 7, 1993

[Signature]  
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>5/14/93</u>	<u>430 Bond</u>	<u>1500.00</u>

TOTAL 1500.00

Warrant No. \_\_\_\_\_

Claim No. \_\_\_\_\_

Date \_\_\_\_\_

IN FAVOR OF  
Vendor Name VAND. CO. CLERK

Vendor No. 1266

\$ 1200.00

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name USF

Account No. 430 Bond

Allowed \_\_\_\_\_ 19\_\_

In the sum of \$ Richard J. Bennis  
[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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

June 7, 1993

[Signature]  
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>5/17/93</u>	<u>430 Bond</u>	<u>1200.00</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 1200.00









MINUTES  
COUNTY COMMISSIONERS MEETING  
JUNE 21, 1993

I N D E X

Subject	Page No.
Meeting Opened @ 5:40 p.m. ....	1
Introductions & Pledge of Allegiance .....	1
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MINUTES  
COMMISSION MEETING  
JUNE 21, 1993

The Vanderburgh County Board of Commissioners met in session at 5:40 p.m. on Monday, June 21, 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 (Michel, Farrell, Abell, Kissinger, Tuley, himself, Hunter, Humphrey and Matthews) and asked the group to stand for the Pledge of Allegiance.

Mr. Borries then asked if there are any individuals/groups who wish to address the Commission but do not find their particular item of interest on this evening's agenda. There being none, Mr. Borries said he will proceed with the agenda as published.

RE: PETITION TO VACATE PORTION OF OLIVIA STREET/PUBLIC HEARING

Commissioner Borries welcomed Brian Carroll, the attorney representing the petitioners in this matter. He said that per Mr. Carroll, letters were sent to all the adjacent property owners. One certified letter (addressed to Michael and Deborah Thomas) was returned to the Auditor's office. Apparently the address was incorrect or those persons were not living at that address. He then asked Attorney Kissinger if the Board may proceed with the hearing.

Attorney Kissinger asked if it is a local address. Was the address obtained from the local tax records?

Attorney Carroll said that it is and yes, the address was obtained from the local tax records.

Attorney Kissinger said that as long as there was a good faith effort made. The notice sent is adequate.

Commissioner Borries said that with that ruling, we have published everything in a legal advertisement and he will now turn the matter over to Attorney Carroll.

Attorney Carroll said he represents Donald and Juanita L. Berning and they have filed a petition to vacate a part of Olivia Street. The section they have petitioned to vacate runs adjacent to property owned by the petitioners. It is located at 2631 E. Oregon and the petitioners own, he believes it is Lot #41, and the area to be vacated runs between Lots #41 and #42. The plat showing the area to be vacated was prepared by Bernardin-Lochmueller. They have excluded the public utility easement that runs along 6 ft. of the eastern portion of the area to be vacated -- as a request by one of the utilities (he believes it was Indiana Bell). They basically left that off the vacation, so the vacation would be everything up to that 6 ft. public utility easement. The plat shows the portion to be vacated and also the other portion of Olivia Street that is opposite the Kirchoff Street to the west. He believes this subdivision was developed some thirty years ago and the area to be vacated was shown as a street on the plat and has never been developed -- and it has always basically been a green area. There are trees growing on it. He then passed photographs showing the area to be vacated. The first few photographs show kind of a front on view from the present Olivia Street, showing Kirchoff running crossways and then the area to be vacated is in the background. He also has a map that the County Engineer was kind enough to reproduce for him to show the two streets, Kirchoff

and the present Olivia Street and the area to be vacated to the east. The subdivision was developed some thirty years ago and the area to be vacated has never been developed. His clients have owned it since approximately 20 years ago and their position is simple -- that since it never has been developed and is, in essence, an incumbrance upon their property, they would like to have it vacated so it is taken off their title. That property would get back on the tax rolls.

Attorney Kissinger asked Mr. Carroll if his clients have any immediate plans insofar as building construction, etc., on the area to be vacated.

Attorney Carroll responded negatively.

Commissioner Borries asked if there are any remonstrators who wish to speak either for or against the petition.

Mr. David Johns of 10200 Hogue Rd. approached the podium and said they own the property immediately west of where Olivia Street ties in. He said he doesn't know whether his son would ever want to build there or not, but rather than come all the way - their driveway comes to designated area on the map and down off Hogue Rd. in this 90 degree turn. In fact, his gas line (which SIGECO has an easement for) runs right along the north edge of the property line and goes back to Kirchoff and all the way over to the University. If they do away with this access to this part of the property, he doesn't know -- something would have to be run through all the way back to there -- and there is room for two more homes along this acreage.

Mr. Borries said that Mr. Johns is saying that he thinks a road at some point could be extended -- but which way would it go?

Mr. Johns said it probably would go straight on through -- and there may just be a cul-de-sac put in for one home. But if there were two homes, they might have to run it all the way through -- or they could have two drives coming off a cul-de-sac.

Mr. Borries asked if designated area is currently a wooded area.

Mr. Johns said it is and pointed to the high point, and said the ground slopes. So if there is anything built it would have to be in the upper half. All the way down to Creamery Rd. is currently farm ground.

Mr. Tuley asked how long Mr. Johns has owned the property (7-1/2 acres).

Mr. Johns said they moved in there about twenty-two or twenty-three years ago.

Mr. Tuley asked if Mr. Johns' sons currently owns a home.

Mr. Johns responded he is in Florida right now, trying to get back here. They also have a daughter. He doesn't know whether or not she would be interested in building here.

Mr. Tuley asked if there have been discussions between Mr. Johns and either of his kids about building.

Mr. Johns said nothing definite.

Mrs. Johns interjected their son said he was interested, if he gets to move back here.

Mr. Tuley asked if its employment that is keeping him in Florida.

Mrs. Johns replied, "Right, and he's coming back in July and has an

interview. They are building and adding lots and subdividing lots right down to Kirchoff and down the line."

Mr. Borries asked, "But are you saying here (we need to get this on the record) -- are you saying you are considering subdividing the property? Are you saying you are considering having a subdivision in there?"

Mr. Johns said, "Not selling off lots. It would be for the family."

Mr. Borries said, "I would think you would want to keep it in the same kind of pristine wooded area that it is now. I don't know how it would devalue your property from that standpoint. However, I do appreciate the aspect of your raising the issue here of lack of access. That part I can see. I don't think in its current state - - I don't know how I could..."

Mr. Tuley interjected, "Who would be responsible for building if you sold some of this acreage off to one of your children. Who would be responsible for putting the continued Olivia Street through there."

Mr. Johns said they would be responsible.

Mr. Donald Berning was recognized and stated he lives at 2631 E. Oregon Street. He said one of the things not mentioned there is they talk about devaluing their property. "If there was ever a roadway ever put through there he thinks it would tremendously devalue the lot that we have there."

Mr. Borries said it depends on how many houses would go back there.

Mr. Berning said he is just talking about going right along the side.

Mr. Hunter asked how long Mr. Berning has owned his lot.

Mr. Berning replied, "Oh, twenty years at least. We don't live out there -- it's just a lot we own."

Attorney Carroll said he would like to respond to Mr. Johns' comments if he could. "I think what this really comes down to is obviously weighing the burdens on both these parties and if you do look at the plat you will see that we talk about giving access to the Johns. The Johns, at present, do have access off Hogue Rd. and you will see what is the gravel road off Hogue Rd. that they use -- and then you have what is a right-of-way, but is undeveloped, over immediately to the west. In order to develop this, as already mentioned, they would have to pay to have this developed to County standards and then continue it on. The cost of developing just that section of road that is going to benefit at most just these two sites we've talked out -- and realistically you are probably talking about only one -- would be somewhere in the neighborhood of \$20,000. According to Jim Morley, with whom I've talked, it is 75 cents per lineal foot. I mean, if you look at it realistically, I think the access is going to come off Hogue Rd. and I think ..."

Mr. Borries asked, "Wouldn't it more direct, Mr. Carroll...."

Mrs. Johns interrupted, "Hogue Rd. is a very dangerous corner, which we'd like to get away from."

Mr. Carroll said, "But you wouldn't have to develop it, I don't believe, to County standards. For instance, if it is just one building site, you wouldn't have to develop it to County standards."

Commissioner Hunter asked, "Is Mr. Berning planning to build on this lot?"

Attorney Carrol replied, "Well, he owns it. Some time presumably he may sell it, so he is looking at the marketability of the lot. But, again, if you talk about weighing the burdens of having this easement continue to be there -- and it's been there the last twenty years -- or vacating it and then the access to the Johns' property would be off Hogue Rd., I think the balance should be in favor of vacating the easement, particularly when you look at what it would cost to extend this to County standards -- some \$20,000. Realistically you are going to come off and use the existing gravel road for what I am saying would probably be one lot developed in designated area. So the Johns' argument is it would be nice for it to be there. Our argument is that, in essence, the weight should shift toward vacating this when you look at what it would cost to put that road in to County standards. Also, Mr. Johns had mentioned the utilities and we have given an easement to SIGECO for the gas line -- that is there. We aren't vacating that back 6 ft. for that public utility, so they would have full access to utilities if they ever needed them. This vacation is mainly regarding the street right-of-way that is being vacated. My understanding from talking to Mr. Morley is that if these streets are left there in case there is another subdivision similar to what you have here that is going to be put in, then you can have a connector street. Here there is no indication that is going to occur. We're just talking about another adjacent building lot to the Johns. If they were saying they wanted to put in a subdivision adjacent to here that runs straight up and then use this right-of-way, that would be one argument. But here we are just talking about having possibly one or two building sites over in designated area."

Mr. Borries said, "Which wouldn't necessarily impact the owner of the property -- if at some time it was only going to serve two residents."

Mr. Tuley said he doesn't know how this is going to devalue this property.

Mr. Borries said he doesn't either.

Attorney Carroll said, "Well, from its present location, a situation that they are not building a road there. I think it really comes down to practicalities and are they going to spend \$20,000 to put in a road there, or are they going to come in off Hogue Rd. -- particularly when you're talking about it being for family members."

Mr. Johns commented, "When you figure what it would take to come in off Hogue Rd., turn and go back, you're getting into that kind of money again."

Commissioner Tuley said, "I don't know what your arrangements are with your son, but I assume if you gave him the lot it would be worth \$20,000 to build a street."

Mrs. Johns said, "That is the way I feel about it. I think he would be willing to put the street in if he got the lot."

Mr. Johns said, "I can't say he definitely will -- but I'm saying that is a possibility and I just feel like with the easement being there...."

Mr. Berning commented, "The reason I said a while ago that this would be apt to devalue the lot, the lot sits partially -- where the roadway easement is now is the highest point there. And the logical place to build a home is over close to that -- or as close as you can get and still meet all your requirements -- but to build

up on top of that hill with probably a garage coming in from the lower level of that lot. If you build up there and then you get a road right next to that, that is where I see it would devalue whatever anybody would put in int he way of a home."

Commissioner Borries said, "Well, I don't know. I'm not inclined - - whatever the rest of the Commissioners want to do. I mean, if you want to take this under advisement for a week and go out and look at it. I don't see how for what would be potentially two lots out of 7-1/2 acres could devalue your property. If we were talking about a thoroughfare that had major traffic potential or some kind of commercial intention, then I would seriously be concerned about that fact."

Mr. Hunter asked, "Mr. Berning, is your lot 120 ft. x 190 ft.? Is that what we're looking at? You have frontage on Kirchoff of 120 ft. and then it looks like it is 190 ft. deep. Is that correct?"

Mr. Berning said, "That is about right."

There was then brief discussion concerning the map between Attorney Carroll and Mr. Berning which was inaudible.

Mr. Borries then said, "They've notified SIGECO and I don't think there was any rebuttal or anything that had to do with..."

Attorney Carroll said, "There is a gas line that goes down the right-of-way and we did give them an easement. That is on the back part -- or back 6 ft. -- that we're not vacating."

Mr. Borries asked, "There are no dug in gas lines or phone lines across that easement, are there?"

Mr. Berning said there is a gas line. (Again, inaudible discussion, with the exception it was noted the telephone line is over the easement -- not underground.)

Attorney Carroll commented, "Again, to summarize it, I think you have to look at the burdens on both properties and if we're talking about putting in a sub identical to what we have here at Kirchoff, right adjacent, then that would be one thing. But to leave that open for the possibility they might extend that over for possibly one or two building sites and you're talking about it being a family member and paying \$20,000 to put that road in and bring it up to County standards as opposed to coming off Hogue Rd., you could use the existing gravel road, for instance, if their son wanted to build. If the Commissioners have questions -- as far as wanting to view the property we certainly don't have any objection."

Mr. Borries aid, "I might have to. When you vacate, Brian -- in my opinion, when you vacate it normally indicates there is not a use either by not only that property owner -- but a road system is a network; it is a network which ties thing together -- and easements are granted because there may be some future use. And what I am hearing is that there may be future use that initially doesn't seem to me to be negatively impacting your client. Again, if this was going to be a major commercial project, well even then you'd have a heck of a problem vacating something if you had the aspect of a development. But in so far as immediately devaluing your property, I don't know."

Mr. Tuley said he thinks those plans were probably drawn up before they bought the property.

Mr. Borries said that is why they have the easements; you'd never have the road if you didn't have the easement.

Attorney Carroll said, "Again, we're just saying that if it was a

subdivision that is going in next door -- that is the reason those are put in, to tie into a subdivision. Here we aren't talking about that. We're talking about one, possibly two building sites, that are going to be owned by family members -- and that is when you see people use private roadways so you don't have to go to the expense of putting a road in to County standards -- because that is usually quite expensive. It is usually done only when you are putting in a subdivision."

Mr. Borries asked, "Do your son and daughter understand Mr. Carroll's point? They understand this is a County right-of-way and if the road was going to be extended it would have to be put in according to County standards?"

Mr. Johns said he understands that -- and the only reason they talked about this is -- it probably would cost \$20,000 to put the road in. If Mr. Borries is familiar with the area, the driveway they use now isn't a good one. The trees have grown up on the inside of the curve and ....

Mr. Borries queried Mr. Johns about Hogue Rd., and Mr. Johns pointed out the area of the 90 degree turn. His private gravel road comes off that. There is the original farm house on the property and his home. A lot of people slide into the mail boxes. It is a dangerous curve -- you can't see the cars coming because the trees and brush have grown up on the inside of the curve. In response to query from Mr. Borries, Mr. Johns said the maximum length Olivia Street could go if it is extended is to County Line Rd.

In conclusion, it was the consensus of the Board that this matter be deferred for one week so they can have an opportunity to go out and look at the site. Mr. Borries said that, for the record, he will note that all official advertisements have been complied with. Since everything is in order with regards to this request, he asked Attorney Kissinger if we would have to re-advertise or anything of that nature.

Attorney Kissinger said it would not be necessary to re-advertise.

Mr. Borries asked, "So we're not causing anybody any undue expense by delaying this one week so the Commissioners will have an opportunity to see this?"

Attorney Kissinger said, "If you wish to come back, you may. But I think what the Commissioners are saying basically is that they have heard the arguments pro and con and they will make a decision after viewing the property."

Attorney Carroll said that is fine.

Commissioner Borries asked Ms. Farrell to add this to next week's agenda.

Mrs. Barbara Cunningham, Executive Director of the Area Plan Commission said she would like to offer APC'S assistance on vacations to the Board. They would be happy to review them just as they do for the City. She was talking to John Stoll and she knows he would, too.

Commissioner Borries said the Board would welcome this assistance and asked if they think they would be able to provide comments on this one by next week. He then advised Mr. Carroll that the Board will reach a decision by next week.

Mrs. Cunningham responded affirmatively.

RE: AMENDED ORDINANCE/TRAFFIC SCHEDULES PART II/STOP INTERSECTIONS

Commissioner Borries said this is the Final Reading of this ordinance concerning stop intersections. Mr. Borries entertained questions or comments concerning the ordinance. Mr. John Stoll re-entered the meeting room and Mr. Borries advised the Board is hearing the Final Reading on the Stop Intersection ordinance.

Mr. Stoll said he just had a request to revise it again. However, this is something he can include on the next revision.

Commissioner Borries said proper notice was given; the ordinance was approved on Second Reading on June 14th and the Board is now ready to consider the Final Reading. This will amend the County Code of Ordinances. He then asked if there is anyone who wishes to speak either for or against this ordinance. There being no response a motion was entertained.

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

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

RE: WESTCHESTER SUBDIVISION/REQUEST FOR WAIVER OF SIDEWALKS

Commissioner Borries said he has a letter from Mr. Chester Durachta, the developer of Westchester Subdivision. He asked if Mr. Stoll has seen this subdivision.

Mr. Stoll said he has seen the subdivision but he hasn't seen the request for waiver of sidewalks.

Mr. Borries asked if Mr. Stoll would want to review this and bring it back -- or the Board could take action today. The lots are 1.3 acres, 1.6, acres etc., but he says they average 1.1 acres.

Commissioner Hunter asked if the Board can take this under advisement, let the County Engineer review the matter and make a recommendation to the Board at next week's meeting.

It was the consensus of the Board that this should be done.

RE: NATIONAL CITY SECURITIES/FINANCE PROGRAM CONCEPT

Mr. Borries said he has a letter from National City Securities in Indianapolis regarding a new finance concept program for County maintained roads and bridges. What they are wanting to sell is a finance concept program for County maintained roads and bridges and they are going to give a presentation to the Indiana Association of County Commissioners. The financing information outlines in highlights the benefits of this program which is designed to be a pooled program issued through the Indiana Bond Bank. The Bond Bank's Board of Directors still have to approve the issuance of the bonds. On June 24th the Financing Team will present to the Board a Resolution which completely outlines the program and authorizes the Financing Team members to continue with the development of the program. Essentially what they are doing is saying that you can use this County bond bank to basically borrow to make capital improvements. The bonds are pooled with other County issues and are sold to this Indiana Bond Bank.

Auditor Humphrey said they are suggesting an advantage here, but he can't see that there's anything to do that we haven't already done.

Mr. Borries said the Motor Vehicle Surtax has already been on and the County Wheel Tax. The County Adjusted Gross Income Tax we don't have, but we do have County Option Income Tax and you can't do both. We would not go against the 2% debt limit. That would probably be for the total assessed valuation of the County anyway. This is an informational item and he thinks they have called. He is just passing this along to the Board for their information. Does Auditor Humphrey want to hear from them?

Mr. Humphrey said he doesn't. We have no control over the Motor Vehicle Highway Fund.

Commissioner Borries said we have to hear from them regardless. If the Commissioners have to sit through this, then he will, too. Do the Commissioners want to hear more about this -- or do they feel satisfied with our current program.

Commissioner Hunter said this is just another way for somebody to make money.

Mr. Borries said, "Sure. They will get a portion of the bond sales."

Mr. Tuley said he doesn't want to hear from a salesman. If he talks with the Auditor and the Treasurer and they agree to it -- fine.

Commissioner Borries said the Commission will thank them for their generous offer and advise if we need further information we will call them.

RE: BUILDING COMMISSION/MOVING PERMIT

It was noted that Elmer Buchta has requested permission to move a house from 220 E. Burkhardt Rd. to 2910 Colonial Garden Rd. Apparently they are going to take the brick off the house and move the shell. The owner will have to move the brick. The building needs to be moved by the first part of July for the new K-Mart building.

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

RE: ORDINANCE AMENDING CHAPTER 151 OF THE THOROUGHFARE PLAN (FIRST READING)

Mrs. Cunningham of the APC said they are in the process of amending the Thoroughfare ordinance and this is Phase I. They are working on it in phases. This was an amendment that has been passed by the APC and by City Council. It lies entirely within the City. However, both the City and County Thoroughfare ordinances have remained the same and she and John Stoll would like to keep it that way. She believes the Commissioners have mentioned this in the past, too. This amends the Thoroughfare ordinance set-back from 90 ft. to 75 ft. on that section of First Avenue.

Mrs. Cunningham said she will be forwarding additional information to the Commissioners. They are going to be placing the Thoroughfare Plan ordinance into the Zoning Ordinance so that variances may be allowed. As it now stands, it is a separate ordinance and the BZA was not allowed to give any variances. Once it is placed into the Zoning ordinance we can go back to the process of taking it before the Board of Zoning Appeals.

Motion was made by Commissioner Tuley and seconded by Commissioner Hunter to approve the Thoroughfare Ordinance on First Reading. Roll Call vote: Commissioner Hunter, yes; Commissioner Tuley, yes; and Commissioner Borries, yes.

Commissioner Hunter asked if we advertise this.

Ms. Matthews said it is in the County Code of Ordinances and will require advertising.

Mr. Borries said that was his question. The roll call vote will be rescinded. Each of the Commissioners then rescinded their vote.

Ms. Matthews said the ordinance can be advertised on Wednesday, June 23rd, with Second Reading on July 6th and Final Reading on July 12th, if this meets with the Board's approval.

The Board unanimously agreed to this hearing schedule.

RE: SPEED LIMIT ORDINANCE

Commissioner Borries said he is confused because we've had several ordinances tonight -- yet, he does not see the Speed Limit Ordinance on tonight's agenda.

Ms. Matthews said she placed the other ordinances on tonight's agenda -- but, to date, Schedule I/Speed Limit Ordinance has just been brought up under either Mr. Stoll's separate department agenda or the County Attorney's agenda of items -- as they were working together on the proposed ordinance and she's not seen it as a separate item on the printed agenda.

Commissioner Borries said if it is an Ordinance we need to establish some uniformity. People keep handing the Commissioners things and if we don't follow procedures in terms of advertising deadlines, etc., we get all out of whack here. He then asked Mr. Stoll if this is going to be brought up under his departmental report?

Mr. Stoll said that is correct.

Commissioner Borries said that in the future it would be helpful to get any ordinances on the Action portion of the meeting agenda as a separate item.

In continuing, Mr. Borries said he has a Notice saying that "Amending Chapter I/Schedule I of the Code of Ordinances to be advertised on Friday, June 25th, and Friday, July 2nd." Mr. Borries then called for a motion to so advertise.

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

RE: COUNTY ATTORNEY - ALAN KISSINGER

Speed Limit Ordinance: Mr. Kissinger said he will scratch this item off his agenda.

Proposal re Codemaster Software: It was noted by Attorney Kissinger that someone talked to him last week concerning this item. He has reviewed the proposal and the proposed Codification Services for Vanderburgh County. He is not certain what he was expected to do on this. As far as the proposal form is concerned, he does not have any problem with the form. There are certain changes that need to be made. They are technical changes and he, obviously, is not qualified to make them. He will, however, indicate to the Commissioners that the proposal forms are satisfactory and meet with his approval.

Proposed Resolution for Posey County-Vanderburgh County Inter-Local Agreement in Reference to the Maintenance of Certain Portions of County Line Rd.: Attorney Kissinger said he believes the County Engineer will address this item. He has nothing further to report.

RE: REQUEST TO GO ON COUNCIL CALL - SUPT. OF COUNTY BLDGS.

Mr. Mark Abell said he is requesting permission to go on Council Call for \$7,000 appropriation to the Buildings & Grounds account for Heating and Air Conditioning System at the County Garage and a \$292.00 appropriation for an under budgeted insurance account. The latter item was brought to his attention last week.

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

RE: COUNTY GARAGE - BILL MORPHEW

Weekly Work Report: Mr. Borries said that Mr. Morpew has submitted his written Work Report for period of June 11, 1993 thru June 17, 1993.....report received and filed. Questions were entertained.

Seib Rd. Commissioner Hunter asked if we've paved Seib Rd.

Mr. Morpew said the first layer is down. The County Engineer's office contracted that job.

Mr. Hunter said he drove by Seib Rd. off Boonville-New Harmony and there was some new asphalt.

Mr. Morpew said he asked John Stoll about that and he said just the base coat is down. His crew has been busy paving close to the County Garage area (Allen's Lane, Twelfth Avenue, Sheridan Rd., and areas like that).

Commissioner Hunter said we've had a letter asking us to hold up on Seib Rd. and something else for the Daylight sewer system.

Commissioner Borries said that John Stoll is going to address that.

Posey County Line Rd.: Mr. Morpew said he met with the Posey County Superintendent of Highways regarding County Line West. The first section is approximately 1/2 mi. and the second section is 2 to 2-1/2 miles. That job is going to run around \$120,000 -- and that is for the Vanderburgh County Highway Department to pave the road. He's asked Posey County to ditch it and pull shoulders and pull the excess rock off the road. We will then go in and take care of any minor items at that time. They are to replace the culverts and do any necessary culvert work. We're going to pave the road 18 ft. wide and have approximately a 4 ft. shoulder on each side. That will give us two 9 ft. traffic lanes. The Posey County Highway Department has been working on the railroad track crossing. They've raised the road quite a bit on the north side of the track. There is still quite an elevation, but he thinks it's something we're going to have to live with if we're going to pave the road. The elevation is probably 6 ft. higher than the rest of the road -- but it does take it back to the point that under high speeds it would still be hazardous. He thinks there should be warning signs or something there. He told them that depending upon the agreement signed by the Vanderburgh County Commissioners and the Posey County Commissioners, we could start on that job in thirty (30) days.

Commissioner Tuley said Bill mentioned the grading on the north side -- how is it on the south side?

Mr. Morpew said they have gone through there and graded that road and done a very good job. They've raised the section south of the track to where the elevation is not bad at all. Again, the north side is still hazardous -- but there is a road going off to the west just north of the railroad track. If we were to raise the road there, we'd have to raise the entire intersection. We'd also

be getting fully inside Posey County and we wouldn't be sharing the line anymore. Maybe it is something we could address to the Posey County Commissioners and the Highway Department to see if they would rather raise the entire intersection.

Mr. Tuley asked if Mr. Morpew is comfortable with the way it is being done now.

Mr. Morpew said that he probably would like to see it raised another two (2) feet -- but that is just his personal opinion.

Commissioner Borries suggested Mr. Morpew continue to talk about that.

Mr. Tuley said he doesn't want to see us get into a bad situation. He doesn't know how familiar the other two Commissioners are with this -- but that road is bad. If we pave that we've got a launching pad out there.

Mr. Morpew said the gravel keeps the speed down. That is a long, flat road from Schmitt Lane to that railroad track and absolutely nothing in the way.

Mr. Borries asked if this can be done without slowing the progress of that whole -- I mean, we don't have to amend any agreement do we?

Mr. Morpew said it can be done.. It depends on Posey County. They only have 24 people insofar as manpower goes. He has no idea as to their budget and whether they can afford to contract it out. Then if we were to get into doing it, we'd be getting solely into Posey County and off the share road.

Attorney Kissinger interrupted by asking Mr. Morpew if he is saying this railroad track is, in fact, in Posey County and does not constitute a part of the Posey-Vanderburgh line.

Mr. Morpew said, "Yes, it crosses County Line Rd."

Mr. Tuley said, "The only thing I am saying is, when you cross over this, he said this is elevated about 6 ft. above the road as it stands. What I was asking about was a graduated approach. He said that is fine except that we have a road just north of there that you would have to up this road to match where you've raised the Posey County Line Rd."

Attorney Kissinger said, "But at this point this road still constitutes the line between the two counties?"

Messrs. Morpew and Stoll responded affirmatively.

Attorney Kissinger apologized, saying he misunderstood the statement.

Mr. Morpew said, "And the road that takes off to the west is totally in Posey County. It comes off County Line Rd. -- but it is also approximately 30 ft. north of the railroad tracks. We're not looking at a long distance."

Attorney Kissinger commented, "A short answer in reference to the road that is totally in Posey County. Anything that had to be done to that road in Posey County, Posey County would have to do. We couldn't do it under the inter-local agreement. We can only deal with the road that is on the line."

Commissioner Tuley said, "Bill's answer to my question was, 'Yes, we can do this -- but....'. That means Posey is going to have to agree to raise that road or we're going to have a big difference in the two roads. That may slow down the thing -- but in the long

run, my concern is (and maybe I'm being over concerned about this) we would be safer in delaying this project a little longer and getting it done this year, but correcting that. That is my question."

Mr. Morphey said, "I agree with you one hundred percent. I don't think one life is worth it -- it may be in relation to one of us. I have several relatives who live out on that road and I know Mr. Tuley does, too. And we all have friends who live out there and in Posey County. The thing about it is, the second section of the road we're going to pave is 2-1/2 mi. long. The first section is 1/2 mi. So it's going to take a while to pave the road anyway. It may be that we can just pave down to that railroad track and from that point to Schmitt Lane -- do that portion later in the year. We could break it into three segments."

Mr. Hunter asked, "We can go ahead and pave it without addressing the crossing situation, is that right?"

Mr. Borries said, "Some portions."

Commissioner Tuley asked, "John, your gut feeling is that making these changes will make it a safer road whereby if someone is still going to (inaudible) there's nothing you can do about that. But if we've done everything we can and we can still get that done this paving season -- even though instead of starting within thirty days and being done thirty days after that it may take us sixty days before we actually start paving and delay it -- we'd at least have a road that is relatively safe."

Mr. Morphey said we can still do the first two sections of the road where it comes off behind the church and St. Wendel Rd. -- that section is one half mile. Then we'd complete it from St. Wendel Rd. to Baseline Rd. The second section would be from Baseline Rd. to the railroad track, which is approximately one mile. The third section would encompass the railroad track and the narrow bridge. There is also that narrow bridge -- to Schmitt Lane.

Attorney Kissinger interrupted, apologizing and saying he left for a moment. He then asked if Mr. Morphey explained to the Commissioners that there is a part of this road that we will be paving that is, in fact, in Vanderburgh County -- and that Posey County will not be responsible for repairing or maintaining.

Mr. Morphey said that section of road has already been paved. It was paved last year.

Attorney Kissinger said, "But if it comes up later -- it needs to be understood that the part that has been paved that is in Vanderburgh County, if it ever needs maintenance..."

Mr. Morphey said, "For maintenance purposes, there is a section of the County Line Rd. that is solely in Vanderburgh County."

Attorney Kissinger continued, "And to avoid any confusion, Posey County is not, by this agreement, going to be responsible for repair and maintenance of that portion of the road."

Mr. Morphey confirmed this is correct. The agreement is just on the two sections we're talking about paving.

Commissioner Borries said that to address Commissioner Tuley's concerns and to move this project forward, would Mr. Morphey continue to talk with the Posey County highway person and tell them it is the consensus of this Board that we do want to address this portion of the project with that railroad track section -- that we intend to raise it -- and, as a result, it is going to affect that road. Would Mr. Morphey be able to do that?

VC-2-93/John & Tamara Schroeder/B. Cunningham to check  
VC-9-93/Marlin Silke/Approved on First Reading  
VC-10-93/Timothy J. Major/Approved on First Reading  
VC-11-93/Calvin Dentino/Approved on First Reading

Meeting Adjourned @ 7:40 p.m.

Mr. Morpew said he would. He feels we'll have the complete cooperation of Posey County. They were very cooperative during the meeting he had with them. We could go ahead and do Phases I and II and this wouldn't interrupt anything at all. We can just break it down into segments like that.

Commissioner Borries entertained further questions of Mr. Morpew. There were none.

RE: COUNTY ENGINEER

Mt. Ashley Subdivision/Request for Sidewalk Waiver: Mr. Stoll said the first time this was brought up the Commissioners recommended delaying that until the roads had been completed. The road in the subdivision is complete, but the passing blister on Old State Rd. is not yet complete.

Commissioner Borries said he's heard there has been some discussion that the developer of this particular subdivision does not now feel that there's been any kind of formal request for that turn blister to be completed and it was his recollection that this was a condition for approval. Is that correct?

Mr. Stoll confirmed that this is correct.

Mr. Borries continued, "And that the Commissioners approved it based on that."

Mr. Stoll again confirmed that this is correct.

Commissioner Borries said, "Not speaking for the other two Commissioners, I would say I will not approve anything until the turn blister is put in."

Commissioners Tuley and Hunter agreed.

Commissioner Hunter moved that the Board approve nothing in Mt. Ashley Subdivision until the agreement has been lived up to. Seconded by Commissioner Tuley.

Commissioner Borries said that specifically addresses the aspect of the turn blister that must be installed according to County standards. When it is being installed he thinks Mr. Stoll should be notified so that he can at least supervise or have someone from his staff out there in order to make sure the site problems that were a major concern on this particular subdivision are going to be addressed by that blister.

Mr. Tuley said if there are questions about what they agreed to, maybe we ought to send them a copy of the minutes along with his...

Mr. Stoll said he can do that. He didn't realize it was not being put in until this past week -- that was the first he'd heard of it. He doesn't know if it was going to be the last thing they were going to put in -- or whether they were feeling they didn't have to put it in or what the status of it was. If there is any question, he can give them whatever information....

Mr. Borries interrupted, "Just give them a copy of the minutes -- it's in there."

Mr. Hunter said, "I'm sure it is just an oversight on their part."

Mr. Stoll said, "Sure it is."

Timberland Subdivision/Request for Sidewalk Waiver: Mr. Stoll said he has a letter he can read, as follows:

"Please consider this letter a request to waive the sidewalks for the above-mentioned subdivision at the next County Commissioners' meeting. There are only four lots, close to five acres each, with very little traffic being generated through the subdivision. Also, there are no sidewalks through the entire area, including new developments."

Mr. Borries asked who the letter is from.

Mr. Stoll said it is from Aaron Biggerstaff.

Commissioner Hunter said Timberland Subdivision is the one where the drain goes into the golf course next door.

Mr. Borries said that is a private road anyway. What the heck is he doing?

Mr. Stoll said he still has to have a request for a waiver if ...

Mr. Borries said if it is a gravel road it would be stupid to put sidewalks on a gravel road.

Mr. Hunter said he had indicated to some of the prospective buyers out there that it would be a paved road.

Mr. Borries said it was his understanding it was a private road and it was not going to be paved.

Mr. Tuley said that is what they said.

Mr. Borries asked if that isn't what the record indicated.

Mr. Tuley said it was -- because he questioned at the time the size of the lots and the homes that were going to be built on there. He did not feel they'd be driving up and down on a gravel road.

Mr. Hunter said when he asked one of the prospective buyers he said, "Oh, no, it is going to be paved". Mr. Hunter said he told him that was not what was discussed in the Commission meeting by the developer.

Mr. Tuley said he still has no problem with waiving the sidewalks in view of the size of the lots and the number of lots that are going to be back there. He will put it in the form of a motion if the Board so desires.

Mr. Hunter said he will second it. He will go along with this one. They're five acre lots. So ordered.

Resolution for Paving of County Line Rd.: Mr. Borries said this has been a long time coming. It is his understanding this has been approved by the -- has this been approved by the Posey County Commissioners?

Mr. Stoll said it has not. When he talked with Steve Hahn, the Posey County Engineer, he told him he would have the Vanderburgh County Commissioners sign off on it first, then he'd forward it to them for their signatures -- and then we'd get our signed copy back.

Mr. Borries asked, "You've reviewed it, Alan's reviewed it and it is in order?"

Mr. Stoll responded affirmatively.

Commissioner Borries entertained a motion for approval of the Resolution.

Motion to this effect made by Commissioner Hunter.

Commissioner Tuley asked, "What will happen with the discussion we just had a few minutes ago? Will this make any changes on that?"

Mr. Stoll said that just defines the limits of what we're going to pave and there is a date in there saying when it was going to start.

Attorney Kissinger confirmed this is correct.

Mr. Stoll said there is, however, no date as to when it has to be finished.

Attorney Kissinger also confirmed that this is correct.

Commissioner Tuley said that will work with what Bill Morpew has in mind. He then seconded the motion. So ordered.

Attorney Kissinger said when Mr. Stoll talks with the Posey County people it would probably be appropriate to get together. When Posey County signs this, we are going to have to fill in the date.

Speed Limit Ordinance: Mr. Borries queried Mr. Stoll about the Speed Limit Ordinance, confirming this has been addressed. He apologized, but noted the Board gets a lot of ordinances all at once here and it gets a little confusing. Again, it would probably be helpful (at least from his standpoint) if we could itemize them separately under Action items on the agenda. It would also make it a little easier for purposes of advertising. Joanne Matthews is the person who really handles the time elements. She understands that law very well and he really has to defer to her to make sure we're hitting all the guidelines to get everything properly advertised. Commissioner Borries entertained further questions of Mr. Stoll. There were none.

RE: CONSENT AGENDA

President Borries entertained questions from the Board with regard to the Consent Agenda.

Approval of Minutes: Mr. Tuley noted one item the Commissioners talked about was possibly the delaying of approval of the minutes for a week or two -- so they'd have them one week and approve them the next week. He's just talking about the future -- not today.

There being no questions, Mr. Borries noted the Consent Agenda does include minutes for June 7 and June 14. Council Call is for Change of Venue costs and Repairs to Buildings & Grounds.

Commissioner Tuley said if there is no further discussion, he would move for approval of the minutes as submitted. Seconded by Commissioner Hunter. So ordered.

RE: OLD BUSINESS

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

RE: NEW BUSINESS

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

Executive Sessions: Commissioner Tuley asked if, due to the upcoming holiday, the Executive Session will be held on Tuesday, July 6th and Commissioner Borries confirmed this is correct.

Motion to schedule an Executive Session in Room 307 at 4:30 p.m. on Tuesday, July 6th for purposes of discussing Pending Litigation and

Personnel Matters was made by Commissioner Tuley and seconded by Commissioner Hunter. So ordered.

Death of Employee/Sylvester Lipson: President Borries said he would note that we are saddened by the death of an employee at the Vanderburgh Auditorium. Mr. Sylvester Lipson died this past week and the Commissioners express their deep sympathies to his family.

President Borries entertained further matters of business to come before the Board this evening. He said some individuals are anxiously awaiting the Rezoning portion of the meeting. The Board is already running over with their agenda, so if there is no further business he will recess this portion of the meeting and proceed immediately with the Rezoning petitions.

### R E Z O N I N G P E T I T I O N S

At 7:10 p.m., President Borries called the Rezoning portion of the Commission meeting to order and stated there is one Third Reading or Final Reading tonight.

#### THIRD READING:

VC-7-93/Petitioner, Jeff Stemaly: Mr. Borries said this is the Third Reading. Residence is located at 5616 Pollack Avenue. Request is from R-1 to C-4. He then asked if someone is present to speak to this petition.

Attorney Steve Bohleber was recognized and stated he directed a letter to each Commissioner last week concerning this particular request and he hopes he was clear in why they are doing this. He would like to recap a couple of things. He does represent the Stemaly family, who have basically been on this property since the forties. They currently operate a business (Stemaly Excavating) and have utilized a portion of this property for five decades for storage of their vehicles. As such, a larger portion than they're even requesting to be rezoned constitutes a legal non-conforming use and has been so certified by Plan Commission. There is a problem that did arise a couple of years ago that makes this rezoning appropriate at this time.

First of all, the entire Stemaly property kind of forms an "L" nestled along the City boundary to the north and east and then projecting downward toward Pollack Avenue. The Stemaly residence is located on that property at the front, and behind there are two buildings. It is in that general area that they utilize their storage. The portion they are requesting is approximately 6/10 acre of a little less than three acres of land that they own encompassing the two buildings, the area where the vehicles are stored and the driveway accessing it. This came about because in 1991 the more attractive and more modern of the two buildings was constructed unbeknownst to the Stemalys in a legal non-conforming use that structure was not permitted -- at least to be used for business purposes. So they are looking at a situation where they can use the vast area of their property for their business but not this one particular building that they just constructed. So that is the primary impetus in requesting this rezoning -- to legitimize and permit them to use this building for storage of vehicles. An ancillary effect of this rezoning will also allow them, however, to make modern improvements on the old building. As you know, under a legal non-conforming if something happens to it there are some difficulties in making major changes to it, improving it is a problem. So this rezoning will allow them to continue to fully utilize this 6/10 acre of their property in the fashion in which they intend to continue the family business that has been there since the forties. Nothing is going to change except it may look a little nicer if this zoning is approved -- but the business will be there regardless of what happens. They will not, however, be

allowed to use the 1991 storage building without this rezoning. Attorney Bohleber said he has some photos of the rezoning, although perhaps all of the Commissioners have driven by it -- but it does show the two structures; the new one, the old one and the only other structure and that is an underground storage tank for gasoline. It also shows the Stemaly residence and an overall view of the property. Jeff and his father Larry (Jeff is sort of the patriarch of this generation) are here to answer any questions the Board might have. This does come with an 8 to 1 do pass recommendation from the Area Plan Commission.

Commissioner Hunter asked if Mr. Stemaly has any plans to update the older building?

Attorney Bohleber responded affirmatively, saying that is sort of an ancillary benefit to this rezoning. Right now it is precarious as to what you can do with it as a legal non-conforming use. You can continue to use the building, but they will probably ultimately replace it with a structure similar to the new building.

Commissioner Hunter asked if they have a time frame on that?

Mr. Stemaly said it depends on money.

Mr. Hunter said that is a good answer.

Attorney Bohleber said that, quite frankly, it needs some improvement and its questionable whether a lot of major improvement -- enlarging it, for instance, or replacing it would not be a possibility as he understands the legal non-conforming. In the long run, he thinks perhaps a new building would allow all the vehicles to be under roof, whereas right now that can't be accomplished.

Commissioner Borries asked if there are any remonstrators against the petition present this evening.

Mrs. Barbara Cunningham of the APC said they will need to build an 8 ft. fence.

Attorney Bohleber said his clients are aware of that and, obviously, adjacent to residential they would be required to place a fence along the rezoned area and they will certainly work with the APC to accomplish that on a timely basis.

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

Motion to approve VC-7-93 was made by Commissioner Hunter, with a second from Commissioner Tuley.

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

VC-2-93/John & Tamara Schroeder: Ms. Cunningham queried the Board concerning this petition.

Commissioner Tuley said he guesses they couldn't come to terms; at least that is what he was told. He thinks their 90 days have expired and they now have to go back to Area Plan.

Ms. Cunningham said...

Mr. Borries said there was approval at the last APC meeting, wasn't there?.

Mr. Tuley said the vote was pretty well split the first go around (5-1) and then several changed their vote.

Mr. Borries said it was requested to be withdrawn. He thinks the 90 days has expired and he believes it had to be resubmitted to the APC.

Mrs. Cunningham said she didn't bring her file, but she will check this out.

Mr. Borries said they amended their plan and then went back to the APC.

Mr. Hunter said they re-amended it.

Mrs. Cunningham said the 90 days starts every time they do an amendment, so she doesn't think the 90 days has expired. They haven't given her anything.

Mr. Hunter said that is the one that is going to come to APC, but it will probably be September before APC sees it, at least from what he was told.

Mr. Tuley said they tried to work it out and apparently they couldn't come to terms on it.

FIRST READINGS:

VC-9-93/Petitioner, Marlin Silke: Requested change is from AG to C-4.

VC-10-93/Petitioner, Timothy J. Major: Requested change from AG to C-4.

VC-11-93/Petitioner, Calvin Dentino: Requesting P.U.D. (a down zoning) to R-1.

Commissioner Borries said that if approved on First Reading, these three petitions will be sent to the Area Plan Commission for their July meeting and then reviewed by the Commissioners on Third Reading or Final Reading on July 19th.

Motion to approve the aforementioned petitions on First Reading and forward same to the Area Plan Commission was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

There being no further business to come before the Board, President Borries declared the meeting adjourned at 7:40 p.m.

PRESENT:

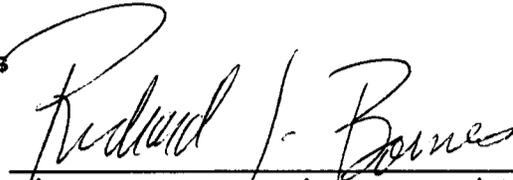
Richard J. Borries  
Patrick Tuley  
Don Hunter  
Alan M. Kissinger/County Attorney  
Sam Humphrey/County Auditor  
John Stoll/County Engineer  
Bill Morpew/County Highway  
Brian Carroll/Attorney  
Donald & Juanita Berning  
Mr. & Mrs. David Johns  
Steve Bohleber/Attorney  
Jeff Stemaly  
Larry Stemaly  
Barbara Cunningham/APC  
Mark Abell/Commission Office

COMMISSION MEETING  
June 21, 1993

19

B. J. Farrell/Commission Office  
Others (Unidentified)  
News Media

SECRETARY: Joanne A. Matthews



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Richard J. Borries, President

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Patrick Tuley, Vice President



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Don Hunter, Member

NOTICE OF HEARINGS  
TITLE VII - TRAFFIC SCHEDULES  
SCHEDULE II - STOP INTERSECTIONS  
OF THE  
VANDERBURGH COUNTY CODE OF ORDINANCES

NOTICE IS HEREBY GIVEN that the Board of Commissioners has scheduled public hearings with regard to the subject Ordinance at 4:30 p.m. in Room 307, Administration Building, Civic Center Complex, Evansville, Indiana, as follows:

Second Reading - Monday, June 14, 1993

Final Reading - Monday, June 21, 1993

Paragraph (A) of said Ordinance contains list of roads designated as STOP Intersections, requiring all vehicles to STOP at one or more entrances to these intersections. Ordinance lists road name, road that intersects and road that stops.

(B) Vanderburgh County shall be responsible for erecting and maintaining the appropriate signs at the intersections listed in Paragraph (A), in compliance with the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways.

(C) Any violation of this Traffic Schedule shall be punishable pursuant to the applicable section of Title 9 of the Indiana Code.

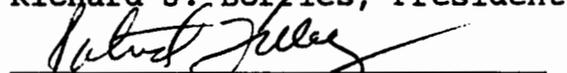
(D) This Ordinance amends and supersedes Vanderburgh County Traffic Schedules, Schedule II: Stop Intersections, which was passed on October 8, 1990.

APPROVED ON SECOND READING THIS 14<sup>th</sup> day of June, 1993.

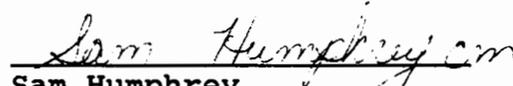
APPROVED ON FINAL READING THIS 21<sup>st</sup> day of June, 1993.

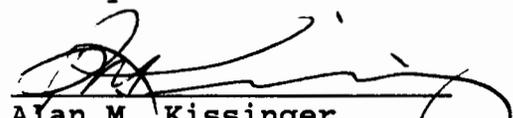
BOARD OF COMMISSIONERS OF  
VANDERBURGH COUNTY, INDIANA

  
Richard J. Borries, President

  
Patrick Tuley, Vice President

  
Don Hunter, Member

  
Sam Humphrey  
County Auditor

  
Alan M. Kissinger  
County Attorney



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

**AGENDA**

**VANDERBURGH COUNTY COMMISSIONERS**

**JUNE 21, 1993**

**5:30 P.M.**

**FINAL**

1. **CALL TO ORDER**
2. **INTRODUCTIONS**
3. **PLEDGE OF ALLEGIANCE**
4. **ACTION ITEMS**
  - A. Any group/individual wishing to address the commission
  - B. Public Hearing on Petition to Vacate  
re: Portion of Olivia Street
  - C. Traffic Schedules II/stop intersections  
re: Final Reading
  - D. Chester W. Durachta  
re: Westchester Subdivision/Waiver of sidewalks
  - E. Letter from National City Securities  
re: New financing concept/program for county maintained roads  
and bridges
  - F. Roger L. Lehman, C.B.O./Building Commission  
re: House Moving Application
  - G. Ordinance Amending Chapter 151  
re: Thoroughfare Plan Ordinance

**5. DEPARTMENT HEADS**

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

**6. CONSENT ITEMS**

A. Travel/Education Requests  
Health (2)

B. County Treasurer's Report for April  
re: acceptance

C. Claims for payment:

1) F.C. Tucker/Huber Realtors  
Appraisal fees/Wyman Holder Property.....\$ 600.00

2) Given & Spindler  
Reimbursement for expenses per contract.....\$ 8,540.70

D. Council Call

1) County Commissioners  
2) Superintendent of County Buildings

E. County Commissioner Minutes for 6/7/93 and 6/14/93  
re: for approval/acceptance

**8. OLD BUSINESS**

**9. NEW BUSINESS**

**10. MEETING ADJOURNED**

**Scheduled Meetings**

Mon	June 21	County Commissioners Executive Session	4:30 PM	RM 307
		Commissioner Meeting	5:30 PM	RM 307
		Rezoning	7:00 PM	RM 307
Mon	June 28	County Commissioners Executive Session	4:30 PM	RM 307
		Commissioner Meeting	5:30 PM	RM 307
		Drainage Board Immediately Following		
Wed	June 30	County Council Personnel/Finance	3:30 PM	RM 301

**REZONINGS**

**Third Reading:**

VC-7-93

Petitioner: Jeff Stemaly  
5616 Pollack Avenue  
R-1 to C-4

**First Reading:**

VC-9-93

Petitioner: Marlin Silke  
600 E. Baseline Road  
AG to C-4

VC-10-93

Petitioner: Timothy J. Major  
4905 Pollack Avenue  
AG to C-4

VC-11-93

Petitioner: Calvin Dentino  
330 Eissler Road  
PUD to R-1

# COUNTY ENGINEER'S

## CONSENT AGENDA

JUNE 21, 1993

1. CLAIMS:

OHIO STREET BRIDGE #3C 203-4345		
Bernardin Lochmueller (Inv. #91-068-1(13))		\$ 2,736.66
VOGEL RD BRIDGE #2115 203-4396		
Hansen Testing (Inv. #117895)		\$ 350.00
EICKHOFF-KORESSEL EXT. 216-4741		
Bernardin Lochmueller (Inv. #90-040-1(25))		\$14,994.00
Bernardin Lochmueller (Inv. #90-42-1(23))		\$ 717.94
USI INTERCHANGE 430 BOND		
Bernardin Lochmueller (Inv. #89-24-1(34))		\$ 6,363.00
Bernardin Lochmueller (Inv. #92-057-5(7))		\$ 1,223.58

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Vanderburgh County Surveyor - Section Corner Perpetuation Account #2650 *ed*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2650-1210	Samuel P. Biggerstaff	1054 Madison	Special Deputy	\$4,232.00	June 1, 1993
		<i>DECEASED 5/31/93</i>			

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Robert W. Branne* DATE June 11, 1993  
Vanderburgh County Surveyor

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT *ed*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
260-1980	ROSE DAVIS		Q.M.A.	\$7.00 HR	6-1-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136.1-1990	ROGER ROBINSON		PART-TIME CORRECTION OFFICER	\$7.00 HR	6-1-93
136-1990	DANIEL A. BARFIELD		INTERN	\$5.00 HR	6-1-93 ✓

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Brumby* DATE JUNE 15, 93  
JUDGE, CIRCUIT COURT

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department 505-108-N Victim/Witness Program Prosecutor

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1110	Barbara A Borchert	701 S.E. First Apt. B	Victim/Wit. Advocate/ Director	11.5/53 24,045.00	6-14-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1110	Barbara A Borchert	701 S.E. First Apt. B	V/W Advocate Director	10.9674/1124 22,900.00	6-14-93 v

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*Stanley M. Levco*

DATE 6-16-93

Chief Deputy Prosecutor for  
Stanley M. Levco, Prosecutor

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department COOPERATIVE EXTENSION SERVICE -- 1230 *sl*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
123011101230	Jack D. Wade	12800 Timbarand Evansville IN 47711	Ext. Agt.	hourly 11,1618 25,900 - ANNUALLY	6-1-93 ✓

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*Laura K. Plesman*  
Interim C.E.D.

DATE 6-14-1993

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Clerk - 101 *sl*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1010-1550	Joyce A. Fields	8 W. Mt Pleasant	Dep Clerk	16361 00	6-14-93 ✓
010-1990	Patricia A. Patton			6 00	6-14-93
110 1990	Mindy Ann Pennington			6 00	6-18-93 ✓

ok'd by Council  
6/2/93 mtc

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1010-1990	Patricia A. Patton			5 00	6-14-93 ✓
<del>1010-1990</del>	<del>Mindy Ann Pennington</del>			<del>6 00</del>	

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Betty Knight Smith DATE 6-18-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department TREASURER *sl*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
103-102	Mary Esparza	207 S. Polster Dr.	Counter/ Posting Clerk	18,857 00	June 30, 1993

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Joyce Berry-Bland DATE 6-18-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Recorders Office *2d*

### APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
040-1970	Laurie Klein	2040 Polaris	Temp. Dept. Record	\$14,880.00	6-21-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

### RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Betty J. Norman DATE 6-18-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff - Jail *sl*

### APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

### RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
5111300402	Sue C. Mann		Nurse	12 5229 26148 00	7-1-73 <del>6-30-93</del>

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Ray Hansen DATE 6/18/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Voters Registration Office *rd*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
117	Sandy Conner	7430 Taylor Ave.	dep. cl.	14889.00	6-21-93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Susan R. Cook* DATE 6-21-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Vanderburgh County Superior Court *rd*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1370-1310	Elmer R. Shelton, Jr.	2021 S. Vann Evansville, IN	Bailiff/Trans- portation Off.	11,795 00	7-1-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Shirley* DATE 6/16/93

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department VANDEBURGH COUNTY HWY. DEPT. 20101990 EXTRA HELP

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
20101990	DAVID J. HUDSON	12330 N. ST. JOSEPH AVE. EVANSVILLE, IN, 47720	EXTRA HELP	HR.	5 00	6-7-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY William F. Morpheus DATE 6-7-93

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Pigeon Tonwhip Trustees

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
	Sheree Fairrow	622 E. Chandler Ave.	Clerk	19,110	00	6-15-93 ✓
	Medical leave, projected return date 7-5-93 (WITH INSURANCE)					

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Mary E. Hart DATE 6/18/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH SUPERIOR COURT

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
6201980	Amy Helfert		Riding Bailliff	30 00	6/7/93 ✓
6201980	Bart O'Connor		Chief Probation Off.	Other	6/12/93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY T. P. N. District DATE 6/18/93



# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department BURDETTE PARK

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	JASON ADAMS ✓	8024 OLD STATE	COUNSELOR	5 00	6/16/93
1180	CATHERINE KIRSCH ✓	900 S HOENERT	COUNSELOR	4 65	6/16/93
1180	TODD FEED ✓	3311 BELLEMEADE	GUARD	4 35	6/16/93
1180	CANDICE GREEN ✓	308 NORMA DR	SC PROG	8 00	6/3/93
1180	KRISTINA MILLS ✓	RR#1 BOX 86	SC TEACHER	8 00	6/3/93
1180	VALERIE SCHOPPENHORST ✓	5747 S 500 EAST	SC TEACHER	10 00	6/3/93
1180	NANCY LASSITER ✓	RR#13 BOX 185A BOBERG	BUS DRIVER	6 25	6/3/93
1180	DONNA BRUCKEN ✓	5311 MEMORY LN	ASST DIR	5 00	6/3/93
1180	KATE EPLEY ✓	8312 W TERRACE	CONCESSION	4 25	6/3/93
1180	SCOTT MOLDEN ✓	1824 CHICKASAW DR	SECURITY	12 00	6/3/93 ✓
1180	RICHARD DEVOY ✓	5516 HOGUE RD	GUARD	4 25	6/3/93 ✓
1180	MARK MAGAN ✓	9 JOHNSON PLACE	GUARD	4 35	6/3/93 ✓
1180	ZACH HARL ✓	501 N WABASH AVE	GUARD	4 35	6/3/93 ✓
1180	GABE WEISS ✓	11231 E DENZER RD	GUARD	4 35	6/3/93 ✓
1180	JASON HEIM ✓	8017 LARCH LN	SLIDE GUARD	4 25	6/3/93 ✓
1180	PATRICK JOHN ✓	5020 NEW HARMONY	GUARD	4 35	6/3/93 ✓
1180	GREG BENEDYK ✓	512 WIND CIRCLE	GUARD	4 35	6/3/93 ✓
1180	COREY POLEN ✓		SLIDE GUARD	4 25	6/3/93 ✓
1180	BRANDI ROCCA ✓	2401 JACKSON AVE	GUARD	4 35	6/3/93 ✓
1180	JENNIFER HUSKY ✓	10140 CARMEL CT	SLIDE GUARD	4 25	6/3/93 ✓
1180	KRISTINA LONDON ✓	231 S BARKER AVE		4 25	6/3/93 ✓
1180	HELENE BUNTER ✓	38 OAK MEADOW	COUNSELOR	5 50	6/16/93
1180	MATT SINGER ✓		GUARD	4 45	6/16/93

**ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM**

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*Mal T. ...*

DATE

6-18-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department **BURDETTE PARK**

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
1180	RONALD NELSON ✓	731 LANCASTER CT	COUNSELOR	4	85	6/16/93
1180	HENRY STOCK ✓	4712 ST PATRICKS CT	BUS DRIVER	6	50	6/16/93
1180	MISSY MUENSTERMAN ✓		GUARD	4	60	6/3/93
1180	ED BERGWITZ ✓		GRND CREW	4	75	6/16/93
1180	GARRICK BRINKMEYER ✓		GROUNDS	4	40	6/16/93
1180	TIMOTHY DUNN ✓		GROUNDS	4	40	6/16/93
1180	DANIEL KOLB ✓	2412 SCHUTTE RD	GUARD	4	45	6/3/93 ✓
1180	JASON WERNER ✓	1624 EWING AVE	GROUNDS	4	25	6/3/93
1180	CYNTHIA NAGEL ✓	2305 SELZER RD	BUS DRIVER	6	50	6/3/93
1180	DAVID GUGEN ✓	417 SCHREEDER	COUNSELOR	4	40	6/3/93
1180	JENNIFER ACKER ✓	425 CHAPEL VALLEY CT	COUNSELOR	4	40	6/3/93 ✓
1180	STACY STRENKOWSKI ✓	6315 -C- JAMESTOWN CT	COUNSELOR	4	40	6/3/93 ✓
1180	MELANIE LUDWIG ✓	8422 KIPER DR	COUNSELOR	4	40	6/3/93 ✓
1180	JAMIE YOUNG ✓	6910 BROADWAY	COUNSELOR	4	40	6/3/93 ✓
1180	AMY LITTLE ✓	6626 NEWBURGH RD	COUNSELOR	4	65	6/3/93 ✓
1180	JULIE COLLINS ✓	433 LAURENCE DR	COUNSELOR	4	40	6/3/93 ✓
1180	STEPHANIE BONE ✓	824 AGATHON DR	CASHIER	4	25	6/3/93 ✓
1180	LAURA BONE ✓	824 AGATHON DR	CASHIER	4	25	6/3/93 ✓
1180	JENNIFER FREEMAN ✓	5045 KUEBLER RD	GUARD	4	50	6/3/93 ✓
1180	ERIN DEICKEN ✓	7612 MEADOWVIEW	SLIDEGUARD	4	25	6/3/93 ✓
1180	BROOK MCFALL ✓	2355 SCHUTTE RD	GUARD	4	35	6/3/93 ✓
1180	JENNIFER ROBERTS ✓	415 RED BUD LN	COUNSELOR	4	40	6/3/93 ✓
1180	JEREMY JOURDAN ✓	1312 HATHAWAY	GUARD	4	45	6/3/93 ✓

**ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM**

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Mark T. [Signature] DATE 6-10-93



Amendment to County Commissioner's Meeting  
Bid Specifications for Assessor's Office  
Meeting June 1, 1993

The following item was improperly listed:

The HP Laserjet from Pioneer-Standard Electronics was listed as a model C2021A the HP4M. That should be corrected to read model C2001A which is the HP4 Laserjet. The bid price is correct, I just listed the information for the wrong model. The cost is \$1,432.00, which was the low bid for that item.

Sorry for the inconvenience.

Scott D. Riley  
Consultant

June 10, 1993

# Vanderburgh County Newsletter

editor: Annie Michel

June 1993



## COUNTY PICNIC



The county picnic will be Sunday, July 25, 1993 from 1:00 p.m. until 5:00 p.m. in the Pavilion at Burdette Park.

Cost of admission for this year's picnic is \$2 for ages 13 and up, \$1 for children 6-12, and children under 5 will be free.

Sign in time to receive wristbands is from 12:30 - 2:00. Lunch will be served from 1:30 - 2:30. Door prizes will be awarded at 4:30. You need to be present to win.

Everyone needs to turn in their money for the picnic by July 6th to B.J. Farrell in room 305.

If you have further questions see your employee steering committee representative.

Admission price includes:

- Lunch
- Pool
- Water Slides
- Putt Putt Golf
- Batting Cages



### Insurance Questionnaire Results

As of June 14, 1993 approximately 90% of county employees had responded to the questionnaire regarding possible insurance coverage and rates. The results were as follows:

Option #1 (Increase in Premium)	247
Option #2 (Change in Benefits)	11
Neither option	8
-----	
Total Respondents	266

\* note : results do not include responses received after 6/14/93. A final total will be released in the July newsletter.

### Announcements

Congratulations are in order to the following proud parents:

\* Mark and Sunny Titzer on the birth of their daughter, Sarah

\* Pat and "Z" Tuley on the birth of their daughter, Katelyn.

\* Mark and Barb Abell on the birth of their son, Taylor.

\* Best wishes to Jack Wade and Jim Lindenschmidt on their upcoming retirements.

\* Condolences to the family of Sylvester Lipson who passed away June 16, 1993.



# Vanderburgh County Engineering Department

715-A Locust Street - Evansville, Indiana 47708 Telephone: (812)424-9603

## Vanderburgh County Engineering Department

Agenda for June 21, 1993

1. Request for sidewalk waiver for Mt. Ashley Subdivision ✓ -
2. Request for sidewalk waiver for Timberland Subdivision ✓ - *PT/DW*
3. County Line Road Resolution ✓ *DH/PT*
4. Speed Limit Ordinance Revisions/

115 Nunning Road  
Evansville, IN 47712

June 14, 1993

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

**RE: WESTCHESTER SUBDIVISION  
WAIVER OF SIDEWALKS  
MORLEY & ASSOCIATES, PROJECT NO. 93-2592-1**

Dear Commission Members:

I, Chester W. Durachta, the developer of Westchester Subdivision, a 9 lot residential subdivision to be located east of Nunning Road on the west side of Evansville, am requesting a waiver for the construction of sidewalks within this development.

Enclosed is a preliminary of the plat of this development.

With this letter, I am requesting the waiver of sidewalks along Nunning Court (cul-de-sac) shown on the enclosed preliminary plat, as there are presently no sidewalks along Nunning Road, Hogue Road, or Boehene Camp Road or on any road within a half mile radius of the subdivision. The average size of lots within this subdivision is 1.10 acres.

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) 426-2169.

Sincerely,



Chester W. Durachta

cwd/snd/cws

Enclosure: Preliminary Plat

cc: Morley and Associates, Inc.  
File

VANDEBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

Friday, June 11, 1993 thru Thursday, June 17, 1993

Friday, June 11, 1993

Paver, Roller and 6 crews finished paving Allen's Lane and started preparing 12th Ave for paving.  
Gradall & 3 crews worked on Middle Mt. Vernon and Cypress Dale, grading, rocking and patching.  
One crew hauled rock to Cypress Dale and to Burdette.  
Grader worked on Old Henderson Road.  
Tiger Mower cut on Middle Mt. Vernon Road.  
Rock crew hand rocked mailbox approaches on Barton Lane.  
Summer crew cut on Cypress Dale.

Monday, June 14, 1993

Gradall & one crew worked on Cypress Dale.  
Gradall and one crew installed culvert at 6700 Whetstone and 7508 Olive for the city.  
Grader and front end loader and 3 crews pulled shoulders on 12th Ave.  
Trash Crew ran routine routes.  
Three crews patched Cypress Dale.  
Tiger Mower worked on County Line West & Baseline Road.  
Cycle mowers worked Northwest and Northeast.  
Two summer crews worked East and Northeast.

Tuesday, June 15, 1993

Gradall & one crew worked on Cypress Dale.  
Gradall and one crew worked on Wimberg  
Paver, Roller & 5 crews paved 12th Avenue and Sheridan Road.  
Two Patch Crews worked on Cypress Dale.  
Summer crews worked various intersections. Northeast and East.  
Cycle Mowers cut Northwest and Northeast.

Wednesday, June 16, 1993

Gradall & one crew worked on Wimberg.  
Gradall & one crew installed culvert at 7020 Pollack Ave.  
Paver, Roller & 6 crews paved 12th Avenue & Sheridan Road.  
Patch Crews worked on various work orders.  
Summer Crews worked on various intersections.  
Cycle Mowers cut East and Southeast.

Thursday, June 17, 1993

Gradall & one crew installed culvert at 7800 Marx Road.  
Roller, Paver and 8 crews paved 12th Avenue.  
Patch Crews - 2 crews patched Korressel & Marx.  
Two summer crews cut on Mill Road.  
Cycle Mowers worked on the West side including St. Joe Avenue and Mesker Park.

VANDEBURGH COUNTY BRIDGE CREW

PROGRESS REPORT

Friday, June 11, 1993 thru Thursday, June 17, 1993

Friday, June 11, 1993

Crew #1 - saw Heather Place, concrete hole at corner of Pine Place, rip rap next to 4100 Bergdolt and rock to Korressel Road.  
Crew #2 - cut weeds on Frontage and Owensville Road, wash truck.  
Crew #3 - cut Kansas, Green River and Baseline West.

Monday, June 14, 1993

Crew #1 - move culvert and install on Whetstone Road.  
Crew #2 - cut weeds Boonville New Harmony & Baseline area.  
Crew #3 - cut weeds Old Henderson Road and bottoms.

Tuesday, June 15, 1993

Crew #1 - build drop boxes at 5815 Plainview.  
Crew #2 & #3 - extend 15" pipe, fill in with 53's and rip rap at Nurrenbern, Speaker and Nolan.

Wednesday, June 16, 1993

Crew #1 - finish drop boxes on Plainview.  
Crew #2 - saw road at 4624 New Harmony Road, concrete Old State & Volkman Road.  
Crew #3 - cut weeds Baseline Road area.

Thursday, June 17, 1993

Crew #1 - install pipe at 7800 Marx Road.  
Crew #2 - haul 53's to Heather Place and Pine Place.  
Crew #3 - repair drain pipe on Chapel Hill and repair drop box on Folz and Mesker Park.

May 25, 1993

Mr. Richard J. Borries, President  
Vanderburgh County  
Board of County Commissioners  
7517 Taylor Circle  
Evansville, Indiana 47715

Dear Mr. Borries:

On April 21, 1993 representatives from National City Public Finance presented a new financing concept/program for county maintained roads and bridges to the Indiana Association of County Commissioners. The Association found the concept to have merit and to be a viable financing vehicle for funding these projects. At the same meeting they subsequently endorsed the concept/program.

The enclosed information briefly outlines and highlights the benefits of the program. This financing is designed to be a pooled program issued through the Indiana Bond Bank. The program must still be approved by the Bond Bank's Board of Directors (Board). On June 24, 1993, the financing team will present to the Board a resolution which completely outlines the program and authorizes the financing team members to continue with the development of the program.

After our presentation to the Board, you will be notified concerning the status of the program and will be provided with additional details.

We believe this is an idea whose time has come and we trust it is of interest to you. We are excited about this program and would welcome any comments or questions you might have about it. Please feel free to call me at (317) 267-6184.

Sincerely,



Rick B. Coad  
Vice President  
Public Finance

## PROGRAM STRUCTURE HIGHLIGHTS

1. No new revenues need be generated for the repayment of bonded indebtedness.
2. County leverages existing revenue sources to complete several projects at the same time. These revenues may include:
  - a. Cumulative Bridge Fund — *Find in place*
  - b. Major Bridge Fund — *Can utilize if necessary*
  - c. Motor Vehicle Highway Fund — *Highway dept. uses in full - under funded*
  - d. Local Road and Street Account — *Primarily funded thru COIT*
  - e. ✓ The County Motor Vehicle Excise Surtax } *dedicated to Bond Re-Pay.*
  - f. ✓ The County Wheel Tax }
  - g. ~~County Adjusted Gross Income Tax~~
  - h. County Option Income Tax *partially pledged Bond Re-Pay.*
  - i. Economic Development Income Tax *(correct mode - unless legislature acts)*
  - j. Assessments — *additional to a Bonded Bond Funding Vehicle*
3. Does not, in most cases, go against the 2% debt limitation.
4. County Bond issues are structured over various maturities which best match the needs and revenue/cash flows of the individual counties.
5. County sells/issues bonds which are pooled with other county issues and sold to the Indiana Bond Bank. Indiana Bond Bank sells bonds to the capital markets backed by the pool of County issued bonds.

## PROGRAM BENEFITS

1. Several important projects get completed at once instead of waiting for years to come.
2. Mobilization costs of concrete facilities and other repair plants are minimized. Costs can be saved through the construction, repair or maintenance of several projects in a particular county at once.
3. The Program creates a budgeting tool through the use of a capital budget which can be used in future years.
4. More affordable access to the bond market is gained due to the sharing of issuance costs on a proportionate basis.
5. New taxes may not need to be generated for the repayment of bonded indebtedness.

**CITY OF EVANSVILLE**  
**INTER-DEPARTMENTAL MEMORANDUM**

**DATE:** June 16, 1993

**TO:** Board of County Commissioners

**FROM:** Building Commissioner, Roger L. Lehman

**SUBJECT:** HOUSE MOVING PERMIT APPLICATION

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**FROM:** 220 N. BURKHARDT **TAX CODE:** 06-057-018  
**TO:** LOT 2910, COLONIAL GARDEN RD **TAX CODE:** 06-046-010

We have received the attached request from Mr. Jim Kabrick of Elmer Buchta, Inc., Moving Engineers, to move a single family dwelling to the above referenced location. Request approval of application.

RLL:kek

Encl.

# Elmer Buchta, Inc.

MOVING ENGINEERS  
Box 8  
OTWELL, INDIANA 47564

Phones: 758-2231  
482-2232  
422-4952

June 15, 1993

Building Commission  
Permit Division  
City County Building  
Evansville, IN

Dear Sir,

Elmer Buchta, Inc., request permit to move house from 220 E. Burkhardt, to 2910 Colonial Gardens Road. Brick will be removed by Owner.

We will travel north on Burkhardt to Moonville Rd., Moonville Rd. west to Colonial Gardens Rd., north on Colonial Gardens Rd. to lot 2910. (S of 2920 Colonial Garden Rd)

The owner of the home is Bob Durcholz.

We will have Comaier Escort to help with traffic.

The home needs to be moved 1st part of July for new K Mart Building.

Sincerely,

*Jim Kabrick*  
Jim Kabrick

06-057-018  
N. Burkhardt

16-Jun-93

VANDERBURGH COUNTY TREASURER

MONTH ENDING--APRIL 1993

CHARGES:

1. TOTAL TAXES COLLECTED	\$4,178,995.80	
2. FINANCIAL INSTITUTION TAX		
3. INNKEEPERS TAX		
4. CASH CHANGE FUND	\$500.00	
5. CERTIFIED TO CLERK	\$79,748.78	
6. DEMAND FEES	\$2,540.00	
7. DELINQUENT WEED	\$2,850.00	
8. DRAINAGE ASSEMENTS	\$13,241.61	
9. BOAT EXCISE TAX		
10. GROSS INCOME TAX	\$7,624.80	
11. LICENSE EXCISE TAX		
12. AIRCRAFT EXCISE TAX		
13. AUTO RENTAL EXCISE TAX		
14. SEWAGE COLLECTIONS	\$5,723.58	
15. TAX SALE - ADVERTISING	\$125.00	
16. TAX SALE - ATTORNEY		
17. TAX SALE - TITLE SEARCH		
18. TOTAL BALANCE OF LEDGER ACCOUNTS - CASH	\$13,143,330.99	
19. TOTAL BALANCE OF LEDGER ACCOUNTS - INVESTMENTS	\$3,678,980.71	
20. TOTAL CHARGES	\$21,113,661.27	

CREDITS:

21. DEPOSITORY BALANCES AS SHOWN BY DAILY BALANCE OF CASH AND DEPOSITORIES RECORD	\$2,823,526.47	
22. INVESTMENTS AS SHOWN BY DAILY BALANCE OF CASH AND DEPOSITORIES RECORD (COLUMN 12, LINE 38)	\$17,130,244.55	
23. TOTAL CASH ON HAND AT CLOSE OF MONTH		
CURRENCY	\$11,411.00	
COINS	\$1.29	
CHECKS, MO, ETC.	\$800,371.76	
UNCOLLECTED CKS	\$1,170.24	
TOTAL	\$812,954.29	

24.		
25.		
26. TOTAL		
27. CASH SHORT (ADD) VOLPE (346939.30)	\$346,935.96	
28. CASH LONG (DEDUCT) BLAND (\$3.34)		
29. PROOF	\$21,113,661.27	\$21,113,661.27

30. BALANCE IN ALL DEPOSITORIES PER DAILY BALANCE RECORD (#2)	\$2,823,526.47
31. OUTSTANDING WARRANTS (DETAILED LIST BY DEPOSITORIES)	\$1,230,989.54
32. BALANCE IN ALL DEPOSITORIES PER BANK STATEMENTS (DETAILED LIST)	\$4,586,339.27
33. DEPOSITS IN TRANSIT 03/01/93	\$812,454.29
34. ADJUSTMENTS	(\$531,823.26)
35. PROOF	\$4,054,516.01

ANALYSIS OF CASH ON HAND AT CLOSE OF MONTH:

(A) CASH CHANGE FUND		\$500.00
(B) RECEIPTS DEPOSITED IN DEPOSITORIES 05/01/93		\$811,284.05
(C) UNCOLLECTED ITEMS ON HAND		\$1,170.24
(D) TOTAL (MUST AGREE WITH # 23)		\$812,954.29

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	\$4,489,194.03	(\$531,823.26)	\$1,144,042.90	\$2,813,327.87
NATIONAL CITY BANK	\$7,226.42			\$7,226.42
INB	\$86,951.64		\$86,946.64	\$5.00
<b>TOTAL</b>	<b>\$4,586,339.27</b>	<b>(\$531,823.26)</b>	<b>\$1,230,989.54</b>	<b>\$2,823,526.47</b>

SCHEDULE OF UNCOLLECTED ITEMS ON HAND

DATE ORIGINALLY RECEIVED	RECEIVED FROM	FOR	DATE RETURNED	RETURNED BY	REASON FOR RETURN	AMOUNT
01/02/92	MASK ENTERTAINMENTS	VAND AUDITORI	01/15/92	CITIZENS	INSUFF. FUNDS	\$551.25
02/21/92	FIGHT GAME PROD.	VAND AUDITORI	02/21/92	CITIZENS	INSUFF. FUNDS	\$236.10
08/11/92	LINDA ROBARDS	BURDETTE	08/20/92	CITIZENS	INSUFF. FUNDS	\$25.07
10/27/92	NICKI RIDGLEY	HEALTH DEPT	11/05/92	CITIZENS	INSUFF. FUNDS	\$25.00
03/22/93	TEETER-TOTTERS	HEALTH DEPT	03/29/93	CITIZENS	INSUFF. FUNDS	\$40.00
04/08/93	DONALD JOHNSON	TAXES	04/14/93	CITIZENS	ACCT CLOSED	\$63.97
04/13/93	HELEN TERRELL	TAXES	04/23/93	CITIZENS	INSUFF. FUNDS	\$228.85
<b>TOTAL</b>						<b>\$1,170.24</b>

NOTICE OF HEARINGS  
TITLE VII - TRAFFIC SCHEDULES  
SCHEDULE II - STOP INTERSECTIONS  
OF THE  
VANDERBURGH COUNTY CODE OF ORDINANCES

NOTICE IS HEREBY GIVEN that the Board of Commissioners has scheduled public hearings with regard to the subject Ordinance at 4:30 p.m. in Room 307, Administration Building, Civic Center Complex, Evansville, Indiana, as follows:

Second Reading - Monday, June 14, 1993

Final Reading - Monday, June 21, 1993

Paragraph (A) of said Ordinance contains list of roads designated as STOP Intersections, requiring all vehicles to STOP at one or more entrances to these intersections. Ordinance lists road name, road that intersects and road that stops.

(B) Vanderburgh County shall be responsible for erecting and maintaining the appropriate signs at the intersections listed in Paragraph (A), in compliance with the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways.

(C) Any violation of this Traffic Schedule shall be punishable pursuant to the applicable section of Title 9 of the Indiana Code.

(D) This Ordinance amends and supersedes Vanderburgh County Traffic Schedules, Schedule II: Stop Intersections, which was passed on October 8, 1990.

APPROVED ON SECOND READING THIS 14<sup>th</sup> day of June, 1993.

APPROVED ON FINAL READING THIS 21<sup>st</sup> day of June, 1993.

BOARD OF COMMISSIONERS OF  
VANDERBURGH COUNTY, INDIANA

Richard J. Borries  
Richard J. Borries, President

Patrick Tuley  
Patrick Tuley, Vice President

Don Hunter  
Don Hunter, Member

Sam Humphrey  
Sam Humphrey  
County Auditor

Aian M. Kissinger  
Aian M. Kissinger  
County Attorney

MINUTES  
COUNTY COMMISSION MEETING  
JUNE 28, 1993

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MINUTES  
COUNTY COMMISSION MEETING  
JUNE 28, 1993

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Monday, June 28, 1993 in the Commissioners Hearing Room with President Rick Borries presiding.

RE:: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order, introduced members of the County Staff and subsequently asked the meeting participants to stand for the Pledge of Allegiance.

Commissioner Borries asked if there were any groups/individuals present who wished to address the Commission but did not find their particular item of interest on tonight's printed agenda. There were none.

RE: POOR RELIEF APPEAL/PIGEON TOWNSHIP/HENRIETTA RABON

Commissioner Borries recognized Ms. Henrietta Rabon, who stated she lives at 519 E. Cherry Street. She said she is here to appeal a denial for assistance with her utility bill.

Commissioner Borries asked if Ms. Rabon has received assistance from the Trustee previously?

Ms. Rabon said she has not -- they turned her down.

Mr. Borries asked if she has asked for help from the Trustee before.

Ms. Rabon said that she has.

Commissioner Borries entertained questions from the Board.

Commissioner Tuley said he is waiting to hear from the Trustee's office.

Ms. Rabon stated she has a letter from her landlord and asked if that would help.

Ms. Rabon said her landlord would have been here today, but he had to be out of town on business. However, he said he would write a letter to help her.

Mr. Borries said the letter is from Lloyd Gentry. He will show the letter to the other Commissioners in terms of endorsement that Ms. Rabon is a good person and he is asking for consideration with regard to her request. Commissioner Borries asked if there is a representative from the Pigeon Township Trustee's office present.

Ms. Donna Jones was recognized and stated that Henrietta Rabon was in their office to apply for utilities. The reason she was denied - as the denial states -- was that alternate resources were available to her. On January 13, 1992, she moved out of public housing. At that time she was paying \$35.00 per month rent with her utilities included. If there is an increase in income and someone moves out of public housing and then, for some reason, has to go back -- we take all of this into consideration. But there was no income change of any kind. Whenever she moved out of public housing with , at that time, \$198.00 per month ADC, she moved into a place paying \$200 per month rent. That led us to believe at the

time she did that she either had other income and was going to be able to take care of herself or whatever. If that happened, we have no report of that whatsoever. Her ADC then went to \$229.00 after she moved out of public housing. But she still has the option available to her to go back to public housing, pay any back rent she owes. Also, in January she stated to us that she moved out because she was no longer happy living in public housing. Well, that is not true. I spoke with them today and she moved out because she was evicted for non-payment of rent at \$35.00 per month with utilities included. So we feel she has alternate resources available.

Mr. Borries asked if Ms. Jones has a spot on Pigeon Trustee's Guidelines citing this. If so, where would that be.

Ms. Jones referred the Commissioners to statute I.C. 12-2-16.1 (Failure to Apply for Alternate Resources That May Be Available) -- which, at this time, would be public housing -- which is how the denial reads.

Commissioner Borries again entertained questions from the Board.

Commissioner Hunter said he has none at this time.

Commissioner Tuley said, "It appears you acted within your guidelines. I am still concerned. Ms. Rabon, would you like to come back up here now to answer some questions. You were living in public housing for \$35.00 per month?"

Ms. Rabon, "Yes. I was living there at \$35.00 per month and I went over there to the manager and offered to pay my rent. She wouldn't accept it -- so I went to Ruby downtown and she wouldn't accept it. And also, like when I did pay my rent and everything on time they wouldn't do anything to help. They were harassing my kids, jumping on my children, shot through the window. At one time I had to move for a while when they were fixing the other apartments up -- okay? And they wouldn't do anything about that or do any maintenance when I would call."

Mr. Tuley said, "Okay. And I hate to ask you these questions -- but I need to. Do you have any income other than your ADC?"

Ms. Rabon said she does not.

Mr. Tuley asked, "How much is your current rent?"

Ms. Rabon responded, "Two hundred."

Mr. Tuley, "Two hundred dollars? So you've got \$29.00 per month to buy groceries, utilities,..."

Ms. Rabon, "Eighty-eight."

Mr. Tuley, "Eighty-eight dollars?"

Ms. Rabon, "Yes."

Mr. Hunter interjected, "I thought your ADC dropped to \$229.00."

Ms. Rabon, "No, it is \$288.00."

Ms. Jones confirmed it is now \$288.00.

Mr. Tuley asked, "Donna, she says she was kicked out. You verified she was kicked out?"

Ms. Jones responded, "When I spoke with public housing, they said they showed on their records that she was going to be evicted for non-payment of rent. All she had to do was pay that month's rent

and the month prior, which would have been \$70.00. Had she come into the Trustee's office at that time, granted, we would have had a problem with the fact she did not use her ADC for her rent, but we usually go to any length to keep someone from being put out of public housing for this very reason. Also, they tell me in public housing now that she still may come to them and apply. Also, I would like to add that there are other agencies at this time that..(inaudible)

Mr. Tuley, "Okay. At this time, would Pigeon still be willing to help put her back in, or not?"

Ms. Jones, "We pay the minimum of \$60.00. If she can go back in there and she could pay everything else -- then we most likely would do that on a one time basis. But that is something she will have to work out - she'd have to go back to the public housing office."

Mr. Tuley turned to Ms. Rabon and asked, "Is that an option to you that you would see to do? I mean, I don't see how in the world you're going to live. You've got twins -- is that what that letter says?"

Ms. Rabon responded, "Yes, two children."

Mr. Tuley asked, "How much are utilities at that house?"

Ms. Rabon said they run like -- in the summer it is less than in the winter. I had help from the Salvation Army, C.A.P.E. and all those places.

Mr. Tuley asked, "What would you say they average out a month, do you know?"

Ms. Rabon asked, "Like in the spring or summer? I'd say about \$50.00 or \$60.00."

Mr. Tuley asked, "Do you have air conditioning, Ma'am?"

Ms. Rabon, "No."

Mr. Tuley, "I just don't know how you can live there with that little bit of income and still provide for your kids and.."

Ms. Rabon, "I get food stamps, too. They increased that."

Mr. Borries asked, "Is it an option for you, Ms. Rabon, to consider this public housing option?"

Ms. Rabon, "Well, I had trouble with the management -- because every time I would go over there and ask for help when I'd been harassed -- couldn't get outside my door -- they wouldn't even come over and see what was going on; see my side or if I was telling the truth and everything. And I had trouble -- I have witnesses to that, too. But I guess, yes -- if I could."

Mr. Tuley continued, "Because, quite honestly, I just see that on your limited income we're going to see you an awful lot during the next several months if you stay in a house that is going to cost you \$200.00 per month. And I think you're going to come back. You're either going to be up here or you're going to be over at the Salvation Army -- or you're going to have to be somewhere -- because those numbers just aren't going to add up for you to be able to survive. My personal opinion is that if there is any way possible for you to work out with the management and with maybe some help from the Trustee's office that maybe you consider....and I understand...I don't think I'd want to live there -- but..."

Ms. Jones interjected, "The only way option we'd have to help her

is if she would go back into public housing."

Mr. Tuley, "Oh, I understand that."

Commissioner Borries said, "See, it is very difficult for us to hear these; first of all, because your request is obviously a sincere one. But what we also have to look at is to see whether or not the Trustee had violated his or her guidelines in relation to telling you what you could qualify for and what you could not. And in this case I don't feel the Trustee has, at this point, violated her guidelines in light of the matter. Could we refer this back to you?"

Ms. Jones responded, "At this particular time, yes, after she works it out with public housing. There is nothing more that we can do at this point. If public housing won't put her back in, the only thing I could suggest is that she find something cheaper than what she has now. They gave me every reason to believe that it could be worked out, because there weren't any major damages or anything like that. It was simply for non-payment of rent. But at that point she goes back on the waiting list for public housing, which may mean six months to a year."

Commissioner Hunter asked, "She is behind how much, two months did you say, Donna?"

Ms. Jones said, "At the time she was served her eviction notice, yes."

Mr. Borries asked, "So what would you suggest at this time?"

Ms. Jones replied, "To get back into public housing and let them know it is an emergency situation and that she is not going to be able to remain in this house and will be homeless -- and she could be put on the priority list."

Mr. Tuley asked, "Would you be willing to intervene and work on her behalf to try to help her if that is possible?"

Ms. Jones said, "She has to contact them first. They told me that is the way it has to be -- that she would have to contact them and try to work it out."

Mr. Borries interjected, "You see, Ms. Rabon, what is happening to you at this time is basically based on what you were paying in the housing authority. At what you're paying now (\$200.00 per month) your rent has gone up six times -- and your income isn't that high."

Ms. Rabon said, "Yes, I know."

Mr. Borries said, "And that is hard to do. It is nothing against you -- it's just impossible. I mean, if anybody had rent in a situation like that, that is hard to do."

Mr. Hunter said, "Donna, I have one more question. If you could assist her in getting back into public housing, is there any way you could loan her the \$70.00 to get that back rent paid?"

Ms. Jones replied that according to their guidelines they can pay \$60.00 and she would have to pay the balance. Most likely now she would owe that back rent and a month's deposit -- so it would probably be \$105.00. We could pay \$60.00 on a one time emergency basis. And very, very seldom do we ever turn them down (inaudible, again -- not speaking from the podium).

Mr. Hunter asked, "Are there any other agencies that you know of that could assist her in coming up with the balance?"

Ms. Jones said, "I truly think she has used all those resources -- because there was Project SAFE and that is paid out now. The Salvation Army is paid out now. Sometimes we can use Outreach Ministries and at this particular time their funds are paid out."

Mr. Tuley said, "My concern is that if we continue to do -- she is going to be someplace every month. There is just flat no way that this lady can live on that money. And that is why I think we need to get you back into public housing if there is any possible way. It sounds to me as though that is what the feeling is up here. We've got some way of offering you assistance if you will first make contact with public housing. It is unfortunate and I am sorry -- but I just don't see any other way for you to continue to put a roof over your head and the kids' heads month in and month out."

Commissioners Hunter and Borries agreed. Commissioner Borries then asked Ms. Rabon if she will follow those guidelines. He said he's sorry to have to ask her to do that, but it's the only way they see at this point that she is going to be able to survive in this particular situation.

RE: REQUEST TO ADVERTISE FOR BIDS FOR TRACTOR WITH TRAILER, MOWER AND BROOM FOR COUNTY HIGHWAY DEPARTMENT

Commissioner Borries said he has a letter from Susan Jeffries of Purchasing indicating they would like to advertise for the subject bids on July 2 and July 9, 1993 and schedule the bid opening for July 19, 1993.

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

RE: COUNTY RECORDER/COMPUTER CONTRACTS/DOCUMENT INDEXING SYSTEM

President Borries recognized Betty Hermann, County Recorder. He then noted this is going to set a record today -- twenty signatures are needed on these documents. He then asked Ms. Hermann to briefly outline what they are signing today with regard to the document indexing system.

Ms. Hermann said it is a request for signatures on a License Agreement between SCT Public Sector and Vanderburgh County for the Command Module Application Software, the Report Writer Application Software, the Records Indexing Application Software, and Records Indexing Application Software and the Cash Receipts and the Direct Access Support-Service Agreement.

President Borries said what this does then is to put the Recorder's office in a little higher tech position in terms of record keeping, indexing, filing, etc.

Ms. Hermann said that is correct. Currently they are doing the same as they did in 1818 and she thinks 1993 is a good time to change the process.

Commissioner Borries entertained questions from the Board. There being none he entertained a motion

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

RE: ADDENDUM TO AGREEMENT WITH SCT/ART GANN

President Borries continued by recognizing Police Chief Art Gann, long time Chairman of the Data Processing Review Board. Mr. Borries said he guesses that is where he really got to appreciate Chief Gann's considerable talents. If he can't make it in computers and Police Chief, the County may put Art on the road

doing something else. This fellow can do a lot. When you think about it, he's got two heavy jobs. He then welcomed Mr. Gann.

Chief Gann said he is present today on behalf of the City and the County, representing the City/County Data Processing Board to ask the Commissioners to sign an Addendum to our agreement with the SCT Corporation. They currently have our Facilities Management Agreement. As the Commissioners are aware, over the course of the last few months we have had data processing purchasing and P.C. network software and V.C. networks. We're now looking at something for the Assessor's office, and the Child Welfare System has a big network. Engineering staff between the City and the County are looking at networking and we're getting more and more in this area which requires professional expertise. Therefore, we're trying to exercise the part of our SCT agreement that allows us to add additional employees to the staff of the computer processing area downstairs. The purpose of this extra person is that we were going to go out and hire a specialist to handle P.C. application problems. Currently no one on staff has the professional expertise to really delve into the Norvell software we're going to use that has been standardized for the City and the County with regard to networking P.S.'s and we're going to look for someone to do that. We're contracting some of it out. We have various departments that have some specialists in P.C.'s who are kind of working their way through these problems when they have time away from their normal duties. We know we have some very sophisticated applications coming up and we're trying to plan ahead and get someone on staff who can help the officeholders and department heads in working through these types of problems in their areas. The cost on that will be about \$3,900 additional per month on our current bill and the breakdown will be \$15,078 needed for the remainder of this year from the County. He has had Roger check with Sam in the budget. There are sufficient funds in the budget for this year without any additional appropriations to handle this and we have in our preparations of the data processing budget for 1994 included this type of money needed in that year, as well -- so that has already been taken care of.

Commissioner Borries entertained questions from the Board. There were none. Mr. Borries then thanked Chief Gann, saying what he is saying, too, is that since the Commissioners get involved in quite a few controversies all the time, that this P.C. work is kind of a merging technology as Chief Gann sees it in terms of the networking that is coming out at this time.

Chief Gann said it's relatively new in the Vanderburgh County area. What he means is that it certainly is not new in a technological sense. He guesses the Department of Public Welfare is perhaps the first and a couple of others are getting into it. One of the areas we've had a lot of discussion on over the past couple of years is the commingling of City-County engineering data -- so that all the City-County surveyors are using the same database for Vanderburgh County. Currently they use their own database and if we're lucky, they all match -- but that is not always the case. There is a lot of data there. Thus, we've been moving toward the goal that we'd have one common database for all the geographical data in the County that all of our engineering staffs could use. But, of course, that does require someone special to take care of it and, of course, the Commissioners know that the networking being designed for the Assessor's office -- when and if that goes into place they will be networking from remote sites into the Civic Center Complex itself. So this is an area where we have now reached the point where we can maintain a full time staff person to help coordinate that, because there are special commands and special considerations anytime you do that type of application.

Commissioner Borries then entertained a motion for approval.

So moved by Commissioner Tuley and seconded by Commissioner Hunter.  
So ordered.

RE: PUBLIC HEARING/PETITION TO VACATE PORTION OF  
OLIVIA STREET

President Borries said that, for the record, this hearing was held on June 21st and delayed until today pending research requested by the Board of Commissioners. The research was some recommendations and site viewings of the particular area. He then read into the record a recommendation from Barbara Cunningham, Executive Director of the Area Plan Commission, saying she recommends denying the request based on the following State Statute.

First, that a vacation of this particular street would hinder the growth of orderly development of the unit or neighborhood in which it is located or to which it is contiguous.

Secondly, the vacation would make access to lands of the aggrieved person by means of a public way difficult or inconvenient.

Mr. Borries said he thinks perhaps the last item is the one that is certainly the one affected by this. Last week he questioned -- he did not see how in this particular terrain two potential houses either along or near a cul-de-sac could negatively impact this particular person's property. The way the property is, the only other way they would be able to get into it would be off Hogue Road. It would make it very difficult to get back to some potential land for houses that this other couple wanted to plan for with their children. Anyway, this is the recommendation from the APC. Mr. Borries then entertained questions or comments from the Board.

Commissioner Hunter said he just appreciates the Area Plan Commission taking the time to go out and do some research and come back with a recommendation to the Board, which kind of solidifies his feelings on this.

Commissioner Tuley said he agrees.

Mr. Borries said this would be an ordinance. Therefore he thinks the Board needs to make a motion in the affirmative and have a roll call vote.

Motion to approve the vacation of portion of Olivia Street between Lots #41 and #42 was made by Commissioner Hunter, with a second from Commissioner Tuley. Roll call vote: Commissioner Tuley, no; Commissioner Hunter, no; and Commissioner Borries, no. Petition denied at this time. So ordered.

RE: WESTCHESTER SUBDIVISION/REQUEST FOR WAIVER  
OF SIDEWALKS

President Borries recognized John Stoll and said the subject request for waiver of sidewalks was deferred from June 21st. Mr. Stoll was to review and make recommendations to the Board.

Mr. Stoll said this subdivision does abut fairly close to Corpus Christi School, but there are no other sidewalks out there where these sidewalks -- if they were built -- could link into along Nunning Rd. and there are none along Hogue Rd. Based on what is already out there, he would suggest that sidewalks not be required.

Mr. Borries entertained questions.

Mr. Hunter said he will accept the County Engineer's recommendation.

Mr. Borries then entertained a motion.

Motion to waive the requirement for sidewalks in Westchester Subdivision was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: COUNTY ATTORNEY - ALAN M. KISSINGER

Proposed Agreement Between Vanderburgh County Sheriff's Department & Town of Darmstadt re Provision of Law Enforcement Services in the Town of Darmstadt: Attorney Kissinger said he has reviewed the subject agreement and he needs to contact the Attorney for the Town of Darmstadt and research the statutory authority to make certain the agreement is in proper form. He will report back to the Commission on this -- hopefully, next week.

Purchase of Excess Real Estate: Attorney Kissinger said we have been contacted by Attorney Gary Price in reference to the purchase of what was apparently excess real estate after the completion of I-64 at Audubon Drive. There has been a request that this real estate be given a specific legal description, a survey be performed, etc. He talked with Mr. Price about this and also indicated to him that he thought he ought to satisfy the County Commissioners that any other law in reference to the reversion of condemned property to the original owners be satisfied before the Commissioners should consider this. Mr. Price is going to report back some time next week.

Walking Horse Lane: Mr. Kissinger said he received a letter from Attorney Jim Kornblum in reference to seven (7) clients who have requested that the Commissioners consider the paving of Walking Horse Lane. This is something else he will report on next week he hopes. He hasn't talked with John Stoll or Bill Morpew. Apparently this road was supposed to have been paved before now but has not -- and we'll be looking for some answers, he guesses. He wants to look into exactly what the schedule for paving was there.

Mr. Borries asked if that is a public road, and Mr. Hunter said he thought it was a private road.

Mr. Stall said it has not been put in yet. Dewey Burden was the developer.

Attorney Kissinger asked if he is correct in that the developer has not asked that it be accepted for maintenance?

Mr. Stoll said the road has not been put in. He thinks initially Mr. Burden proposed this was going to be a gravel road. He then switched it to become a paved road. The way he understands it, the people who bought houses out there with the understanding it was going to be a paved road and he has not yet put in a paved road. He guesses this attorney was just trying to force some action from the developer's part.

Commissioner Borries said he doesn't think he can be forced to pave it. However, if he wants it accepted -- we haven't accepted it as a gravel road, have we?

Mr. Stoll said we have not.

RE: POSSIBLE APPOINTMENT OF HEARING OFFICER FOR  
FOR POOR RELIEF APPEALS

Attorney Kissinger said he is researching the possibility of having the Commissioners appoint a Hearing Officer for future Poor Relief Appeals. He believes it is going to be possible and will report back to the Commissioners -- hopefully next week -- with a recommendation in reference to that appointment.

Commissioner Borries said he appreciates Mr. Kissinger's doing this. He thinks many of the appeals are not as emotional as some

the Board heard earlier this year, they are indeed difficult and often involve some rather sensitive information that perhaps could be heard in a more effective manner via the plan Mr. Kissinger suggests.

Attorney Kissinger said we do have some specific statutory authority. He knows some other counties have done this and he thinks it is now just a matter of forum he will recommend to the Commissioners if they want to consider doing that.

RE: ADA GRIEVANCE PROCEDURE & MEMO TO DEPARTMENT HEADS

Commissioner Borries asked Mark Abell, Superintendent of County Buildings, to give his report.

Mr. Abell said that wearing the hat of County ADA Coordinator, he has submitted a proposed Vanderburgh County Grievance Procedure, which the Commissioners should have in their packets. The County Attorney has looked it over and given it his blessing -- so he guesses we just need to enter this into the official record if the Board so desires.

Mr. Abell said he will be sending a memo to all departments in an effort to get a liaison from each department to represent that department on the committee in the development of the County ADA transition plan. If the two documents meet with the Commission's approval, he guesses they just need to enter same into the minutes. The Grievance Procedure will be posted publicly in each building, along with several notices he will work on as time goes by.

Motion made by Commissioner Hunter that the County Grievance Procedure be approved, as submitted, with a second from Commissioner Tuley. So ordered.

The Commissioners also agreed the memo to all departments is satisfactory for transmittal to the various County departments.

RE: COUNTY HIGHWAY GARAGE - BILL MORPHEW

Weekly Work Report: Mr. Borries said that Mr. Morpew has submitted his Weekly Work Report for period June 18, 1993 thru June 24, 1993.....report received and filed.

Mr. Borries also noted it appears the County Highway crews have moved to some pretty extensive locations throughout the County at this time. Where are they paving right now?

Mr. Morpew responded, "Twelfth Avenue. However, the paver has been down a couple of days. We took advantage of the rain on Friday and did some necessary cleaning and repairs on the paver and will be going back out on Twelfth Avenue tomorrow."

Mr. Borries asked if Mr. Morpew has purchased the trailer.

Mr. Morpew said they have not. They have all the specs together and they've gone over everything several times, went out and inspected several different trailers. He just wanted to be sure in his own mind that we were getting the best specs so we could get the best trailer for the money. Susan Jeffries has the specs now.

Commissioner Hunter said it appears they have undertaken quite a large project on St. George Rd., too. What all are they going to do?

Mr. Morpew said approximately 1,000 ft. of pipe. The pipe that was installed could not handle the water and the rush water kept blowing lids off the storm drain -- right in front of the pre-school by a subdivision that goes back to the north off St. George Rd. They have changed the flow of the water back in that

subdivision from what it was when the subdivision was built and now the water flows out to St. George Rd. Therefore, the size of the pipe had to be upgraded from 18 inch to 30 inch.

Mr. Hunter asked if that will help the drainage in that subdivision -- because we do get calls on that subdivision.

Mr. Morphew said that it will. It's a rather large project, but one that is needed. There is a section along St. George Rd. right west of the pre-school where there is a drop-off. There is a ditch approximately 6 ft. wide and 5 ft. deep right off the edge of the pavement and they felt it was extremely hazardous. There is an average of two accidents per year there -- so we needed to do something as quickly as we could. They had Valerie in the engineer's office size the pipe and they are going to cover over with pull off shoulders. That should improve both the safety and the drainage along there.

RE: COUNTY ENGINEER - JOHN STOLL

Copperfield Subdivision/Section II/Phase III Road Plans: Mr. Stoll submitted subject road plans, saying the concrete streets will have rolled curb and gutter, and recommended approval.

Mr. Hunter asked if Mr. Stoll has a letter requesting waiver of sidewalks.

Mr. Stoll replied, "Not yet."

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley, the subject road plan was approved, as submitted. So ordered.

Oncology Center Subdivision/Road Plan: Mr. Stoll said this is a public right-of-way but a private roadway. Basically, it is more the extension of a parking lot than it is an actual street -- that is why he has it as a private street. It is more or less a parking lot type access and it will be privately maintained. Following brief discussion concerning the plan, Mr. Stoll said it is his recommendation the plan be approved.

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley, the subject road plan was approved, as submitted. So ordered.

West Wind Subdivision: Mr. Stoll said this subdivision is off Upper Mt. Vernon Rd., just west of Peerless Rd. This was initially brought before the Commission several weeks ago. Initially it was proposed not to have curb and gutter. At that time the Board recommended to Bill Nicholson that if he wanted the street to be county accepted that he install the curbs. He has revised the plan to include curbs.

Mr. Nicholson said that along with this, they are asking for a waiver of sidewalks. These will be 2-1/2 plus acre lots.

In response to query, Mr. Stoll said it is recommendation the road plans be approved.

Motion made by Commissioner Tuley and seconded by Commissioner Hunter that the road plans be approved, as submitted. So ordered.

Motion made by Commissioner Tuley and seconded by Commissioner Hunter that the request for sidewalks be waived. So ordered.

Claims/Haas Property & Kramer Property: Mr. Stoll said these claims concern money we have on deposit with the Courts as part of a condemnation proceedings on the USI project. They got the paperwork prepared too late to be included on tonight's Consent

Agenda, so he is bringing it up under his own agenda.

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the claims were approved. So ordered.

Attorney Kissinger noted that actually it wasn't John's fault the paperwork was prepared late, it was his.

President Borries also noted the old school got moved. Elmer Buchta had it all braced and rolling. They got it over there in one piece -- he saw a big picture of it on the USI Campus.

Passing Blister/Old State.Mt. Ashley: Commissioner Hunter queried Mr. Stoll concerning the status of this.

Mr. Stoll said he is not certain; he has not talked with either the owner or the engineer. After the sidewalk waiver was again postponed, he sent a memo to Area Plan Commission and to Aaron Biggerstaff stating that the sidewalk waiver would not be considered until the passing blister had been considered. He has had no response, but will check on that.

Mr. Hunter said this matter came up in a telephone conversation he had this morning.

RE: CONSENT AGENDA

Mr. Borries entertained questions concerning the printed Consent Agenda. He then asked B.J. Farrell if we're okay on the attorneys' claims or is this going to be a Council Call matter. Ms. Farrell said we went on Council Call a couple of months ago. There being no questions, a motion was entertained.

Motion made by Commissioner Tuley and seconded by Commissioner Hunter to approve the Consent Agenda, as printed. So ordered.

RE: OLD BUSINESS

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

Anniversary/Incorporation of Town of Darmstadt: Commissioner Borries noted that Joanne Matthews clipped an article from Friday's newspaper indicating that twenty (20) years ago the Board of Commissioners approved the incorporation of the Town of Darmstadt. The article states it was unanimously approved by the County Commissioners without debate on June 25, 1973.

Mr. Borries said this brings up an item of new business. He believes Commissioner Hunter said he would like to have a Commission meeting out at Darmstadt.

Mr. Hunter said that is correct. He wishes he had known that date was coming up. As a history teacher, this is kind of a fun thing to do -- since it was twenty years ago. The Board could take the show on the road.

Commissioner Borries said Mr. Hunter can work on this.

RE: NEW BUSINESS

Appointments to Advisory Board/Burdette Park: Commissioner Hunter said one item of new business he was going to bring up was the revitalization of the Advisory Board at Burdette Park. He believes each Commissioner has an appointment, and this was confirmed by Commissioners Borries and Tuley. Nominations were as follows:

Connie Kain (Republican) - Nominated by Commissioner Hunter  
Jerry Riney (Democrat) - Nominated by Commissioner Borries  
Pat Thomas (Democrat) - Nominated by Commissioner Tuley

Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter the foregoing appointments were approved. So ordered.

Advisory Board/Vanderburgh Auditorium: President Borries said he believes the Board needs to review the Auditorium Board -- to perhaps begin to energize that as decisions and further discussion will be made concerning the future of the Auditorium.

Executive Sessions: President Borries said an Executive Session is advertised for July 6th at 4:30 p.m. concerning pending litigation and personnel matters. There will be no Executive Session on July 12th because of the Solid Waste Management Board meeting. The Board could, however, proceed with scheduling Executive Sessions at 4:30 p.m. on Monday, July 19th, and Monday, July 26th for purposes of discussing pending litigation and personnel matters.

Motion made by Commissioner Tuley and seconded by Commissioner Hunter to so advertise. So ordered.

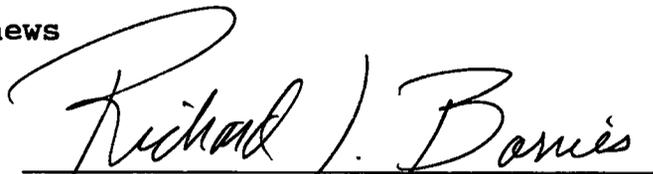
State Budget: It was noted by Commissioner Borries that he talked earlier today with an individual from the news media who advised there may be a State budget and there may not be a State budget. However, if there is not a State budget between now and this time next week, he will be talking with the department heads. There has been a memo come from Rick Cockrum of the Indiana Department of Counties advising us, again, to talk about this. We will see what kinds of action could be taken. Let's hope this matter can be resolved before next week. If there would be a necessity for any kind of special meeting, he will so inform the Commissioners.

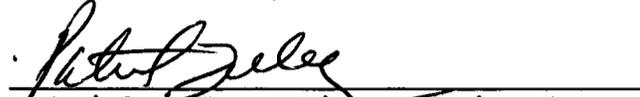
Mr. Borries entertained further matters of business to come before the Board. There being none, he stated the Drainage Board will convene following a five minute recess and declared the Commission meeting adjourned at 6:50 p.m.

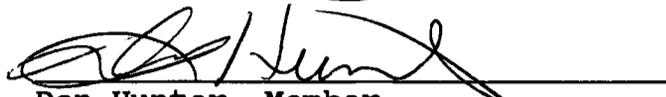
PRESENT:

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.  
B. J. Farrell/Commission Office  
John Stoll/County Engineer  
Betty Hermann/County Recorder  
Roger Elliott/SCT  
Art Gann/Data Processing Review Committee  
P. R. Cappelletti/SCT  
Donna Jones/Pigeon Trustee's Office  
Richard Carter/P.T.T.  
Steve Dragon/Morley & Associates  
Bill Nicholson/Veach, Nicholson, Griggs  
Ed Bassemier/County Council  
Bill Morphew/County Highway  
Henrietta Rabon/P.R. Appeal  
Clifton Cooksey  
Others (Unidentified)  
News Media

SECRETARY: Joanne A. Matthews

  
Richard J. Borries, President

  
Patrick Tuley, Vice President

  
Don Hunter, Member



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

**AGENDA**

**VANDERBURGH COUNTY COMMISSIONERS**

**JUNE 21, 1993**

**5:30 P.M.**

**FINAL**

1. **CALL TO ORDER** — 5:45 P.M.
2. **INTRODUCTIONS** ✓
3. **PLEDGE OF ALLEGIANCE** ✓
4. **ACTION ITEMS**
  - A. Any group/individual wishing to address the commission ✓
  - B. Public Hearing on Petition to Vacate  
re: Portion of Olivia Street
  - C. Traffic Schedules II/stop intersections  
re: Final Reading
  - D. Chester W. Durachta  
re: Westchester Subdivision/Waiver of sidewalks
  - E. Letter from National City Securities  
re: New financing concept/program for county maintained roads  
and bridges
  - F. Roger L. Lehman, C.B.O./Building Commission  
re: House Moving Application
  - G. Ordinance Amending Chapter 151  
re: Thoroughfare Plan Ordinance

**5. DEPARTMENT HEADS**

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

**6. CONSENT ITEMS**

- A. Travel/Education Requests  
Health (2)
- B. County Treasurer's Report for April  
re: acceptance
- C. Claims for payment:
  - 1) F.C. Tucker/Huber Realtors  
Appraisal fees/Wyman Holder Property.....\$ 600.00
  - 2) Given & Spindler  
Reimbursement for expenses per contract.....\$ 8,540.70
- D. Council Call
  - 1) County Commissioners
  - 2) Superintendent of County Buildings
- E. County Commissioner Minutes for 6/7/93 and 6/14/93  
re: for approval/acceptance

**8. OLD BUSINESS**

**9. NEW BUSINESS**

**10. MEETING ADJOURNED**

**Scheduled Meetings**

Mon	June 21	County Commissioners Executive Session	4:30 PM	RM 307
		Commissioner Meeting	5:30 PM	RM 307
		Rezoning	7:00 PM	RM 307
Mon	June 28	County Commissioners Executive Session	4:30 PM	RM 307
		Commissioner Meeting	5:30 PM	RM 307
		Drainage Board Immediately Following		
Wed	June 30	County Council Personnel/Finance	3:30 PM	RM 301

**REZONINGS**

**Third Reading:**

VC-7-93

Petitioner: Jeff Stemaly  
5616 Pollack Avenue  
R-1 to C-4

**First Reading:**

VC-9-93

Petitioner: Marlin Silke  
600 E. Baseline Road  
AG to C-4

VC-10-93

Petitioner: Timothy J. Major  
4905 Pollack Avenue  
AG to C-4

VC-11-93

Petitioner: Calvin Dentino  
330 Eissler Road  
PUD to R-1

# COUNTY ENGINEER'S

## CONSENT AGENDA

JUNE 21, 1993

1. CLAIMS:

OHIO STREET BRIDGE #3C 203-4345		
Bernardin Lochmueller (Inv. #91-068-1(13))		\$ 2,736.66
VOGEL RD BRIDGE #2115 203-4396		
Hansen Testing (Inv. #117895)		\$ 350.00
EICKHOFF-KORESSEL EXT. 216-4741		
Bernardin Lochmueller (Inv. #90-040-1(25))		\$14,994.00
Bernardin Lochmueller (Inv. #90-42-1(23))		\$ 717.94
USI INTERCHANGE 430 BOND		
Bernardin Lochmueller (Inv. #89-24-1(34))		\$ 6,363.00
Bernardin Lochmueller (Inv. #92-057-5(7))		\$ 1,223.58

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Vanderburgh County Surveyor - Section Corner Perpetuation Account #2650 *ed*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2650-1210	Samuel P. Biggerstaff	1054 Madison	Special Deputy	\$4,232.00	June 1, 1993
		DECEASED 5/31/93			

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Robert W. Brenneke* DATE June 11, 1993  
Robert W. Brenneke  
Vanderburgh County Surveyor

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT *ed*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
260-1980	ROSE DAVIS		Q.M.A.	\$7.00 HR	6-1-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136.1-1990	ROGER ROBINSON		PART-TIME CORRECTION OFFICER	\$7.00 HR	6-1-93
136-1990	DANIEL A. BARFIELD		INTERN	\$5.00 HR	6-1-93 ✓

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *[Signature]* DATE JUNE 15, 93  
JUDGE, CIRCUIT COURT

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department 505-108-N Victim/Witness Program Prosecutor

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1110	Barbara A Borchert	701 S.E. First Apt. B	Victim/Wit. Advocate/ Director	11,515.14 24,045.00	6-14-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1110	Barbara A Borchert	701 S.E. First Apt. B	V/W Advocate Director	10,967.14 22,900.00	6-14-93 v

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*Douglas R. Patten*

DATE 6-16-93

Chief Deputy Prosecutor for  
Stanley M. Levco, Prosecutor

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department COOPERATIVE EXTENSION SERVICE -- 1230 *sl*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
123011101230	Jack D. Wade	12800 Timbarand Evansville IN 47711	Ext. Agt.	hourly 11,161.8	6-14-93
				25,900 ANNUALLY	

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*Laura K. Pissoneaux*  
Interim C.E.D.

DATE 6-14-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Clerk - 101 *sk*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1010-1550	Joyce A. Fields	841 Mt Pleasant	Dep Clerk	16361 00	6-14-93 ✓
010-1990	Patricia A Patton			6 00	6-14-93
1010-1990	Mindy Ann Remick			6 00	6-18-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

*op'd by Council*  
3/2/93 MTC

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1010-1990	Patricia A Patton			5 00	6-14-93 ✓
<del>1010-1990</del>	<del>Mindy Ann Remick</del>			<del>6 00</del>	

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Betty Knight Smith* DATE 6-18-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department TREASURER *sk*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
103-102	Mary Esparza	207 S. Polster Dr.	Counter/ Posting Clerk	18,857 00	June 30, 1993

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Joyce Burg-Bland* DATE 6-18-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Recorders Office *sd*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
040-1970	Laurie Klein	2040 Polaris	Temp. Dept. Record	\$14,889.00	6-21-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Betty J. Herman* DATE 6-18-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff - Jail *sd*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
5111300402	Sue C. Mann		Nurse	12 5229 26148 00	7-1-93 <del>6-30-93</del>

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Ray Hansen* DATE 6/19/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Voters Registration Office *21*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
117	Sandy Conner	7430 Taylor Ave.	dep. cl.	14889.00	6-21-93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Susan R. Link* DATE 6-21-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Vanderburgh County Superior Court *21*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1370-1310	Elmer R. Shelton, Jr.	2021 S. Vann Evansville, IN	Bailiff/Trans- portation Off.	11,795 00	7-1-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Sherry* DATE 6/16/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH COUNTY HWY. DEPT. 20101990 EXTRA HELP *sk*

### APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
10101990	DAVID J. HUDSON	12330 N. ST. JOSEPH AVE. EVANSVILLE, IN, 47720	EXTRA HELP	HR. 5 00	6-7-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

### RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY William J. Morley DATE 6-7-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Pigeon Tonwhip Trustee

### APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

### RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
	Sheree Fairrow	622 E. Chandler Ave.	Clerk	19,110.00	6-15-93 ✓
	Medical leave, projected return date 7-5-93 (WITH INSURANCE)				

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY L. Jay E. Hart DATE 6/18/93

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH SUPERIOR COURT

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
6201980	Amy Helfert		Riding Bailliff	30 00	6/7/93 ✓
6201980	Bart O'Connor		Chief Probation Off.	Other	6/12/93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY T. P. N. Deitch DATE 6/18/93



# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department BURDETTE PARK

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	JASON ADAMS ✓	8024 OLD STATE	COUNSELOR	5 00	6/16/93
1180	CATHERINE KIRSCH ✓	900 S HOENERT	COUNSELOR	4 65	6/16/93
1180	TODD FERD ✓	3311 BELLEMEADE	GUARD	4 35	6/16/93
1180	CANDICE GREEN ✓	308 NORMA DR	SC PROG	8 00	6/3/93
1180	KRISTINA MILLS ✓	RR#1 BOX 86	SC TEACHER	8 00	6/3/93
1180	VALERIE SCHOPPENHORST ✓	5747 S 500 EAST	SC TEACHER	10 00	6/3/93
1180	NANCY LASSITER ✓	RR#13 BOX 185A BOBERG	BUS DRIVER	6 25	6/3/93
1180	DONNA BRUCKEN ✓	5311 MEMORY LN	ASST DIR	5 00	6/3/93
1180	KATE EPLEY ✓	8312 W TERRACE	CONCESSION	4 25	6/3/93
1180	SCOTT MOLDEN ✓	1824 CHICKASAW DR	SECURITY	12 00	6/3/93 ✓
1180	RICHARD DEVOY ✓	5516 HOGUE RD	GUARD	4 25	6/3/93 ✓
1180	MARK MAGAN ✓	9 JOHNSON PLACE	GUARD	4 35	6/3/93 ✓
1180	ZACH HARL ✓	501 N WABASH AVE	GUARD	4 35	6/3/93 ✓
1180	GABE WEISS ✓	11231 E DENZER RD	GUARD	4 35	6/3/93 ✓
1180	JASON HEIM ✓	8017 LARCH LN	SLIDE GUARD	4 25	6/3/93 ✓
1180	PATRICK JOHN ✓	5020 NEW HARMONY	GUARD	4 35	6/3/93 ✓
1180	GREG BENEDEK ✓	512 WIND CIRCLE	GUARD	4 35	6/3/93 ✓
1180	COREY POLEN ✓		SLIDE GUARD	4 25	6/3/93 ✓
1180	BRANDI ROCCA ✓	2401 JACKSON AVE	GUARD	4 35	6/3/93 ✓
1180	JENNIFER BUSKY ✓	10140 CARMEL CT	SLIDE GUARD	4 25	6/3/93 ✓
1180	KRISTINA LONDON ✓	231 S BARKER AVE		4 25	6/3/93 ✓
1180	HELENE HUNTER ✓	38 OAK MEADOW	COUNSELOR	5 50	6/16/93
1180	MATT SINGER ✓		GUARD	4 45	6/16/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*Mal T. ...*

DATE 6-18-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department BURDETTE PARK

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	RONALD NELSON ✓	731 LANCASTER CT	COUNSELOR	4 85	6/16/93
1180	HENRY STOCK ✓	4712 ST PATRICKS CT	BUS DRIVER	6 50	6/16/93
1180	MISSY MUENSTERMAN ✓		GUARD	4 60	6/3/93
1180	ED BERGWITZ ✓		GRND CREW	4 75	6/16/93
1180	GARRICK BRINKMEYER ✓		GROUNDS	4 40	6/16/93
1180	TIMOTHY DUNN ✓		GROUNDS	4 40	6/16/93
1180	DANIEL KOLB ✓	2412 SCHUTTE RD	GUARD	4 45	6/3/93 ✓
1180	JASON WERNER ✓	1624 EWING AVE	GROUNDS	4 25	6/3/93
1180	CYNTHIA NAGEL ✓	2305 SELZER RD	BUS DRIVER	6 50	6/3/93
1180	DAVID GUGEN ✓	417 SCHREEDER	COUNSELOR	4 40	6/3/93
1180	JENNIFER ACKER ✓	425 CHAPEL VALLEY CT	COUNSELOR	4 40	6/3/93 ✓
1180	STACY STRENKOWSKI ✓	6315 -- JAMESTOWN CT	COUNSELOR	4 40	6/3/93 ✓
1180	MELANIE LUDWIG ✓	8422 KIFER DR	COUNSELOR	4 40	6/3/93 ✓
1180	JAMIE YOUNG ✓	6910 BROADWAY	COUNSELOR	4 40	6/3/93 ✓
1180	AMY LITTLE ✓	6626 NEWBURGH RD	COUNSELOR	4 65	6/3/93 ✓
1180	JULIE COLLINS ✓	433 LAURENCE DR	COUNSELOR	4 40	6/3/93 ✓
1180	STEPHANIE BONE ✓	824 AGATHON DR	CASHIER	4 25	6/3/93 ✓
1180	LAURA BONE ✓	824 AGATHON DR	CASHIER	4 25	6/3/93 ✓
1180	JENNIFER FREEMAN ✓	5045 KEUBLER RD	GUARD	4 50	6/3/93 ✓
1180	ERIN DEICKEN ✓	7612 MEADOWVIEW	SLIDEGUARD	4 25	6/3/93 ✓
1180	BROOK MCFALL ✓	2355 SCHUTTE RD	GUARD	4 35	6/3/93 ✓
1180	JENNIFER ROBERTS ✓	415 RED BUD LN	COUNSELOR	4 40	6/3/93 ✓
1180	JEREMY JOURDAN ✓	1312 HATHAWAY	GUARD	4 45	6/3/93 ✓

**ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM**

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Mark T. [Signature] DATE 6-10-93





# Vanderburgh County Engineering Department

715-A Locust Street - Evansville, Indiana 47708 Telephone: (812)424-9603

## Vanderburgh County Engineering Department

Agenda for June 28, 1993

1. Copperfield Subdivision Section 2 Phase 3 Road Plans } *App'd. (DH/PT)*
2. Oncology Center Subdivision Road Plans } *App'd. (DH/PT)*
3. West Wind Subdivision Road Plans } *App'd. (PT/DH)*  
*Lidswick Ct. Van* } *(PT/DH)*
4. Claim for the Haas property for the USI interchange - *PT/DH*
5. Claim for the Kramer property for the USI interchange - *PT/DH*

APPEAL REQUEST - POOR RELIEF ACTION

VANDERBURGH County Board of Commissioners

Date 6-15 1993

\_\_\_\_\_  
\_\_\_\_\_  
(Address)

You are hereby notified of an appeal to the action taken by the Township  
Trustee, PIGEON Township, VANDERBURGH County, Indiana,  
on the poor relief case of the undersigned, and a hearing is requested for the  
following reasons: feels they are qualified to receive  
help on utilities

I certify that the above statements are true and correct to the best of my  
knowledge and belief.

*Henrietta Rabon*

X *Henrietta Rabon*  
Name

*519 E. Cherry*

Street Name and Number or R. R.

*422 0213*

Telephone

*EVANSVILLE*

City or Town

*IN*

State

*47713*

Zip Code

NOTICE OF POOR RELIEF ACTION

Name Henrietta Rabon Case No. 69209  
(Last) (Middle) (First)

Address 519 E. Cherry

Action taken or to be taken on your case is as follows:

Your application for \_\_\_\_\_ (specify type of relief requested; i.e., food, rent, etc.) has been approved effective \_\_\_\_\_ (Date) and in accordance with IC 12-2-1-10 is to be worked off at \_\_\_\_\_ (Location) for \_\_\_\_\_ hours.

Your application for \_\_\_\_\_ (specify type of relief requested; i.e., food, rent, etc.) has been approved effective \_\_\_\_\_ (Date).

Your application for utilities (specify type of relief requested; i.e., food, rent, etc.) has been denied for the following reasons: \_\_\_\_\_

Failure to take advantage of alternate programs (such as Public Housing; with utilities included)

Your \_\_\_\_\_ (type of assistance) will be discontinued or reduced effective \_\_\_\_\_ (Date) for the following reasons: \_\_\_\_\_

6-15-93 kl #6 AM/PM  
(Date of Application) (Time)  
\_\_\_\_\_ AM/PM  
(Date This Notice Sent) (Time) *Dorinda M. McGeary*  
(Township Trustee's Signature)

RIGHT TO APPEAL

- 1. The Trustee shall act on your application within seventy-two (72) hours, (Excluding week-ends and the State's legal holidays listed in IC 1-1-9) in accordance with IC 12-2-1-6.2.
- 2. If you disagree with the action taken on your case, you have a right to appeal to the board of county commissioners. Your request for an appeal should be in writing or orally as may be required by the board of commissioners. The appeal should be made within fifteen (15) days from the date the township trustee denies assistance, if the applicant has been informed of his right to appeal and the procedure for such appeal.
- 3. The hearing on your appeal may be conducted by the board of county commissioners or by a hearing officer appointed by that board. The decision of the board shall be made within ten days after the appeal form is received in the office of the board.
- 4. If your request for an appeal is received within ten days after receipt of this notice, the aid which you are receiving will continue until a decision is reached on your appeal.
- 5. At the hearing of your appeal you shall appear in person, may retain counsel, and may have persons speak in your behalf. This office is also entitled to be represented. However, you have the right to examine any evidence it introduces and to cross-examine its witnesses. You will be notified of the decision of the board within five days after the hearing.
- 6. If you wish to appeal the above action, fill out the appeal request form on the reverse side of this page.
- 7. The township trustee may appeal a decision of the board that sets aside a trustee's decision concerning poor relief. The trustee may appeal the decision to a circuit or superior court in the county. In hearing an appeal, the court shall be guided by uniform relief standards of eligibility and need established by or for the overseer of the poor for granting poor relief in the township. If these standards have not been established, the court shall be guided by the circumstances of the case.

Whenever the court sets aside a decision of the board in favor of the applicant, the trustee may recover the amount of any assistance awarded as a result of the board's decision.

(over)

JUNE 28, 1993

HELLO, I AM LLOYD GENTRY.

THIS CONCERNS HENRIETTA RABON  
MY TENANT AT 519 E. CHERRY ST.

SHE MOVED INTO THIS HOUSE ON  
MAY 1<sup>ST</sup> 1992 AND HAS BEEN A  
MODEL TENANT. SHE IS ALWAYS ON  
TIME WITH THE RENT AND IS A  
GOOD HOUSEKEEPER. HARD TIMES  
AND BAD LUCK HAS PUT HER  
BEHIND IN HER UTILITY BILLS. SHE  
DOES NEED HELP NOW AND I  
WOULD LIKE TO ASK YOU TO HELP  
HER GET THE PAST BILLS PAID. I AM  
A TAX PAYER AND I CANNOT THINK  
OF ANY OTHER CHARITY MORE DESERVING.

THIS IS NOT ONLY FOR HENRIETTA,  
BUT FOR HER TWO TWIN CHILDREN -  
WHOM ARE ABSOLUTELY WELL BEHAVED.

THESE ARE GOOD NEIGHBORS AND  
FRIENDS, AND I WOULD THANK YOU  
TO HELP THEM. SINCERELY -

Lloyd Gentry

**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

*J*  
*AM 6/28/93*

June 28, 1993

TO: Board of County Commissioners

FROM: Susan Jeffries, Purchasing

I am sorry for not being able to attend the meeting. Please accept this memo as a formal request to advertise for bids for a Tractor with trailer, mower and broom for the County Highway Department. We would like to advertise July 2 & 9, 1993, and schedule the bid opening for July 19, 1993.

Thank you.

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN THAT THE DEPARTMENT OF PUBLIC PURCHASE ACTING FOR AND ON BEHALF OF THE BOARD OF COUNTY COMMISSIONERS WILL UNTIL MONDAY, JULY 19 1993, AT 5:30 P.M. RECEIVE AND PUBLICLY OPEN AND READ SEALED BIDS FOR THE FURNISHING AND DELIVERY OF THE FOLLOWING:

**ONE (1) DIESEL TRACTOR WITH GOOSENECK TILT DECK  
TRAILER, SIDE-MOUNTED HYDRAULIC MOWER AND  
TRACTOR MOUNTED POWER BROOM**

REQUIREMENTS

1. Each bid must be in full compliance with the specifications and executed by the bidder on Standard Bid Form #95, wherein the Non-Collusion Affidavit must be completed in accordance with the Indiana State Board of Accounts.
2. All bids must be accompanied by a Bid Bond or Certified Check payable to the Board of County Commissioners of Vanderburgh County in an amount not less than five-percent (5%) of the total bid amount as evidence of good faith of the bidder and such deposit shall be subject to forfeiture in the event the bidder fails to execute his contract in accordance with his bid.
3. Consideration of applicable taxes shall be observed as covered in the specifications and Bid Forms. In no instance, however, will Federal Taxes or Indiana Sales Taxes be applicable.
4. The Board of County Commissioners of Vanderburgh County reserves the right to award separate contracts for each item and/or the right to reject any and all bids if considered in the best interest of the Vanderburgh County.

DATED THIS 28th DAY OF JUNE, 1993

THE BOARD OF COUNTY COMMISSIONERS  
VANDERBURGH COUNTY, INDIANA

Richard Borries, President  
Patrick Tuley, Vice-President  
Don Hunter, Member

Attest: Sam Humphrey, Auditor

PUBLISH IN THE EVANSVILLE COURIER AND PRESS: July 2, 1993  
July 9, 1993



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

June 22, 1993

MEMORANDUM

TO: Department directors, Elected Officials, and Management Liaisons  
FR: Mark Abell - County ADA Coordinator *MA*  
RE: Appointment of Department ADA liaison

The attached Statement of Commitment clearly outlines the Vanderburgh County Commission's position regarding the implementation of the Americans with Disabilities Act (ADA). To facilitate the compliance process, the Vanderburgh County Commission has contracted with The Rehabilitation Center, specifically its ADA Solutions team members, Lynne Kramer, Gary Palmer, and Roseann Young.

There are two primary requirements of the ADA that must be addressed in local government. One involves meeting employment requirements in Titles I and II of the Act. These will be addressed separately by Sandie Deig. The second primary requirement deals with the accessibility of all programs, activities, and services delivered by government. Departments must ensure that the programs, activities, and services they provide are truly available to and usable by people with disabilities.

A review, or self-evaluation should have been completed by January 26, 1993, to comply with Section 35.105 of Title II regulations. The self-evaluation must identify any barriers to participation and a description of how these barriers will be eliminated or explain why the elimination is not possible.

Each department is now requested to designate a liaison to the Vanderburgh County ADA Compliance Committee. This individual will be responsible for participation in the self-evaluation process and the creation of a transition plan. Please provide the name of your department's ADA liaison to Mark Abell, the Vanderburgh County ADA Coordinator, by July 5th. Criteria for the liaison should be

organizational skills, employment, capital planning, finance and budgeting involvement with disabled people, etc. The first meeting of the ADA Compliance Committee is scheduled for July 20, at 10:00 a.m. in room 307 of the Civic Center. Please allow 2-3 hours.

As indicated in the Statement of Commitment, the Vanderburgh County Commissioners are dedicated to the letter and spirit of the ADA. Each department director plays an important role in its implementation to ensure that all Vanderburgh County residents can participate fully in every aspect of community life.

Thank you for your cooperation in our efforts to comply with the ADA.

If your liaison can not attend this July 20th please contact Mark Abell ASAP.



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

**Vanderburgh County Grievance Procedure**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in employment practices and policies or the provision of services, activities, programs, or benefits by the Vanderburgh County, Indiana, governmental offices.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible, but no later than 60 calendar days after the alleged violation to:

Mark Abell  
Phone number 426-5241  
Address Room 305 Civic Center Complex  
Evansville, IN 47708

Within 15 calendar days after receipt of the complaint, Mark Abell will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting Mark Abell will respond in writing, and, where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of Vanderburgh County and offer options for substantive resolution of the complaint.

If the response by Mark Abell does not <sup>Satisfactorily</sup> ~~satisfactory~~ resolve the issue, the complainant and/or his/her designee may appeal the decision of the ADA coordinator within 15 calendar days after receipt of the response to the Vanderburgh County Attorney or his/her designee.

Within 15 calendar days after receipt of the appeal, the Vanderburgh County Attorney or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Vanderburgh County Attorney or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Mark Abell, appeals to the Vanderburgh County Attorney or his/her designee, and responses from the ADA coordinator and the Vanderburgh County Attorney or his/her designee will be kept for at least three years.



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

**NOTICE OF ADA REQUIREMENTS**

The Vanderburgh County, Indiana, governmental offices do not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. The Vanderburgh County, Indiana, governmental offices do not discriminate on the basis of disability in their hiring or employment practices.

This notice is provided as required by Title II of the Americans with Disabilities Act of 1990.

Questions, concerns, complaints, or requests for additional information regarding the ADA may be forwarded to the Vanderburgh County, Indiana, governmental offices' designated ADA Compliance Corrdinator.

Name: Mark Abell  
Office Address: Room 305 Civic Center Complex  
Evansville, IN 47708  
Phone Number: 426-5241  
Days/Hours Available: Monday-Friday 8-4 p.m.

Individuals who need auxiliary aids for effective communication in programs and services of the Vanderburgh county, Indiana, governmental offices are invited to make their needs and preferences known to the ADA Compliance Coordinator.

This notice is available in large print, on audio tape, and in Braille, from the ADA Compliance Coordinator.

Friday, June 18, 1993 thru Thursday, June 24, 1993

Friday, June 18, 1993

Gradall & one crew installed culvert at 7800 Marx Road.  
Two Patch crews worked at 7800 Marx Road.  
Cycle Mowers worked on various work orders.  
Summer crews worked at various locations throughout the County.  
Gradall and three crews worked on Pollack Ave.  
Grader and one Rock crew worked on Sensmier, Hillside and Maasburg.

Monday, June 21, 1993

Gradall & one crew removed gate on Waterworks Road and ditched on S. Weinbach.  
Gradall and three crews worked on Pollack Ave.  
Three paving crews worked on Barton Lane and Staub Lane.  
Grader and three rock crews worked on Mann Road, Maasburg and Sensmier.  
Summer crews worked on Southeast and West sides.  
Cycle Mowers worked on Kansas, Heddon, Petersburg, Millersburg and Browning.  
Tiger Mower worked on Boonville New Harmony.  
Trash crew ran regular routes.

Tuesday, June 22, 1993

Gradall & one crew worked on South Weinbach.  
Gradall & one crew worked on Cypress Dale.  
Four patch crews worked on various workorders.  
Grader and 3 rock crews worked in the bottoms.  
Summer crews worked on Waterworks Road and on the Westside.  
Cycle Mowers worked on the Northeast side.  
Tiger mower worked on Boonville New Harmony Road.  
One crew worked in the garage.

Wednesday, June 24, 1993

Paver, Roller and 5 crews worked on 12th Ave.  
Two Gradalls and two crews worked on S. Weinbach  
Patch crews worked on Petersburg and Burkhardt Road.  
Summer crews worked in the bottoms.  
Tiger Mower worked on Nurrenbern and Graff.

Thursday, June 24, 1993

Gradall & one crew ditched on S. Weinbach.  
Gradall & one crew ditched on Cypress Dale.  
Paver, Roller & six crews paved on 12th Ave.  
One crew worked in the garage.  
patch crew worked on various workorders.  
Cycle mowers worked on Heinlein, Baumgart, St. George & Old 57.  
Summer crews worked on Marx, Church, Mohr, Meier and Mt. Pleasant.

VANDERBURGH COUNTY HIGHWAY DEPARTMENT  
PROGRESS REPORT

Friday, June 18, 1993 thru Thursday, June 24, 1993

Friday, June 18, 1993

Crew #1 - Remove drop boxes and add screen.  
Crew #2 - Rock & rip rap next to Rode Road and compact.  
Crew #3 - Cut bridges and guardrails on Millersburg, Hedden, Kansas, and Boonville New Harmony Road.

Monday, June 21, 1993

Crew #1 - Finish screen on drop box on Plainview and cut weeds on bridges and overpass guardrails on Waterworks and S. Weinbach.  
Crew #2 - Cut weeds on Darmstadt Road Bridge, Boonville New Harmony Road Bridge East of Old State and St. George Road Bridge.

Tuesday, June 22, 1993

Crew #1 - remove guardrail on Boonville New Harmony Road, cut Mt. Pleasant and Kleitz Road.  
Crew #2 - Spray bridges on St. George, Boonville New Harmony, Baseline, Broadway, Millersburg, Heddon and Kansas.  
Crew #3 - cut Broadway, St. Joe from Hwy 66 North.

Wednesday, June 23, 1993

Crew #1 - pick up post on Boonville New Harmony, cut S. Weinbach, Green River, Pollack, Lenn & Fuquay.  
Crew #2 - spray bridges and guardrails.  
Crew #3 - pull up post on Boonville New Harmony, cut Mohr and St. Joe Avenue.

Thursday, June 24, 1993

Crew #1 - saw 9000 Whispering Tree Lane and 4040 Church Rd. Spray guardrails.  
Crew #2 - cut weeds on Graff Road, Bayou Creek, Seminary, all roads west of Old Henderson.  
Crew #3 - work with patch crew on Old State Road, Berry Lane, etc.



CLAIM No. .... WARRANT No. ....

IN FAVOR OF  
NAME AND ADDRESS

*Bowers Harrison*

*1378.45*

ON ACCOUNT OF APPROPRIATION

ACCOUNT NO. *130-3610*

PURCHASE ORDER NO.

INVOICE NO. *BHKM 6/24*

PURPOSE

Allowed ..... 19 .....

In the sum of \$  
*Richard J. Bowie*

*Patricia J. Jolley*  
*[Signature]*

Commissioners ..... County

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

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon  contract.  
 statutory authority.

That it is apparently  correct.  
 incorrect.

Auditor

*6/24*

19 *93*

*Richard J. Bowie*

and was in accordance with contract, except .....

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

CLAIM No. .... WARRANT No. ....

IN FAVOR OF  
NAME AND ADDRESS

ZIEMER, STAYMAN, WEITZEL & SHOULDERS  
P.O. BOX 916  
EVANSVILLE, IN 47706

\$ 3,543.00

ON ACCOUNT OF APPROPRIATION

ACCOUNT NO. 130-3610

PURCHASE ORDER NO. \_\_\_\_\_

INVOICE NO. ZSWS 6/24

PURPOSE \_\_\_\_\_

Allowed ..... 19 .....

In the sum of \$  
*Richard J. Boyer*  
*[Signature]*  
*[Signature]*

Commissioners ..... County

I have examined the within claim and hereby certify as follows:  
That it is in proper form.  
That it is duly authenticated as required by law.  
That it is based upon contract. statutory authority.  
That it is apparently correct. incorrect.

Auditor

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

*6/24*  
.....  
*Richard J. Boyer*  
.....  
19 *93* .....



STATE OF INDIANA )  
 ) SS:  
COUNTY OF VANDERBURGH )

Vanderburgh Superior Court

**FILED**

APR 5 1993

IN THE VANDERBURGH SUPERIOR COURT

BOARD OF COMMISSIONERS )  
OF VANDERBURGH COUNTY )

*Betty Knight Smith*  
CLERK

vs.

CAUSE NO. 82D03-9301-CP-149

EARL R. KRAMER and )  
LUCILLE M. KRAMER )

REPORT OF APPRAISERS

We, the undersigned, appointed by the Court of Vanderburgh County on the 17th day of March, 1993, as appraisers, after having taken oath to honestly and impartially assess and determine the damages that the landowner will sustain by reason of the appropriation of the real estate described in the Complaint filed herein, now report and show as follows:

- 1. The fair market value of each parcel of land sought to be appropriated  
 . . . . . \$ 3,000.
  - 2. The fair market value of all improvements, if any, situated on the land sought to be appropriated  
 . . . . . \$ 2,000.
  - 3. The damages to the residue of the land caused by taking out of the part sought to be appropriated  
 . . . . . \$ -0-
  - 4. Such other direct consequential damages as will result to landowner from the taking of the property involved  
 . . . . . \$ -0-
  - 5. Less benefits that will accrue to the residue of the real estate caused by the taking of the part sought to be appropriated  
 . . . . . \$ -0-
- Total Damages . . . . . \$ 5,000.

*Paul Hatfield*  
 \_\_\_\_\_  
 Paul Hatfield  
*Robert Reid*  
 \_\_\_\_\_  
 Robert Reid  
*D. Riddle*  
 \_\_\_\_\_  
 Daniel Riddle

Warrant No. \_\_\_\_\_

Claim No. \_\_\_\_\_

Date \_\_\_\_\_

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

IN FAVOR OF

Vendor Name VAND. SUPERIOR COURT

Vendor No. 1266

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

June 28, 1997

John Stoll  
Signature of Office Holder

\$ 21,500.<sup>00</sup>

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.

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name USI

Account No. 430 Bond

\_\_\_\_\_  
Auditor

Allowed \_\_\_\_\_ 19\_\_\_\_

In the sum of \$

Richard J. Barnes  
Patricia J. Jones  
John Stoll

Board of Commissioners

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>CP545</u>	<u>-</u>	<u>-</u>	<u>430 Bond</u>	<u>21,500.<sup>00</sup></u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 21,500.<sup>00</sup>



MINUTES  
COUNTY COMMISSIONERS MEETING  
JULY 6, 1993

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:40 p.m. ....	1
Introductions & Pledge of Allegiance .....	1
Petition to Vacate/Crane Addition/Les Shively (App'd.).....	1
Thoroughfare Plan Ordinance/Second Reading ....(App'd.) .....	3
Resolution on Proposed Cumulative Capital Improvement Fund (App'd.) .....	3
Sale of Surplus Property/Leon Walker .....	4
Willard Library/Request to Use Old Shelving .....	4
NACO Achievement Award/Non-Felony Corrections .....	5
Schroeder Rezoning (VC-2-930)/Mesker Park Drive .....	5
(Withdrawn)	
County Attorney/Alan M. Kissinger .....	6
Poor Relief Appeals/Board requests A. Kissinger to Draft Ordinance re Hearing Officer	
Local Option Income Tax for DFAS, etc. ....	7
(Commissioners choose not to collect the tax at this time)	
Telephone Conversions (Firm answers due from the City by the end of July) .....	8
County Highway/Bill Morphew .....	8
Weekly Work Report Agreement re County Line Rd. West Boonville-New Harmony Rd. (Culvert Replacement)	
County Engineer/John Stoll .....	9
Culverts on Boonville-New Harmony Rd. Metro Center Subdivision Mt. Ashley Subdivision Agreement re County Line Rd. West Relocation of Engineering Office to Old Court House	
Consent Agenda (App'd.) .....	12
Old Business (None) .....	12
New Business .....	12
Kolb Ditch/Cleaning of Pipes on Glenmoor, Bonnieview, Ridgeway & Pollack to be accomplished by County Bridge Crew w/Equipment being obtained from the City)	
Emergency Drainage Board Meeting (7/6/93)	
Meeting Adjourned @ 6:45 p.m. ....	13

MINUTES  
COUNTY COMMISSION MEETING  
JULY 6, 1993

The Vanderburgh County Board of Commissioners met in session at 5:40 p.m. on Tuesday, July 6, 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 (Michel, Abell, Kissinger, Tuley, himself, Hunter, Humphrey and Matthews) and asked the group to stand for the Pledge of Allegiance.

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

RE: PETITION TO VACATE/CRANE ADDITION

Attorney Les Shively was recognized and stated he represents the petitioner on this request. This is located at the farthest southern end of Grove Street as you come off Allen's Lane not too far from where the Evansville Water & Sewer Utility has a facility. This is an industrial area as you come off Grove Street and all the way to the south end is the area they are trying to vacate. This area is shown on the plat as Unnamed Street, which shows you how much use it has been given since it was platted many ions ago. It has never been paved; nothing has ever been utilized on it. To the best of their knowledge it would not have any effect on the growth or development of the neighborhood. It would not make access to anybody's property difficult or inconvenient. It is not presently used for access to a church or school or other public building -- and the vacation would not hinder the use of any public ways in the area or the neighborhood. Those are the four criteria which you look at. He would also note the purpose of this vacation is to allow the property to be vacated. It will then revert, along with some other property the owner of E.T.A. Services is purchasing, to being a part of E.T.A. Services' facilities, a small business that repairs commercial trucks. This business has done quite well and this street vacation and the acquisition of the adjacent property, he believes from the Crowe Salvage people, will allow this business to expand at its present location. Mr. Baker, the owner of E.T.A. Services, is here this evening to answer any questions. He will be operating the business on this property and will be more than happy to answer any questions the Commissioners may have at this time. Incidentally, while south of Grove may not have meant anything to the Commissioners, this would be almost as far south as you could go without running into the right-of-way for Diamond Avenue or S.R. 66.

Commissioner Borries asked if this is underneath the bridge.

Mr. Shively said there is a bridge you go underneath, but it is not underneath the S.R. 66 bridge -- it is beyond that bridge where you go underneath, which he thinks is about a good 1/2 mile or 3/4 mile north of this particular point.

Mr. Borries asked if part of this property abuts on a railroad? Is that right?

Mr. Shively responded affirmatively.

Mr. Borries continued, "And then the other part to the bottom of the page -- what is the use for the property of Carl L. and Walter S. Crowe?"

Mr. Shively responded that is Crowe Salvage operations. If you will look where those Kinder trucks are, that is Mr. Baker's property. The last Kinder truck is sitting approximately in the area we are seeking to vacate. Where those gates are on the Crowe property will just identify -- and that's been used for Crowe Salvage operation for a number of years.

In continuing, Attorney Shively said he will note that most of that area is mixed. There are some residences, but in that particular nub -- that southern nub -- you have really high commercial-industrial use, such as Mr. Baker's business and Crowe Salvaging & Wrecking.

Commissioner Borries said that, for the record, let it show that all of the ten (10) green cards (certified notices) mailed to property owners have been returned and are in the file. Mr. Borries said that Joanne Matthews, the legal secretary and official recording secretary, says that no letters from the utility companies have been brought to her for inclusion with the petition.

Attorney Shively said he does not have any letters from the utilities, but he would note this -- they are not affected. Any utilities that are in place since they've changed the statute on vacation, the utilities in place -- their rights are not affected by the action taken by the Board of Commissioners. He has not received any letters from them, but they are not affected.

Commissioner Borries asked if they were notified.

Attorney Shively responded, "Yes sir, as far as I know."

Commissioner Borries asked Attorney Kissinger what he thinks with regard to that.

Attorney Kissinger asked if there are any utility usages affected here at all.

Attorney Shively said their records did not indicate that there were any affected. But the law now states we don't run into this problem. Any utilities in place are not affected by any vacation. So if there are any utilities in place their rights are not affected. But he's not aware of any in this area. As an additional follow-up, he is more than happy to make a direct inquiry to them -- but they certainly did not see any in the chain of title in the records.

Attorney Kissinger said he doesn't see any problem with the Board proceeding then.

Attorney Shively said, "But we'd be more than happy to cooperate. As I say, the law has now protected them; they have a pretty strong lobby and that General Assembly basically prevents anything you do from affecting their rights -- whether or not they are notified."

Attorney Kissinger said, "Correct."

Commissioner Borries said for the record, Ms. Matthews indicates that, upon request, a copy of the Petition for Vacation was faxed to the CSX Railroad and a copy provided to SIGECO. He then entertained questions of Mr. Shively. There being none, Mr. Borries asked if there are remonstrators at this time -- either for or against the petition to vacate. There being none, a motion was entertained.

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

Mr. Borries then asked for a roll call vote: Commissioner Hunter, yes; Commissioner Tuley, yes; and Commissioner Borries, yes.

Petition approved by unanimous roll call vote.

Attorney Shively said he wants to thank Joanne Matthews for getting their legal advertising out and calling their office today to remind them of the hearing.

RE: PETITION TO VACATE

Mr. Andy Easley was recognized and stated he represents the petitioners, Nancy Sue Barnett and Rosie Ann Neale, who live adjacent to this unnamed street in an old subdivision on the west side. Frey Rd. runs north off of Broadway and is east of Schutte Rd. The street has never been paved; never been used as a street, and is undeveloped and unimproved. Mr. Easley said he does have some photographs if anyone is interested. It does have a SIGECO power line that runs north and south behind their house and SIGECO wants to retain an easement over it. However, Indiana Bell has already indicated they have no problem with it being vacated; they have no facilities there. He has yet to hear from the City utilities and Cable T-V. He is here today to ask the Commission to set a hearing date.

The Commissioners continued by viewing the photographs submitted by Mr. Easley.

Mr. Borries asked if Mr. Robert Snyder, the adjoining property owner, will be notified.

Mr. Easley said they will all be notified.

Mr. Borries asked about Pauline Burgdorf?

Mr. Easley again noted all the adjoining property owners will be notified as to the petition and hearing date.

Mr. Easley asked how about Area Plan?

Mr. Easley said they already know about it.

Commissioner Borries entertained questions of the Board. There being none, he said Joanne Matthews has indicated that to meet the notification and advertising requirements and allow Area Plan and the County Engineer sufficient time to review the petition, that 5:30 p.m. on Monday, July 26th, would be an appropriate time for the hearing. He then asked Mr. Easley if this is agreeable.

Mr. Easley responded affirmatively.

Commissioner Borries entertained a motion.

Motion made by Commissioner Tuley and seconded by Commissioner Hunter to set the hearing in Room 307 at 5:30 p.m. on Monday, July 26th. So ordered.

RE: THOROUGHFARE PLAN ORDINANCE/SECOND READING

Commissioner Borries said this Ordinance is before them today for approval on Second Reading. The Final Reading/Third Reading will be on July 12th at 5:30 p.m.

Motion made by Commissioner Tuley and seconded by Commissioner Hunter to approve the ordinance on Second Reading. So ordered.

RE: RESOLUTION ON PROPOSED CUMULATIVE CAPITAL IMPROVEMENT FUND

It was noted by President Borries that this was advertised on June 22, 1993 and July 1, 1993 and is scheduled for hearing today. He then asked if there is anyone present who wishes to speak to this matter. There being no response, a motion was entertained.

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

Commissioner Borries asked for a roll call vote: Commissioner Hunter, yes; Commissioner Tuley, yes; and Commissioner Borries, yes. Resolution was approved by unanimous roll call vote.

RE: SALE OF SURPLUS PROPERTY

Mr. Leon Walker of 801 E. Virginia Street was recognized. He stated he is here today to make a request to purchase a vacant lot at 419 N. Evans. He has those papers here.

Commissioner Borries asked Mr. Walker to bring the papers forward. Mr. Borries said the documents are from the Vanderburgh County Auditor, dated June 29, 1993, as follows:

"Regarding 419 Evans Avenue there is a Tax Code: 11-3-20-24-100-4. Owner is the Board of Commissioners. This is to verify this real estate is owned by the Vanderburgh County Board of Commissioners as a result of the taxes being removed at the time of the County taking possession. There are no taxes currently due and payable. There was a total of \$958.34 due before the County took ownership."

Commissioner Borries said this has probably been on the tax rolls before, so if he makes an offer to purchase the property, then the Board could award him the property at that time.

Auditor Humphrey confirmed this is correct.

Commissioner Borries asked if Mr. Walker has a price in mind.

Mr. Walker said he does not.

Mr. Borries asked that Mr. Walker give the Board a price.

Mr. Walker stated, "Three Hundred (\$300.00)."

Motion to accept the \$300.00 offer was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Auditor Humphrey said the County just got this at 4:30 p.m. this afternoon. Right now we have 837 properties going up on tax sale. The total of the delinquent taxes equals \$1,453,252.70. That is what it is right now.

Commissioner Borries requested the record show that Mr. Leon Walker has purchased the aforementioned property for the sum of \$300.00.

Auditor Humphrey stated that Mr. Walker will need to pay that to Daviette Redmond, County Auditor's Office, Room 208. He then thanked Mr. Walker for coming to tonight's meeting.

RE: WILLARD LIBRARY/REQUEST TO USE OLD SHELVING

President Borries said he has a letter from Willard Library requesting to use the old shelving, which is being replaced in the County storage room in the basement of the City-County building for storage of local government archives. Willard Library would also request permission to use other items from County surplus to supply needs in the County Archives Annex.

Commissioners Hunter and Tuley indicated they have no problems with this -- it seems to be a good use.

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

RE: NACO ACHIEVEMENT AWARD/NON-VIOLENT FELONY CORRECTIONS

President Borries said we've always been proud we win various citations, because all too often the public hears about those problems and there is sometimes a negative anti-government mood around. He will read the letter he received last week from the National Association of Counties:

"We're pleased to inform you that your County has been selected to receive a 1993 NACO Achievement Award for the following entry:

Non-Violent Felony Corrections

Commissioner Borries said that basically this has to do with our Circuit Court -- the Corrections Facilities they use to lower our county's jail population -- incarcerated population. The letter goes on to say,

"We found that your County's program successfully addressed a significant concern in your county and we are pleased to commend you for the efforts. I hope you will join us in our National Conference and we congratulate you and thank you for participating in that."

Mr. Borries said the proposal was submitted by Mr. Harris Howerton through the Vanderburgh County Circuit Court and we are pleased to get the recognition for this award. He will not be attending the conference; he doesn't know whether any of the Commissioners will-- but we certainly need to recognize this award, which we have done in this public meeting. Maybe Mr. Howerton or someone from the Court could be there to receive the award.

RE: VC-2-93/SCHROEDER REZONING/MESKER PARK DRIVE

Commissioner Borries asked that Mr. Mark Abell comment on this matter.

Mr. Abell said this is a matter he wasn't sure whether or not we really needed to bring up -- but at the advice of Barbara Cunningham of the Area Plan Commission -- she felt it should be mentioned that Schroeder's had withdrawn from our rezoning meeting last month and therefore, in her opinion, that constituted the issue being more or less done with. He just thought this was something we should be mention in a meeting.

Mr. Borries said he acknowledges that Mr. Abell did so.

Mr. Borries said what Mrs. Cunningham is referring to, within the APC Code 153.160, which indicates that if no vote is taken within ninety (90) days after the Area Plan Commission's recommendation, the action of the Commission is final. It goes on to talk a bit about the time limits involved and the County Commission or from hearing a petition for an amendment of a property any part, it could be resubmitted after twelve months after the date of denial or withdraw by the Commissioner or Petitioner. An exception could be made to this by a unanimous vote of the Vanderburgh County Commission. He has not heard anything directly from the Petitioners regarding this matter at this time -- so ....

Attorney Kissinger said, "If I may -- I have talked with Mike Schopmeyer, the attorney representing the petitioners. Mr. Schopmeyer asked that the Commissioners not take any action on this last week. He wanted an opportunity to discuss this with the Director of the Area Plan Commission (Mrs. Cunningham)." He told him that he would advise the Commissioners that if they saw fit they would withhold any action on it until this week. He has not heard anything further from Mr. Schopmeyer nor Mrs. Cunningham. He thinks it is still her position, appropriately under the law, that this issue is now closed and that the petition is no longer valid.

He thinks the procedure the petitioner has to follow now is to follow the appropriate time limit for refiling the petition -- if they choose to do so.

President Borries said the Board's action at this point would be to acknowledge then that this issue is dead.

Attorney Kissinger said, "That is correct. Basically, it is the same as the petition being denied -- although they cannot appeal because of their inaction."

Commissioner Borries asked that the record show that the petition at this point, as far as the Commissioners are concerned, is withdrawn.

RE: COUNTY ATTORNEY - ALAN KISSINGER

Attorney Kissinger said he has nothing further to report. He does know that he was asked earlier by a member of the media about the Poor Relief Appeals and any action the Commissioners may take on that. He would defer to the Commissioners as to any further comment on that.

Commissioner Borries said he does have -- and wishes the Commissioners would agree here to have -- Mr. Kissinger draft a formal Ordinance. We've talked about this as the result of another poor relief hearing heard last week. He thinks the matter was again brought to their attention. It was brought to our attention in a rather sensational way earlier this year. As so often happens in the press of daily business and the issues that seem to shift from day to day, the Board has not really taken official action to change this. His opinion has been that because of the rather sensitive, confidential nature, oftentimes little ears and eyes that could be sitting in the audience and watching what is going on by a parent -- that this matter needed some changing. It would be his recommendation to this Board to set up a process where a member of the County Attorney's staff would act as a Hearing Officer and that the questions, dialogue and discussion be held in private and that a recommendation be sent back to this Board as a result of this matter being heard and that this Commission would take official action in a public meeting. Either, first of all, to sustain or agree with the what the Trustee has done (if he/she has followed her guidelines) or overrule that particular decision. What it does is simply create another step to insure perhaps the confidentiality and perhaps a more humane, compassionate way of looking at people who are, frankly, in pretty dire need and, he does not think, would want to come before this Board if they did not have and feel a compelling need to do so. He then entertained a motion.

Motion was made by Commissioner Tuley and seconded by Commissioner Hunter that the Attorney proceed within the aforementioned guidelines. So ordered.

Attorney Kissinger said he has nothing further to report.

RE: LOCAL OPTION INCOME TAX, ETC.

Commissioner Borries said he knows the Board has asked Attorney Kissinger to research this and he thinks this would be the proper time to discuss this. There has been some discussion today about lawsuits and, frankly, he gets so sick of hearing about lawsuits that his English might get a little salty from time to time. "One of the things that has happened to this County and, of course, the City, in this last legislative session was some enabling legislation that would have permitted the County to impose a Local Option Income Tax as well as a County Economic Development Income Tax up to 1.25%. This was going to be used entirely for a Defense Project Fund should Vanderburgh County and the City of Evansville

receive that. We have asked the County Attorney to research this. What his opinion is today is that we are not required -- this County is not required -- to impose this tax if, as he has pointed out, it reads this way. And the key word is the word 'permits'. It 'permits' Vanderburgh County to increase the combined rate of its County Option Income Tax and County Economic Development Income Tax to 1.2% and another key word is this little word 'if' the increase is necessary to finance a government building to be subleased to the Federal Government. I don't know and I don't think this Board knows that there is no necessity at this point of any government building in the immediate future being financed here. It would be my opinion then that we would authorize the -- I guess the County Auditor -- to take some action here today -- I think the County Council needs to be aware of this same opinion and maybe take some action tomorrow. At this point, just to simply say we are not going to collect the tax. There is no need for it. And that is your opinion."

Attorney Kissinger commented, "We are certainly within the law if we choose not to impose the tax. Then obviously it would not be collected. Also, as you will note, the legislation also enables the County to issue bonds for the purpose of financing certain parts of this project for this government building, etc. But it certainly does not require us to do so. And I think if it is the decision of the Commissioners that we should not do this, then I think the Commissioners certainly have the right to make that decision."

Commissioner Hunter said he has one question. "The tax remains on the books and if DFAS should become a reality, then we still have it there and we can collect it later?"

Attorney Kissinger responded, "The potential of enacting or imposing this tax, I think, remains with us. But we are not required in the absence of other things happening to impose this tax even, as a matter of fact, if the government building that is discussed in the legislation did exist. That merely allows us to use that method for financing -- it does not require us to do so."

Commissioner Hunter said, "So it is just one other option for financing?"

Attorney Kissinger replied, "Correct. Which, apparently when the legislation was drafted and passed, was considered to be a necessity. Presently, there obviously is some question about that."

Commissioner Borries continued, "I think the key word, as Alan points out -- and as County Attorneys have always pointed out to me -- is that sometimes the key words as you read through this rhetoric and sometimes vast language in these bills -- the key word is sometimes 'shall' -- imposed by the state. And counties are creatures of the State -- and when the word 'shall' gets in there, you have to do it. But if you use the word 'may' -- or in this case it's kind of softly written 'permits' -- it seems it implies here that there is a choice to be made."

Attorney Kissinger commented, "Correct."

Mr. Borries continued, "And that choice is at this point that it is the feeling of this Board that we need to probably go on record saying that we choose not to collect this tax or say that it should be imposed at this time."

Attorney Kissinger said, "Yes. I think obviously the County Council will have their role in this, as well. But as far as the Commissioners are concerned, our role -- if we choose not to exercise our role as this legislation allows us is basically, I think, the appropriate statement to make."

Commissioner Hunter said he would think the residents of Vanderburgh County wouldn't be too upset at our not collecting.

Auditor Humphrey noted, "The Council, I believe, and correct me if I am wrong -- would have to act on this."

Mr. Borries said, "Oh, no question; I mean, they are the County Fiscal Body. But, as the Legislative Body, we can say right here and now that it would be from the legislative standpoint, as well as the Executive, that we don't want to collect it."

Commissioner Tuley asked, "What effect will this have on the City, since they are the major population base?"

Mr. Borries said they will be meeting in a little while and maybe the Commissioners should go over and share their opinion with them -- to tell them that upon the advice of their County Attorney this Board feels we are not required to impose this tax.

Attorney Kissinger again said, "Correct."

Mr. Humphrey said, "If they go along with it, it's dead."

It was subsequently noted that City Council is not meeting tonight.

In continuing Mr. Borries asked Mr. Kissinger, "Alan, at this point then we simply need to take no action -- to say at this point it is the opinion of this Board that we are not required to impose this tax? I'll make this -- in terms of Alan's marked up copy and research -- a part of the official record."

Auditor Humphrey asked, "Would it be proper to suggest that somebody appear tomorrow and inform the County Council?"

Mr. Borries said, "I plan on being there anyway -- for my monthly appearance or abuse, or whatever they want to call it. I'll be there."

RE: TELEPHONE CONVERSIONS

President Borries noted that Mark Abell has been looking at the telephone conversions and we feel that is moving forward in timely fashion and within the next few weeks we probably can report some additional progress on that.

Mr. Abell said the target date is really the end of July to get some firm answers from our counterparts on the City side.

RE: COUNTY HIGHWAY

Weekly Work Report: Mr. Morpew submitted his written Weekly Report for period June 25, 1993 thru July 2, 1993 .....report received and filed.

Mowing: In response to query from Commissioner Tuley, Mr. Morpew said they operated everything they had in running order with regard to mowing.

Agreement re County Line West Rd.: Mr. Morpew said he had a letter given to him by John Stall with regard to the agreement on County Line West Rd. It does concern the road width. Since John Stoll is the individual handling the negotiations, he will let John discuss this under this agenda of items.

Boonville-New Harmony Rd. (Between Old Petersburg Rd. & Hwy. 57): Mr. Hunter asked if this road closing is the County Highway's project or someone else's?

Mr. Morpew said that is the County Engineer's office. They are

replacing a box culvert and paving the road. That is a contract paving project. It is approximately 400 ft. from Seib Rd.

Mr. Hunter said he went out and looked at it, but wasn't sure it was ours. He has no problems with it. He'd had a couple of inquiries as a result of the road being closed for several days.

Mr. Morphew said that box culvert was in very bad shape.

RE: COUNTY ENGINEER - JOHN STOLL

Mr. Stoll said that box culvert has taken a while because we had a problem getting it from the manufacturer.

Mr. Hunter said he had an inquiry. Somebody thought it was a part of the sewer system going into Daylight -- that it wasn't one of our projects. If it's ours, that is fine.

Mr. Stoll said he has no idea what the status of that proposed sewer is as of yet. He hasn't gotten word as to when they are going to go with that. The current work is our project and, hopefully, the culvert will be installed by the end of this week or early next week.

Metro Center Subdivision: Mr. Stoll said the only item he has this evening concerning a memo from Barbara Cunningham re the Metro Center Subdivision. As a condition of their zoning, it says that at such time as the County Commissioners undertake or cause to be undertaken the extension of Virginia Street the Petitioner or his Assignee will dedicate and donate the right-of-way and will construct a roadway there. A condition of the zoning was that they build that road upon formal request by the Board of Commissioners. Since there is a group right now in the process of trying to get that road for the 600 missing feet completed, he is requesting official action be taken by the Commissioners to request that the developers go ahead and construct Virginia Street through the Metro Center development.

Motion made by Commissioner Hunter, with a second from Commissioner Tuley that the Metro Center participant be informed that the County Commissioners are ready for their 600 ft. to be paved at the earliest possible date. So ordered.

Commissioner Tuley asked, "As early as possible -- is there any way to..."

Mr. Hunter said, "Yes, let's clean that up a bit."

Mr. Stoll said there have been on going meetings.

Mr. Hunter asked "So when we talk about Virginia Street we are talking about from Green River Road to Burkhardt Road?"

Mr. Stoll said there are several different parties building different sections.

Mr. Hunter asked, "No 4-wheel drive vehicles needed to get through or anything?"

Mr. Stoll said, "No."

Mr. Tuley asked, "John, you say you've been to several meetings with the Metro Center people?"

Mr. Stoll replied, "Right. There have been meetings trying to resolve them getting the sewer through their property and getting power to a lift station and things along that line."

Mr. Hunter asked, "Does it look like that is all going to work

out?"

Mr. Stoll said it sounds like it so far.

Mr. Tuley asked, "As soon as possible will be pretty soon then?"

Mr. Stoll replied, "Right."

Commissioner Borries noted he has met with SIGECO officials, a group (along with Mark Abell) -- kind of a technical committee working on this project, to include members of all the properties involved, as well as utility people involved and he thinks things are going just on schedule at this point. There is still a lot of technical information -- such as where power lines are going to go, where the lift station has to be located and those kinds of things -- but they are working through it. It is progressing and, at this point, he looks for things to go smoothly. We still have one legal matter pending in terms of a property acquisition. The individual involved in this particular legal proceeding doesn't appear to be cooperative. We've made repeated attempts to talk with this individual and allow them their legal rights to understand what is happening. There will be, obviously, no condemnation of any property or taking of any property without full market value being paid. But, nonetheless, that is a time consuming process and that is an on going process.

Mr. Stoll said the County will install the culvert across the ditch and once these three things all happen with Metro, the right-of-way acquisition near the K-Mart then, Virginia will go all the way through.

Mr. Hunter asked, "So we can feel comfortable that when Super-K is completed that Virginia Street will also be completed? Is that the target?"

Mr. Stoll said, "I hope so; but I haven't heard a specific time table for the Metro people. However, they are wanting to move as quickly as possible.

Mr. Abell asked, "With the many people who are involved in the road, itself, will the road actually be all concrete -- or part concrete and part asphalt -- or is there any way to tie this together in a uniform fashion?"

Mr. Hunter said he thinks it will be all concrete -- that is the way Vogel Rd. is being done.

Mr. Borries said Mr. Abell has a point.

Mr. Borries said Keith Poff from Morley & Associates was just here. Bernardin-Lochmueller designed the road but....

Mr. Stoll interjected, "Well right now, Virginia Street behind the Wal-Mart is asphalt. I'll have to check on that and report back."

Mr. Borries said he thinks it ought to be consistent -- one way or the other. He said that probably no one travels Hwy. 164 like he does and he knows why they apparently they put asphalt in there -- because there could be some settling, since it was going over an old landfill. But there is one little dip in there where if you're cruising along and all of a sudden you go over that dip -- you wonder what the heck it was. Had they put concrete in there, he guesses it would have cracked. Perhaps someone should pass this info along to them. For cars that don't have fairly good shocks -- they could bottom out on that dip -- no question about it.

Mt. Ashley Subdivision: Mr. Hunter queried Mr. Stoll concerning the installation of the blister in Mt. Ashley Sub.

Mr. Stoll said he has been on vacation, so he hasn't heard anything.

Mr. Hunter said he must admit they did a good job on their erosion control out there. They have implemented it. He met with Darryl Rice last week and it is good.

Agreement re County Line Rd. West: Mr. Stoll said the Posey County Commissioners, he guesses, were concerned about the 18 ft. width proposed for the paving. They would like to see 22 ft. He will meet with Steve Hahn and discuss this with Bill Morphey and see what is feasible out there. We will go with the maximum possible -- but as it stands now, he doesn't know whether the 18 ft. can be widened to 22 ft. It kind of sounds unlikely, as Bill said the right-of-way is only 33 ft. out there.

Mr. Hunter asked if the section we paved last year that was all in Vanderburgh County -- wasn't it 18 ft. wide.

Mr. Borries said it promises not to be a heavily traveled road. Sometimes the problem gets to be that the people who do travel it, unfortunately, they sometimes hate our garage department while they are paving. After they finish with the road everybody is real satisfied and there are a lot of smiles. We know there will be some smiles when this is done and this will help with dust control. We're also bound by some pretty tight budgets here. Maybe Posey County would want to kick in with a little more to help out. We're doing this. From a technical standpoint, he thinks it's a matter of negotiating it out with them. He's not sure what our budgets are, but he doesn't feel we need to stretch them.

Mr. Tuley said, "If they're insistent on it, we may have to negotiate and ask them to kick in for the extra width."

Mr. Hunter asked, "What if we asked EUTS to do a quick survey or traffic flow out there?"

There was brief discussion as to whether or not EUTS could do this. Mr. Stoll said they could probably do this on sections totally within Vanderburgh County.

Mr. Morphey said that right now he is trying to fund money for two projects and it is going to be very difficult to add any extended amount to the cost of that project. He believes Cypress-Dale Rd. will get a large chunk of whatever money he does have. An 18 ft. wide pavement on the flat stretch of County Line West would give them two 9 ft. lanes and approximately a 4 ft. shoulder on each side of the road before you get to the ditch. At some point in the future when there are more houses on the road and more traffic, maybe the road could be widened.

Mr. Borries said he knows there are some concerns and asked that Messrs. Stoll and Morphey continue to communicate with Posey County and also make them aware of our problems. He knows there are people anxiously awaiting this project and certainly it will help Posey County, as well -- but we are all limited as to what we can do.

Engineering Office Relocation to Old Court House: Mr. Stoll advised that the County Engineer's office will be relocating in the Old Court House next Monday and Tuesday, with the help of Bill Morphey's crews.

Mr. Borries said he has talked with the Coliseum officials (John Bradford), concerning parking spaces, etc. He will talk with Mark Acker, as well.

Mr. Stoll said he might add that Valerie Harry and Karen Hadfield

deserve most of the credit for getting them to the Coliseum as soon as it's happening -- because they were the ones who kept coordinating the work to keep the contractors going to make sure it got done.

Mr. Borries said he is anxious to see the new location. He knows the Engineering staff will be like the windows.

Mr. Stoll said they will like the window air conditioners.

Mr. Borries said he has done his best on that. Maybe in the future. He thinks the Board took some action today that will help insure more orderly planning in the future. They'll see how it goes.

RE: CONSENT AGENDA

President Borries entertained questions concerning the printed Consent Agenda. There being none a motion was entertained.

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

RE: OLD BUSINESS

Commissioner Borries entertained matters of Old Business to come before the Board. There was none.

RE: NEW BUSINESS

Kolb Ditch: County Surveyor Robert Brenner said there is an Emergency Drainage Board Meeting tonight to speak to Kolb Ditch. There is a portion of it -- there are four streets that have culverts under them that fall to the Commissioners. These pipes are silted in up to two feet -- full of dirt. To effectively drain the area they are going to have to clean the pipe on Glenmoor, Bonnieview, Ridgeway and Pollack. He got an estimate from Blankenberger and it was like \$8,000 to clean these out. The Bridge Crew used to do this type of cleaning. The Sewer Department and the Board of Public Works have a machine that it would be possible to borrow. It vacuums and puts high pressure in one side -- but there should be a way to do it in house. It's really a bridge item. He thought we could do it, but he's starting to run out of funds. The people on the ditch would have to pay for it. It is becoming more extensive than we'd planned.

Mr. Borries asked if the Commissioners want to ask the Bridge Crew to proceed with this project.

Mr. Hunter said if we're short of funds we don't have a lot of choice. Can we rent this piece of equipment from the City?

Mr. Brenner said he has had very good luck in borrowing just about anything -- write them a letter -- and they will even send a crew out to work it. And there are things we end up giving them -- so it's reciprocal. It works real good.

Mr. Hunter said -- but we need to have our bridge crew working with them?

Mr. Brenner responded affirmatively.

Mr. Borries asked if Mr. Morphew will let Cletus Muensterman know where to get the equipment to clean out the pipes that are silted in.

Mr. Morphew noted he built a trailer with a water tank on it and a sprayer with two thousand pound pressure. They can generally force

a restriction out.

Mr. Brenner said they want to coordinate it when they let a contract to dredge the ditch -- that's the time to do it.

Mr. Borries asked that Mr. Morpew let Cletus Muensterman know that the Board directed them to do this work at these four sites.

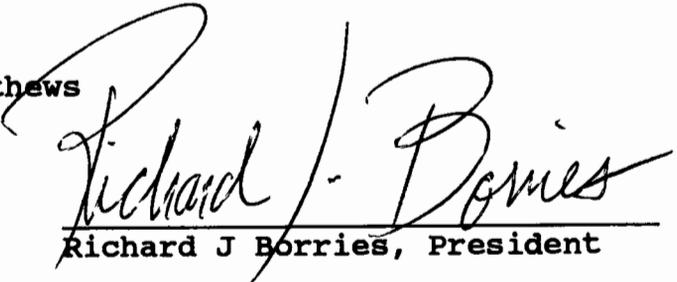
Emergency Drainage Board Meeting: President Borries noted there will be an Emergency Drainage Board Meeting concerning Kolb Ditch immediately subsequent to a five minute recess following the Commission Meeting. It has been properly advertised.

There being no further business to come before the Board, President Borries declared the Commission Meeting adjourned at 6:45 p.m.

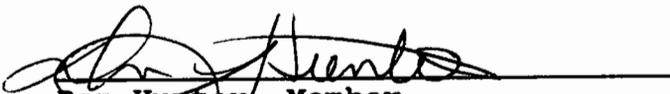
PRESENT:

Richard J. Borries, President  
Patrick Tuley, Vice President  
Don Hunter, Member  
Sam Humphrey, County Auditor  
Alan M. Kissinger, County Attorney  
John Stoll, County Engineer  
Robert Brenner, County Surveyor  
Dan Hartman/Surveyor's Office  
Mark Abell/Supt. County Bldgs.  
Leon Walker  
Rosie Neale  
Nancy Barnett  
Andy Easley  
Petro Schutzius  
Keith Poff/Morley & Associates  
Bill Morpew/County Highway  
Bill Kattmann/Developer  
Rebecca Freimiller  
Michael Turi  
Others (Unidentified)  
News Media

SECRETARY: Joanne A. Matthews

  
Richard J Borries, President

Patrick Tuley, Vice President

  
Don Hunter, Member



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

**AGENDA**

**VANDERBURGH COUNTY COMMISSIONERS**

**JULY 6, 1993**

**5:30 P.M.**

**FINAL**

1. CALL TO ORDER
2. INTRODUCTIONS
3. PLEDGE OF ALLEGIANCE
4. ACTION ITEMS
  - A. Any group/individual wishing to address the commission
  - B. 1) Street Vacation/Crane Addition  
re: Public Hearing  
\*Les Shively
  - 2) Street Vacation/1400 Frey Road  
re: request of hearing date to be scheduled  
\*Andy Easley will represent petitioners
  - C. Thoroughfare Plan Ordinance  
re: Second Reading
  - D. Resolution/Proposed Cumulative Capital Development Fund  
re: Public Hearing
  - E. Leon Walker/Citizen  
re: Purchase of Surplus Property
  - F. Lyn Martin/Willard Library  
re: letter requesting permission to use old shelving from county  
storage room

- G. National Association of Counties Letter  
re: Non-Violent Felony Corrections Award
- H. Schroeder Rezoning  
re: Mark Abell will discuss

5. DEPARTMENT HEADS

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

6. CONSENT ITEMS

- A. Travel/Education Requests  
County Assessor (2)            German Township Assessor (3)
- B. Claims for payment:  
1) Kahn Dees Donovan and Kahn.....353.61
- C. Council Call/Auditorium  
\*transfer of funds
- D. Letter from Janice Bentle/Vanderburgh Auditorium resignation
- E. Commissioner Minutes for 6/28/93  
\*acceptance/approval
- F. Employment Changes:

8. OLD BUSINESS

9. NEW BUSINESS

10. MEETING ADJOURNED

**Scheduled Meetings**

Tues July 6 County Commissioners:  
Department Head Meeting 4:00 PM RM 303  
Executive Session 4:30 PM RM 307  
County Commissioners 5:30 PM RM 307

**Special Drainage Board Meeting Immediately Following**

Wed July 7 Council 3:30 PM RM 301

Mon July 12 Solid Waste 4:30 PM RM 307  
County Commissioners 5:30 PM RM 307

Mon July 19 County Commissioners:  
Executive Session 4:30 PM RM 307  
County Commissioners 5:30 PM RM 307  
Rezoning 7:00 PM RM 307

Tues July 20 Insurance Committee Meeting 9:00 AM RM 303

Thurs July 22 Employee Steering Committee 9:00 AM RM 303

**SUNDAY JULY 25 COUNTY PICNIC AT BURDETTE PARK IN THE PAVILION**  
1 P.M. until 5 P.M.

Mon July 26 County Commissioners:  
Executive Session 4:30 PM RM 307  
County Commissioners 5:30 PM RM 307  
Drainage Board Immediately Following

Wed July 28 County Council  
Personnel/Finance 3:30 PM RM 301

# COUNTY ENGINEER'S

## CONSENT AGENDA

JUNE 28, 1993

1. CLAIMS:

GREEN RIVER ROAD NORTH	216-4910	
D. L. Savage Engineering (Interprop)		\$1,924.00
Mitchell Appraisals (Interprop)		\$ 937.19
Colonial Gardens (Interprop)		\$ 100.00
Vanderburgh Superior Court (Koch CP-1859)		\$3,200.00
LYNCH ROAD EXTENSION	216-4827	
Bernardin Lochmueller (Inv. #90-038-1(17))		\$22,948.25
BUILDING & GROUNDS (OLD COURTHOUSE)	203-3550	
Painting by Greg Lane (Inv. #1)		\$ 5,030.00
COLUMBIA/DELAWARE BRIDGE #1C	203-4353	
United Consulting Engineers (Inv. #8)		\$19,409.11
ORCHARD ROAD BRIDGE #158	203-4387	
Indiana Dept. of Trans. (Inv. WX9300584)		\$ 4,000.00
OAK HILL ROAD BRIDGE #117	203-4394	
Floyd E. Burroughs & Assoc. (Inv. #3)		\$11,112.00
USI INTERCHANGE 430 BOND		
Bernardin Lochmueller (Inv. #93-003-2(1))		\$14,007.62

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Auditor *sl*

## APPOINTMENTS MADE

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
XXXXXXXXXXXXXXXXXXXX		XXXXXXXXXXXXXXXXXXXX		

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
102-1420 Michele Barnett		Bookkeeper	8.9717 hr	6/21/93 ✓
Maternity leave.	Would like County to pay their portion of insurance			

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Cindy Mayo* DATE 7/1/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Vanderburgh County Assessor/Board of Review *sl*

## APPOINTMENTS MADE

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2-911090 Angela Meyers	3715 E. Mulberry St.	Bd of Rev. Sec.	Per hour 5 00	6-29-30

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *James L Angermeyer* DATE 6-29-30

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Vanderburgh County Assessor/Board of Review *rs*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
<del>10001030</del>	Donald Partridge	6201 Newburgh Road	Board of Rev.	Per diem 35 00	6-24-93
<del>10001030</del>	Jerome Richev	3010 W. Michizan	Board of Rev.	Per diem 35 00	6-24-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *James L. Angermiller* DATE 6-28-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT *rs*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136.1-1990	RACHEL MAASBERG		EXTRA HELP	\$7.00 HR	6-13-93 ✓
136.1-1990	BETTY A. FLEGER		CORRECTION OFFICER PART-TIME	\$7.00 HR	6-13-93 ✓
136.1-1990	ELDON E. HANKINS		CORRECTION OFFICER PART-TIME	\$7.00 HR	6-13-93 ✓
136.1-1990	LANCE S. MILES		EXTRA HELP	\$7.00 HR	6-13-93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *[Signature]* JUDGE, CIRCUIT COURT

DATE 6/30/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136-1960	ROBERTA JORDAN		SPECIAL REPORTER	OTHER	6-13-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136.1-1990	DANNY R. HAPE, JR.		PART-TIME CORRECTION OFFICER	\$7.00 HR	6-13-93 ✓

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

JUDGE, CIRCUIT COURT

DATE

6/30/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.0136Y 1140	GARY CROW		MAINTENANCE SUPERVISOR	\$ 4066 HR 18,597 AN	6-27-93 ✓
136.1-1990	CLINT DENTON		PART-TIME CORRECTION OFFICER	7.00 HR	6-13-93 ✓
136.1-1990	MICHAEL GREENLEE		PART-TIME CORRECTION OFFICER	7.00 HR	6-13-93 ✓
136.1-1990	MINDY STURGEON		EXTRA HELP	7.00 HR	6-13-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.0136Y 1140	GARY CROW		MAINTENANCE SUPERVISOR	\$ 7318 HR 18,232 AN	6-26-93 ✓
136.1-1990	CLINT DENTON		PART-TIME CORRECTION OFFICER	5.00 HR	6-12-93 ✓
136.1-1990	MICHAEL GREENLEE		PART-TIME CORRECTION OFFICER	5.00 HR	6-12-93 ✓
136.1-1990	MINDY STURGEON		EXTRA HELP	5.00 HR	6-12-93 ✓

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

JUDGE, CIRCUIT COURT

DATE

6/30/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.0136Y 1170	WILLIAM MARTIN		COMMUNITY SERVICE OFFICER	11,007.00 / HL 22,984 AN	6-27-93 ✓
505.0136Y 1190	ROY WEIGHTMAN		COMMUNITY SERVICE OFFICER	11,007.00 / HL 22,984 AN	6-27-93 ✓
505.0136Y 1180	EDWARD MONTPETIT		COMMUNITY SERVICE OFFICER	11,007.00 / HL 22,984 AN	6-27-93 ✓
505.0136Y 1150	VERNER SOLOMON		SUPERVISOR TRAINEE	4,544.00 / HL 9,488 AN	6-27-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.0136Y 1170	WILLIAM MARTIN		COMMUNITY SERVICE OFFICER	10,791.00 / HL 22,533 AN	6-26-93 ✓
505.0136Y 1190	ROY WEIGHTMAN		COMMUNITY SERVICE OFFICER	10,791.00 / HL 22,533 AN	6-26-93 ✓
505.0136Y 1180	EDWARD MONTPETIT		COMMUNITY SERVICE OFFICER	10,791.00 / HL 22,533 AN	6-26-93 ✓
505.0136Y 1150	VERNER SOLOMON		SUPERVISOR TRAINEE	4,454.00 / HL 9,302 AN	6-26-93 ✓

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *[Signature]* DATE           
JUDGE, CIRCUIT COURT

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.0136Y 1160	STEPHEN FUCHS		DIRECTOR OF T.E.C.	12,665.00 / HL 26,454 AN	6-27-93 ✓
505.0136Y 1110	DEBORAH MOWBRAY		COUNSELOR	11,007.00 / HL 22,984 AN	6-27-93 ✓
505.0136Y 1130	NORMAN HOSKINSON		GUARD	8,696.30 / HL 18,158 AN	6-27-93 ✓
505.0136Y 1120	DAVID WILKINS		GUARD	8,696.30 / HL 18,158 AN	6-27-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.0136Y 1160	STEPHEN FUCHS		DIRECTOR OF T.E.C.	12,420.00 / HL 25,935 AN	6-26-93 ✓
505.0136Y 1110	DEBORAH MOWBRAY		COUNSELOR	10,791.00 / HL 22,533 AN	6-26-93 ✓
505.0136Y 1130	NORMAN HOSKINSON		GUARD	8,525.80 / HL 17,802 AN	6-26-93 ✓
505.0136Y 1120	DAVID WILKINS		GUARD	8,525.80 / HL 17,802 AN	6-26-93 ✓

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *[Signature]* DATE 6/30/93  
JUDGE, CIRCUIT COURT

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department PERRY TOWNSHIP ASSESSOR

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
140-1160	JACQUELINE L. PAGE	1700 S. TEKOPPEL AVE	OFFICE COORD.	9,354 00 9.00 / HR	JULY 6, 1993

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Amelia L. Jorretta* DATE 7-1-93

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department PERRY TOWNSHIP ASSESSOR

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1150-1140	SUSAN M. KEMPF	4445 SEIB ROAD	RL ESTATE TRANS DEED DP	14,889 00	JULY 6, 1993

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1150-1140	JACQUELINE L. PAGE	1700 S. TEKOPPEL	RL ESTATE TRANS DEED DP	16,361 00	JULY 6, 1993

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Amelia L. Jorretta* DATE 7-1-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CENTER TOWNSHIP ASSESSOR *sd*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
				HOUR		
3011101990	JOHN O. DIXON	5815 ASHBROOKE RD	FIELD DEPUTY REAL ESTATE	7	00	7-2-93
3011101990	WAYNE L. BESING	5115 BASSETT AVE	FIELD DEPUTY REAL ESTATE	7	00	7-2-93
3011101990	ROBERT S. FOERSTER	8503 N GREEN RIVER RD	FIELD DEPUTY REAL ESTATE	7	00	7-2-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Walter T. Stankis*

DATE 7-2-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CENTER TOWNSHIP ASSESSOR *sd*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
				HOUR		
9011101990	BRIAN WEATHERFORD	1722 BUCHANNAN RD	REAL ESTATE FIELD DEPUTY	7	00	7-2-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE	
101990	BRIAN WEATHERFORD	1722 BUCHANNAN RD	PART TIME REAL ESTATE	5	00	7-1-93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Walter T. Stankis*

DATE 7-2-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Knights Township

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
90-1130-1990	Alfred J. Inkenhaus	1411 Burdette Ave	Deputy	7.00 per hr	6/28/93
90-1130-1990	Joseph B. Gries	2109 Vogel Rd	Deputy	7.00 per hr	6/28/93
490-1130-1990	Nancy Flittner	757 Lombard	Deputy	7.00 per hr	6/28/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1130-1990	Alfred J. Inkenhaus	1411 Burdette Ave	Deputy	5.00 per hr	6/28/93
1130-1990	Joseph B. Gries	2109 Vogel Rd	Deputy	5.00 per hr	6/28/93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Shirley Rearden DATE 6/30/93  
*Chief Deputy  
Knights Twp*

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Knights Township Assessor

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
490-1130-1130	Eldon Hankins	8314 N. St. Joe Ave.	Coordinator	9,354.00	6 months 6/21/93 ✓
490-1130-1120	Eldon Hankins	8314 N. St. Joe Ave.	Coordinator	9,354.00	6 mo. 7/1/93 ✓
				18,708 -	
				8,957/144	

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
0-1130-1130	Eldon Hankins	8314 N. St. Joe Ave	Coordinator	9,354.00	6 mo. 6/30/93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Shirley Rearden DATE 6/2/93  
*Chief Deputy  
Knights Twp*

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Knights Township Assessor

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
490-1130-199	Timothy A. Hofmann	914 N. Alvord Blvd	Deputy	7.00	per hr 6/28 93
490-1130-199	Carolyn Sue Sandefur	1814 Dalehaven Dr	Deputy	7.00	per hr 6/28 93
490-1130-199	Conor M. O'Daniel	861 S. Alvord Blvd	Deputy	7.00	per hr 6/28 93
490-1130-199	Lloyd C. Crowe	26 Madison	Deputy	7.00	per hr 6/28 93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Shirley Rooden DATE 6/28/93  
Chief Deputy  
Knights Twp

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department PERRY TOWNSHIP ASSESSOR

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1401990	JASON LUDWIG	1347 MESKER PARK DR.	DATA ENTRY	7.00	JUNE 28, 1993
1401990	FRANK J. CARR SR.	3019 W. FRANKLIN ST.	DATA COLLECTOR	7.00	JUNE 28, 1993
11401990	KENNETH WENTZEL	<u>16 W. FICHEL</u>	DATA COLLECTOR	7.00	JUNE 28, 1993
11401990	KARI A. KOOB	805 HARMONY WAY	DATA ENTRY	7.00	JUNE 28, 1993

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
-1990	KARI A. KOOB	805 HARMONY WAY	PT TIME CLERK	5.00	JUNE 28, 1993

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Amelia L. Tometta DATE June 25, 1993

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department PERRY TOWNSHIP ASSESSOR

*ed*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1401170	HEATHER L. KELLO	APT. B 1501 GLENDALE AVE.	CLERICAL ASST	7 00	JUNE 25, 1993
1401990	CLARE M. ELLISON	2040 W. BASELINE RD	DATA COLLECTOR	7 00	JUNE 28, 1993
1401990	JOEL P. BUDKE	3901 WESTERN AVE	DATA COLLECTOR	7 00	JUNE 28, 1993
1401990	KENNETH G. LILLY	6849 LAURA COURT	DATA COLLECTOR	7 00	JUNE 28, 1993

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Amelia L. Fornetta* DATE *June 25, 1993*

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department

BURDETTE PARK

*pd*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	BRYAN SHERLOCK	307 S ROTHERWOOD AVE	GUARD	4 35	6/20/93
1180	KEITH SIMON	55 OAK MEADOW	GUARD	4 25	6/20/93
1180	JONATHAN KOCH	809 WALNUT	GUARD	4 35	6/20/93
1180	BERT SANDEFUR	430 WIND CIRCLE NORTH	GUARD	4 35	6/20/93
1180	MISTY LYNN	28 E LOUISIANA ST	GUARD	4 25	6/20/93
1180	VALORIE HIRSCH	5225 SOUTH STAR	GUARD	4 25	6/20/93
1180	TONY FEHRENBACHER	8656 BLAIRSVILLE RD	GUARD(slide)	4 25	6/16/93
1180	CARAUGHLYN COMBS	618 BUNNYMEADE	CONCESSION	4 25	6/16/93
1180	CATHERINE KENDALL	3382 BERGDOLT RD	GRND CREW	4 25	6/16/93
1180	JAMES MUNSSELL	4209 SPRING VALLEY RD	GRND CREW	4 25	6/16/93
1180	BRICE HEATECOTT	3512 KORING RD	GUARD(slide)	4 25	6/16/93
1180	GLORIA WILLIAMS	PO BOX 14062	BUS DRIVER	6 50	6/16/93
1180	MISSY MEUNSTERMAN		GUARD	4 60	5/27/93
1180	DANIEL GELANDEN		GUARD	4 40	6/30/93
<del>1180</del>	<del>AMBER BUCKER</del>		<del>CASHIER</del>	<del>4 30</del>	<del>6/30/93</del>
1180	JENNA MARTIN		CASHIER	4 50	6/30/93
1180	BEN MORAN		COUNSELOR	4 40	6/30/93
1180	DARWIN RAUSCH		CAMPGROUND	5 00	6/30/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Mark T. [Signature]* DATE *7-2-93*



# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department German Township Assessor #1120 *cl*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1120-1130	Jean Elsfelder	1625 Cass	Real Estate Deputy	\$15,607.00 <i>14,722.00</i>	June 21, 1993

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*Timothy L. Schaefer*  
Timothy L. Schaefer

June 28, 1993

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH COUNTY COUNCIL 1480 *sl*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1480-1990	Mary Lee Bassemier	6618 Little Schaeffer Rd.	Part time	5.00	07-06-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*Sandra Day*  
Executive Assistant

DATE 07-02-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department SCOTT TWP. ASSESSOR

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
249-116-199	Ann Farney	16500 Korff Rd	Deputy Assessor	7.00/HR	6-28-93
249-116-199	Kathy Donnan	5040 Seven Hills Rd	Deputy Assessor	7.00/HR	6-28-93
249-116-199	Ernestine Williams	5312 Nolan Ave	Deputy Assessor	7.00/HR	6-29-93
249-116-199	Joeline Reeves	14505 Browning Rd	Deputy Assessor	7.00/HR	6-29-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

DATE 6-28-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department SCOTT TWP. ASSESSOR

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
249-116-199	Douglas G. Fisher	11000 Country Homes Dr	Deputy Assessor	7.00/HR	6-28-93
249-116-199	William R. Oistad	1045 E. Baseline Rd	Deputy Assessor	7.00/HR	6-28-93
249-116-113	Norma M. Miller	14320 Cemetery Rd	Coordinator II	9.00/HR <i>7.50/HR</i>	6-28-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
100-116-199	Harley Seybold Sr		Deputy Assessor	5.00/HR	6-1-93
100-116-199	William R. Oistad	1045 E. Baseline Rd	Deputy Assessor	5.00/HR	6-1-93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

DATE 6-28-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Pigeon Township Trustee

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
	Sheree Fairrow	622 E. Chandler	Clerk	19,117.00	7-1-93
	returned from medical leave				

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*Mary E. Hart*

DATE

7/2/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff - Misdemeanor

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
278013702780	Brian Spradlin		Corr. Officer	9 4918 19819 00	7-1-93
278013602780	Jason Ashworth		Corr. Officer	9 4918 19819 00	7-1-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
278013702780	Brian Spradlin		Probationary Corr. Officer	9 2523 19319 00	6-30-93
278013602780	Jason Ashworth		Probationary Corr. Officer	9 2523 19319 00	6-30-93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*Ray Hamm*

DATE

7/2/93

GLENMOOR DRIVE	53.4'	LONG	3.5 X 3.8
BONNIEVIEW DRIVE	48.9'	LONG	5.6 X 3.8
RIDGEWAY AVENUE	65'	LONG	4. X 6.25
POLLACK AVENUE	85'	LONG	5.5 X 3.8

VANDERBURGH COUNTY HIGHWAY DEPARTMENT  
PROGRESS REPORT  
Friday, June 25, 1993 thru Thursday, July 1, 1993

Friday, June 25, 1993

Gradall & 2 crews ditched on S. Weinbach.  
Gradall & one crew installed culvert at 6205 Henze.  
Patch Crews - 2 crews worked on St. Wendell Road.  
Summer Crews - worked at various locations throughout the county.  
Trash crew worked on S. Weinbach.  
Garage - one crew worked on paver, one crew worked on break room.  
Rock Crews - 2 crews rocked roads in the Bottoms.  
Cycle mower cut on Hillside and Orchard.

Monday, June 28, 1993

Gradall & 2 crews ditched and placed pipe on St. George Road.  
Gradall & one crew repaired culvert at 9000 Whispering Tree Lane.  
Patch Crews worked on St. Wendell Road.  
Summer crews - one crew worked on Felstead and one crew worked on intersections.  
Grader and 4 crews roekced roads in the bottoms.  
Cycle mower worked on Hogue, Rosenberger, Creamery & 5 Dollar Road.  
Garage - one crew worked on paver and one crew worked on break room.

Tuesday, June 29, 1993

Gradall & 2 crews ditched and placed pipe on St. George Road.  
Gradall & one crew worked at 9000 Whispering Tree Lane.  
Trash crew ran regular routes.  
Two tree crews worked on Mohr Road, Hillside Road and Fischer Road.  
Summer crews worked on eastside intersections.  
Grader and 3 crews rocked and graded roads in the Bottoms.  
Cycle Mower worked on eastside.  
Garage - one crew worked on break room.

Wednesday, June 30, 1993

Two Gradalls & 4 crews ditched and placed pipe on St. George Road.  
Patch crews - worked on various work orders.  
Two summer crews worked on intersections.  
Cycle Mowers worked on work orders.  
Tree crews worked on Lyle, Bayou Creek, & Streuh Hendricks.  
Two crews rocked roads in the bottoms.  
Garage - one crew worked on break room.

Thursday, July 1, 1993

Gradall & 2 crews worked on Henze and St. George Road.  
Roller, Paver and 8 crews paved 12th Ave.  
Trash crew ran regular routes.  
Summer crews worked on intersections.  
One crew worked on break room.

VANDERBURGH COUNTY BRIDGE CREW

PROGRESS REPORT

Friday, June 25, 1993 thru Thursday, July 1, 1993

Friday, June 25, 1993

Crew #1 - clean off St. Joe Ave. drains, clean pipe & drains on Westside.  
Crew #2 - install plastic culvert at 6205 Henze, clean drains on Glenview, clean end of culvert pipe in Northwest county.  
Crew #3 - finish cutting Baumgart & Heinlein, clean drains in Evergreen Acres.

Monday, June 28, 1993

Crew #1 - worked at 9000 Whispering Tree Lane.  
Crew #2 & #3 - worked on St. George Road.

Tuesday, June 29, 1993

Crew #1 - worked at 9000 Whispering Tree Lane, 12th Ave, and Sheridan Road.  
Crew #2 & #3 - worked on St. George Road.

Wednesday, June 30, 1993

Crew #1 - cut grass on Cypress Dale, Bayou Creek, Roth, Graff & Duesner.  
Crew #2 & #3 - worked on St. George Road.

Thursday, July 1, 1993

Crew #1 - cut weeds north of Allens Lane, finish cutting in bottoms.  
Crew #2 & #3 - install culvert on Henze and St. George Road.

June 24, 1993

To Whom It May Concern:

I, Janice Bentle, hereby submit my resignation from the Vanderburgh Auditorium effective July 9, 1993. Please let this serve as my two(2) week notice.

Thank you.

*Janice M. Bentle*  
Janice M. Bentle

cc: County Commissioners  
Given & Spindler Management Co., Inc.

*PT*

*6/7 agenda*

**AREA PLAN COMMISSION**  
**EVANSVILLE-VANDERBURGH COUNTY**  
*Room 312 Civic Center Complex*  
*1 N.W. Martin Luther King, Jr. Blvd.*  
*Evansville, IN 47708*  
*Phone (812) 426-5226*

**TO:** John Stoll

**FROM:** Barbara L. Cunningham, Executive Director

**SUBJECT:** Metro Centre East

**DATE:** June 16, 1993

Here is a copy of the zoning petition on the Metro property. Note Section 4 and 4B. It appears that if the County is ready to go, they need to put it in. This is not a condition of the subdivision, but the zoning.

BLC/kly

Petitioner: Frank W. Forbes  
520 Kimber Lane  
Evansville, IN 47715  
Tele: 474-6200

x - 1x

3.35 P  
Dec 14 1988

Owner of Record: Anna Sirkle  
5750 E. Division Street (Tele: 476-3826)

ORDINANCE NO. VC-28-88, as amended

TAX CODE:4-60-6-56-20,41,47

AN ORDINANCE TO REZONE CERTAIN REAL ESTATE IN VANDERBURGH COUNTY, STATE OF INDIANA. MORE COMMONLY KNOWN AS 5750 East Division Street (1350 North) Evansville, Indiana 47715.

BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF VANDERBURGH COUNTY, STATE OF INDIANA AS FOLLOWS, TO WIT:

Section 1: That the Vanderburgh County, Code of Ordinances, and more particularly being Title XV, Chapter 153, and the same is hereby amended by making certain changes in Atlas 1, which is made a part of said section as amended, with respect to the following described real estate located in Vanderburgh County, State of Indiana:

SEE ATTACHED LEGAL DESCRIPTION

By changing the zoning classification of the above described real estate from A to C-4, and said real estate is hereby so rezoned and reclassified.

Section 2: The Executive Director of the Area Plan Commission of Evansville and Vanderburgh County is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on said Atlas 1 as set out in Section One (1) of this ordinance, and to make notation in ink thereon of reference to the number of this ordinance after its passage and approval; however, failing to do so shall not invalidate this ordinance.

Section 3: This ordinance shall be in full force and effect from and after its passage by the County Commissioners of Vanderburgh County, State of Indiana, and its publication as required by law, which publication is now ordered.

Section 4: This ordinance is enacted with the expressed stipulation and agreement of the petitioner, Frank W. Forbes, and his assignee or successors in interest, that at such time as the County Commissioners for Vanderburgh County undertake or cause to be undertaken the extension of Royal Avenue, Virginia Street and Columbia Street, as provided at Map 7 on page 13 of the draft copy of the 1986 Division Street Growth Management Report, the petitioner, or his assignee, will dedicate and donate the following rights-of-way for and will construct a roadway thereon, all of which shall be located within the legal description which is subject to this zoning and which is more particular described in this ordinance as follows:

A. The right-of-way and construction of said Royal Avenue, which extends north from the City of Evansville annexation line to the north right-of-way line of Virginia Street extended is hereby dedicated and donated as to that right-of-way in such width as it is located on petitioner's

property and will construct that portion of said roadway thereon known as Royal Avenue, which right-of-way and proposed construction has been approved by the County Engineer on those plans entitled Royal Commercial Subdivision, project no. 88-1698-4 prepared by Morley and Associates, which project has been bid and awarded to Blankenberger Bros., Inc.; and

B. Dedicate and donate the entire right-of-way for said Virginia Street extended not to exceed sixty (60) feet and construct the roadway thereon, in an East-West direction along the approximate 1,139.89 feet width as Virginia Street transverses petitioner's property;

C. Dedicate and donate the entire right-of-way for said Columbia Street extended not to exceed fifty-five (55) feet and construct the roadway thereon, in an East-West direction along the approximate 1,139.89 feet width as Columbia Street transverses petitioner's property;

D. Dedicate and donate a right-of-way in such width as it is located on petitioner's property for and will construct that portion of said roadway thereon known as Royal Avenue, from the north right-of-way line of Virginia Street extended north to the north line of the petitioner's property.

The stipulation and agreement for the dedication and donation of said rights-of-way for and the construction of said roadways are subject to and contingent upon the acquisition of those rights-of-way and the commitment for the construction of those roadways on property that abuts and is contiguous to petitioner's property.

APPROVED THIS 17 DAY OF January, 1989 BY THE COUNTY COMMISSIONERS OF VANDERBURGH COUNTY, STATE OF INDIANA.

Robert F. Williams  
PRESIDENT

Richard J. Barrios  
VICE-PRESIDENT

Carolyn McClellan  
MEMBER

THIS INSTRUMENT PREPARED BY P. MICHAEL MITCHELL, MITCHELL STASER & SHAW,  
522 MAIN STREET, EVANSVILLE, INDIANA 47708  
TELEPHONE: (812) 423-4216

A part of the West Half of the Southeast Quarter of Sect  
Township 6 South, Range 10 West, more particularly descr  
follows:

Commencing at the southwest corner of the Southeast Qua.  
Section 24-6-10; thence north 01 degrees 41 minutes 19 second  
along the west line of said quarter section, 1390.79 feet to  
on the City Annexation Line as created by an ordinance of the  
Council of the City of Evansville (No. G-85-63); thence s  
degrees 44 minutes 18 seconds east, parallel with the south  
said quarter section and along said annexation line, 188.45  
a point where the annexation line intersects the petit  
property, said point also being the point of beginning; thenc  
00 degrees 48 minutes 37 seconds west, along the petitioner  
line, 1250.28 feet to a point on the north line of said c  
section; thence south 89 degrees 52 minutes 14 seconds east,  
the quarter section line, 1139.90 feet to the northeast corner  
West Half of the Southeast Quarter of said section; thence s  
degrees 37 minutes 25 seconds east, along the east line of sa:  
quarter section, 1252.84 feet to a point where the east line c  
half quarter section intersects the previously referenced  
ation line; thence north 89 degrees 44 minutes 18 seconds west,  
said annexation line, 1135.87 feet to the point of begi  
containing 32.69 acres (1,423,950 square feet).

Service...  
Keeping the...  
**Promise**

6-24

Baris Cunningham thinks  
we need to state in our  
meeting that Schroepers  
withdrew from the agenda  
last week, and therefore the  
action is "over" - the  
90 days is up.

Either that, or we deny  
the action.

What do you think?

cc. Commissioners  
+ Alan Kissinger

MA

(6) The zoning classification of the property is improper and the amendment will correct the improper classification.

(7) Major physical, economic, or social changes have substantially altered the area in a manner not anticipated in the comprehensive plan, and the amendment will assist the development of the area consistent with the changes.

(C) The commitments and recommendations of the Commission shall become part of the record.

153.160 COUNTY COMMISSION ACTION

Within 30 days after the hearing on the proposed ordinance for amendment or repeal of the zoning ordinance, the Secretary of the Area Plan Commission shall provide to the Vanderburgh County Commission a written report that indicates the recommendations of the Commission concerning the ordinance. Within 90 days after receiving the report of the Commission concerning the proposed ordinance, the Vanderburgh County Commission shall vote on the proposed ordinance without further amendment.

[REDACTED]

153.161 TIME LIMITS

(A) The denial of a petition by the County Commission or the withdrawal of a petition by the petitioner from the County Commission prohibits the Area Plan Commission or [REDACTED]

[REDACTED]

(B) [REDACTED]

~~Decision (A) above~~ by unanimous vote of the County Commission.

153.162 BOARD OF ZONING APPEALS

Establishment: the Board of Zoning Appeals is established by this chapter. The appointment and terms the Board shall be in accordance with IC 36-7-4-900 et seq.

153.163 PROCEDURES: BOARD OF ZONING APPEALS

(A) The Board of Zoning Appeals shall approve or deny all

- (1) Variances;
- (2) Special Uses; and
- (3) Appeals

from the terms of the zoning ordinance, but only in the classes of cases or in the specific situations specified in the zoning ordinance. The Board may impose reasonable conditions as part of its approval.

(B) The Board shall set a date for a public hearing on the petition.

(1) Notice of the public hearing shall be published one time before the date of the hearing.

(2) Prior to the public hearing by the Board of Zoning Appeals, the petitioner must file in the Area Plan Commission office proof of notification.

(3) Cost of the notice must be borne by the petitioner.

(4) When an appeal is filed by a member of the Review Committee regarding a decision made by that committee as set forth in 153.156 (A) (5), notice shall only be sent to all other members of that Review Committee.

(5) A person may not communicate with any member of the Board before the hearing with the intent to influence the members' action

ICIS ✓  
LAE ✓  
KLA  
JPR  
+ 10 extra  
PAX to  
Leslie

January 8, 1993

**HOUSE BILL No. 1002**

**DIGEST OF INTRODUCED BILL**

Citations Affected: IC 4-10-18; IC 5-13-12-7; IC 6-3.5-7; IC 6-9-20; IC 36-9-13.1.

Synopsis: Economic development. Requires the state board of finance to sell to the board for depositories a loan that was made from the rainy day fund for the benefit of the city of Indianapolis. Provides that the proceeds from the sale of the loan are to be deposited in a special account to be used to make grants to political subdivisions for qualified economic growth initiatives. Provides that grants are to be awarded by the department of commerce after review by the budget committee and approval by the budget agency. Permits Vanderburgh County to increase the combined rate of its county option income tax (COIT) and county economic development income tax (CEDIT) to 1.25% (if the increase is necessary to finance a government building to be subleased to the federal government. (Current law limits the combined rate of these two taxes to 1%.) Dedicates all of Vanderburgh County's CEDIT revenues to the defense project fund. Permits Vanderburgh County to continue to impose its food and beverage tax after outstanding bonds have

We ARE NOT Required To impose This TAX.

(Continued next page)

Effective: Upon passage.

**Bauer, Avery, Hays, J., Lutz,  
Larry**

January 6, 1993, read first time and referred to Committee on Ways and Means.  
January 8, 1993, amended, reported - Do Pass.

**Digest Continued**

been paid off in order to finance a government building to be subleased to the federal government. Authorizes certain governmental entities in Vanderburgh County to lease a government building from the county building authority and to sublease that building to the federal government. Authorizes Vanderburgh County or the Vanderburgh County building authority to request proposals for construction of a government building (instead of following public bidding laws). Establishes a procedure under which the Vanderburgh County building authority may issue revenue bonds to finance such a building. Validates certain actions by various units of local government.

January 8, 1993

First Regular Session 108th General Assembly (1993)

**PRINTING CODE** Amendment: Whenever an existing section (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in this style type, and deletions will appear in this style type.

**Additions:** Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in this style type. Also, the word **NEW** will appear in this style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

## HOUSE BILL No. 1002

**A BILL FOR AN ACT to amend the Indiana Code concerning economic development.**

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 4-10-18-1 IS AMENDED TO READ AS  
2 FOLLOWS (EFFECTIVE UPON PASSAGE): Sec. 1. As used in  
3 this chapter:

4 "Adjusted personal income" for a particular calendar year  
5 means the adjusted state personal income for that year as  
6 determined under section 3(b) of this chapter.

7 "Annual growth rate" for a particular calendar year means  
8 the percentage change in adjusted personal income for the  
9 particular calendar year as determined under section 3(c) of this  
10 chapter.

11 "Budget director" refers to the director of the state budget  
12 agency established under IC 4-12-1.

13 "Costs" means the cost of construction, equipment,  
14 land, property rights (including leasehold interests),  
15 easements, franchises, leases, financing charges, interest  
16 costs during and for a reasonable period after

HB 1002--LS 722/DI 44

44

1 construction, architectural, engineering and legal and  
2 other consulting or advisory services, plans,  
3 specifications, surveys, cost estimates, and other costs or  
4 expenses necessary or incident to the acquisition,  
5 development, construction, financing, and operating of an  
6 economic growth initiative.

7 "Current calendar year" means a calendar year during which  
8 a transfer to or from the fund is initially determined under  
9 sections 4 and 5 of this chapter.

10 "Economic growth initiative" means:

11 (1) the construction, extension, or completion of  
12 sewerlines, waterlines, streets, sidewalks, bridges,  
13 roads, highways, public ways, and any other  
14 infrastructure improvements;

15 (2) the leasing or purchase of land and any site  
16 improvements to land;

17 (3) the construction, leasing, or purchase of  
18 buildings or other structures;

19 (4) the rehabilitation, renovation, or enlargement of  
20 buildings or other structures;

21 (5) the leasing or purchase of machinery, equipment,  
22 or furnishings; or

23 (6) the training or retraining of employees whose  
24 jobs will be created or retained as a result of the  
25 initiative.

26 "Fund" means the counter-cyclical revenue and economic  
27 stabilization fund established under this chapter.

28 "General fund revenue" means all general purpose tax  
29 revenue and other unrestricted general purpose revenue of the  
30 state, including federal revenue sharing monies, credited to the  
31 state general fund and from which appropriations may be made.  
32 The term "general fund revenue" does not include revenue held  
33 in the reserve for tuition support under IC 4-12-1-12.

34 "Implicit price deflator for the gross national product" means  
35 the implicit price deflator for the gross national product, or its  
36 closest equivalent, which is available from the United States  
37 Bureau of Economic Analysis.

38 "Political subdivision" has the meaning set forth in  
39 IC 36-1-2-13.

40 "Qualified economic growth initiative" means an  
41 economic growth initiative that is:

42 (1) proposed by or on behalf of a political subdivision  
43 to promote economic growth, including the creation  
44 or retention of jobs or the infrastructure necessary  
45 to create or retain jobs;

1 (2) supported by a financing plan by or on behalf of  
2 the political subdivision in an amount at least equal  
3 to the proposed amount of the grant under section 15  
4 of this chapter; and

5 (3) estimated to cost not less than ten million dollars  
6 (\$10,000,000).

7 "State personal income" means state personal income as that  
8 term is defined by the Bureau of Economic Analysis of the  
9 United States Department of Commerce or its successor agency.

10 "Total state general fund revenue" for a particular state  
11 fiscal year means the amount of that revenue for the particular  
12 state fiscal year as finally determined by the auditor of state.

13 "Transfer payments" means transfer payments as that term  
14 is defined by the Bureau of Economic Analysis of the United  
15 States Department of Commerce or its successor agency.

16 SECTION 2. IC 4-10-18-13 IS ADDED TO THE INDIANA  
17 CODE AS A NEW SECTION TO READ AS FOLLOWS  
18 [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) The state board  
19 of finance constituted by IC 4-9.1-1-1 shall promptly sell  
20 from the fund, and the board for depositories created by  
21 IC 5-13-12-1 shall promptly purchase from the fund, the  
22 loan made by the board of finance under section 10(1) of  
23 this chapter.

24 (b) The loan shall be sold by the board of finance and  
25 purchased by the board for depositories at a purchase  
26 price equal to the total of:

27 (1) the principal amount of the loan;

28 (2) the deferred interest payable thereon; and

29 (3) accrued interest to the date of purchase by the  
30 board for depositories.

31 (c) Proceeds of the sale of the loan, less the reasonable  
32 expenses incurred by the board of finance and the board  
33 for depositories in connection with the sale, shall be  
34 deposited by the board of finance in a segregated account  
35 in the fund (to be known as the economic growth  
36 initiatives account) for the purpose of providing grants  
37 for the purposes described in section 15 of this chapter.

38 SECTION 3. IC 4-10-18-14 IS ADDED TO THE INDIANA  
39 CODE AS A NEW SECTION TO READ AS FOLLOWS  
40 [EFFECTIVE UPON PASSAGE]: Sec. 14. (a) The treasurer of  
41 state shall invest the money in the economic growth  
42 initiatives account not currently needed to further the  
43 purposes of the account in the same manner as other  
44 public funds may be invested. Income from these

1 investments shall be deposited in the fund, but not the  
2 account, and any losses from the investments shall be  
3 charged against the fund, but not the account.

4 (b) Expenses of managing the economic growth  
5 initiatives account shall be paid from money in the  
6 account.

7 (c) Money in the economic growth initiatives account  
8 does not revert to the fund or the state general fund at  
9 the end of a state fiscal year. However, if the account is  
10 abolished, money in the account shall be deposited in the  
11 fund.

12 SECTION 4. IC 4-10-18-16 IS ADDED TO THE INDIANA  
13 CODE AS A NEW SECTION TO READ AS FOLLOWS  
14 [EFFECTIVE UPON PASSAGE]: Sec. 15. (a) Money in the  
15 economic growth initiatives account may be used only for  
16 grants to or for the benefit of political subdivisions for  
17 costs of qualified economic growth initiatives.

18 (b) Making grants for qualified economic growth  
19 initiatives under this chapter will serve a public purpose  
20 by creating and retaining jobs and promoting economic  
21 growth and development within Indiana and will serve  
22 essential governmental functions and public activities  
23 within Indiana.

24 SECTION 5. IC 4-10-18-16 IS ADDED TO THE INDIANA  
25 CODE AS A NEW SECTION TO READ AS FOLLOWS  
26 [EFFECTIVE UPON PASSAGE]: Sec. 16. (a) Grants to or on  
27 behalf of political subdivisions for qualified economic  
28 growth initiatives shall be made by the department of  
29 commerce created by IC 4-4-3-2.

30 (b) Each grant shall be made pursuant to a grant  
31 agreement by and between:

32 (1) the department of commerce; and

33 (2) the political subdivision proposing the economic  
34 growth initiative or the person (as defined in  
35 IC 36-1-2-12) acting on behalf of the political  
36 subdivision.

37 (c) Each grant agreement shall describe in detail:

38 (1) the qualified economic growth initiative;

39 (2) the financing plan by the political subdivision  
40 proposing the economic growth initiative or by the  
41 person acting on behalf of the political subdivision;  
42 and

43 (3) the estimated cost of the economic growth  
44 initiative and all sources of money for the initiative.

1 (d) The department of commerce may not execute and  
2 deliver a grant agreement under this section, and no  
3 money may be disbursed from the economic growth  
4 initiatives account, until the grant agreement has been:

5 (1) reviewed by the budget committee established by  
6 IC 4-12-1-3; and

7 (2) approved by the budget agency established by  
8 IC 4-12-1-3.

9 (e) Not more than twenty-five percent (25%) of any  
10 grant may be used for training or retraining employees  
11 whose jobs will be created or retained as a result of the  
12 economic growth initiative.

13 SECTION 6, IC 5-13-12-7, AS AMENDED BY P.L.1-1992,  
14 SECTION 10, IS AMENDED TO READ AS FOLLOWS  
15 [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) The board for  
16 depositories shall manage and operate the insurance fund. All  
17 expenses incident to the administration of the fund shall be paid  
18 out of the money accumulated in it subject to the direction of the  
19 board for depositories.

20 (b) Effective January 1 and July 1 in each year, the board  
21 shall before those dates redetermine the amount of the reserve  
22 to be maintained by the insurance fund. The establishment or  
23 any change in the reserve for losses shall be determined by the  
24 board based on a study to be made or updated by actuaries,  
25 economists, or other consultants based on the history of losses,  
26 earnings on the funds, conditions of the depositories, economic  
27 conditions affecting particular depositories or depositories in  
28 general, and any other factors that the board considers relevant  
29 in making its determination. The reserve determined by the  
30 board must be sufficient to ensure the safekeeping and prompt  
31 payment of public funds to the extent they are not covered by  
32 insurance of any federal deposit insurance agency.

33 (c) At the end of each biennial period during which  
34 depositories have had public funds on deposit under this chapter  
35 and paid the assessments levied by the board, the board shall  
36 compute its receipts from assessments and all other sources and  
37 its expenses and losses and determine the profit derived from the  
38 operation of the fund for the period. Until the amount of the  
39 reserve for losses has been accumulated, all assessments levied  
40 for a biennial period shall be retained by the fund. The amount  
41 of the assessments, if any, levied by the board shall, to the  
42 extent the fund exceeds the reserve for losses at the end of a  
43 biennial period commencing July 1 of each odd year, be  
44 distributed to the depositories that had public funds on deposit  
45 during the biennial period in which the assessments were paid.

1 The distribution shall be made to the respective depositors in  
 2 the proportion that the total assessments paid by each depository  
 3 during that period bears to the total assessments then paid by  
 4 all depositories. A distribution to which any closed depository  
 5 would otherwise be entitled shall be set off against any claim  
 6 that the insurance fund may have against the closed depository.

7 (d) The board may invest, reinvest, and exchange  
 8 investments of the insurance fund in excess of the cash working  
 9 balance in any of the following:

10 (1) In bonds, notes, certificates, and other valid obligations  
 11 of the United States, either directly or, subject to the  
 12 limitations in subsection (e), in the form of securities of or  
 13 other interests in an open-end no-load management-type  
 14 investment company or investment trust registered under  
 15 the provisions of the Investment Company Act of 1940, as  
 16 amended (15 U.S.C. 80a et seq.).

17 (2) In bonds, notes, debentures, and other securities issued  
 18 by a federal agency or a federal instrumentality and fully  
 19 guaranteed by the United States either directly or, subject  
 20 to the limitations in subsection (e), in the form of securities  
 21 of or other interests in an open-end no-load  
 22 management-type investment company or investment trust  
 23 registered under the provisions of the Investment Company  
 24 Act of 1940, as amended (15 U.S.C. 80a et seq.).

25 (3) In bonds, notes, certificates, and other valid obligations  
 26 of a state, or of an Indiana political subdivision that are  
 27 issued under law, the issuers of which, for five (5) years  
 28 before the date of the investment, have promptly paid the  
 29 principal and interest on their bonds and other legal  
 30 obligations.

31 (4) In bonds or other obligations of the state office building  
 32 commission.

33 (5) In investments permitted the state under IC 5-18-9.

34 (6) In guarantees of industrial development obligations or  
 35 credit enhancement obligations, or both, for the purposes  
 36 of retaining and increasing employment in enterprises in  
 37 Indiana, subject to the limitations and conditions set out  
 38 in this subdivision, subsection (e), and section 8 of this  
 39 chapter. An individual guarantee of the board under this  
 40 subdivision must not exceed eight million dollars  
 41 (\$8,000,000).

42 (7) In guarantees of bonds or notes issued under  
 43 IC 5-1.5-4-1, subject to the limitations and conditions set  
 44 out in subsection (e) and section 8 of this chapter.

45 (8) In bonds, notes, or other valid obligations of the

1 Indiana development finance authority that have been  
2 issued in conjunction with the authority's acquisition,  
3 development, or improvement of property or other interests  
4 for an industrial development project (as defined in  
5 IC 4-4-10.9-11) that the authority has undertaken for the  
6 purposes of retaining or increasing employment in existing  
7 or new enterprises in Indiana, subject to the limitations in  
8 subsection (e).

9 (9) In notes or other debt obligations of counties, cities, and  
10 towns that have been issued under IC 8-1.1-39 for  
11 borrowings from the industrial development fund under  
12 IC 4-4-8 for purposes of retaining or increasing  
13 employment in existing or new enterprises in Indiana,  
14 subject to the limitations in subsection (e).

15 (10) In bonds or other obligations of the Indiana housing  
16 finance authority.

17 (e) The investment authority of the board under subsection  
18 (d) is subject to the following limitations:

19 (1) For investments under subsections (d)(1) and (d)(2), the  
20 portfolio of an open-end no-load management-type  
21 investment company or investment trust must be limited  
22 to:

23 (A) direct obligations of the United States and  
24 obligations of a federal agency or a federal  
25 instrumentality that are fully guaranteed by the  
26 United States; and

27 (B) repurchase agreements fully collateralized by  
28 obligations described in clause (A), of which the  
29 company or trust takes delivery either directly or  
30 through an authorized custodian.

31 (2) Total outstanding investments in guarantees of  
32 industrial development obligations and credit enhancement  
33 obligations under subsection (d)(6) must not exceed the  
34 greater of:

35 (A) ten percent (10%) of the available balance of the  
36 insurance fund; or

37 (B) fourteen million dollars (\$14,000,000).

38 (3) Total outstanding investments in guarantees of bond  
39 bank obligations under subsection (d)(7) must not exceed  
40 the greater of:

41 (A) twenty percent (20%) of the available balance of  
42 the insurance fund; or

43 (B) twenty-four million dollars (\$24,000,000).

44 (4) Total outstanding investments in bonds, notes, or other  
45 obligations of the Indiana development finance authority

1 under subsection (d)(8) may not exceed the greater of:  
 2 (A) fifteen percent (15%) of the available balance of the  
 3 insurance fund; or  
 4 (B) twenty million dollars (\$20,000,000).  
 5 However, after June 30, 1988, the board may not make any  
 6 additional investment in bonds, notes, or other obligations  
 7 of the Indiana development finance authority, and the  
 8 board may invest an amount equal to the remainder, if  
 9 any, of:  
 10 (i) fifteen percent (15%) of the available balance of  
 11 the insurance fund; minus  
 12 (ii) the board's total outstanding investments in  
 13 bonds, notes, or other obligations of the Indiana  
 14 development finance authority;  
 15 in guarantees of industrial development obligations or  
 16 credit enhancement obligations, or both, as authorized by  
 17 subsection (d)(6). In such a case, the outstanding  
 18 investments, as authorized by subsections (d)(6) and (d)(8),  
 19 may not exceed in total the greater of twenty-five percent  
 20 (25%) of the available balance of the insurance fund or  
 21 thirty-four million dollars (\$34,000,000).  
 22 (5) Total outstanding investments in notes or other debt  
 23 obligations of counties, cities, and towns under subsection  
 24 (d)(9) may not exceed the greater of:  
 25 (A) ten percent (10%) of the available balance of the  
 26 insurance fund; or  
 27 (B) twelve million dollars (\$12,000,000).  
 28 (f) For purposes of subsection (e), the available balance of  
 29 the insurance fund does not include the outstanding principal  
 30 amount of any fund investment in a corporate note or obligation  
 31 or the portion of the fund that has been established as a reserve  
 32 for losses.  
 33 (g) All interest and other income earned on investments of  
 34 the insurance fund and all amounts collected by the board accrue  
 35 to the fund.  
 36 (h) Members of the board and any officers or employees of  
 37 the board are not subject to personal liability or accountability  
 38 by reason of any investment in any of the obligations listed in  
 39 subsection (d).  
 40 (i) The board shall, when directed by the state board  
 41 of finance constituted by IC 4-9.1-1-1, purchase the loan  
 42 made by the state board of finance pursuant to  
 43 IC 4-10-18-10(i). The loan shall be purchased by the board  
 44 at a purchase price equal to the total of:  
 45 (1) the principal amount of the loan;

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- (2) the deferred interest payable thereon; and
- (3) accrued interest to the date of purchase by the board.

Members of the board and any officers or employees of the board are not subject to personal liability or accountability by reason of the purchase of the loan under this subsection.

SECTION 7. IC 6-3.5-7-5, AS AMENDED BY P.L.35-1990, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) Except as provided in subsection (c), the county economic development income tax may be imposed on the adjusted gross income of county taxpayers. The entity that may impose the tax is:

- (1) the county income tax council (as defined in IC 6-3.5-6-1) if the county option income tax is in effect on January 1 of the year the county economic development income tax is imposed;
- (2) the county council if the county adjusted gross income tax is in effect on January 1 of the year the county economic development tax is imposed; or
- (3) the county income tax council or the county council, whichever acts first, for a county not covered by subdivision (1) or (2).

To impose the county economic development income tax, a county income tax council shall use the procedures set forth in IC 6-3.5-6 concerning the imposition of the county option income tax.

(b) Except as provided in subsection (c), the county economic development income tax may be imposed at a rate of:

- (1) one-tenth percent (0.1%);
- (2) two-tenths percent (0.2%);
- (3) twenty-five hundredths percent (0.25%);
- (4) three-tenths percent (0.3%);
- (5) thirty-five hundredths percent (0.35%);
- (6) four-tenths percent (0.4%);
- (7) forty-five hundredths percent (0.45%); or
- (8) five-tenths percent (0.5%);

on the adjusted gross income of county taxpayers.

(c) The county economic development income tax rate plus the county adjusted gross income tax rate, if any, that are in effect on January 1 of a year may not exceed one and twenty-five hundredths percent (1.25%). The county economic development tax rate plus the county option income tax rate, if any, that are in effect on January 1 of a year may not exceed one percent (1%).

(d) To impose the county economic development income tax,



1 the appropriate body must, after January 1 but before April 1 of  
2 a year, adopt an ordinance. The ordinance must substantially  
3 state the following:

4 "The \_\_\_\_\_ County \_\_\_\_\_ imposes the county  
5 economic development income tax on the county taxpayers of  
6 \_\_\_\_\_ County. The county economic development income tax  
7 is imposed at a rate of \_\_\_\_\_ percent (\_\_\_\_%) on the county  
8 taxpayers of the county. This tax takes effect July 1 of this  
9 year."

10 (e) Any ordinance adopted under this section takes effect  
11 July 1 of the year the ordinance is adopted.

12 (f) The auditor of a county shall record all votes taken on  
13 ordinances presented for a vote under the authority of this  
14 section and immediately send a certified copy of the results to  
15 the department by certified mail.

16 (g) This subsection applies only to a county having a  
17 population of more than one hundred sixty thousand  
18 (160,000) but less than two hundred thousand (200,000).  
19 Notwithstanding subsection (c), the county economic  
20 development income tax rate plus the county option  
21 income tax rate that are in effect on January 1 of a year  
22 may equal up to one and twenty-five hundredths percent  
23 (1.25%) if the county income tax council determines that  
24 the combined rate in excess of one percent (1%) is  
25 necessary for financing a government building to be  
26 subleased to the federal government or an agency or  
27 department of the federal government under IC 36-9-13.1.  
28 An action to contest the validity of the determination  
29 under this subsection must be instituted not more than  
30 ten (10) days after the determination.

31 SECTION 8, IC 6-3.5-7-12, AS AMENDED BY P.L.47-1992,  
32 SECTION 1, IS AMENDED TO READ AS FOLLOWS  
33 [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) The county auditor  
34 shall distribute in the manner specified in this section the  
35 certified distribution to the county.

36 (b) Except as provided in subsections (c) and (h) and section  
37 15 of this chapter, the amount of the certified distribution that  
38 the county and each city or town in a county is entitled to  
39 receive during May and November of each year equals the  
40 product of:

- 41 (1) the amount of the certified distribution for that month;  
42 multiplied by
- 43 (2) a fraction. The numerator of the fraction equals the  
44 total property taxes that are first due and payable to the  
45 county, city, or town during the calendar year in which the

1 month falls. The denominator of the fraction equals the  
2 total property taxes that are first due and payable to the  
3 county and all cities and towns of the county during the  
4 calendar year in which the month falls.

5 (c) This subsection applies to a county council or county  
6 income tax council that imposes a tax under this chapter after  
7 June 1, 1992. The body imposing the tax may adopt an ordinance  
8 before July 1 of a year to provide for the distribution of certified  
9 distributions under this subsection instead of a distribution  
10 under subsection (b). The following apply if an ordinance is  
11 adopted under this subsection:

12 (1) The ordinance is effective January 1 of the following  
13 year.

14 (2) The amount of the certified distribution that the county  
15 and each city and town in the county is entitled to receive  
16 during May and November of each year equals the product  
17 of:

18 (A) the amount of the certified distribution for the  
19 month; multiplied by

20 (B) a fraction. For a city or town, the numerator of the  
21 fraction equals the population of the city or the town.  
22 For a county, the numerator of the fraction equals the  
23 population of the part of the county that is not located  
24 in a city or town. The denominator of the fraction  
25 equals the sum of the population of all cities and  
26 towns located in the county and the population of the  
27 part of the county that is not located in a city or town.

28 (3) The ordinance may be made irrevocable for the  
29 duration of specified lease rental or debt service payments.

30 (d) The body imposing the tax may not adopt an ordinance  
31 under subsection (c) if, before the adoption of the proposed  
32 ordinance, any of the following have pledged the county economic  
33 development income tax for any purpose permitted by IC 5-1-14  
34 or any other statute:

35 (1) The county.

36 (2) A city or town in the county.

37 (3) A commission, a board, a department, or an authority  
38 that is authorized by statute to pledge the county economic  
39 development income tax.

40 (e) The state board of tax commissioners shall provide each  
41 county auditor with the fractional amount of the certified  
42 distribution that the county and each city or town in the county  
43 is entitled to receive under this section.

44 (f) Money received by a county, city, or town under this  
45 section shall be deposited in the unit's economic development

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income tax fund.

(g) In determining the fractional amount of the certified distribution the county and its cities and towns are entitled to receive under subsection (b) during a calendar year, the state board of tax commissioners shall consider only property taxes imposed on tangible property subject to assessment in that county.

(h) In a county having a consolidated city, only the consolidated city is entitled to the certified distribution, subject to the requirements of section 15 of this chapter.

(i) This subsection applies only to a county having a population of more than one hundred sixty thousand (160,000) but less than two hundred thousand (200,000). Notwithstanding sections 11 and 16 of this chapter, a certified distribution may not be made to the county until the department receives a certification from the county auditor that the federal government has granted a defense project for the county. If a rescission of the income tax occurs before a distribution, a county taxpayer that has paid the income tax is entitled to a refund of the income taxes paid under this chapter. The refund may be claimed by a county taxpayer at the time the county taxpayer files an annual income tax return. Notwithstanding IC 6-3, the refund amount is equal to the entire income tax paid under this chapter regardless of the taxable year in which the tax is paid, plus interest for the taxable years preceding the most recent taxable year. The interest rate to be paid on that portion of the refund is the interest rate earned on the balance credited to the county's account. If a certified distribution is made, then notwithstanding subsections (b) through (h) and section 13.1(a) of this chapter, the entire certified distribution shall be distributed to the county and shall be deposited in the defense project fund established under IC 36-8-13.1, which shall be considered the county's economic development fund for the purposes of this chapter.

SECTION 9. IC 6-3.5-7-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 21. (a) A unit may enter into a lease with a leasing body (as defined in IC 5-1-1-1) of any property that could be financed with the proceeds of bonds issued under this chapter with a lessor for a term not to exceed fifty (50) years, and the lease may provide for payments from revenues under this chapter, any other revenue available to the unit, or any combination of these sources.

(b) A lease may provide that payments by the unit to the

1 lessor are required only to the extent and only for the period that  
2 the lessor is able to provide the leased facilities in accordance  
3 with the lease. The terms of each lease must be based upon the  
4 value of the facilities leased and may not create a debt of the  
5 unit for purposes of the Constitution of the State of Indiana.

6 (c) A lease may be entered into by the executive of the unit  
7 only after a public hearing at which all interested parties are  
8 provided the opportunity to be heard. After the public hearing,  
9 the executive may approve the execution of the lease on behalf  
10 of the unit if the executive finds that the service to be provided  
11 throughout the term of the lease will serve the public purpose of  
12 the unit and is in the best interests of its residents. Any lease  
13 approved by the executive must also be approved by an  
14 ordinance of the fiscal body of the unit.

15 (d) Upon execution of a lease providing for payments by the  
16 unit in whole or in part from taxes under this chapter and upon  
17 approval of the lease by the unit's fiscal body, the executive of  
18 the unit shall publish notice of the execution of the lease and its  
19 approval in accordance with IC 5-3-1.

20 (e) Except as provided in this section, no approvals of any  
21 governmental body or agency are required before the unit enters  
22 into a lease under this section.

23 (f) An action to contest the validity of the lease or to enjoin  
24 the performance of any of its terms and conditions must be  
25 brought within thirty (30) days after the publication of the notice  
26 of the execution and approval of the lease.

27 (g) If a unit exercises an option to buy a leased facility  
28 from a lessor, the unit may subsequently sell the leased facility,  
29 without regard to any other statute, to the lessor at the end of  
30 the lease term at a price set forth in the lease or at fair market  
31 value established at the time of the sale by the executive of the  
32 unit through auction, appraisal, or arms length negotiation. If  
33 the facility is sold at auction, after appraisal, or through  
34 negotiation, the unit shall conduct a hearing after public notice  
35 in accordance with IC 5-3-1 before the sale. Any action to contest  
36 the sale must be brought within fifteen (15) days of the hearing.

37 (h) This section does not apply to the use of the  
38 economic development income tax for lease payments by  
39 a county having a population of more than one hundred  
40 sixty thousand (160,000) but less than two hundred  
41 thousand (200,000).

42 SECTION 10. IC 6-9-20-3 IS AMENDED TO READ AS  
43 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The  
44 fiscal body of the county may adopt an ordinance to impose an  
45 excise tax, known as the county food and beverage tax, on those

1 transactions described in section 4 of this chapter.  
2 (b) If a fiscal body adopts an ordinance under subsection (a),  
3 it shall immediately send a certified copy of the ordinance to the  
4 commissioner of the department of state revenue.  
5 (c) If a fiscal body adopts an ordinance under subsection (a),  
6 the county food and beverage tax applies to transactions that  
7 occur after the last day of the month that succeeds the month in  
8 which the ordinance was adopted.  
9 (d) The tax terminates in a county on January 1 of the year  
10 immediately following the year in which the last of the bonds  
11 issued to finance the construction of an airport terminal and the  
12 last of any bonds issued to refund those bonds have been  
13 completely paid as to both principal and interest.  
14 (e) Notwithstanding subsection (d), if the county fiscal  
15 body determines that the tax under this chapter should be  
16 continued in order to accomplish a financing under  
17 IC 36-9-13.1, the tax does not terminate as specified in  
18 subsection (d) but instead continues until January 1 of the  
19 year following the year in which the last of the bonds  
20 issued by a building authority to finance a government  
21 building to be subleased to the federal government or an  
22 agency or a department of the federal government under  
23 IC 36-9-13.1, and the last of any bonds issued to refund  
24 those bonds, have been completely paid or defeased as to  
25 both principal and interest. An action to contest the  
26 validity of the determination under this subsection must  
27 be instituted not more than ten (10) days after the  
28 determination.  
29 SECTION 11. IC 6-9-20-10 IS ADDED TO THE INDIANA  
30 CODE AS A NEW SECTION TO READ AS FOLLOWS  
31 [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) This section  
32 applies if the county fiscal body has determined under  
33 section 3 of this chapter that the tax should continue to  
34 finance a government building to be subleased to the  
35 federal government or an agency or a department of the  
36 federal government under IC 36-9-13.1.  
37 (b) Until the bonds described in section 8 of this  
38 chapter are retired or defeased, the tax revenues from the  
39 county food and beverage tax shall be paid and deposited  
40 as prescribed in sections 7 and 8 of this chapter. After  
41 those bonds have been retired or defeased, the tax  
42 revenues from the county food and beverage tax shall be  
43 paid (notwithstanding section 7 of this chapter) to the  
44 county treasurer and deposited by the county treasurer

1 in the defense project fund established under IC 36-9-13.1  
2 SECTION 12. IC 36-9-13.1 IS ADDED TO THE INDIANA  
3 CODE AS A NEW CHAPTER TO READ AS FOLLOWS  
4 [EFFECTIVE UPON PASSAGE]:

5 Chapter 13.1. Supplemental Building Authority  
6 Procedures

7 Sec. 1. This chapter is supplemental to IC 36-9-13 and  
8 applies to a county having a population of more than one  
9 hundred sixty thousand (160,000) but less than two  
10 hundred thousand (200,000) and to each eligible entity in  
11 the county.

12 Sec. 2. The definitions in IC 36-9-13 apply throughout  
13 this chapter.

14 Sec. 3. As used in this chapter, "federal government"  
15 includes any agency or department of the federal  
16 government.

17 Sec. 4. As used in this chapter, "incentive agreement"  
18 refers to an agreement related to job creation, job  
19 maintenance, governmental incentives, and similar  
20 matters between an eligible entity and a sublessee as  
21 described in section 6 of this chapter.

22 Sec. 5. For purposes of this chapter and IC 36-9-13,  
23 "government building" includes a structure to be  
24 subleased to the federal government.

25 Sec. 6. (a) An eligible entity may by action of the  
26 governing body sublease a government building leased by  
27 the eligible entity under IC 36-9-13 and this chapter to the  
28 federal government for any term, at any rent, and with  
29 any lease provisions negotiated with the sublessee.

30 (b) The sublease, or a separate incentive agreement,  
31 may contain any terms or provisions related to job  
32 creation, job maintenance, and governmental incentives  
33 negotiated by the parties to the sublease or incentive  
34 agreement. The state of Indiana, another eligible entity,  
35 or any other county may be a party to any incentive  
36 agreement with the sublessee if approved by the  
37 department of commerce and the budget agency, the  
38 governing body of the other eligible entity, or the  
39 governing body of the other county, respectively.

40 Sec. 7. (a) Notwithstanding IC 36-9-13 or any other law,  
41 a building authority or an eligible entity may enter into  
42 a lease of a government building, a sublease with the  
43 federal government, and an incentive agreement, and a  
44 building authority may determine to issue revenue bonds,  
45 by completing the following process:

- 1 (1) The executive of the largest municipality in the  
2 county must request the county and the board of  
3 directors to begin the procedures in this section for  
4 such a lease and sublease. The request must include  
5 the following determinations:  
6 (A) The government building project is expected  
7 to bring at least three thousand (3,000) new jobs  
8 to county residents.  
9 (B) The government building project would not  
10 occur without the involvement of government in  
11 the financing of the project.  
12 (2) After receipt of the executive's request, the  
13 governing body shall hold a public hearing after  
14 public notice in accordance with IC 5-3-1. At the  
15 public hearing, the public may comment on the  
16 proposed lease, sublease, or incentive agreement.  
17 (3) From the time the public notice required by  
18 subdivision (2) is published to the time of the public  
19 hearing, the governing body shall make available to  
20 the public at the office of the building authority a  
21 memorandum or outline, containing all of the  
22 following:  
23 (A) The estimated maximum cost of the  
24 government building.  
25 (B) The estimated maximum term of the lease,  
26 sublease, or incentive agreement.  
27 (C) The estimated maximum annual lease rental  
28 in current dollars for operation, maintenance,  
29 and capital costs of the building, adjusted for  
30 inflation.  
31 (4) After the public hearing, the governing body may  
32 approve the future execution of the lease, the  
33 sublease, and the incentive agreement, and the  
34 board of directors may approve the future execution  
35 of the lease.  
36 (5) Fifty (50) or more property taxpayers in the  
37 eligible entity:  
38 (A) whose tax rate will be affected by the  
39 proposed lease; and  
40 (B) who are of the opinion that there is no  
41 necessity for the lease or that the estimated  
42 maximum cost, term, or lease rentals are not fair  
43 and reasonable;  
44 may file a petition with the governing body and with  
45 the state board of tax commissioners on or before

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the date of the public hearing. The signatures of taxpayers on written objections must be verified by the auditor of the county in which the eligible entity is located within five (5) days after the public hearing.

(6) If fifty (50) or more property taxpayers filed a written objection that has been verified as set forth in subdivision (5), the state board of tax commissioners shall consider the objections. Within fifteen (15) days of the public hearing, the state board of tax commissioners shall approve or reject the future execution of the lease. If the state board of tax commissioners does not act within the fifteen (15) day period, the future execution of the lease shall be considered approved.

(7) If a verified written objection has not been filed as set forth in subdivision (6), the governing body may petition the state board of tax commissioners for approval of the future execution of the lease. The future execution of the lease shall be considered approved unless the state board of tax commissioners acts within fifteen (15) days after receipt of the petition for approval.

(b) A building authority may adopt a preliminary bond resolution authorizing the issuance of revenue bonds payable from lease rentals to finance a government building to be subleased to the federal government after a lease is approved for future execution under subsection (a). The preliminary bond resolution must set a maximum amount and term of, and interest rate on, revenue bonds to be issued in the future. Bonds issued under IC 38-9-13 for such a government building may be sold at public sale in accordance with IC 5-1-11 or at negotiated sale at a price or prices and on terms to be determined by the building authority.

(c) The building authority and the eligible entity may enter into a lease, sublease, or incentive agreement at any time after following the process set forth in this section as long as the estimated maximum cost, terms, and lease rental described in subsection (a) are not exceeded in those forms. Before a lease or sublease of a government building, or an incentive agreement, may be executed under this chapter, the executive of the largest municipality in the county must consent to the terms of the lease, sublease, or incentive agreement.

1 (d) Lease rentals under a lease approved by the state  
2 board of tax commissioners for future execution under  
3 subsection (a) are outside the ad valorem property tax  
4 levy limits imposed by IC 6-1.1-18.5-3 as set forth in  
5 IC 6-1.1-18.5-8 without further action of the state board of  
6 tax commissioners.

7 (e) No actions are required by any body, board, or  
8 agency to approve any lease, sublease, incentive  
9 agreement, or revenue bonds other than the actions  
10 required under this chapter and the following:

11 (1) Resolutions of the board of directors approving  
12 revenue bonds and the lease form.

13 (2) Resolutions, ordinances, or orders of the  
14 governing body approving the lease, sublease, or  
15 incentive agreement forms.

16 (f) An action to contest the validity of the actions  
17 taken under subsection (a) must be instituted within ten  
18 (10) days after the public hearing. However, if an appeal  
19 has been taken to the state board of tax commissioners,  
20 such an action must be instituted within ten (10) days  
21 after the approval or deemed approval of the action by  
22 the state board of tax commissioners.

23 (g) An action to contest the adoption of the  
24 preliminary bond resolution under subsection (b) must be  
25 instituted within ten (10) days after its adoption.

26 (h) No action of any kind may contest the validity or  
27 enforceability of the lease, sublease, incentive agreement,  
28 or revenue bonds after the expiration of the ten (10) day  
29 period under subsections (f) and (g).

30 Sec. 8. The general assembly finds that the financing  
31 of a government building under this chapter will serve a  
32 public purpose by creating jobs and enhancing economic  
33 development within Indiana and will serve essential  
34 governmental functions and public activities within  
35 Indiana.

36 Sec. 9. (a) The county treasurer shall establish a  
37 defense project fund. The defense project fund may be  
38 used by the county only for the following purposes:

39 (1) To finance, construct, improve, equip, operate,  
40 and maintain a government building in the county to  
41 be subleased to the federal government.

42 (2) To make lease payments under IC 36-8-13 to  
43 finance, improve, operate, and maintain a  
44 government building in the county to be subleased  
45 to the federal government.

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(b) The revenues in the project fund and other revenues legally available to the eligible entity may be pledged by the governing body to pay lease rentals for a lease approved under this chapter.

Sec. 10. (a) Notwithstanding IC 36-8-13-39 or any other law, a governing body or a building authority may request proposals for acquisition, construction, and equipping of a government building to be subleased to the federal government and may select in its discretion one (1) or more proposals for acquisition, construction, and equipping of a government building. In determining whether to follow public bidding laws or to request proposals the governing body or building authority shall consider timing, cost of construction, and any other factors it considers relevant.

(b) Before the governing body or building authority may select a proposal, it must publish notice under subsection (c) indicating:

- (1) that the governing body or building authority is requesting proposals for acquisition, construction, or equipping of a government building;
- (2) those requirements for the acquisition, construction, or equipping of the government building that the governing body or building authority may have adopted; and
- (3) the date, time, and place where proposals must be received.

However, the date for receipt of proposals specified under subdivision (3) must be at least thirty (30) days from the date of publication.

(c) The notice required by subsection (b) shall be published one (1) time as required by IC 5-3-1-4.

(d) The provisions of IC 5-16-7 apply to construction of a government building to be subleased to the federal government.

(e) The provisions of IC 36-8-13-27 do not apply to a lease of a government building that has been acquired, constructed or equipped pursuant to a request for proposals. However, any information required by state law to be given to other governmental entities shall be provided by the governing body or building authority. In addition, prior to the execution of the lease, the building authority shall provide any information that is requested by the governing body, and the governing body shall provide any information that is requested by the building

1 authority, concerning the government building.  
 2 **Sec. 11. Any county or eligible entity that expects to**  
 3 **receive an economic benefit from the financing of a**  
 4 **government building to be subleased to the federal**  
 5 **government may pledge (as authorized in IC 5-1-14-4) any**  
 6 **legally available moneys to the defense project fund**  
 7 **established under this chapter. The pledge does not create**  
 8 **a debt of the pledging county or eligible entity under the**  
 9 **Constitution of the state of Indiana so long as the moneys**  
 10 **are designated to make only lease rental payments of the**  
 11 **eligible entity entering into the lease for the government**  
 12 **building.**

13 **Sec. 12. (a) The general assembly covenants that**  
 14 **throughout the term of the lease and the revenue bonds**  
 15 **it will not repeal or amend this chapter or those laws that**  
 16 **provide funding for the defense project fund in any**  
 17 **manner that will adversely affect the ability of an eligible**  
 18 **entity to make lease rental payments as required by the**  
 19 **lease.**

20 **(b) The building authority and any eligible entity may**  
 21 **not take any action that would adversely affect the ability**  
 22 **of any eligible entity to make lease rental payments as**  
 23 **required by the lease.**

24 **(c) The county income tax council may not take any**  
 25 **action to reduce the amount of county economic**  
 26 **development income tax that is paid to the defense**  
 27 **project fund throughout the term of the lease and the**  
 28 **revenue bonds.**

29 **(d) The fiscal body of the county may not take any**  
 30 **action to reduce the amount of excise tax under IC 6-9-20**  
 31 **that is paid to the defense project fund throughout the**  
 32 **term of the lease and the revenue bonds.**

33 **SECTION 13. [EFFECTIVE UPON PASSAGE] The**  
 34 **following are hereby legalized and validated:**

35 **(1) Any action taken by a county income tax council**  
 36 **in adopting the county economic development**  
 37 **income tax, if the action would have been valid**  
 38 **under IC 6-3.5-7-5, as amended by this act.**

39 **(2) Any action of a county in adopting a capital**  
 40 **improvement plan under IC 6-3.5-7-15, if the action**  
 41 **would have been valid under IC 6-3.5-7, as amended**  
 42 **by this act.**

43 **(3) Any action taken by a county fiscal body in**  
 44 **determining that an excise tax should be continued,**  
 45 **if the action would have been valid under**

IC 6-9-20-3, as amended by this act.

(4) Any action of a county, a county building authority, an eligible entity (as defined in IC 36-9-13), the executive of an eligible entity, or the state board of tax commissioners, if the action would have been valid under IC 36-9-13.1, as added by this act.

SECTION 14. An emergency is declared for this act.

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1002, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 10, line 8, delete "option".

Page 10, line 12, after "IC 36-9-13.1." insert in bold "An action to contest the validity of the determination under this subsection must be instituted not more than ten (10) days after the determination."

Page 11, line 41, delete "Notwithstanding" and insert in bold "Notwithstanding sections 11 and 16 of this chapter, a certified distribution may not be made to the county until the department receives a certification from the county auditor that the federal government has granted a defense project for the county. If a rescission of the income tax occurs before a distribution, a county taxpayer that has paid the income tax is entitled to a refund of the income taxes paid under this chapter. The refund may be claimed by a county taxpayer at the time the county taxpayer files an annual income tax return. Notwithstanding IC 6-3, the refund amount is equal to the entire income tax paid under this chapter regardless of the taxable year in which the tax is paid, plus interest for the taxable years preceding the most recent taxable year. The interest rate to be paid on that portion of the refund is the interest rate earned on the balance credited to the county's account. If a certified distribution is made, then notwithstanding".

Page 13, line 38, after "interest." insert in bold "An action to contest the validity of the determination under this subsection must be instituted not more than ten (10) days after the determination."

Page 15, line 36, after "rental" insert in bold "in current dollars".

Page 15, line 38, delete "." and insert in bold ". adjusted for inflation."

Page 16, line 5, delete "terms" and insert in bold "term".

Page 16, line 45, delete "definitive".

Page 17, line 4, delete "definitive".

Page 17, line 21, delete "definitive".

Page 17, line 23, delete "definitive".

Page 17, line 36, delete "definitive".

Page 17, line 37, delete "completion of the" and insert in bold "expiration of the ten (10) day period under subsections (f) and

23

(g)."

- Page 17, delete line 38.
- Page 19, line 6, delete "definitive".
- Page 19, line 23, delete "definitive".
- Page 19, line 32, delete "definitive".

and when so amended that said bill do pass.

(Reference is to House Bill 1002 as introduced.)

BAUER, Chair

Committee Vote: yeas 23. nays 1.

**NATIONAL  
ASSOCIATION  
of  
COUNTIES**

440 First St. NW, Washington, DC 20001  
202/393-6226

5/4/93 Good news!  
- agenda 7-6-  
- call circuit  
Court - find out  
who sent this  
in. ? RB

June 25, 1993

The Honorable Richard J. Borries  
County Commission, Chair  
Vanderburgh County  
Room 305 Civic Center Complex  
Evansville, IN 47708

Dear Mr. Borries:

We are pleased to inform you that your county has been selected to receive a 1993 NACo Achievement Award for the following entry:

**Non-Violent Felony Corrections**

We found that your county's program successfully addressed a significant concern in your county and we are pleased to commend you for your efforts.

I hope you will join us at our Annual Conference in Cook County (Chicago), Illinois, July 16-20, to receive your Achievement Award certificate. The conference will also provide you with an opportunity to discuss critical issues facing county government with other local officials from around the country.

Again, we congratulate you and thank you for participating in the 1993 NACo Achievement Award program. We look forward to hearing about other projects your county may develop in the future.

Sincerely,

*Larry Naake*

Larry E. Naake  
Executive Director

Rick,

6/30/93

Norris Hoverton

sent this in -

PAT

DON

I won't be going -  
is anyone from here  
going to accept the award?  
RB







Warrant No. \_\_\_\_\_

Claim No. \_\_\_\_\_

Date \_\_\_\_\_

IN FAVOR OF

Vendor Name UNITED CONSULTING

Vendor No. 1262

\$ 19,409.11

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name Col/Dez B#1C

Account No. 203-4353

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

July 6, 1993

Richard J. Barnes  
Signature of Office Holder

John Stoll

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

Allowed \_\_\_\_\_ 19 \_\_\_\_\_

In the sum of \$

Richard J. Barnes  
Natasha Justice  
[Signature]

Board of Commissioners

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u># 8</u>	<u>—</u>	<u>6/21/93</u>	<u>203-4353</u>	<u>19,409.11</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 19,409.11





CLAIM No. .... WARRANT No. ....

IN FAVOR OF  
NAME AND ADDRESS

BERNARDIN LOCHMUELLER  
SUITE 606  
HILLMAN BUDG  
47701

22,948.25

ON ACCOUNT OF APPROPRIATION

ACCOUNT NO. 216-4827

PURCHASE ORDER NO. \_\_\_\_\_

INVOICE NO. 90-038-1(17)

PURPOSE LUNCH RD EXT.

Allowed \_\_\_\_\_ 19 \_\_\_\_\_

In the sum of \$  
Richard J. Barnes  
Patricia Miller  
[Signature]

Commissioners \_\_\_\_\_ County \_\_\_\_\_

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

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon  contract.  
 statutory authority.

That it is apparently  correct.  
 incorrect.

.....  
Auditor

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

.....  
July 6, 1973  
Richard J. Barnes  
[Signature]





CLAIM No. .... WARRANT No. ....

IN FAVOR OF  
NAME AND ADDRESS

# 1053

KANN, DEER, DONOVAN & KANN  
305 UNION FEDERAL BUILDING  
POST OFFICE BOX 3646  
EVANSVILLE, IN 47730-3646

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

353.61

ON ACCOUNT OF APPROPRIATION

ACCOUNT NO. 130-3610 - *Legal*

PURCHASE ORDER NO. *Services*

INVOICE NO. KDDK 6-30

PURPOSE

Allowed ..... 19 .....

In the sum of \$  
*Richard J. Barnes*  
*Richard J. Barnes*

Commissioners ..... County

.....  
6/30  
.....  
19 93  
*Richard J. Barnes*  
of

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



MINUTES  
COUNTY COMMISSIONERS MEETING  
JULY 12, 1993

I N D E X

Subject	Page No.
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Introductions & Pledge of Allegiance .....	1
Complaint re Payment for Land Presently Being Used to Widen N. Green River Rd./Charles Kent Roebuck .....	1
Ordinance Amending Chapter 151 of the Thoroughfare Plan/Final Reading .....	2
Amended Speed Limit Ordinance/Second Reading .....	3
Agreement Between INDOT & Vanderburgh County for Improvements at Entrance to U.S.I. .... (Deferred; J. Stoll will try to get G. Curtis on next week's agenda)	3
Rental of Space in County Recorder's Office to Bowers, Harrison, Kent & Miller .....	3
County Attorney/Alan M. Kissinger .....	3
Resolution/Appointment of Hearing Officer for Poor Relief Appeals (A. Kissinger to discuss with Commissioners prior to submitting Resolution for action by the Board)	
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Weekly Work Report St. George Rd. Project Boonville-New Harmony Rd. County Line Rd. West	
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County Line Rd. West Willow Creek Estates/Section B Replat/Road Plans Supplemental Agreement/Bernardin-Lochmueller/Ohio Street Bridge Relocation of County Engineer's Office	
Consent Agenda .....	9
Travel/Corrections to Assessors & Treasurers Travel/Indiana Bond Bank Mtg. (July 27th); approval for Three Commissioners & County Auditor to attend Council Call/C.A.P.E.	
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MINUTES  
COUNTY COMMISSIONERS MEETING  
JULY 12, 1993

The Vanderburgh County Board of Commissioners met in session at 5:50 p.m. on Monday, July 12, 1993, in the Commissioners Hearing room with President Rick Borries presiding and Commissioner Don Hunter in attendance, representing a quorum. Commissioner Pat Tuley, Vice President, was absent.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order, apologized for the late start as a result of a lengthy Solid Waste Management District Meeting, introduced members of the County Staff (Abell, Kissinger, himself, Hunter, Humphrey and Matthews) and asked the group to stand for the Pledge of Allegiance.

Mr. Borries then asked if there are any groups/individuals present who wish to address the Commission who do not find their particular item of interest on tonight's agenda.

RE: COMPLAINT RE PAYMENT FOR LAND PRESENTLY BEING USED TO WIDEN NORTH GREEN RIVER RD./CHARLES KENT ROEBUCK

Mr. Charles Kent Roebuck of 31 Braemor Drive, Inverness, FL was recognized and submitted an Affidavit for Transfer of Real Estate Upon the Tax Duplicate, as follows:

Charles Kent Roebuck, being duly sworn upon oath says that Stella Hirsch Crowell, Matilda Hirsch Crowell and Amelia Hirsch Moser died testate (Trust) on September 3, 1973, February 16, 1990 and November 6, 1991, respectively, and that said decedents were on the day of death the owners of the following described real estate in Vanderburgh County, State of Indiana, to-wit:

Stella Hirsch Crowell	6-122-14	2820 N. Green River Rd.
Matilda Hirsch Pugh	6-51-13 &	
	6-41-38	2401 N. Green River Rd.
Amelia Hirsch Moser	6-41-39	2801 N. Green River Rd.

The purpose of this Affidavit is to state that Charles Kent Roebuck is a direct lines descendant of the three people named above, and a recipient of them and is named in their Wills & Trusts, administered by Citizens National Bank, Evansville, Indiana. I further state that I am aggrieved by the decision of the present Vanderburgh County Commissioners in not paying the heirs the fair market value of land that is presently being used to widen N. Green River Rd. to four lanes. Twenty-four years have passed since previous County Commissioners purchased the land in 1969. The original owners of the land were told the four-laning would occur in six years. I am filing this affidavit to be in compliance with the procedures as stated in West's IN Law Encl. Vol. 15, #67, Nonuse Failure to Open & Use; #88, Objections or Remonstrances; #57 and other Indiana Laws and Statutes that may apply.

That said real estate passed to this affiant by virtue of the laws of this state (or) by virtue of the last will and testament of said decedent, which will was duly probated and recorded in Will Record \_\_\_\_\_ at Page \_\_\_\_\_ of the record of wills of said Vanderburgh County; that this affiant was the Grandson, Nephew and Nephew, respectively, of said decedents, and as such was entitled to a partial interest in said real estate.

Mailing Address: Charles Kent Roebuck  
31 Braemor Dr.  
Inverness, FL 34450

Subscribed and sworn to before me this 9th day of July, 1993.

Lisa A. Tieken  
Notary Public

Notary Residence: Vanderburgh County

My Commission Expires:

June 4, 1995

Mr. Borries said, "(tape inaudible.....here today. So there isn't any way that any group, in my opinion, (are you an attorney, sir)?"

Mr. Roebuck responded, "No, I am not."

Mr. Borries continued, "I am not either -- so we're on equal footing there. But there is no way, based on my experience, where the county has ever paid someone twice for the same property. If they would do that, it sets a precedent where we would be paying the citizens of this county for property time and time and time again -- and that simply would not be feasible; that would not be practical. But we will take this matter under advisement. We appreciate your being here today.

Mr. Roebuck said, "I did want to stipulate one thing. Under the Supreme Court ruling in 1993 regarding South Carolina, that involves condemnation. This property did not involve condemnation when they acquired it for right-of-way."

Mr. Borries asked, "But were you paid, Sir, an amount?"

Mr. Roebuck responded, "We were paid an amount less than we considered fair."

Mr. Borries asked, "But did you have a right in any public meeting to indicate those things -- and was that a public transaction at that point?"

Mr. Roebuck replied, "That, at the time, was not made a public record. It was handled in chambers."

Mr. Borries asked, "Was there an official record of you transferring the property and selling the property to the county?"

Mr. Roebuck replied, "Yes, there is. I have a copy of that with me."

Mr. Borries said, "Okay. Okay. Thank you, Sir."

RE: ORDINANCE AMENDING CHAPTER 151 OF THE THOROUGHFARE  
PLAN/FINAL READING

Mr. Borries said this ordinance is essentially one wherein it changes the centerline of a thoroughfare set-back. Streets included are Green River Rd. from I-164 to Pigeon Creek and Morgan Avenue from U. S. Highway 41 to the Warrick County Line. And then, from the centerline of a thoroughfare of the total set-back shall be 75 ft. First Avenue from Pigeon Creek to Mill Rd. Again, we have gone through advertisement and previous hearings and it is now time for the Board to act on the ordinance.

Motion to approve the ordinance on Final Reading was made by Commissioner Hunter, with a second from Commissioner Borries.

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

RE: AMENDED SPEED LIMIT ORDINANCE/SECOND READING

President Borries said the ordinance has been properly advertised, and this is the Second Reading. He then entertained a motion.

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

Commissioner Borries noted the Final Reading of this ordinance is scheduled for next Monday.

RE: AGREEMENT BETWEEN INDOT & VANDERBURGH COUNTY FOR USI - GREG CURTIS

President Borries noted he does not see Greg Curtis in the audience and asked if John Stoll, the County Engineer, knows anything about the agreement.

Mr. Stoll said this is an amended agreement. Since his office was in the process of relocating today, he did not get a chance to talk with Greg Curtis. However, the agreement just spells out the amount that the State will be paying to the County as their share for the improvements to the entrance at USI. He believes it was \$284,000. He will speak with Greg and see if he can get him on next week's agenda.

RE: RENTAL OF SPACE IN COUNTY RECORDER'S OFFICE/BOWERS, HARRISON, KENT & MILLER

It was noted by Mr. Borries that he does not see Joe Harrison, Jr. in the audience.

Mr. Greg Kahre approached the podium and stated he wishes he was Joe Harrison, Jr. -- or at least an heir. However, he is present with regard to some correspondence he had directed to Mr. Abell's attention last week with regard to the possible rental of space. Actually, it is not in the Recorder's office, but adjacent to the Recorder's office -- where two title companies presently have some facilities. He was advised there apparently is still some space which may be available (limited space of only about twenty to twenty-five square feet for purposes of just putting a table and possibly a filing cabinet, telephone, etc.). They find that with the searchers their firm has doing public record searches in the Recorder's records that this would be advantageous, if at all possible, to go ahead and do. He thinks it would alleviate some of the -- not having access to a telephone they constantly have to use the Recorder's telephones to go ahead and contact their searchers or try to find out where they are. They are hopeful this would alleviate some of that burden on the part of the Recorder, as well. They have conversed with the Recorder and she believes there is some space that would be available. While he did not confirm this, he understood the rental price to be \$15.50 per sq. ft. Today he is requesting the opportunity to rent the space for the purposes heretofore mentioned.

Mr. Borries entertained a motion.

Motion to approve rental of space adjacent to the County Recorder's office to Bowers, Harrison, Kent & Miller was made by Commissioner Hunter, with a second from Commissioner Borries. So ordered.

RE: COUNTY ATTORNEY - ALAN M. KISSINGER

Resolution/Appointment of Hearing Officer for Poor Relief Appeals: Attorney Kissinger said he knows the Commissioners are interested

in this resolution. There are some problems he needs to discuss with the Commissioners -- probably most appropriately in Executive Session. He would like to do that next week and they will probably do something with regard to the resolution next week, as well.

Resolution/Condemnation Suit VC-93-08-01 (Burkhardt Rd. Project): Attorney Kissinger said he has the resolution which represents the final step in the preliminary procedures prior to filing a condemnation suit (Project VC-93-08-01/Burkhardt Rd. project) which he would ask the Commissioners to consider and approve tonight.

Mr. Borries noted this has to do with Virginia Street, as well. What this resolution does is to authorize eminent domain proceedings according to legal advertising, etc., and we're following through on intentions to do that at this time.

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

RE: ORDINANCE RE RIVERBOAT GAMING ISSUE IN VANDERBURGH COUNTY

Commissioner Borries said he believes the Common Council of the City of Evansville is considering an ordinance, which is an enabling ordinance, regarding a referendum concerning the riverboat gaming issue in this county. If Attorney Kissinger could please get information on that, it might be appropriate for this Board to consider action with regard to that same kind of ordinance in the exact same fashion in order to perhaps avoid any confusion at some point down the road. If Attorney Kissinger could contact the City of Evansville regarding this, he would appreciate it.

Attorney Kissinger said he will try to report back to the Board on this next week.

RE: TELEPHONE CONVERSION PROGRAM/PROGRESS REPORT

Mr. Mark Abell, Superintendent of County Buildings, was recognized. He said he has some representatives from Indiana Bell and VanAusdall & Farrar here this evening. They would like to give an update or progress report concerning the ongoing communications change that we're considering.

Ms. Kelly Culiver of VanAusdall & Farrar said she just wants to update the Commissioners concerning the progress of the IIN Centrex which has been discussed during the last few months. The County and the School Corporation are scheduled to proceed, as discussed in the past, hitting some key dates -- one being the July 30th signature of the IIN agreement. Mr. Kissinger has had that for a couple of weeks (or at least a week, she thinks) and had time to review same. He does not see a problem with our being able to hit that first benchmark to be able to proceed with the project. The same is true with the School Corporation. They are proceeding in order to hit that deadline. The next big date will be the August 5th directory listings due date, in which they have a lady from Indiana Bell who will be coming in to meet with the School Corporation, the County and the City, if everything is signed off on -- to get our listings as they should be in the phone book for 1994. They hope to have that complete and also a few key departments have their station surveys completed by August 30th. They will then begin the feature number assignments in going through each department with the head of that department and getting them set up for the December 4th conversion date. She might make the Commissioners aware that they have not progressed quite as far with the City as they have with the County and the School Corporation. Nonetheless, she did want to make the Commissioners aware the County is still moving forward and still being scheduled for the December 4th date, as is the School Corporation. She doesn't believe there are any pending issues on the agreement viewed by Attorney Kissinger, so they will probably

have that within the next couple of weeks for the Commission's approval.

President Borries thanked Ms. Culiver for her report and asked if Commissioner Hunter has any questions. Mr. Hunter said he does not. Continuing, Mr. Borries said that for Ms. Culiver's information, the County Budget Hearings will be held August 3, 4 and 5. He believes the Commissioners' budget will be held on August 3rd. He would like for her or someone available at that time to help the Commissioners answer questions. The real thing we have to insist on to make sure we are absolutely -- he personally is committed -- he sees some real cost savings and he wants that message to get across to the County Council. Therefore, it is very important that they not only continue to communicate to the Commissioners, but help get that message to the County Council. The Commission sees some long range savings. He thinks Ms. Culiver has been very up front with her presentation, her listings, etc. He is not going to speak for the city and he is sure whatever concerns or whatever issues they have can be resolved. But from a long term standpoint he has been able to see some significant savings and perhaps better service and more cost effective maintenance down the road -- so he remains committed to this project. Again, he wants to inform Ms. Culiver of the budget hearing dates. He is not sure how they are going to do the budgets this year. Maybe Auditor Humphrey can help with that. Some years they flip-flop around. Some years all the travel, for example, has been dumped in the Commissioners' budget; other years it has not. Some years telephones, F.I.C.A., and all those things are dumped in the Commissioners' budget and some years they are not. What would be Mr. Humphrey's understanding on telephones? That would still remain in the Commissioners' budget?

Auditor Humphrey gave an affirmative response.

Commissioner Borries said otherwise it gets very hard to administer. People continue to come back to Council because they have run out of budgeted money, etc. It's much more effective if it is administered through the Commissioners' budget.

Ms. Culiver asked if there is anything in particular she needs to have prepared for the budget hearing.

Mr. Borries said, "Lots of information about savings; how much it is going to save the county."

Ms. Culiver asked, "County only?"

Mr. Borries responded, "Yes. We're very committed and hope the City will do the same; but in order to keep with the guidelines, particularly in terms of phone books and those kinds of things, I think it important that we continue to move forward on this."

Ms. Culiver said it does make for much easier transition if you can meet those. She also wanted to make the Commissioners aware that VanAusdall & Farrar has agreed to reprint (she believes we had some directories done very recently) the sections with the new numbers in them -- so they will take care of that and everyone will have accurate phone directories after the conversion.

Mr. Borries said Mark Abell has given him continual updates on this and he remains very convinced at this time of what the advantages would be for us to move into this system. The Commissioners will just assume that Ms. Culiver will also continue to communicate with the City and cost out those savings for them, as well. Ms. Culiver said she surely will.

Auditor Humphrey queried Ms. Culiver concerning the August 3rd date for completion of directory listing (Prosecutor's, Health Department and the County Clerk). Is he to assume that the Auditor

has been on there prior to this? Or are they just omitting the Auditor?

Ms. Culiver said that is when that will begin. There were three areas that they needed to look at specifically because of specific problems that they are having. Irene Schneider from Indiana Bell will be available during that months. But the Auditor will be between August 30th and September 30th. Everybody will be covered.

Mr. Humphrey asked if they will have the same type of service they now have?

Ms. Culiver stated, "Better."

Mr. Humphrey said he heard there was only going to be one line in his office. He needs two lines.

Ms. Culiver asked how many phones he has right now.

Mr. Humphrey said he has two phones and two lines.

Ms. Culiver said if he has two phones he will then have two lines.

Commissioner Hunter said Ms. Culiver might also mention convenience and efficiency in these offices when she goes to County Council. His point is well taken -- and others will come up.

Ms. Culiver said everyone will be looked at and the issues -- if there are issues of change that are going to need to be approached -- and that would be Mr. Humphrey's decision insofar as any changes he would want to make. There were three areas that they narrowed down that were problem areas and those are the areas she wants to make sure Irene gets into very soon -- so if there is any cost factoring here to upgrade some of the phones, then we will have plenty of notice to make that decision.

Auditor Humphrey requested that they please come to his office, he does have a couple of needed changes.

Mr. Abell said those particular departments they looked are the ones that have really blossomed and grown terrifically. The Prosecutor's office and the Health Department, as well, where people are really crammed in the space, partitioned off -- and the communications system really never grew along with it. They thought it a good time to update that in the process.

Ms. Culiver said that will all be coming back to the Commissioners. They will take the recommendations of the departments and bring that back to the Commission for a decision.

One important item Ms. Culiver wants to call to the Commissioners' attention is that on September 15th the IIN pricing does expire. If an agreement is not signed, then a renegotiation is required on that pricing. That pricing is only good up until September 15th. That is not a problem for the Commissioners, but she did want to make them aware of it. Ms. Culiver then entertained further questions or comments.

Commissioner Borries said he thinks the more communication they have with the various officeholders, the better off we are. His experience with the phones that he has seen with regard to VanAusdall & Farrar is that it seems some of the functions are much more simple than they have been previously and the sound quality is compatible with current regulations for hearing impaired, etc., and some of the functions are a good deal more simple than those we have on the current system.

Ms. Culiver said she agrees completely -- and there will be a head of each department that will be notified and a meeting set up to

review the current telephone issues they have in their department.

Mr. Borries said Mark Abell can provide her with a list of the department heads. In the case of an officeholder, it would probably be better to talk with he/she first. We want to make this as cost effective as possible. It seems everybody might want a master console phone and the reality of it is that a many do not need those; a lot of the functions are superfluous and expensive and a lot of people wouldn't use them anyway. With that idea in mind, he would recommend starting with the officeholder and he/she might have a technical person in that office who can provide some insight as to what is needed.

Mr. Abell said training might also be mentioned. Arrangements have been made to do that in this building.

Ms. Culiver said Indiana Bell has what they call a Communications Counselor Session. What they do is select a head from each department. They will go through the training on the key sets, as well as on the single line sets. Everyone will attend a training class; this one is just a little more in depth. The purpose that serves is that on the day they come back after the conversion, they can go to that counselor in their department if they have a question or minor problem. They can first go to that person. Several help desks will be set up here in the Civic Center, as well as in the Courts Building for people to call and that will probably go for about a week. On the first day you have people calling quite frequently; as the week goes on, that does die down. VanAusdall has made concessions for classes to be held here in the building, as well as having the help desks set up. If it needs to go over a week, certainly they have made provisions for that, as well. They'll just have to see how it goes and how everyone adjusts. If it needs to be two weeks or whatever, they can manage that.

Mr. Borries thanked Ms. Culiver for the update.

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Work Report: Mr. Borries noted Mr. Morphey has submitted his written weekly report for period June 2, 1993 thru July 8, 1993.....report received and filed.

St. George Rd.: In response to query from President Borries with regard to work on St. George Rd., Mr. Morphey said it is coming along rather well. They are within a few days of being completed with the pipe and they have various storm drain inlets and some restoration work -- compaction with concrete for driveways, etc., and then they will seed and straw the property when they are finished. With clean-up work and everything, they should be finished in two weeks. The equipment is holding up real well right now. They've had several workers on vacation who will be back tomorrow, so they will be back to paving tomorrow and going full speed.

Boonville-New Harmony Rd: In response to query from Commissioner Hunter, Mr. Morphey said this is work being contracted out by the County Engineer's office. He understands they will be another twelve days. The road should be completely closed now, whereas it was previously one lane. We've been receiving some calls, but when the project is completed he is sure we'll be getting calls of thanks.

County Line Rd. West: Mr. Borries noted he has not had the opportunity (and may not this week, as his daughter is getting married on Saturday and he will be out of commission most of this week) to talk with the Posey County folks. Has anyone else had an opportunity to talk with anyone over there concerning some clarification on County Line Rd. He thinks the last conversation

he had on this was that it was the best we could do in relation to the budget and apparently the available right-of-way on the road.

Mr. Morphey said he has made various attempts at getting in touch with the people over there, as has John Stoll. On the section of County Line Rd. West that is solely in Vanderburgh County, we have 33 ft. of right-of-way. The pavement is 18 ft. wide and there are some areas where we have a very narrow shoulder. At one curve we have virtually no shoulder and he is looking at doing something there. Inside guard rail is hazardous and he is leaning toward putting some pipe in there with a surface drain in order to eliminate that tight inside curve and ditch with no shoulder.

On the section of County Line Rd. West that is shared by the two counties, the Posey County Superintendent told him they go from whatever they can get (that's his words). The farmers just sort of let them have what they need to grade their road and get proper drainage. He would not want Vanderburgh County Highway Department personnel getting in Dutch with the Posey County farmers for getting off the right-of-way. He is still asking to go 18 ft. wide on the pavement with a 3 ft. to 4 ft. shoulder on each side, with the ditch, also.

Mr. Borries said he will try to make some contact, but doesn't know if he can get it done this week. If Mr. Morphey will do the same, we will continue to meet with them technically to explain our situation.

Mr. Morphey said there is a bridge out there that is 12 ft. wide -- so it really doesn't matter how wide we pave the road; you would still have a bottleneck there.

Mr. Borries asked, in Mr. Morphey's opinion, who is responsible for the bridge.

Mr. Morphey said Posey County is responsible for the bridge and they are going to replace it in another two to three years.

Mr. Morphey said he has the money to pave the road and we'll probably be doing that in another thirty days -- as soon as they finish their ditching.

RE: COUNTY ENGINEER - JOHN STOLL

Mr. Stoll noted he's tried contacting Steve Hahn several times. He was gone last Wednesday and Thursday and he and Mr. Hahn have been playing phone tag ever since. They will still try to contact him so he, Bill and himself can meet out at the County Line.

Willow Creek Estates/Section B Replat: Mr. Stoll said this is a short cul-de-sac that has already been built. For some reason the plans for this road were not approved in the past -- or nobody can find a record of them having been previously approved. Therefore, he is bringing the plans for signatures tonight. The road has been built and was inspected by Gary Kercher as construction was in process. The road is actually flatter than the grades shown on the plans. They have said they can provide us with a set of as-built plans. It is curb and gutter section. He sees no problems and recommends approval.

Motion made by Commissioner Hunter to approve the road plans, upon the recommendation of the County Engineer. Seconded by Commissioner Borries and so ordered.

Supplemental Agreement/Ohio Street Bridge: Mr. Stoll said this is an agreement with Bernardin-Lochmueller in the amount of \$4,683.00 for the preparation of reimbursable and non-reimbursable utility agreements whenever the project proceeds to the stage where we will need the agreements. It makes the process much more simple if they

handle all these things and he recommends the Board execute the agreement.

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

Relocation of County Engineer's Office: In response to query from Commissioner Borries, Mr. Stoll said today was moving day. He thinks their office would currently qualify for some Federal Disaster Aid -- but they are moved. He does not have a printed Engineer's agenda this evening because they do not yet have a printer hooked up. They do have windows and window air conditioners. Whenever they get it straightened out -- the new location will be real nice. It's just going to take some time to get everything out of boxes and rearranged. They will probably need a couple of more light fixtures. When the storm blew in about 4:00 p.m. today the office was a little darker than expected with the initial lighting. Otherwise, everything seems to be pretty good.

Mr. Borries said he knows Mr. Stoll has had a hectic week.

RE: CONSENT AGENDA

Travel: Mr. Borries noted that in accordance with information from the County Auditor changes have been made in relation to State-called meetings for the County Assessor. He believes there was a claim adjustment concerning the Treasurer's travel. She had figured 24-1/2 cents per mile rather than 25 cents per mile. Auditor Humphrey noted the per diem is \$24.00 per day and mileage is 25 cents per mile.

Approval of Minutes: Commissioner Borries noted that with regard to approval of minutes, minutes of June 21st and July 6th are ready for approval and should be included on the Consent Agenda.

There being no further comments, a motion was entertained.

Travel/Indiana Bond Bank Mtg.: Auditor Humphrey said he has seven (7) people going to the Indiana Bond Bank meeting for a technical hearing on July 27th. The Commissioners should probably approve travel for Rick, Pat, Don and himself. The other four attending are Council members.

Mr. Borries requested that travel for the three Commissioners and the Auditor should be included on the Consent Agenda.

Council Call/C.A.P.E.: In response to query from Commissioner Hunter, Mr. Borries stated he had requested some clarification concerning the budgeted amount. Ms. Farrell has indicated the account is \$4,843.95 short and the Commissioners will be going o Council Call.

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

RE: OLD BUSINESS

Proposed Inter-Local Agreement/Law Enforcement Services/Darmstadt: Attorney Kissinger said he would mention that he has amended and returned the proposed agreement to the Darmstadt officials. Basically the ball is in their court. It is his understanding the agreement will be returned soon and, at that time, he will probably recommend to the Board that the agreement be approved.

RE: NEW BUSINESS

Agreement w/Indiana State Board of Animal Health: Mr. Borries said

he has the annual agreement re Bovine Brucellosis and Tuberculosis Eradication Programs for execution and return to the State Board.

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

RE: EVANSVILLE-VANDERBURGH COUNTY FLOOD PROTECTION AND INSURANCE

Mr. Borries said the other item he also wanted to make sure was entered in the record (it may have been reported in the media) for those people who have been very concerned about the flooding -- and perhaps almost unprecedented flooding for this time of year -- on the Mississippi and tributaries, such as the Missouri, and it's not that far off, western Illinois and Iowa, there was a News Release that had been put out by the Levee Authority and the Building Commission. A majority of the City of Evansville and, of course, the County was inundated by the 1937 Flood. The News Release was then cited by Commissioner Borries. He again urged those individuals who have questions concerning the levee system to contact the Levee Authority at 423-5985 or if they have questions concerning Flood Insurance to contact the Building Commission at 426-5707. A copy of the News Release is attached hereto as part of the permanent record.

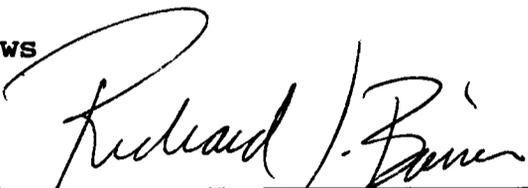
President Borries entertained further matters of business to come before the Board at this time. There being none, he declared the meeting adjourned at 7:00 p.m.

PRESENT:

Richard J. Borries, President  
Don Hunter, Member  
Sam Humphrey, Auditor  
Alan M. Kissinger, County Attorney  
Mark Abell, Supt./County Bldgs.  
John Stoll, Count Engineer  
Bill Morphew, County Highway Supt.  
Charles Kent Roebuck  
Bruce A. Hatfield/Willow Creek Estates  
Meghan Hatfield/D.A.D.  
J. S. Johnson/VanAusdall & Farrar  
Kelly Culiver/VanAusdall & Farrar  
Norm Davenport/Indiana Bell  
Greg Kahre/Bowers, Harrison, Kent & Miller  
Others (Unidentified)  
News Media

ABSENT: Patrick Tuley, Vice President

SECRETARY: Joanne A. Matthews

  
Richard J. Borries, President

  
Don Hunter, Member



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

**AGENDA**

**VANDERBURGH COUNTY COMMISSIONERS**

**JULY 12, 1993**

**5:30 P.M.**

**FINAL**

1. **CALL TO ORDER**
2. **INTRODUCTIONS**
3. **PLEDGE OF ALLEGIANCE**
4. **ACTION ITEMS**
  - A. Any group/individual wishing to address the commission
  - B. Thoroughfare Plan Ordinance  
re: Final Reading
  - C. Amended Speed Limit Ordinance  
re: Second Reading
  - D. Greg Curtis  
re: agreement between INDOT and Vanderburgh County for USI
  - E. Joe Harrison, Jr./Attorney at Law  
re: rental of space in the Records Office
5. **DEPARTMENT HEADS**

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

**6. CONSENT ITEMS**

- A. Travel/Education Requests  
County Assessor (8)                      Treasurer      (2)
- B. Claims for payment:
  - 1) Given & Spindler.....4,110.15  
    \*July Management Fee
- C. Council Call/County Commissioners
- D. Commissioners Minutes for 6/21/93  
    \*acceptance/approval
- E. Employment Changes:

**8. OLD BUSINESS**

**9. NEW BUSINESS**

- a. News Release  
    re: Evansville-Vanderburgh County Flood Protection/Insurance

**10. MEETING ADJOURNED**

### Scheduled Meetings

Mon	July 12	Solid Waste County Commissioners	4:30 PM 5:30 PM	RM 307 RM 307
Mon	July 19	County Commissioners: Executive Session County Commissioners Rezoning	4:30 PM 5:30 PM 7:00 PM	RM 307 RM 307 RM 307
Tues	July 20	Insurance Committee Meeting	9:00 AM	RM 303
Thurs	July 22	Employee Steering Committee	9:00 AM	RM 303
<b>SUNDAY JULY 25 COUNTY PICNIC AT BURDETTE PARK IN THE PAVILION</b> 1 P.M. until 5 P.M.				
Mon	July 26	County Commissioners: Executive Session County Commissioners Drainage Board Immediately Following	4:30 PM 5:30 PM	RM 307 RM 307
Wed	July 28	County Council Personnel/Finance	3:30 PM	RM 301

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department SCOTT TOWNSHIP ASSESSOR-REASSESSMENT *sk*

## APPOINTMENTS MADE

*4/27/93*

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
249-116-199	Norma M. Miller	14320 Cemetary Rd	Coordinator II	\$9.00/ HR	6-28-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
249-116-113	Norma M. Miller	14320 Cemetary Rd	Coordinator II	7 8731 - <del>99.00</del> HR	6-28-93 <i>JEAN SANKIE</i>
	(COLLECTION)				

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

DATE 6-28-93 7/7/93

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department PIGEON TOWNSHIP ASSESSOR 2490-1150-1990 REASSESSMENT *sk*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490-1150-1990	William D. Garrett	6510 Green Cove Ave.	Part time	Hourly 7.00	7-7-93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

DATE 7-7-93

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Treasurer 103

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
103-112	Robert A. Whitehouse	II 2709 Bayard Pk Dr.	Chief Deputy	28,887	00	8-2-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
103-112	James E. Lindenschmidt	2023 Polster	Chief Deputy	28,887	00	7-24-93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY James B. Blend DATE July 9, 1993

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Voters Registration Office

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
	Janice Bentle	1401 King Arthur Ct.	Dep. Reg.	15,607	00	7-12-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Susan K. Hill DATE 7-8-93

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department VANDEBURGH COUNTY CLERK

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1010-1530	STEPHANIE HARVEY		DEPUTY	15607 00	6-28-92 ✓
	(RETURNED FROM SICK LEAVE)				

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Betty Knight Smith DATE 7-7-93

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Vandeburgh County Assessor

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
11801090	Margaret Effinger	11909 Buente road	Office Clerk/ Deputy	7.8678 / HA \$16,428 00	7-6-93 ✓
				- DR SANDIE PEL SANDIE COUNCIL REP IN JUNE	

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
11801090	Margaret Effinger	11909 Buente Road	Office Clerk/ Deputy	\$14,263 00 6.8309 / HC	7-6-93 ✓

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY James L Angermeyer DATE 7-6-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Vanderburgh Auditorium *rl*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1440-1120	Janice M. Bentle	1401 King Arthur Ct.	Asst. Manager Event Coordinator	19,323.00	7/9/93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Sandra Toton*

DATE 7-7-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department BURDETTE PARK *rl*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	BRANDI ROCCA		GUARD	4 60	6-30-93 ✓
1180	MIKE MOSER		GUARD	4 50	6-30-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	BRANDI ROCCA		GUARD	4 35	6-30-93 ✓
1180	MIKE MOSER		GUARD	4 35	6-30-93 ✓

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Mark (J.E)*

DATE 7-7-93

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department

BURDETTE PARK

*pl*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	GLORIA WILLIAMS		BUS DRIVER	6 25	6-30-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	GLORIA WILLIAMS		BUS DRIVER	6 50	6-30-93
	(COLLECTION - WRONG ON PREVIOUS PINK SLIP) <i>JH</i>				

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*Mark C. Tully (S.E.)*

DATE

7-7-93

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department

213.4 Health Department/WIC Program

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
113	Diane Bissonette	6050 Knight Drive Evansville, IN 47715	Registered Nurse	12 4655	7/22/93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*[Signature]*

DATE

7/6/93

# COUNTY ENGINEER'S

## CONSENT AGENDA

JULY 12, 1993

1. CLAIMS:

GREEN RIVER ROAD NORTH	216-4910	
United Consulting Engineers (Inv. #15)		\$21,375.37
Donan Engineering (Interprop)		\$ 280.80
United Consulting Engineers (Inv. #35)		\$ 1,400.00
DARMSTADT ROAD BRIDGE #214	203-4342	
Sam Oxley & Company (Inv. #1)		\$39,671.11
CRACK SEALING VC 93-0502	216-3930	
Pavement Maintenance Spec. (Inv. #199-93)		\$16,990.82

**PROGRESS REPORT**

<b>JULY 30, 1993</b>	<b>IIN AGREEMENT REQUIRED SIGNATURE DATE</b>
<b>AUGUST 5, 1993</b>	<b>DIRECTORY LISTINGS DUE DATE *MEETING IRENE SCHNEIDER INDIANA BELL 1:30</b>
<b>AUGUST 30, 1993</b>	<b>DIRECTORY LISTINGS COMPLETE *STATION SURVEYS COMPLETE FOR: PROSECUTOR'S OFFICE, HEALTH DEPARTMENT, COUNTY CLERK</b>
<b>SEPTEMBER 6, 1993</b>	<b>STATION NUMBER AND FEATURE ASSIGNMENT</b>
<b>SEPTEMBER 15, 1993</b>	<b>IIN PRICING EXPIRES (IF NO IIN AGREEMENT HAS BEEN SIGNED) *RENEGOTIATION OF NEW PRICING REQUIRED FOR CONTINUATION OF EXISTING IIN PROJECT</b>
<b>OCTOBER 18, 1993</b>	<b>DEADLINE TO NOTIFY BUILDING AUTHORITY TO INFORM KLF OF THE INTENT TO NOT RENEW SERVICE CONTRACT</b>
<b>OCTOBER 29, 1993</b>	<b>IIN RENEGOTIATION MUST BE COMPLETE WITH A SIGNED IIN AGREEMENT TO MEET A DECEMBER 4, 1993 CONVERSION DATE</b>
<b>NOVEMBER 1, 1993</b>	<b>BEGIN FINAL STATION REVIEW AND COMPLETE IIN INSTALLATION ORDERS SCHEDULE PRE-TRAINING CLASSES</b>
<b>NOVEMBER 15, 1993</b>	<b>IIN CONVERSION MEETING</b>
<b>DECEMBER 4, 1993</b>	<b>IIN CONVERSION DATE</b>

RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF VANDERBURGH COUNTY APPROVING  
EMINENT DOMAIN PROCEEDING

WHEREAS, the County of Vanderburgh, State of Indiana ("Vanderburgh County"), is now engaged in the acquisition of certain real estate to make improvements to a certain public highway in Vanderburgh County, Indiana, under Project No. VC93-08-01, said improvement being to a portion of a road known as Burkhardt Road, a part of the highway system of Vanderburgh County; and,

WHEREAS, Vanderburgh County has determined and hereby finds that Wyman J. Holder and Inez M. Holder are the owners of certain real estate located in Vanderburgh County, Indiana, in which are included rights, title and interest in real estate described as Parcel 1 of Project No. VC93-08-01, which is hereby sought to be acquired; and,

WHEREAS, Vanderburgh County has determined and hereby finds that, to improve Burkhardt Road, it is necessary and proper that it take, by right of eminent domain and through the legal process of condemnation, the real estate described as Parcel 1 of Project VC93-08-01 (hereinafter referred to as "Acquisition"); and,

WHEREAS, Vanderburgh County has determined and hereby finds, pursuant to the Burkhardt Road Corridor Study, prepared by the Evansville Urban Transportation Study, dated February, 1991, and other public considerations, that the Acquisition is not for speculative purposes; and,

WHEREAS, Vanderburgh County has determined and hereby finds that the Acquisition and Project No. VC93-08-01 will serve a present need of the public; and,

WHEREAS, Vanderburgh County has determined and hereby finds that the Acquisition and Project No. VC93-08-01 will serve a public purpose which will be primarily for the benefit of the public within the State of Indiana; and,

WHEREAS, Vanderburgh County has determined and hereby finds that it has made a good-faith offer to purchase the real estate described as Parcel 1 of Project No. VC93-08-01; and,

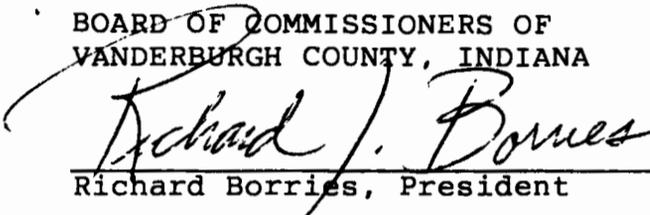
WHEREAS, Vanderburgh County has determined and hereby finds that Wyman J. Holder and Inez M. Holder, as joint owners of Parcel 1, have refused Vanderburgh County's good-faith offer to purchase the real estate described as Parcel 1 of Project VC93-08-01;

NOW, THEREFORE, IT IS HEREBY RESOLVED that, pursuant to Indiana statutes, the Board of Commissioners of Vanderburgh County, as the executive of Vanderburgh County, based on the

findings cited hereinabove, hereby authorize the Vanderburgh County Attorney to proceed with the filing of a complaint, pursuant to Indiana Code 32-11-1-1, et seq., for the condemnation of the real estate interests in real estate described as Parcel 1 of Project No. VC93-08-01.

ADOPTED AND EXECUTED this 12 day of July, 1993.

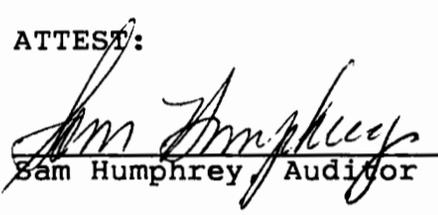
BOARD OF COMMISSIONERS OF  
VANDERBURGH COUNTY, INDIANA

  
Richard Borries, President

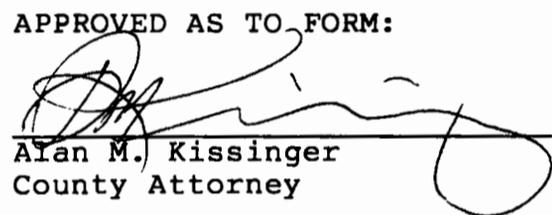
Pat Tuley, Vice-President

  
Don Hunter, Commissioner

ATTEST:

  
Sam Humphrey, Auditor

APPROVED AS TO FORM:

  
Alan M. Kissinger  
County Attorney

93-18267

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 151 REGARDING THE THOROUGHFARE PLAN ORDINANCE

WHEREAS, it is the desire of the County Commissioners of Vanderburgh County that current thoroughfare planning accurately reflects future right-of-way needs;

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

SECTION 1. AMENDMENT OF SECTION 151.03 (B) MAJOR ARTERIAL  
Subsection B of Section 151.03 is hereby amended to read as follows:

**MAJOR ARTERIAL**

1. From the center line of the thoroughfare the total setback shall be ninety (90) feet. The following streets are included in the major arterial classification with thoroughfare setbacks as shown below:

Green River Road (I-164 to Pigeon Creek)  
Morgan Avenue (U.S. 41 to Warrick County Line)

2. From the center line of the thoroughfare the total setback shall be seventy-five (75) feet:

First Avenue (Pigeon Creek to Mill Road)

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.

RECEIVED  
FOR RECORD

JUL 13 10 44 AM '93

BETTY ANN  
RECORDER OF  
VANDERBURGH COUNTY

VANDERBURGH COUNTY  
**FILED**

JUN 17 1993

*Sam Thompson*  
CLERK

PASSED by the Board of Commissioners of the County of Vanderburgh, Indiana, on the 12 day of July, 1993, and on said day signed by the President of the Common Council and attested by the City Clerk.

THE BOARD OF COMMISSIONERS OF  
THE COUNTY OF VANDERBURGH

Richard J. Borries  
Richard Borries, President

Patrick Tuley, Vice-President

Don Hunter  
DON Hunter, Member

ATTEST:

Sam Humphrey  
Sam Humphrey, Auditor

VANDERBURGH CO.  
**FILED**  
JUN 17 1993  
Sam Humphrey  
AUDITOR

# **BOWERS HARRISON KENT & MILLER**

101 SE THIRD ST., FOURTH FLOOR  
P. O. BOX 1287  
EVANSVILLE, IN 47706-1287  
TEL. (812) 426-1231 · FAX (812) 464-3676

F. WESLEY BOWERS  
JOSEPH H. HARRISON  
DAVID V. MILLER  
PAUL E. BLACK  
GARY R. CASE  
ARTHUR D. RUTKOWSKI  
GEORGE C. BARNETT, JR.  
DAVID E. GRAY  
GREGORY A. KAHRE  
PAUL J. WALLACE  
TIMOTHY J. HUBERT  
JAMES P. CASEY  
THOMAS A. MASSEY

CEDRIC HUSTACE  
GREG A. GRANGER  
JEFFREY S. HARLAN  
JOSEPH H. HARRISON, JR.  
CHRISTOPHER E. CARL  
JOHN D. RICHARDSON  
MICHELLE AGOSTINO COX  
WILLIAM O. WILLIAMS II

OF COUNSEL  
ADDISON M. BEAVERS  
K. WAYNE KENT  
—  
WILLIAM G. GREIF  
LEGISLATIVE CONSULTANT  
WASHINGTON, D C  
—  
RICHARD L. LAPPAN  
ADMINISTRATOR

July 2, 1993

Vanderburgh County Board of Commissioners  
Mr. Mark Abell, Assistant to Commissioners  
Room 305  
City-County Building  
Martin Luther King Blvd.  
Evansville, Indiana 47708

Re: Rental of Space adjacent to Recorder's Office

Dear Mr. Abell:

Our firm recently discussed with Betty Herrmann, Recorder of Vanderburgh County, the possibility of renting space adjacent to the Recorder's office where two title companies, Evansville Titles, Corp. and Hoosier Abstract, are presently located. We are advised that a limited amount of space is still available in the same location for the like purpose of examining titles in the public records. The firm presently employs three searchers who regularly search the public records of the Recorder's and Clerk's offices in the City-County Building on a daily basis.

We understand that the present monthly rental for this space is \$15.50 per square foot. Our firm would be interested in renting twenty (20) to twenty-five (25) square feet on this understanding in a mutually agreeable location therein for the limited purpose of maintaining a filing cabinet, table and possibly a telephone for the use of our searchers.

The Recorder has advised us to direct this request to your attention for whatever action the Vanderburgh County Board of Commissioners may wish to take in this regard. We would appreciate your advice as to what action, if any, may additionally be necessary in order to procure the rental of this space. You may contact the undersigned at your convenience for any additional information or inquiries relative to this request. Thank you again for your consideration in this matter.

Yours very truly,

  
Gregory A. Kahre, Partner  
Bowers, Harrison, Kent & Miller

cc: Ms. Betty Herrmann



BETTY J. HERMANN  
VANDERBURGH COUNTY RECORDER

STATE OF INDIANA

ROOM 231 CITY-COUNTY ADMINISTRATION BUILDING  
1 N.W. M. L. KING, JR., BOULEVARD  
EVANSVILLE, IN 47708-1881  
(812) 426-5217

July 6, 1993

To]

Rick Borries  
Pat Tuley  
Don Hunter

The Abstract Companies of Bowers, Harrison, Kent & Miller have my permission as the County Recorder to rent space, in the side room of the Recorders Office. (If this meets with the approval of the Commissioners.)

Respectfully,

*Betty J. Hermann*

Betty J. Hermann  
County Recorder



# STATE OF INDIANA

## BOARD OF ANIMAL HEALTH

805 Beachway Drive, Suite 50  
Indianapolis, Indiana 46224

Office of the State Veterinarian

Telephone 317 - 232-1344

Fax: 317 - 248-4063

Licensing / Enforcement 317-232-1338

Cattle / Ruminants 317-232-1336

Swine Division 317-232-1334

Other Species 317-232-1335

May 05, 1993

Dear County Auditor:

Please find enclosed the contracts for Bovine Brucellosis and Tuberculosis Eradication Programs in your county.

The contracts are in the amount of \$1,000.00, which includes the Brucellosis and Tuberculosis Programs. In the event all or any part of the appropriation is not used in the year for which it is allocated, such appropriation or any part thereof shall be available for use in the following year.

The contracts are to be signed by at least two members of the Board of County Commissioners and County Auditor and returned to this office immediately after the Board of County Commissioners meet for their first session in July, after which the Secretary of the State Board of Animal Health will sign the contracts. **BOTH CONTRACTS MUST BE SIGNED AND RETURNED TO THE INDIANA STATE BOARD OF ANIMAL HEALTH.** Your copy of the contract will be returned for your file after the Indiana State Veterinarian signs the contract. (INDIANA CODE, Title 15, Article 2.1, (ANIMAL HEALTH) Chapters 7 and 8).

If any questions should arise in regard to this matter or if this office can be of assistance to you, please feel free to contact us.

Sincerely,

Dr. T. F. Conner, Director  
Cattle Division

Thru:

Dr. T. W. Freas,  
State Veterinarian

TFC:blj  
Encs:2 copies of Cont.

AN EQUAL OPPORTUNITY EMPLOYER

**AGREEMENT** made this 1st day of July, 1993 by and between the Indiana State Board of Animal Health and the Commissioners of *Vanderburgh County, Indiana*, as follows:

**WHEREAS**, pursuant to Indiana Code, Title 15, Article 2.1, (ANIMAL HEALTH) CHAPTERS 7 AND 8, the Indiana State Board of Animal Health has determined that the cattle under the State-Federal Cooperative Program in said County shall be tested for Bovine Brucellosis and Tuberculosis to conform with regulations governing the recertification and reaccreditation of said aforementioned county; and

**WHEREAS**, the Indiana State Board of Animal Health has made an estimate of the cost to the county for carrying out the said program on the basis of the current cattle population, which estimate, together with a recommendation that a request be submitted to the County Auditor in sufficient time to have such an amount of money included in his/her budget for the ensuing year; and

**WHEREAS**, it is estimated that the cost of carrying out a revised program of Brucellosis and Tuberculosis testing to the county, may vary considerably depending upon the amount of infection that is found by our surveillance programs. The Board estimates that \$1,000.00 shall be made available for Brucellosis and Tuberculosis testing (combined fund) at the beginning of each year. In the event all or any part of the appropriation is not used in the year for which it is allocated, such appropriation or any part thereof shall be available for use in the following year.

**NOW WITNESSETH:**

1. The party of the first part agrees to detail an inspector or inspectors to supervise the surveillance program known as Market Cattle Testing.
2. It is understood and agreed by and between the parties hereto that the terms of this contract shall cover a period of one (1) year beginning January 1, next from which the contract is signed by both parties. It is further agreed and understood that all inspectors selected or designated to do the work herein set forth shall be at all times under the direct supervision of the party of the first part. The parties hereto agree that the expenses for carrying out the program shall be borne equally by the parties hereto; provided that Federal funds, which may be made available for such purposes, shall be accepted and used to reduce expenses of the parties hereto on a pro-rate basis.
3. The said expenses shall include the costs of Bovine Brucellosis and Tuberculosis testing where infection is found or suspected for the recertification and reaccreditation of said county as prescribed by the State and Federal Regulations, including retests of all infected and milk ring suspicious herds. The expenses for identifying tags, salaries for Supervising Veterinarians and Quarantine Inspectors shall be assumed by the Party of the first part, over and above the pro-rated portion of the said expenses.
4. The party of the first part agrees to designate and detail all necessary personnel to complete the testing and retesting of infected and suspicious herds, and identification of all cattle, as well as, all other operations necessary to accomplish program.

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

Friday, July 2, 1993 thru Thursday, July 8, 1993

Friday, July 2, 1993

Gradall and three crews ditched and placed pipe on St. George Road.  
Patch Crews - three crews worked on Roth Road.  
Grader and three crews graded and rocked roads in the Bottoms.  
Summer Crews worked on Lenn Road and Middle Mt. Vernon Road.  
Cycle Mowers worked on Green River Road and Nurrenbern.  
Tiger Mower worked on Hillsdale.  
One crew worked on break room.

Monday, July 5, 1993

HOLIDAY

Tuesday, July 6, 1993

Gradall and three crews ditched and placed pipe on St. George Road.  
Two Patch crews worked on Roth Road.  
Grader and one crew rocked roads in the Bottoms.  
Trash crew hauled trash from Newman Road.  
Summer Crew worked on Middle Mt. Vernon Road.  
Tiger Mower worked on Hillsdale, Browning and Schlensker.  
One crew worked on Break room.

Wednesday, July 7, 1993

Gradall and four crews ditched on St. George Road.  
Two Patch Crews worked in Evergreen Acres.  
Three crews rocked roads in the Bottoms.  
Summer crew worked on Wright Road and Happel Road.  
Tiger Mower worked on Wimberg, Schlensker and McCutchan.  
One crew worked on the Break room.

Thursday, July 8, 1993

Gradall and three crews ditched and placed pipe on St. George Road.  
Two Patch crews worked on work orders.  
Grader and one crew graded and rocked roads in the Bottoms.  
Tree crews worked on Happel and Middle Mt. Vernon Road.  
Summer crew worked on Old Lantern, Orchard and Schenk and St. Joe Ave.  
Tiger Mower and Cycle Mower worked on Southeast side.  
One crew worked on Break room.

VANDERBURGH COUNTY BRIDGE CREW  
PROGRESS REPORT

Friday, July 2, 1993 thru Thursday, July 8, 1993

Friday, July 2, 1993

Crew #1 - cut weeds on Kentucky Ave Bridges, pump water off 12th Ave, dig to find drain.  
Crew #2 - install culverts on St. George Road.

Monday, July 5, 1993

HOLIDAY

Tuesday, July 6, 1993

Crew #1 - install drop boxes and drains on St. George Road.  
Crew #2 - install culvert on St. George Road, hammer out concrete driveway.

Wednesday, July 7, 1993

Crew #1 - get tank for saw ready for water, build drop boxes on St. George Road.  
Crew #2 - replace culvert on St. George Road.

Thursday, July 8, 1993

Crew #1 - build drop boxes on St. George Road.  
Crew #2 - saw driveway on St. George Road.  
Crew #3 - install pipe on St. George Road.

## **NEWS RELEASE**

**RE: Evansville-Vanderburgh County Flood Protection and Insurance**

Due to the current problems facing people in Iowa and Missouri, the Evansville-Vanderburgh County Building Commission, Area Planning Commission, and the Levee Authority would like to update the citizens of Evansville and Vanderburgh County regarding the status of our area relative to the threat of flooding at high river stages.

A majority of the city that was inundated by the 1937 flood is now protected by the Ohio River, Carpenter Creek and Pigeon Creek Levee Systems. This protection extends along the Ohio River from the Warrick County Line, west of the Howell Railroad Yards, then north along Tekoppel to the Lloyd Expressway. The Pigeon Creek portion begins at the Ohio River and follows the east and south boundaries of the Creek to Highway 41 at Diamond Avenue. The 1937 flood was 53.7 feet river stage; the levee protects to 55.7 feet. Locally, our 100 year recurrent flood is 48.0 feet river stage which is well below the level of our protection.

Nearly all areas within the levee system are protected from being inundated in the manner we have seen on television the last few days.

Evansville and Vanderburgh County is also a participant in the Federal Emergency Management Agency's Flood Insurance Program. Any person who feels their property is threatened by potential flooding may purchase this low cost federally subsidized protection.

Nearly all new houses and refinanced houses are required by the lending institution which is financing the mortgage to be checked for flood hazard. If these houses are found to be in a Flood Hazard Area as determined by the Flood Insurance Rating Map, the lending institution will require the owner to obtain flood insurance.

Contact the Levee Authority at 423-5985, if you have any questions concerning the levee system. If you have any questions regarding Flood Insurance, contact the Building Commission at 426-5707.

# REQUEST FOR APPROPRIATION

DEPARTMENT: County Commissioners

DATE: 7/19/93

ACCOUNT	LINE ITEM	AMOUNT
130-4230	CAPE	4,844.00

### EXPLANATION OF NEED FOR REQUEST

Contract was bid out and we are short the above amount.

Contract for June 1, 1993 until December 31, 1993  
is for 30,437.75

25,593.75 amount in account at present

4,843.95 short

### BALANCE OF ACCOUNTS:

ACCOUNT NO.	BUDGET	DISBURSEMENTS	BALANCE	BALANCE AFTER APPE
-------------	--------	---------------	---------	--------------------

VANDERBURGH COUNTY

REC'D *lyn*

JUL 9 1993

*Sam Stimpert*  
AUDITOR

VCC-2

DEPARTMENT HEAD:

*Richard J. Bous*

*(Handwritten initials)*

SUPPLEMENTAL AGREEMENT NO. 1

This Supplemental Agreement is made and entered into July 12, 1993, by and between Vanderburgh County, acting by and through the Board of County Commissioners, hereinafter referred to as the "LOCAL PUBLIC AGENCY", and Bernardin, Lochmueller & Associates, Inc., hereinafter referred to as the "CONSULTANT".

WITNESSETH

WHEREAS, the "LOCAL PUBLIC AGENCY" and the "CONSULTANT" did on February 18, 1992, enter into an Agreement providing for the "CONSULTANT" to provide the services and documents, hereinbefore and hereinafter described, in relation to the following described project or projects:

Ohio Street Bridge No. 3C Replacement, Project No: BRM-480( )  
Bridge replacement of Ohio Street bridge, Vanderburgh 3C over Pigeon Creek in Vanderburgh County. Approximately 0.4 miles in length.

Ohio Street and Fulton Avenue Intersection improvement  
Geometric and traffic signalization improvements at the intersection of Ohio Street and Fulton Avenue.

WHEREAS, utility agreement coordination and processing is required, and;

WHEREAS, in order to provide for completion of the work, it is necessary to amend and supplement said Agreement as follows:

- 1. Appendix "A": SERVICES BY CONSULTANT - Phase I, Section E., Utility Agreement Coordination shall be included to read as follows:

E. Utility Agreement Coordination: The CONSULTANT shall, in conformance with INDOT guidelines and Volume 6, Chapter 6, Chapter 3, Sub-section 1 of the Federal-Aid Highway Program Manual, coordinate activities that will cause utility agreements (reimbursable and non-reimbursable) to be executed

between affected utilities and the LOCAL PUBLIC AGENCY.

2. Appendix "D", Section A, Items 1 & 2 are changed to read as follows:

1. The CONSULTANT shall receive as payment for the work performed under this Agreement the total fee not to exceed \$ 204,910.00, unless a modification of the Agreement is approved in writing by the LOCAL PUBLIC AGENCY.

2. Appendix "D", Section A2 has been revised to include a new items called:

e. Utility Agreement Coordination \$4,683.00

3. Except as herein modified, changed and supplemented, all terms of the original Agreement dated February 18, 1992, shall continue in full force and effect.

The previous "not to exceed" total was \$200,227.00. This Supplemental increases this value by \$4,683.00, to a new "not to exceed" value of \$204,910.00.

IN TESTIMONY WHEREOF, the parties hereto have executed this Supplemental Agreement.

CONSULTANT

Bernardin, Lochmueller & Associates, Inc.

BY Keith Lochmueller  
Keith Lochmueller, President

Attest:

Thomas G. Bernardin  
Thomas G. Bernardin, Secretary

LOCAL PUBLIC AGENCY

Vanderburgh County Board of Commissioners

BY Richard J. Borries  
Richard J. Borries, President

BY \_\_\_\_\_  
Patrick Tuley, Vice President

BY Bon Hunter  
Bon Hunter, Member

ATTEST:  
Sam Humphrey  
Sam Humphrey, County Auditor

Approved as to Legality and Form:

Alan Kissinger  
Alan Kissinger, Attorney for Vanderburgh County Board of Commissioners

ACKNOWLEDGMENT

State of Indiana County of Vanderburgh SS:

Before me, the undersigned Notary Public in and for said County personally appeared Keith Lochmueller, President; Thomas G. Bernardin,  
(Name of signers, their official capacity and Agency Name)

Secretary, Bernardin, Lochmueller & Associates, Inc.  
(Firm Name)

and each acknowledged the execution of the foregoing agreement on this 29th day of June, 1993 and each acknowledged and stated that he is the party authorized by the said firm to execute the foregoing agreement.

Witness my hand and seal the said last named date.

My Commission Expires:

September 22, 1995

Cynthia L. Evans  
Notary Public

Cynthia L. Evans  
Print or type name

ACKNOWLEDGMENT

State of Indiana, County of Vanderburgh, SS:

Before me, the undersigned Notary Public in and for said County, personally appeared Richard J. Borries, President; and  
(Name of signers, their official capacity and Agency Name)

Don Hunter, Member; Vanderburgh County Board of Commissioners

and acknowledged the execution of the foregoing agreement on this 12th day of July, 1993.

Witness my hand and seal this said last named date.

My Commission Expires:

NOTARY PUBLIC STATE OF INDIANA  
VANDERBURGH COUNTY

My County of Residence:  
Vanderburgh

Joanne A. Matthews  
Notary Public Joanne A. Matthews

(Form approved by the Attorney General)

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA )  
COUNTY OF Vanderburgh )

The undersigned, being duly sworn on oath says, that he is the contract ing party, or, that he is the representative, agent, member, or officer of the contracting party, that he has not, nor has any other member, representative, agent, or officer of the firm, company, corporation or partnership represented by him, directly or indirectly, entered into or offered to enter into any combination, collusion or agreement to receive or pay, and that he has not received or paid, any sum of money or other consideration for the execution of the annexed agreement other than that which appears upon the fact of the agreement.

BERNARDIN, LOCHMUELLER & ASSOC., INC.

  
\_\_\_\_\_

Keith Lochmuller  
(Print or type name)

Subscribed and sworn to before me this 29th day of June, 1993.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

September 22, 1995

Project No.: 91-68-1A

UTILITY AGREEMENT FEE JUSTIFICATION

rev. 06/4/93

PROJECT NO.: BRM-480()  
 ROUTE: BR#3C OVER PIGEON CR ON OHIO ST  
 COUNTY: VANDERBURGH

DESCRIPTION	MANHOURS BY JUSTIFICATION					TOTAL
	Principal	Senior Engineer	Engineer II	Engineer Technician	Clerical	MAN-HRS
Coordinate with Utilities		2	21		7	30
Review Relocation Plans & Estimate			19	8		27
Prepare Agreements			11	4	5	20
Prepare Special Provisions			7			7
Print sets of plans			3	7		10
<b>TOTAL MANHOURS</b>	<b>0</b>	<b>2</b>	<b>61</b>	<b>19</b>	<b>12</b>	<b>94</b>
<b>HOURLY RATES 1993</b>	<b>\$32.69</b>	<b>\$24.63</b>	<b>\$19.09</b>	<b>\$13.03</b>	<b>\$8.70</b>	
<b>MANHOURLY COSTS</b>	<b>\$0.00</b>	<b>\$49.00</b>	<b>\$1,164.00</b>	<b>\$248.00</b>	<b>\$104.00</b>	

DIRECT NON-SALARY COSTS			DIRECT SALARY		\$1,565.00
Mileage: 3 mi. x 4 @ \$.24/mi.	\$2.88		OVERHEAD	157.84%	2,470.00
Reproduction: 10 SHTS x 4 SETS @ \$1.00/SHT	\$40.00		SUBTOTAL		\$4,035.00
Per Diem			PROFIT	15.00%	\$605.00
<b>TOTAL DIRECT NON-SALARY COSTS</b>	<b>\$43.00</b>		<b>DIRECT NON-SALARY</b>		<b>43.00</b>
			<b>GRAND TOTAL</b>		<b>\$4,683.00</b>

- ASSUMPTIONS:
1. Coordinate @ 4 utilities (SIGECO Elec, IBT, City Wt, City Sewer,)
  2. Four reim. agmnts. (possibly 2 -- see comment #4 & 5)
  3. Four Special Provisions
  4. City Wt may be incl. into plans
  5. Reconstructing Sanitary MH's will be in plans, but major relo. of FM (if needed) will probably not be in plans.

# FILED

JUL 13 1993

ORDINANCE NO. G-93- 18

Sponsor MELCHER  
Comm: ASD

*Marsha Abell*  
CITY CLERK

AN ORDINANCE OF THE COMMON COUNCIL  
OF THE CITY OF EVANSVILLE, INDIANA  
CONCERNING RIVERBOAT GAMBLING

WHEREAS. in HEA 1001(ss) the General Assembly of the State of Indiana has authorized riverboat gambling in certain areas of the State, and

WHEREAS. Counties contiguous to the Ohio River constitute one (1) of such areas of the State, and

WHEREAS, I.C. 4-33-6-18(b) authorizes the Common Council to adopt an ordinance permitting the docking of riverboats within the city limits in Vanderburgh County, and

WHEREAS, Section 133 of HEA 1001(ss) authorizes the Common Council to adopt an ordinance requesting the County Election Board to place on the ballot in a special election a local public question concerning riverboat gambling, and

WHEREAS, the Common Council of the City of Evansville finds that the citizenry of Vanderburgh County, Indiana should be entitled to vote on the local public question.

NOW, HEREOF, BE IT RESOLVED by the Common Council of the City of Evansville as follows:

Section 1 - Approval of Common Council

Pursuant to I.C. 4-33-6-18(b) the Common Council of the City of Evansville hereby permits the docking of gaming riverboats in Vanderburgh County from a home dock located within the City limits of the City of Evansville.

Section 2 - Public Question

Pursuant to Section 133 of HEA 1001(ss) a public question concerning the operation of riverboats on the Ohio River from a dock within the city limits of the City of Evansville should be submitted to the voters of Vanderburgh County.

Section 3 - Request to County Election Board

The Common Council of the City of Evansville hereby requests the Vanderburgh County Election Board, pursuant to Sec 133

of HEA 1001(ss), to hold a special election on the first Tuesday after the first Monday of November, 1993, to submit the following question on the ballot:

"Shall licenses be issued to permit riverboat gambling in Vanderburgh County?".

Section 4 - Effective Date

This Ordinance shall be in full force and effect from and after to passage by the Common Council and signing by the Mayor.

**AFFIDAVIT FOR**  
**Transfer of Real Estate Upon the Tax Duplicate**

STATE OF INDIANA  
VANDERBURGH COUNTY, ss:

*Charles Kent Robuck* ..... being duly sworn upon oath

says that *1. Stella Hirsch Crowell, 3.*  
*2. Matilida Hirsch Pugh, Amelia Hirsch Pugh Moser* ..... died } intestate  
*1. 3 Sept 1913 2. 16 Feb 1990 3. 6 Nov 1991* } (testate) *Trust*

on the.....day of.....19....., and that said decedent was on the day of  
.....death the owner of the following described real estate in Vanderburgh County.

State of Indiana, to-wit:

- 1. Stella Hirsch Crowell 6-122-14 2870 W. Green River Rd.*
- 2. Matilida Hirsch Pugh, 6-41-13 + 6-41-39 2401 N. Green River Rd.*
- 3. Amelia Hirsch Moser, 6-41-39, 2801 N. Green River Rd.*

The purpose of this Affidavit is to state that Charles Kent Robuck is a direct lineal descendant of the three people named above, & a recipient of them & is named in their Wills & Trusts, Administered by Citizens National Bank, Evansville, Indiana. I further state that I am aggrieved by the decision of the present Vanderburgh County Commissioners in not paying the heirs the fair market value of land that is presently being used to widen N. Green River Rd. to four-lanes. Twenty-Four years have passed since previous County Commissioners purchased the land in 1969. The original owners of the land were told the four-laning would occur in six years. I am filing this affidavit to be in compliance with the procedures as stated in West's IN Law Ency, Vol. 15, # 67 Nonuse Failure to Open & Use; # 88, Objections or Remonstrances; # 517 & other Indiana law's & statutes that may apply.

That said real estate passed to this affiant by virtue of the laws of this state (or) by virtue of the last will and testament of said decedent, which will was duly probated and recorded in Will Record

.....at Page.....of the record of wills of said Vanderburgh County; that this affiant  
*1. Grandson, 2. Nephew, 3. Nephew*  
was the.....of said decedent, and as such was entitled to a  
(State Relationship, Son, Daughter, Etc.)

*Partial*.....interest in said real estate.

VANDERBURGH COUNTY  
**FILED** Mailing Address

*Charles Kent Robuck*  
*31 Braemar Dr.*  
*Lakeland, FL 34450*

Subscribed and sworn to before me this *9th* day of *July*, 19.....

My Commission expires  
*Sam Humphrey*  
AUDITOR  
VANDERBURGH COUNTY

*[Signature]*  
NOTARY PUBLIC  
Notary Residence: VANDERBURGH County

**JUL 09 1993**

Warrant No. \_\_\_\_\_

Claim No. \_\_\_\_\_

Date \_\_\_\_\_

IN FAVOR OF

Vendor Name UNITED CONSULTING

Vendor No. 1262

\$ 21,375.37

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name Green River Rd.

Account No. 216-4910

Allowed \_\_\_\_\_ 19\_\_\_\_

In the sum of \$ Richard J. Barnes

[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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

July 12, 1993

[Signature]  
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>#15</u>	<u>-</u>	<u>6/24/93</u>	<u>216-4910</u>	<u>21,375.37</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 21,375.37



Warrant No. \_\_\_\_\_  
Claim No. \_\_\_\_\_  
Date \_\_\_\_\_

IN FAVOR OF  
Vendor Name In Co Luss. Assoc  
Vendor No. 1143

\$ 80.00  
ON ACCOUNT OF APPROPRIATION  
Dept. Fund Name Level  
Account No. 130-313

Allowed \_\_\_\_\_ 19\_\_\_\_  
In the sum of \$ Richard J. Bonies  
[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

\_\_\_\_\_  
\_\_\_\_\_  
7-8 , 93  
Signature of Office Holder [Signature]

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>130-313</u>	<u>80.00</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	TOTAL	<u>80.00</u>

Warrant No. \_\_\_\_\_

Claim No. \_\_\_\_\_

Date \_\_\_\_\_

IN FAVOR OF

Vendor Name PAVEMENT MAT. SUP.

Vendor No. 3819

\$16,990.82

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name CONTRACTUAL

Account No. 216-3930

Allowed \_\_\_\_\_ 19\_\_\_\_

In the sum of \$ Richard J. Boines

[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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

July 12, 1993

[Signature]  
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>199-93</u>	_____	<u>6/30/93</u>	<u>216-3930</u>	<u>16,990.82</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 16,990.82



CLAIM No. .... WARRANT No. ....

IN FAVOR OF <sup>75</sup>

SAM OXLEY & Co., Inc  
P.O. Box 743  
JASPER, IN 47546

\$ 39,671.11

ON ACCOUNT OF APPROPRIATION

For BR # 214 Daasstedt

203-4342

Allowed ..... 19

In the sum of \$  
Richard J. Bonies  
[Signature]

Commissioners ..... County

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

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

..... Auditor

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

July 12, 1993

[Signature]



MINUTES  
COUNTY COMMISSIONERS MEETING  
JULY 19, 1993

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:45 p.m. ....	1
Introductions & Pledge of Allegiance .....	1
Authorization to Open Bids on Computer Equipment and Tractor/Trailer .....	1
Amended Speed Limit Ordinance/Final Reading .....	1
Willard Library/Storage Proposal - County Clerk .....	2
Agreement w/INDOT re USI .....	4
County Attorney/Alan M. Kissinger .....	4
Bids Received/Computer Equipment	
Bids Received/Tractor, Trailer, Mower, etc.	
Resolution re Appointment of Poor Relief Appeals Hearing Officer	
Resolution of Support for Riverboat Gambling Effort	
Supt. of County Buildings/Centrex Systems .....	6
County Highway/Bill Morpew .....	8
Weekly Work Report	
County Highway Garage Improvements	
Allen's Lane	
St. George Rd. Project	
County Engineer/John Stoll .....	8
Request to Advertise for Bids for County Garage Roof (will have Notice ready next week)	
Westchester Place Sub/Road Plans (Approved)	
Change Order/Crack Sealing Contract	
Change Order/Columbia-Delaware Street Bridge Project	
Claim/North Green River (Interprop)	
Tri-State Reporting - \$336.40	
Robert J. Sell - \$750.00	
Claim/Engineering Equipment	
The Computery \$4,034.00	
USI Utility Reimbursable Agreement (will have next week)	
Mt. Ashley Sub (J. Stoll to meet w/Engineer this week)	
Old Business (None) .....	9
New Business .....	9
Request for County Achievement Award/Coroner	
Request for Gun Control/Burdette Park	
Request for Executive Session	

\* \* \* \* \*

R E Z O N I N G P E T I T I O N S

Meeting Convened @ 7:08 p.m. ....	10
Rezoning Petitions .....	10
VC-9-93/Petitioner: Marlin C. Silke, Jr. (3rd Reading) (Approved)	
VC-10-93/Petitioner: Timothy J. Major (3rd Reading) (Approved)	
VC-11-93/Petitioner: Calvin Dentino (3rd Reading) (Deferred; Remonstrants Present, but no Representative for Petitioner)	
Meeting Adjourned @ 7:40 p.m. ....	15

MINUTES  
COUNTY COMMISSIONERS MEETING  
JULY 19, 1993

The Vanderburgh County Board of Commissioners met in session at 5:45 p.m. on Monday, July 19, 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 and apologized for being late. The Board had scheduled an Executive Session. Over the weekend he became the "Father of the Bride". During this time they've had quite a weekend with about half the State of Michigan (his new son-in-law's family) in town. He couldn't find some car keys and the extra key that had been made for his car did not work -- so they've had all kinds of interesting little problems today. Again, he apologizes for being the cause for the late start today.

The meeting continued with Mr. Borries introducing members of the County Staff and asking the group to stand for the Pledge of Allegiance. He noted that copies of the Final published agenda are available. He then asked if there are any individuals/groups present who wish to address the Commission but do not find their particular item of interest on tonight's agenda. There was no response.

RE: AUTHORIZATION TO OPEN BIDS ON COMPUTER EQUIPMENT & TRACTOR/TRAILER

Commissioner Borries said that in a few minutes he will be introducing a new person. However, we're not really losing Susan Jeffries, the old person. She has been very invaluable to the Board in the Purchasing Department. She has now taken a position in the Solid Waste Department for Vanderburgh County and we're pleased she is going to still be with us. He believes Susan has a new person to introduce at this time.

Ms. Jeffries introduced Daryn Burgdorf, who has taken the position as Buyer for the Purchasing Department, and said that he has been working at METS (the bus system) for a while, so he is fairly familiar with the City procedures. He will be dealing with the Commissioners in the future.

Mr. Borries said the Board appreciates Ms. Jeffries' service and wishes her all the best in her new position. He then welcomed Mr. Burgdorf and said the Commission looks forward to working with him. Mr. Borries then entertained a motion to authorize the County Attorney to open the subject bids.

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

RE: AMENDED SPEED LIMIT ORDINANCE/FINAL READING

President Borries noted this is an amendment to the Code of Ordinances of Vanderburgh County. It lowers speed limits on certain roads below the normal speed of 45 mph. This is generally the State-approved speed on County roads. However, this Board does have the power to lower speeds on selected roads and they do so upon recommendation through the County Engineer, the County Highway, and the Sheriff's Department provides written reports from time to time. Each of the Commissioners receive calls and letters of concern. The Board usually has one of the agencies to conduct speed studies and provide the Board with their recommendations.

The Ordinance has been advertised and the Board is ready to enact the Ordinance on Final Reading this evening. Mr. Borries asked if there is any discussion. There being none, he entertained a motion.

Motion to approve the Ordinance was made by Commissioner Tuley, with a second from Commissioner Hunter. Commissioner Borries then asked for a roll call vote: Commissioner Hunter, yes; Commissioner Tuley, yes; and Commissioner Borries, yes. So ordered.

RE: WILLARD LIBRARY/STORAGE - COUNTY CLERK

Commissioner Borries recognized Betty Knight Smith, the County Clerk, and said she is here to address the Board concerning storage at Willard Library.

Mrs. Smith said there is much work done in her office and the load is heavy. She comes to speak to the Commission about their problem and she thinks the Commission is aware of it. She talked with Commissioner Borries earlier about their basement storage and whatever. She wants to present to the Commission a proposal that Willard Library has prepared which might help the storage situation. It also would make it accessible to them. Currently, if the Judges need a file that is in storage at Willard Library, David has to personally go over to Willard to retrieve it, she has to send one of her girls, or she goes. They could install a Fax machine over there so the records could be faxed -- but something needs to be done. They're out of space in the basement. They've cleaned it she doesn't know how many times and it is loaded back up. She would like to see the Commission to send a letter to the Archives in Indianapolis to make Willard Library a County facility for holding records. If the Commissioners are inclined to go with the proposed contract, she will also write a letter. They've met with Willard and tried to work out something. They've been very cooperative in trying to store the records. The shelves are full in the basement and she doesn't think there is room for any additional shelves. Some of the records they have to maintain go back to the 1800's. The Director of Willard Library is present today and she would ask that he also address the Commission.

Mr. Bill Goodrich was recognized and stated he is present to assure the Commission that Willard Library is willing to continue to work and expand the work they are doing with the County Clerk and the other agencies of County government. In brief, this all began with the transfer of 300 boxes from the Old Court House. It really began in earnest under an agreement with the Probate Court, which is really the only agreement they do have. It turns out that legally they have to come up with an agreement for them to legally handle the records. They started out with a space of less than 2,000 sq. ft. off site that they were renting. They were finally able to find a space in Garvin Industrial Park to move to that is about 5,000 sq. ft., which is full at this point. Since they first talked to the Commission about two years ago, they've had usage increases from 814 in 1990 to 4,062 in 1992, so it is a very good working situation.

Mr. Borries said he doesn't care how big you make something, space has a way of filling up. It is not as simple as saying you can microfilm all these documents, because many of them have historical value and there all are all kinds of statutory problems, particularly in the case of criminal records, etc., as to how long you have to keep all these things. So it is a big endeavor. He then entertained questions from the Board.

Mr. Hunter said he has no questions.

Commissioner Tuley said he has a question concerning Page 8 of the budget and these were addressed by Mr. Goodrich.

Ms. Smith said she understands they might also need some desks or whatever. She suggested the County might have some in the basement which could be utilized. Also, if they install a Fax machine in her office (which would be to their advantage) she is willing to purchase that out of her incentive fund -- because they basically would be faxing needed records to her office.

Commissioner Hunter also raised questions about the budget and said the \$42,033 for personnel must be for all of 1993 and not just August thru December, as indicated.

Mr. Goodrich said that is correct.

With regard to faxing documents, Mr. Borries said it is his understanding that she would be storing some of the original records.

Ms. Smith said if it is something they need in a hurry Willard could fax a copy, which would eliminate the necessity for running back and forth.

Commissioner Borries said he is not certain the Commissioners can legally commit to this agreement with regard to salaries of Library personnel. Council has the final say. The Board of Commissioners, as the County Executive, does make recommendations and they do have legislative powers. But Council has the final say concerning salaries and the Commission has no veto over that.

Mr. Goodrich said they could submit this every year. What they have been attempting to do with the City is not go over 10% salary increase and that is tough. They are paying so much less than anyone else that they are losing personnel.

Commissioner Borries said those also need to be broken out line item wise, because Council will want to look at the salaries, etc., before they make a decision.

Ms. Smith said the City reviews Willard's full budget. Do they make Willard stick with the same salary increase the City gives? They used to, but she doesn't know whether they still do.

Mr. Goodrich said their full budget is reviewed by City Council.

Mr. Tuley said he believes what Ms. Smith was saying is that if the City gives their employees 5%, Mr. Goodrich would be willing to agree to a 5% increase.

Ms. Smith said that was her question to Mr. Goodrich. And she thinks that is basically what Mr. Tuley's question was. If the County employees get 5% and someone else we're funding gets 10%, then her question was since the City scrutinizes Willard's budget and they are the government entity that passes it, does Willard stick with their increase or can they set their own.

Mr. Goodrich said they essentially work within what they're given for salaries -- however they spread it out. But if they sign a five year agreement they can't be left high and dry three years down the road.

Mr. Borries asked who owns the facility at 1315 Reed Street.

Following further brief discussion concerning the budget, Mr. Goodrich said the \$1.50 per sq. ft. for 5,000 sq. ft. rental would be locked in. He doesn't have anything in writing, but they verbally agreed to this rate.

Mr. Borries said there is no way the Commission can make the deadline for the August Council meeting -- so we're talking September. He also in no way can guarantee what kind of money

Council is going to have in the General Fund in terms of being able to do this. He has no problems with it and can support it. But, again, there are a couple of things he would like to see happen. First, ask the County Attorney to review the proposed agreement. Secondly, what Council's feeling is going to be with regard to what money they have available. Assuming the Commission would agree to support the request, it would be a matter of their putting something in their budget request for 1994 in addition to what they factored in. He's sure this was not included for 1994.

Ms. Smith said a couple of years ago when Judge Lensing talked to them about taking records, it has boomeranged and more and more records have been sent over to Willard. She talked with Willard and this was kind of a solution that might solve the storage problems.

Mr. Borries said he understands, but he would want the County Attorney to review the proposed agreement.

RE: AGREEMENT WITH INDOT/USI

Mr. Borries said Greg Curtis, Indiana Department of Transportation, could not be here today. However, he understands Mr. John Curry is here representing INDOT concerning the agreement between INDOT and Vanderburgh County regarding the USI project.

Mr. Curry said he has an agreement to be executed by the Commissioners and the County Auditor. The County Attorney has already reviewed the document. It changes some responsibilities from the State to the County and gives the amount of participation by the State (\$284,000).

Having confirmed with Attorney Kissinger that he has reviewed the agreement and has no problems as to legal form, content, etc., Mr. Borries said this confirms that the County is the Chief Agency on this project, as they are the chief funder. He also confirmed that County Engineer John Stoll is satisfied with the agreement. He said the Commissioners appreciate the State's cooperation on this project. We've worked long and hard to get to this date. Mr. Borries thanked Mr. Curry for his assistance, then entertained a motion.

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

RE: COUNTY ATTORNEY - ALAN M. KISSINGER

Bids Received/Computer Equipment: Mr. Kissinger said he would like to read into the record the bids on the computer equipment. He has been asked not to read into the record the amounts bid on the computer equipment because of the fact the bidders are bidding on different things. However, these bids will be available for public inspection at the request of anyone, including other bidders. Bidders were as follows:

Software Partners, Inc.  
Brookvale Associates  
Heritage Computer  
Great Lakes Computer Source  
Computer Systems Corporation  
American Computer Exchange, Inc.  
Pioneer Standard Electronics (2 bids; 1 alternative)  
SCT Public Sector, Inc.

Tractor, Trailer, Mower & Broom for County Garage:

Mr. Kissinger said he would point out on these bids that some of the bidders bid on all items and other bidders bid only on some of the items and any bidder or anyone else interested may inspect

these bids, as well. Bids were as follows:

Stephan's, Inc.	\$32,514.00
Hendrickson Enterprises, Inc.	18,705.68
Action Trailer Sales & Rental	18,853.00
Ditch Witch of Southern Indiana, Inc.	38,649.00
Deeds Equipment Company, Inc.	32,985.00
Carlisle Equipment Company	21,591.00
Southeastern Equipment Co., Inc.	30,743.36

This concludes the bid report.

Mr. Borries queried Roger Elliott concerning the application for this computer equipment. Mr. Elliott said it was for a little bit of everything. Mr. Borries said he would then refer the bids to Mr. Elliott for review and a recommendation, and entertained a motion.

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

With regard to the County Highway equipment, Mr. Borries entertained a motion to refer the bids to the County Highway for review and a recommendation.

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

Resolution re Appointment of Poor Relief Appeals Hearing Officer:

Attorney Kissinger said he has prepared this resolution and, briefly, there is a specific section of the Indiana Code that allows the Commissioners to appoint a Hearing Officer to conduct hearings on poor relief appeals and this can be done by resolution. This resolution appoints the Vanderburgh County Attorney to select a Hearing Officer for Poor Relief Appeals. The process is that he would be notified of any poor relief appeal and immediately would notify an Assistant County Attorney to conduct the hearing as expeditiously as possible. The Hearing Officer would record the meeting, make the recording available to the County Commissioners and issue an advisory decision, advising the County Commissioners as to what the Hearing Officer's opinion of the decision should be and then the Commissioners may adopt or amend that decision; or, if the Commissioners fail to act within ten (10) days on the decision, the decision of the Hearing Officer becomes final. This is all drafted according to the applicable Indiana Code for the Commissioners' consideration and approval if they see fit.

Commissioner Borries entertained discussion on the matter. Commissioner Hunter said he has none and Commissioner Borries said this is something the Commissioners talked about which has become necessary and he thinks the Commission needs to approve it. Mr. Borries said certainly all things change and we all resist it - - but change is an inevitable part of life and he thinks truly in this day and age when the aspect of confidentiality and privacy matters enter into the Board's considerations that this certainly addresses those things. If there is no further comment, he would entertain a motion.

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

Resolution of Support for Riverboat Gambling Efforts:

Mr. Kissinger said he has prepared a Resolution concerning the Commissioners' support for the riverboat gambling effort that are now being undertaken by the City. His research on this legislation (and it was very recent research, because the printed legislation just became available a short time ago) indicates that it is the City of Evansville pursuant to this particular legislation that has the primary responsibility -- or he should say all the

responsibility -

for moving forward with the ordinance for allowing the docking of a riverboat within the City on the river, calling for the referendum type election and all of the other requirements of the various statutes that deal with this matter -- and there is no specific obligation at this time that has to be carried out by the County Board of Commissioners or the County Council to enable the riverboat gambling efforts to proceed. He has prepared, therefore, a Resolution of Support for the Commissioners' consideration.

Mr. Kissinger said he would also note that the ordinance filed by the City Council of Evansville specifically permits the docking of the riverboats, which is required by the statute. It indicates that the public question regarding whether or not riverboat gambling should be allowed should be placed on the ballot and specifically requests the Vanderburgh County Election Board to place that question on the ballot for the November 2, 1993 General Election date (which is the first Tuesday after the first Monday) which is the way the election days are now decided. The way the question is actually placed on the ballot is, "Shall licenses be issued to permit riverboat gambling in Vanderburgh County?" -- and this would be a county-wide referendum type of election or question.

President Borries entertained comments from the Board.

Commissioner Hunter said the bottom line is that all the Commission is doing is supporting the City --

Commissioner Tuley continued, "To go through the motion necessary to provide a referendum vote."

Commissioner Borries said he thinks this resolution addresses some of his concerns and he appreciates Alan's research on this. This Legislature, as it kind of -- what's the appropriate description -- limped along or did something to finally end this process, also left notable chunks of information out of a lot of the bills and one of the things he had some concerns about was to make sure that if elections (and, of course, they are a function of the county government) are to be held, that we (meaning Vanderburgh County here) needed to research what our responsibilities are in this and make sure that we are doing those things. Again, he appreciates Alan's research on this. And, again, with as much as was apparently left out of that bill, he is aware of some rather notable absences on school funding with prime time and other things -- he expects there will be a few other blanks that will have to be filled in. Right now this looks like this resolution will address the concerns that had been raised. He then entertained a motion.

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

RE: CENTREX SYSTEMS - SUPT. OF COUNTY BUILDINGS

Mr. Mark Abell said that with regard to the Centrex systems we've been looking at for the communications solution for the County, it has come time for us to get into a contractual arrangement with Indiana Bell. He has representatives here tonight from Indiana Bell who would like to answer any questions the Commissioners might have. Mr. Kissinger has reviewed the contract and he will let him speak about same, if he likes. Again, he guesses it is just time to move forward.

Attorney Kissinger said he has reviewed the contract and is advised that there will be some other agreements coming along, specifically in reference to prepayment for services, the lease agreement, etc. -- but the agreement at this point really allows these folks to get started with their process. He finds no problems with the agreement; he thinks it is in proper legal form, and ready for the Commissioners' consideration.

Commissioner Borries said the main thing the Commissioners are interested in here is that we're looking at some long term stabilization of our costs and flexibility from the standpoint of being able to project for some length of time what our cost for telephone services would be.

Ms. Kelly Culiver said, "Exactly. Also, I think the benefit of being able to stay competitive on anything that the County would need as far as changes and maintenance, to be able to bid that out to any number of different vendors allows the county to stabilize their rates. There is, of course, a large cost savings -- not to mention the fact of networking with all of the off-premise locations, as well as with the School Corporation -- when people call in allowing them to be easily transferred among all county offices, instead of having to have them hang up and call back -- and having four digit dialing capability between the County offices and the School Corporation. And, of course, the cost savings is the big thing.

Commissioner Borries asked if Ms. Culiver will be able to attend the budget hearings should County Council have questions about those costs.

Ms. Culiver said Commissioner Borries had indicated August 3rd, 4th and 5th and she is planning on attending.

Mr. Borries said Mrs. Farrell should be able to give a specific time.

Ms. Farrell said on August 3rd at 9:00 a.m. The Commissioners are third on the agenda (United Way, Legal Aid and then the Commissioners). On August 10th it will be in the afternoon.

Mr. Borries entertained questions. There were none. Commissioner Borries said guidelines had been set and you study these things to death. You reach a point where you almost can't see the forest for the trees. You either have to do something or nothing -- and at this point we have answered most questions that we could possibly answer in these situations. The features are that we're going to be able to stabilize our cost, expand services as well as, again, contain our maintenance cost.

Mr. Abell said the savings are there and asked if Ms. Culiver had mentioned this.

Ms. Culiver said over a ten year period it is a \$1/2 million savings, which is what they can pinpoint right now. We had the ongoing costs of our ads, changes, etc., but we will be paying lower on our hourly rates and those kinds of things aren't factored into that. But that is a consideration, as well.

Mr. Borries said the Board appreciates Ms. Culiver's work on this and they are going to put her on the bubble. But in this day and age they are interested not only in saving as many tax dollars as they can, but government is a service business and we're going to need her help in training our people so that we use these phones efficiently. Mr. Abell can work with her, but he would ask that she please start with the officeholders, themselves. In County Government, if we don't start at the right place we end up in the wrong place all too quickly. So it is very, very important that she start with the officeholders. If there are no further questions, Mr. Borries said he would entertain a motion.

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

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Work Report: It was noted that Mr. Morphey has submitted his written work report for period of July 9 thru July 15, 1993....report received and filed.

County Highway Garage Improvements: Mr. Borries said amidst last week's wedding activities, he did have an opportunity to view the work done in house at the County Highway to remodel part of their break room. They've done a wonderful job inside. Some pretty talented work has gone out there in house by employees to improve the working conditions at the garage. He wishes he had a better report on the roof. The roof looks terrible. Where are we on the roof? Did we ever get any money on that?

Mr. Abell said we got \$63,000 and we have to re-bid. He heard lumber prices are coming back down -- so we should be in real good shape to get the roof we want and get it guaranteed. He believes John Stoll is going to address this matter for Gary Kercher.

Mr. Borries said there is a little window of time in there. As Commissioner Tuley pointed out, it seems like the lumber prices seem to fluctuate with the disasters. When we had a disaster in Florida, prices shot up. Now we have the record flooding of the Mississippi River. Hopefully we can use the window to our advantage before the lumber prices rise again. He then entertained questions of Mr. Morphey.

Allen's Lane: In response to query from Commissioner Tuley, Mr. Morphey said they paved Allen's Lane last week from the City Limits to St. Joe Avenue. They paved Twelfth Avenue from Hobart to Allen's Lane and we have a drainage problem in there -- but it is existing drainage. When the subdivision was built it was built with a 12 inch concrete and tile storm drain on both sides of the road. There are some minor problems and we're in the process of correcting all of that now.

St. George Rd. Project: Mr. Morphey said this is a large project, but they're just about finished.

RE: COUNTY ENGINEER - JOHN STOLL

Request to Advertise for Bids for County Garage Roof: Mr. Stoll said he is requesting permission to go ahead and prepare Notice to Bidders re the County Garage Roof, and he will have said Notice ready for the Board's approval next Monday.

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

Westchester Place Subdivision/Road Plans: Mr. Stoll said he is requesting approval of road plans for Westchester Place Subdivision. The sidewalk waiver has already been approved and he recommends approval of the road plans.

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

Change Order/Crack Sealing Contract: Mr. Stoll noted that he has a Change Order in the amount of \$4,300 on the crack sealing/concrete repair contract. They had to replace some pipe on Bob Court, etc. He is recommending approval.

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

Change Order/Columbia-Delaware Street Bridge Project: They discovered there was some rust exposed on the steel I-beam after

the deck was removed and they had to make some improvements. The amount of this change order is \$5,226.00. He would recommend approval.

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

Claims: Mr. Stoll said he has the following claims, which did not get on the printed Consent Agenda:

North Green River Rd.:	- Tri-State Reporting	\$336.40
	- Robert J. Sell	\$750.00

These claims concern the Interprop suit and he recommends approval.

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

Engineering Equipment:	- The Computery	\$4,034.00
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Motion to approve made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

USI Utility Reimbursable Agreement: Mr. Stoll said he thought he would have this agreement for signatures today, but would ask that this matter be delayed until next week.

Mt. Ashley Subdivision: Mr. Stoll stated he is supposed to meet with the engineer (Aaron Biggerstaff) out at Mt. Ashley this week to discuss this matter.

RE: OLD BUSINESS

Commissioner Borries entertained matters of new business to come before the Board. There were none.

RE: CONSENT AGENDA

President Borries entertained questions or comments regarding the Consent Agenda. There being none, he entertained a motion.

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

RE: NEW BUSINESS

Request for County Achievement Award: Auditor Sam Humphrey said he suggested to the Coroner that he turn in a request for a County Achievement Award with regard to the Morgue. He thinks he ought to get that.

The Commissioners all agreed this is a good idea. Commissioner Borries said he'd be happy to write a letter to that effect.

Auditor Humphrey said that is a very unique building and we serve lots of counties in three states. There is no other facility like it that he knows of.

Request for Gun Control/Burdette Park: Commissioner Hunter said he has had an opportunity to get caught up with some reading this summer and it seems as though most communities that have City or County Parks or anything along those lines have passed some type of gun control ordinance that would keep all firearms out of the parks. One article indicated that even people with gun permits -- that it gave the law enforcement people a little extra edge. Should the Board think about something like that?

Commissioner Borries said he thinks the Board should consider it.

He does not personally feel there should be any reason to have a gun or any type of weapon in a public park. Could we have the County Attorney perhaps develop an ordinance. We even had an incidence a few years ago where some of the ducks were shot and he thinks that, alone, is appalling to think about.

Commissioner Hunter said the more he thought about it, the more he thought the article made sense. He's very cognizant as a teacher and it just seemed like it might be a good idea. He then moved that the County create some type of ordinance that will provide some gun control or the elimination of all weapons at Burdette Park. Motion seconded by Commissioner Tuley and so ordered.

Request for Executive Session: Commissioner Tuley requested an Executive Session on August 2, 1993 at 4:30 p.m. for purposes of discussing Pending Litigation and Personnel Matters.

Attorney Kissinger said he will be on vacation the first and second Mondays in August (August 2nd and August 9th).

Mr. Hunter said he probably will be, too.

Mr. Tuley said there will be no Executive Session on August 9th due to the Solid Waste District meeting.

Attorney Kissinger said he will have one of the Assistant County Attorneys cover the August 2nd Executive Session.

Motion made by Commissioner Borries and seconded by Commissioner Tuley to hold the August 2nd Executive Session, as requested. So ordered.

Mr. Borries entertained further matters of business to come before the Board. There being none, at 6:57 p.m., President Borries said the Board will begin the Rezoning hearings promptly at 7:00 p.m. He then thanked the meeting participants for their attendance this evening.

(Mark Abell, B. J. Farrell and Annie Michel exited the meeting.)

#### REZONING PETITIONS

At 7:08 p.m., President Borries called the meeting to order and said the Board is convened for purposes of hearing rezoning petitions.

VC-9-93/Petitioner: Marlin C. Silke, Jr. (Third Reading):  
President Borries asked if there is anyone present to address this petition.

Mr. Marlin (Chuck) Silke approached the podium and introduced himself. He stated he wanted to have a rough site plan prepared and actually had neither the time nor the expertise to prepare same. There is not an exact plan; they are actually taking bids/estimates on buildings and looking at other possibilities insofar as the exact site itself. He didn't want to bring in something that would be totally inaccurate. As for their plans, they plan to use it for an auction facility to hold public auctions. In the original papers he also included "for retail use", which, by law, many of the auctions they conduct are considered retail sales and they have to collect sales tax. That was brought to his attention early that this was like a warning sign possibly - the retail sales part of it. But, again, by Indiana law, anytime they move one of the individual's items to another location and they furnish that location -- they have to collect sales tax. There would be farm equipment auctions; they hold firearms auctions and household antiques. They've held these for a number of years and this is just an expansion of what they are currently doing. They conduct

many sales on site of other people's own properties but this would be on site sales -- their sales of other peoples' items. While there has been some discussion, they are not sure exactly where they can put their entrances. They have no preferences. He thinks the Highway Department (Mr. King) thinks they have asked for direct access to Highway 41. They have no such plans. In fact, he would see that as a hindrance to his operation. There was also some mention of a piece of property zoned M-1, which is presently a garage. They are not connected in any way with anyone else out there. He's been in the business for some twelve to thirteen years and this is just, hopefully, another step for him.

Mr. Borries said he thinks it would go without saying that if Mr. Silke is going to store property -- and this would be an open area -- that Mr. Silke is going to mow and do all the things necessary to maintain the property.

Mr. Silke said they are taking bids on an approximately 6,065 sq. ft. which they plan to construct on the property.

Mr. Borries said when Mr. Silke finishes the plans he thinks it would be helpful to forward same to the Area Plan Commission. The Board respects Mr. Silke's commitment to keep the property maintained; that is a major window, so to speak. He then entertained questions.

Mr. Hunter said he went out and looked at this a couple of times and can see no problem with the access off of Baseline Rd. It was noted in the Staff Field Report that Mr. Silke has conducted these auctions at the 4-H Center for several years. He checked with a couple over there and they gave Mr. Silke high marks on the way he had handled the ground at the 4-H Center.

Mr. Tuley asked if Mr. Silke agrees not to have any billboards other than his own sign?

Mr. Silke responded affirmatively, saying that was mentioned in APC. The only sign he cares to see is his own.

There being no further questions or comments, Mr. Borries asked if there are any other remonstrators present -- either for or against the petition.

Mr. Ralph Rexing was recognized and said he adjoins Mr. Silke's property. He is not exactly against the petition. The only thing he wants to say is that he wants to be on record as noting he has feed lots. Somewhere down the road he doesn't want anybody to complain about the foul odors. He is west of Mr. Silke.

Mr. Hunter said he thinks Mr. Rexing's point is well taken. But if he understands correctly, Mr. Silke auctions off agricultural equipment -- so he would imagine the folks who come there to bid would be very much aware of the possible foul odors.

There being no further discussion, a motion was entertained.

Motion made by Commissioner Hunter to approve the petition, with a second from Commissioner Tuley. Mr. Borries asked for a roll call vote: Commissioner Hunter, yes; Commissioner Tuley, yes; and Commissioner Borries, yes. So ordered.

VC-10-93/Petitioner, Timothy J. Major (Third Reading): Mr. Borries said the address is 4901 Pollack Avenue. Request is from AG to C-4. He then asked if there is someone present to speak to this petition.

Mr. Tim Major was recognized and said his plans for the property are very simple. He wants to build some mini-storage buildings there. There are numerous apartments in the area and he thinks

that this would be a good usage for this piece of real estate. In the site plan that the Commissioners have, the distance between two of the buildings there (Buildings #1 and #2) shows 89 ft. and that is an incorrect measure. He believes it is supposed to be 84 ft., because the piece of property wasn't wide enough and he failed to add correctly when he did the plan. He is just going with one unit at a time and will construct Buildings #2 first. As it gets filled up, he will construct Building #1. He will use the gravel driveways that access these two buildings to get back to Buildings #3 and #4 in the back. He plans to get the maximum number of units in the back that the land will basically allow. He continued by sharing his plans with the Board and discussing footage. Initially he plans to have gravel road, but will probably ultimately pave the road back to the buildings. His family has owned that property since 1937 and in recent years his uncle has not kept the ground mowed as well as he should have.

Mr. Borries said if Mr. Major gets a C-4 zoning, he hopes he will do exactly as he says, because this kind of rezoning would not be a major trip generator. If you get into other heavier uses, he could see where he might get into a dangerous situation insofar as Pollack Avenue is concerned. Mr. Major said he agrees. But he thinks the planned storage building would fit in nicely with all the apartments, etc. He has no intention of doing anything else if this doesn't work.

Mr. Tuley said in reading through the APC minutes, somebody questioned the 15 ft. setback.

Mr. Major said he thinks it is supposed to be 20 ft. from the sidewalk and that is where the center measurement is incorrect. The correct measurement is 84 ft., rather than 89 ft. His intention is to be 20 ft. off the line -- so people can drive all the way around the building.

Ms. Bev Behme of the APC said that the site plan submitted with the rezoning is not the site plan that will be used at the time of the permit process. This is just a conceptual site plan for zoning purposes only. At the time of the permit process he will have to have the detailed site plan. Site Review will review the setbacks, the green space and access and permits will be issued on that basis. Likewise on Mr. Silke's petition.

Mr. Borries asked if there is anyone who wishes to remonstrate either against or for this petition. There being no response, Mr. Borries entertained questions from the Board. There being none, a motion was entertained.

Motion to approve the petition was made by Commissioner Tuley, with a second from Commissioner Hunter. Mr. Borries asked for a roll call vote: Commissioner Hunter, yes; Commissioner Tuley, yes; and Commissioner Borries, yes. So ordered.

VC-11-93/Petitioner, Calvin Dentino (Third Reading): Mr. Darwin Graham of Eissler Rd. approached the petitioner and said that he and others are all abutting property owners for a plot to be rezoned and they are not sure they are in the right spot. He said since there is no one here representing the Petitioner, they thought possibly they might be in the wrong place.

Commissioner Borries said this is the next Petition on the agenda. If there is no one here representing the Petitioner, the Board has a problem tonight. He is not sure they can hear the petition. He does not want to either approve or disapprove a motion if no one is here to represent the Petitioner.

Ms. Behme said Mr. James Morley represented the Petitioner at the APC meeting. He might be over in City Council and she will check to see if he is over there.

Mr. Borries advised Mr. Graham that he is, indeed, in the correct meeting. However, in fairness to the petitioner, what the Board's procedures are is to allow them to present their petition and then hear from any remonstrators as to their concerns.

Mr. Graham said they are present not necessarily to remonstrate against the petition, but to seek additional information.

Ms. Behme returned to the meeting room and said Mr. Morley is not in the City Council meeting.

Mr. Borries said he hates to ask the remonstrators to return, but he does not feel comfortable in hearing this petition or responding to anything at this point if the petitioner is not present to explain or defend or whatever. This petition will be heard again in August (August 16th).

Mr. Riley Winders, Jr. said his main concern is he wants sufficient information to determine whether he has anything to object to. The first meeting set up for July 7th -- at the last minute was changed to August 4th -- and that was going to be ....

Ms. Behme said that on this particular piece of property there are two items of business. One is the zoning from P.U.D. to R-1. There is also a subdivision called The Villas which is going to go on this property once it is zoned. Last month it was scheduled to be heard by APC on the zoning part -- which they have done that. And the final decision on the zoning comes from the Commissioners.

Also, last month, Area Plan continued The Villas subdivision because it did not get drainage approval -- so the subdivision section -- this is twofold. It comes back to Plan Commission on August 4th.

Mr. Winders asked, "That meeting did occur?"

Ms. Behme responded, "On the zoning part only -- and it's zoning from P.U.D. to R-1."

Mr. Winders asked, "And that has already occurred then?"

Ms. Behme replied, "No -- part of it occurred. The final decision is with this Board."

Mr. Hunter said, "I'm on the Area Plan Commission and I sat in on that. APC recommends and we have the final say."

Ms. Behme continued, "Right. If the Drainage Board approves the drainage plan on the subdivision section of it, it will be heard then, too."

Mr. Tuley said that was also part of the problem, because the Drainage Board had a special meeting in which they did not advertise to hear this. They tried to get this heard and the Board couldn't act on it.

Ms. Behme continued, "So that is what is happening in August -- the subdivision section of this. Then it will come back to the Commissioners."

Mr. Hunter said, "You see, they should have gotten drainage approve the fourth Monday in June -- but the engineers had not gotten their act together, so we did not hear it. Then they came back to us the following Monday during a special emergency drainage meeting that dealt with only one issue -- and that was a legal drain on the southeast side of Evansville -- and we couldn't hear anything else. Mr. Dentino was very upset about it, but...."

Mr. Borries interjected, "You know, people complain a lot about government, but we really have to follow the law and we're pretty

rigidly bound. As Commissioner Hunter correctly pointed out, if you advertise something as an emergency -- we could have another drainage board meeting, but if they advertise it for one specific thing, that is what we have to hear -- because of fairness to people like you and others who might not attend and all of a sudden someone slides something in."

Mr. Winders said that was his main concern. One meeting was changed and then he thought perhaps it wasn't. Then he thought maybe he missed something.

Mr. Borries assured him he did not. He said they're probably not happy with the Commissioners, but he would not agree (nor does he think the Board did at that point) to hear anything on that.

Mr. Hunter said Mr. Dentino will probably be back on July 26th for drainage approval, because they messed up and didn't get it in June.

Mr. Borries said Mr. Winders should probably attend that meeting.

Mr. Hunter continued, "Then, you see, it goes to the Area Plan Commission for their August meeting -- because Area Plan cannot hear it until the Drainage Board has given their approval."

Mr. Winders asked who he can contact to make sure if these meetings are changed, etc.

Ms. Behme said if Mr. Winders will call the APC, they are notified when the drainage is approved and if that drainage plan is approved it will go on the APC August agenda.

Mr. Hunter stated that since they didn't get drainage approval in June, they have to wait and obtain approval in July.

Ms. Behme said they had a lot of calls, but they were asking about The Villas, rather than the zoning part -- so they explained to those who called that the zoning is going forward at the July meeting, but the subdivision section was continued to August.

Mr. Borries said what was said in July meeting was that several years ago there was a plan to do zero setback homes at a higher density than is allowed under the subdivision code. That plan never came up. Therefore, they need to rezone the property back from a P.U.D. to an R-1 zoning -- so that is really what their request was. In effect, this is down zoning. A Planned Unit Development (P.U.D.) allows for higher density or mixed uses. You could have for plexes; you could have what are called zero lot lines, which are small townhouse type apartments. R-1 is residential. However, they could be smaller lots.

Ms. Behme said they are minimum size, which is 6,000 sq. ft., but they have to maintain the 25 ft. front yard, the 25 ft. back and 5 ft. on either side -- except on a corner, and that is 10 ft. So actually it is a reduction; the density will be less with the R-1.

Mr. Hunter said that is the reason APC went along with it, because it was a down grading.

Ms. Behme continued, "According to the rules with P.U.D., if you don't develop the plan in two years, then someone has to come back and zone it to -- and this was originally Agriculture; but the R-1 is even more restrictive."

Mr. Hunter asked Ms. Behme if they can ask for an extension on a P.U.D.

Ms. Behme said it is possible -- but this was done in 1989. And once you get the development plan approved she believes you can ask

for a one year extension. But that has also expired.

Mr. Borries said next week is Drainage Board (the last Monday of the month) -- which is Monday, July 26th. The only thing the Drainage Board will consider is the drainage plan -- because drainage approval has to come before zoning can even be considered. Basically, it's a three step process. It's officially introduced to the Commission for the public record. Unless it is a very unusual thing, we can make comments to the APC; but, as a rule, petitions are approved on First Reading and forwarded to the APC. Area Plan is the technical advisory board and recommending body. They meet the first Wednesday of every month; so on Wednesday, August 4th, that is where you should see his subdivision plan.

Mr. Hunter said he is sure Mr. Morley will be here next Monday night for the drainage meeting. If Mr. Winders has questions, he can grab Mr. Morley at that time. The Drainage Board will meet immediately following the Commission Meeting. If Mr. Winders is here roughly by 6:30 p.m., he will be in good shape. The zoning only will come back for Final Reading on Monday, August 16th, at 7:00 p.m. This will give Mr. Winders additional time to obtain information concerning this matter.

Mr. Winders asked if they will be re-notified with regard to the meeting.

Ms. Behme said they will not be notified. But he is welcome to call the APC office on August 3rd (426-5226) to make sure this is on the APC agenda.

Mr. Borries said, "Again, the whole problem was caused because the engineers didn't meet the deadlines for the drainage plans last month."

Mr. Winders asked if there are retention ponds?

Mr. Borries said he is sure.

Mr. Winders said that is part of his concern.

Messrs. Hunter and Borries said that Mr. Winders should definitely be here next Monday then. Again, the Commissioners will play hard ball by the rules. If they don't have their act together, the Board will not hear it. In fact, the Board is insisting more and more on as built plans -- final plans -- because sometimes they approve things and then somebody happens to make changes on it and the Board doesn't get the final information either. Mr. Hunter said Mr. Winders might want to call next Monday to be sure they will be on the drainage agenda. He'd say that nine chances out of ten they will be; but they might not be. For some reason, they are not here tonight, which is odd.

Mr. Graham and his group and Mr. Winders expressed appreciation to the Board.

President Borries entertained further business to come before the Board. There being none, he declared the meeting adjourned at 7:40 p.m.

PRESENT:

Richard J. Borries, President  
Patrick Tuley, Vice President

Don Hunter, Member		
Sam Humphrey, County Auditor		
Alan M. Kissinger, County Attorney		
John Stoll, County Engineer		
Bill Morphew, County Highway Supt.		

COMMISSION MEETING  
JULY 19, 1993

16

Suan Jeffries, Purchasing Dept.  
Daryn Burgdorf, Purchasing Dept.  
Lyn Martin/Willard Library  
Marlu Sonntag/Willard Library  
William K. Sonntag/Willard Library  
Don Gatliff/Deeds Equipment  
Keith Montgomery/Carlisle Equipment  
John Curry/INDOT  
Betty Knight Smith, County Clerk  
Betty K. Culiver/VanAusdall & Farrar  
Norm Davenport/Indiana Bell  
Fred Emory/VanAusdall & Farrar  
J. S. Johnson/VanAusdall & Farrar  
Riley Winders, Jr.  
Monica Winders  
Mary V. Graham  
Darwin Graham  
Tim Major  
Marlin C. Silke  
Bev Behme/Area Plan Commission  
Imogene Rexing  
Ralph Rexing  
Mark Abell, Commission Office  
B. J. Farrell, Commission Office  
Annie Michel, Commission Office  
Others (Unidentified)  
News Media

SECRETARY: Joanne A. Matthews

  
Richard J. Borries, President

  
Patrick Tuley, Vice President

\_\_\_\_\_  
Don Hunter, Member



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

RICHARD J. BORRIES  
DON L. HUNTER  
PATRICK TULEY

**AGENDA**

**VANDERBURGH COUNTY COMMISSIONERS**

**JULY 19, 1993**

**5:30 P.M.**

**FINAL**

1. **CALL TO ORDER** - 5:45 P.M.
2. **INTRODUCTIONS** ✓
3. **PLEDGE OF ALLEGIANCE** ✓
4. **ACTION ITEMS**
  - A. Any group/individual wishing to address the commission - *None*
  - B. Daryn Burgdorf/Purchasing ✓  
re: Bid Opening - *PT/DA*  
1) Computer Equipment  
2) Tractor/trailer/mower/broom
  - C. Amended Speed Ordinance ✓  
re: Final Reading
  - D. Betty Knight Smith/County Clerk ✓  
re: Willard Library/storage
  - E. Greg Curtis ✓  
re: agreement between INDOT and Vanderburgh County for USI
5. **DEPARTMENT HEADS**
  - Alan Kissinger ----- County Attorney ✓
  - Mark Abell ----- Superintendent of County Buildings ✓
  - Bill Morphew ----- County Garage ✓
  - John Stoll ----- County Engineer ✓
  - \*See attached engineer requests

**6. CONSENT ITEMS**

**A. Travel/Education Requests**

Treasurer (2)          Health (1)          Co-Op Extension (1)

**B. Claims for payment:**

1) Ziemer Stayman Weitzel and Shoulders          350.00  
2) Kevin Bryant          1,103.50

**C. Council Call/County Commissioners**

1) 130-3120 Postage 50,000.00

**D. Commissioners Minutes for 7/12/93  
\*acceptance/approval**

**E. County Treasurers Report for May 1993  
re: acceptance**

**F. Check/Quitesses for acceptance:**

Check # 1762764      \$ 1,208.94      Quietus # 9063  
Cash                      \$ .11      Quietus # 9064  
(personal phone call reimbursement/Mark Abell)

**G. Employment Changes:  
see attached**

**8. OLD BUSINESS**

**9. NEW BUSINESS**

**10. MEETING ADJOURNED — 6:57 pm.**

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH COUNTY CLERK *sl*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
<i>10/10/1310</i>	<i>DEE DIEFENBACH</i>			<i>15,607.397</i>	<i>06/96</i>
<i>10/10/1150</i>	<i>CASEY SCOTT</i>			<i>776</i>	<i>36</i>
<i>ISSUED LAST CHECKS 7/16/93 BY (PRE-PAID - SEE 7/23/93 FE)</i>					

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *J. Osby*

DATE *7-16-93*

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Pigeon Township Trustee

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
	<i>Lori Molden</i>	<i>1824 Chickasaw</i>	<i>Clerk</i>	<i>17,522.00</i>	<i>7-10-93</i>

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
	<i>Lori Molden</i>	<i>1824 Chickasaw</i>	<i>Clerk</i>	<i>17,110.00</i>	<i>7-10-93</i>

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Mary E. Hart*

DATE *7/16/93*



# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department HEALTH 213.0

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1990	Fleming, Thomas S.	3208 Saratoga Drive 47715	Vector Control Technician	\$5.00/ hr.	7/19/93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*Sanelder*

Director

DATE

7/19/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department UNION TOWNSHIP ASSESSOR 2490-1170

### APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1990	Mary Ann Bernard	5200 Duesner Rd Evansville IN 47712	extra help-clerks	7.00/Hr 3,640.00	7-1-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

### RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY John R. Bernard

DATE 7-14-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Knight Township

### APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1130-1990	Jason Althaus	6577 West Lake Rd	Deputy	5.00 per hr	

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

### RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Shelley Barber  
Chris Deputy  
Knight Twp

DATE 7/19/93





# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Drug and Alcohol Deferral Service

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
137.1-1160	Gilbert Martin Graham	1511 East John St.	Counselor I	11.1005 / HR \$23,178.00	July 19, 1993

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
137.1-1160	Graden Nance	P.O. Box 5104 Lenn Rd.	Counselor I	\$25,500.00	July 15, 1993

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY  DATE 7-9-93

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

## APPOINTMENTS MADE

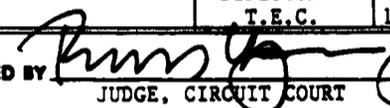
	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.0136Z 1320	EDWARD MONTPETIT		COMMUNITY SERVICE OFFICER	.8860 / HR 1850.00 AN	7-1-93
505.0136Z 1330	ROY WEIGHTMAN		COMMUNITY SERVICE OFFICER	.8860 / HR 1850.00 AN	7-1-93
505.0136Z 1340	VERNER SOLOMON		SUPERVISOR TRAINEE	.3659 / HR 764.00 AN	7-1-93
505.0136Z 1350	STEPHEN FUCHS		DIRECTOR T.E.C.	1.0196 / HR 2129.00 AN	7-1-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.0136Z 1320	EDWARD MONTPETIE		COMMUNITY SERVICE OFFICER	.5397 / HR 1127.00 AN	7-1-93
505.0136Z 1330	ROY WEIGHTMAN		COMMUNITY SERVICE OFFICER	.5397 / HR 1127.00 AN	7-1-93
505.0136Z 1340	VERNER SOLOMON		SUPERVISOR TRAINEE	.2227 / HR 465.00 AN	7-1-93
505.0136Z 1350	STEPHEN FUCHS		DIRECTOR T.E.C.	.6211 / HR 1297.00 AN	7-1-93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY  DATE 7/13/93

JUDGE, CIRCUIT COURT

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department MCH/213.2

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1120	McGillem, Gayle	921F Erie Avenue Evansville, IN 47715	Social Worker	23,814.00	6/28/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1120	McGillem, Gayle	921 F Erie Avenue Evansville, IN 47715	Social Worker	23,574.00	

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Sam Miller DATE 7-15-93

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Vanderburgh County Coroner

*NO CORNER  
IN TIME  
10/10/1990  
107-1170*

*BUICKEL 9/16/93*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
	Elizabeth A. Ketchem	5214 Daisy Lane City 47720	Deputy Coroner Histotech	er/3,354/HR \$7,000.00	07-12-1993
107-1160	Larry L. Lazart	318 SE First #4 City 47713	Deputy Coroner	3,354/HR \$7,000.00	07-12-1993

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
107-1160	Elizabeth A. Ketchem	5214 Daisy Lane City 47720	Deputy Coroner	3,354/HR \$7,000.00	07-12-1993

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Bennis E. Buickel DATE 07/15/93  
Bennis E. Buickel, Coroner

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.0136Z 1370	NORMAN HOSKINSON		GUARD	6997 <sup>HL</sup> 1461.00 AN	7-11-93 ✓
505.0136Z 1380	DAVID WILKINS		GUARD	6997 <sup>HL</sup> 1461.00 AN	7-11-93 ✓
505.0136Z 1300	WILLIAM MARTIN		COMMUNITY SERVICE OFFICER	5860 <sup>HL</sup> 1850.00 AN	7-11-93 ✓
505.0136Z 1310	GARY CROW		MAINTENANCE SUPERVISOR	7169 <sup>HL</sup> 1497.00 AN	7-11-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505.0136Z 1370	NORMAN HOSKINSON		GUARD	4262 <sup>HL</sup> 890.00 AN	7-10-93 ✓
505.0136Z 1380	DAVID WILKINS		GUARD	4262 <sup>HL</sup> 890.00 AN	7-10-93 ✓
505.0136Z 1300	WILLIAM MARTIN		COMMUNITY SERVICE OFFICER	5397 <sup>HL</sup> 1127.00 AN	7-10-93 ✓
505.0136Z 1310	GARY CROW		MAINTENANCE SUPERVISOR	4367 <sup>HL</sup> 912.00 AN	7-10-93 ✓

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Prms* DATE 7/13/93  
JUDGE, CIRCUIT COURT

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136.1-1990	CAREY HUDSON		PART-TIME CORRECTION OFFICER	\$5.00 HR	6-29-93 ✓
505.0136Z 1360	DEBORAH MOWBRAY		COUNSELOR	8860 <sup>HL</sup> 1850.00 AN	7-11-93 ✓
136-1230	KARLA M. CLAYBROOK		PROBATION OFFICER	11,643 <sup>HL</sup> 24311.00 AN	7-11-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136.1-1990	MICHALE K. GREENLEE		PART-TIME CORRECTION OFFICER	\$7.00 HR	6-26-93 ✓
505.0136Z 1360	DEBORAH MOWBRAY		COUNSELOR	5397 <sup>HL</sup> 1127.00 AN	7-10-93 ✓
136-1230	KARLA M. CLAYBROOK		PROBATION OFFICER	11,105 <sup>HL</sup> 23178.00 AN	7-10-93 ✓

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Prms* DATE 7/13/93  
JUDGE, CIRCUIT COURT

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Knights Township

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
249-113-1130	Steven Folz	3600 Keck Ave.	Coordinator	8.4597 / hr 9,354.00	6 months ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
113-199	Wayne Kirk	5020 Sweetser Ave	Deputy	5.00 per hr	7/15/93 ✓
113-116	Tamara Rawlins <i>(STILL PAID ON 7/15/93 P.R.)</i>	711 S. Rotherwood Ave	Deputy	15,607.00 <del>14,889.00</del>	7/15/93
113-190	Steven Folz	3600 Keck Ave	Deputy	7.1307 / hr 14,889.00	7/12/93 ✓

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Shirley Reader* DATE 7/15/93  
*Chief Deputy  
Knights Twp*

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Knights Township

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
113-116	Tamara Rawlins	711 S. Rotherwood Ave	Deputy	7.47 / hr 15,607.00	7/5/93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
113-116	Tamara Rawlins	711 S. Rotherwood Ave	Deputy	7.1307 / hr 14,889.00	7/5/93 ✓

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Shirley Reader* DATE 7/15/93  
*Chief Deputy  
Knights Twp*

Browning Road	All	40
Darmstadt Road	Evansville City limits to the Darmstadt Corporate limits	40
Denzer Road	New Harmony Road to the Posey County line	30
Diefenbach Road	Upper Mt. Vernon Road to Koring Road	30
Dixie Flyer	Evansville City Limits to Old Henderson Road	30
Estate Drive	Highway 65 to Edgewater Drive	15
Fuquay Road	Pollack to Evansville city limits	30
Green River Road	Evansville city limits to Heckel Road	45
Green River Road	Heckel Road to Boonville-New Harmony Road	50
Green River Road	SR 57 to Old Petersburg Road	35
Green River Road	Boonville-New Harmony Road to SR 57	35
Greenfield Drive	Covert Avenue to Kolb Drive	20
Harmony Way	Evansville City limits to New Harmony Road	35
Harmony Way	660 feet north of Westwood Drive to 1200 feet south of Westwood Dr.	30
Heddon Road	All	35
Henze Road	Mill Road to No. 6 School Road	35
Hogue Road	City limits to Westmore	30
Hogue Road	Westmore to Eickhoff	35
Irene Avenue	All	30
Kasson Road Drive	SR 65 to Mesker Park Drive	35
Kerchoff Boulevard	Creamery to Dead End	30
Kleitz Road	Mesker Park Drive to Meier Rd.	35
Koring Road	Upper Mt. Vernon Rd. to	35

**93-19103**

ORDINANCE AMENDING  
CHAPTER 72, SCHEDULE I OF THE  
CODE OF ORDINANCES OF VANDERBURGH COUNTY

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

That Chapter 72, Schedule I of the Code of Ordinances of Vanderburgh County, State of Indiana, is hereby amended to read in full as follows:

SCHEDULE I: SPEED LIMITS

(A) It shall be unlawful to operate a motor vehicle in excess of 45 miles per hour on and along any county road or highway within the jurisdiction and control of the Board of Commissioners of Vanderburgh County.

(B) It shall be unlawful to operate a motor vehicle in excess of 30 miles per hour on and along any county road within any approved subdivision within the jurisdiction and control of the Board of Commissioners of Vanderburgh County.

(C) The speed limits for the County roads and highways listed below shall apply and supersede the provisions of paragraphs (A) and (B), above:

<u>STREET</u>	<u>FROM: BETWEEN</u>	<u>SPEED LIMIT</u>
11th Avenue	Intersection of 11th Avenue. and Allens Lane, traveling north	25
All roads, streets and highways located within the confines of Burdette Park		15
Bassett Avenue	All	30
Bergdolt Road	Evansville City Limits to Pleasant Ridge Drive	30
Boehne Camp Road	From its intersection with Hogue Road, north 1800 feet	35
Boehne Camp Road	From 1800 feet north of its intersection with Hogue Road to its intersection with Upper Mt. Vernon Road	20
Boehne Camp Road	Middle Mt. Vernon Road to Hogue Road	35
Broadway Avenue	Evansville City Limits west to the Posey County line	40
Browning Road	All	40

RECEIVED FOR RECORD  
3:14p. M.  
July 20 1993  
BETTY J. HERMANN, RECORDER  
VANDERBURGH COUNTY

Petersburg Road	Petersburg Place to U.S. 41	40
Pollack Avenue	Evansville City limits to Warrick County line	40
Red Bank Road	New Harmony Road to Highway 62 (Lloyd Expressway)	30
Red Bank Road	Corporate limits of Evansville south to end of Red Bank Rd. at the intersection of Red Bank & Nurrenbern	30
St. Joseph Avenue	Diamond Ave. North to Mill Rd.	45
St. Joe Road	New Harmony Road to Highway 65	40
St. Wendell Road	From the intersection with Indiana State Highway 65 to the Posey County line	35
Schissler Road	Schmuck Rd. to Posey Co. line	20
Schmuck Road	Old Mt. Vernon Road to Bayou Creek	30
Schutte Road	Broadway to Lloyd Expressway	35
Shoshoni Drive	Covert Avenue to Evansville City limits	25
Speaker Road	Skyline Drive to Broadway Avenue	25
Skyline Drive	Speaker Road to Dead End	25
Tekoppel Avenue	Evansville City limits to Old Henderson Rd.	40
Tupman Road	Upper Mt. Vernon to Dead End	30
Upper Mt. Vernon	Evansville City limits to Red Bank Rd.	35
Weiss Road	Highway 65 to Dead End	25
Whetstone Road	Oak Hill Rd. to Old Petersburg Rd.	30
Wright Drive	Meier Road to Dead End of Wright Dr.	15

(D) All necessary signs giving notice of the foregoing speed limits shall be posted as closely as possible to the entrances to the roads or highways listed above, in appropriate positions, and in accordance with I. C. 9-21-4-1, et seq.

(E) Any violation of this traffic schedule shall be punishable pursuant to I.C. 9-21-5-13.

	<b>New Harmony Road</b>	
<b>Kuebler Road</b>	<b>SR 65 to Meier Road</b>	<b>35</b>
<b>Larch Lane</b>	<b>All</b>	<b>20</b>
<b>Marx Road</b>	<b>Posey County Line to New Harmony Road</b>	<b>40</b>
<b>Meier Road</b>	<b>St. Joseph Avenue to Mohr Rd.</b>	<b>35</b>
<b>Mesker Park Drive</b>	<b>Evansville City limits to SR 65</b>	<b>40</b>
<b>Middle Mt. Vernon Rd.</b>	<b>Evansville City limits to Schutte Road</b>	<b>35</b>
<b>Middle Mt. Vernon Rd.</b>	<b>Schutte Road to Posey County Line</b>	<b>30</b>
<b>Mill Road</b>	<b>Evansville City limits to Folz Road</b>	<b>35</b>
<b>Mill Road</b>	<b>Folz Road to Mesker Park Dr.</b>	<b>30</b>
<b>Mill Road</b>	<b>SR 66 to SR 65</b>	<b>30</b>
<b>Mill Road</b>	<b>Mesker Park Drive to SR 65</b>	<b>30</b>
<b>No. 6 School Road</b>	<b>Vienna to SR 65</b>	<b>40</b>
<b>Noldau Avenue</b>	<b>All</b>	<b>20</b>
<b>Nurrenbern Road</b>	<b>Intersection of Red Bank Rd. west to the intersection of Nurrenbern Road to Broadway</b>	<b>30</b>
<b>Old Henderson Rd.</b>	<b>Seminary Rd. to one mile east of Happe Road</b>	<b>20</b>
<b>Old Highway 57</b>	<b>From SR 57 north to Gibson County line (900 north)</b>	<b>45</b>
<b>Old Mt. Vernon</b>	<b>Posey County line to Broadway</b>	<b>40</b>
<b>Old Petersburg Road</b>	<b>All</b>	<b>35</b>
<b>Old State Road</b>	<b>Evansville city limits to Darmstadt Corporate limits</b>	<b>40</b>
<b>Orchard Road</b>	<b>Darmstadt Road to SR 65</b>	<b>35</b>
<b>Peerless Road</b>	<b>Hogue to Upper Mt. Vernon Rd.</b>	<b>35</b>
<b>Peerless Road</b>	<b>Middle Mt. Vernon Rd. to Hogue</b>	<b>40</b>



THIS AMENDING ORDINANCE executed and effective on this 19<sup>th</sup> day of July, 1993.

BOARD OF COMMISSIONERS OF  
VANDERBURGH COUNTY, INDIANA

BY: Richard J. Borries  
Richard J. Borries

BY: Patrick Tuley  
Patrick Tuley

BY: Donald Hunter  
Donald Hunter

ATTEST:  
Sam Humphrey  
Sam Humphrey, Auditor

APPROVED AS TO FORM:  
[Signature]  
County Attorney

rev: 12/21/92  
rev: 6/18/93

specifications, or special provisions for work within STATE right-of-way (including right-of-way agreed to be transferred to the STATE pursuant to section 7) shall be made without the STATE's prior written approval.

2. Section 4 is amended to read as follows:

The COUNTY will advertise the Project for bids. Upon receipt of an acceptable bid (determined in accordance with laws, rules, and ordinances applicable to the COUNTY, the COUNTY will award the contract.

3. Section 6 is amended to read as follows:

The cost of the Project shall be apportioned as follows:

a. The cost to design and prepare plans, specifications, and special provisions shall be borne by the COUNTY.

b. The cost to acquire all right-of-way needed to construct the Project, including all services in connection therewith, land acquisition costs, damages, and relocation costs shall be borne by the COUNTY.

c. The cost of all reimbursable utility relocation costs for the Project shall be borne by the COUNTY.

d. The cost to advertise for and receive bids for construction of the Project shall be borne by the COUNTY.

SUPPLEMENT NO. 1

This supplement is made and entered into July 19, 1993 by and between the State of Indiana, acting by and through the Indiana Department of Transportation (hereinafter referred to as the "STATE") and Vanderburgh County, Indiana, acting by and through its board of county commissioners (hereinafter referred to as the "COUNTY").

WITNESSETH:

Whereas, the COUNTY and STATE entered into a contract (approved as to legality and form by the Attorney General of Indiana on November 19, 1992) regarding an interchange at SR 62 and Eickhoff Road; and

Whereas, the parties desire to amend the contract.

Therefore, in consideration of the mutual benefit to be derived from the changes, the parties agree as follows:

1. The last paragraph of section 1 is amended to read as follows:

The specifications shall require the contractor to provide a performance bond in a penal amount equal to 100% of the contractor's bid for construction of the Project. The STATE and COUNTY shall be listed as co-beneficiaries of the bond. The plans (including traffic control plans), specifications, and special provisions for the Project must be submitted to and approved by the STATE prior to the COUNTY advertising the Project for bids. No changes to the plans,

This supplement shall not be effective unless and until approved by the Attorney General of Indiana, or her authorized representative, as to legality and form.

In witness whereof, the State of Indiana and the COUNTY, through their respective officials, have executed this supplement.

BOARD OF COUNTY COMMISSIONER  
VANDERBURGH COUNTY

STATE OF INDIANA  
INDIANA DEPARTMENT OF  
TRANSPORTATION

By *Richard J. Borries*  
Richard J. Borries

By \_\_\_\_\_  
Frederick C. P'Pool  
Commissioner

ATTEST:

By *Ben Hunter*  
Ben Hunter

\_\_\_\_\_   
Dennis Faulkenberg  
Chief Financial Officer

By *Patrick Tuhey*  
Patrick Tuhey

Approved as to Legality and Form

ATTEST:

\_\_\_\_\_   
Pamela Carter  
Attorney General

*Sam Humphrey*  
Sam Humphrey (Auditor)

Date approved: \_\_\_\_\_

This document was prepared by:  
John E. Jordan, Attorney  
Indiana Department of Transportation  
100 North Senate Avenue, Room N730  
Indianapolis, Indiana 46204

laf93360

e. The cost to provide construction inspection, on-site testing, and management of the Project shall be borne by the COUNTY.

f. The cost to provide off-site testing of materials for the Project shall be borne by the STATE.

g. The cost for STATE employees to inspect the Project, shall be borne by the STATE; however, if the inspection provided by the COUNTY is deemed inadequate by the STATE, then the COUNTY shall reimburse the STATE the STATE's expense to inspect the Project.

h. The cost to construct the Project shall be borne as follows:

1. \$284,000 by the STATE.

2. The remainder of the cost shall be borne by the COUNTY.

4. Section 11 is added to read as follows:

Section 11. Within forty-five (45) days after this supplement is approved as to legality and form by the Attorney General, the STATE shall pay its share of the construction cost (See section 6.h.2.) to the COUNTY.

5. Except as herein modified, amended, or supplemented all terms of the contract (approved as to legality and form by the Attorney General of Indiana on November 19, 1992) between the parties regarding the SR 62 interchange at Eickhoff Road shall continue in full force and effect.

# INDIANA DEPARTMENT OF TRANSPORTATION CHANGE ORDER

Project No. **STP-BHZ-BHM-E140 (1)** Contract No. **B-20039**

Change Order No \_\_\_\_\_

Whereas, the Standard Specifications for this contract provides for such work to be performed, the following changes are recommended. (Give location, description and reason)

A new item, Steel Beam Repair, is necessary in accordance with INDOT Standard Specification 104.03. During Superstructure Removal for Phase III (west bound lanes), Steel Beams #3,4,5, at Bent #6, and Beam #2 at Bent #9 were discovered to be badly deteriorated along the web of the beam at the bottom flange (see attached sheet for detailed drawing). This problem was not evident until the deck removal was completed and further investigation revealed the deteriorated areas. Repairs will be made as per the attached approved design, and paid according to INDOT Standard Specification 109.04

ITEM NO.	DESCRIPTION OF ITEM	UNIT PRICE	INCREASE		DECREASE		% CHANGE	
			QUANTITY	AMOUNT	QUANTITY	AMOUNT	THIS C.O.	TO DATE
EW	Steel Beam Repair	5226.00	1.0	5226.00			100	0.2
PLACE "EW" FOR EXTRA WORK ITEMS			TOTALS		5226.00			
PLACE "FA" FOR FORCE ACCOUNT ITEMS			NET	<del>INCREASED</del> <del>DECREASED</del>	ESTIMATED COST \$ 5226.00			

It is the intent of the parties that this change order is full and complete compensation for the work described above. Notification and consent to this change in plans is hereby acknowledged.

Contractor \_\_\_\_\_ By \_\_\_\_\_ Date \_\_\_\_\_

Submitted For Consideration	
PE/S <i>SM.</i>	D.E.
AE	CONST. ENGR.
DCE	CHIEF DIV.

*Richard J. Barnes*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Approved for Indiana Department of Transportation**

\_\_\_\_\_  
(SIGNATURE) (TITLE) (DATE)

# COUNTY ENGINEER'S

## CONSENT AGENDA

JULY 19, 1993

1. CLAIMS:

GREEN RIVER ROAD NORTH	216-4910	
Tri-State Reporting (82DO3-9105-CP-957)		\$336.40
Robert J. Sell (82DO3-9105-CP-957)		\$750.00
ENGINEERING EQUIPMENT	203-4429	
Mibo, Inc. (The Computery) (PO #001931644)		\$4,034.00



# Harmon Steel, Inc.

623 SOUTH STATE STREET  
P.O. BOX 946  
NORTH VERNON, IN 47265

(812) 345-2001

Reinforcing, Structural Steel, and Metal Deck Installation

E. H. HUGHES CO., INC.  
201 W. COURT AVE.  
JEFFERSONVILLE, IND. 47131

JULY 16, 1993

ATTN: JIM HORTON

RE: INDOT. B-20039 VANDERBURG CO.  
BEAM REPAIRS

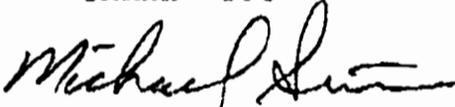
FURNISH & INSTALL 1 LSM \$4,800.00

PRICE INCLUDES ALL LABOR, MATERIALS AND EQUIPMENT FOR THE BEAM REPAIR INCLUDING 7"x 4"x 1/2"x 28" ANGLES AT THE DIAPHRAGMS. THE PRICE IS FOR ONLY FOUR LOCATIONS, BENT #6 BMS. 3, 4 & 5 BENT #9 BM. #2, ANY OTHERS WILL BE AN ADDITIONAL COST.

IF YOU HAVE ANY QUESTIONS ABOUT THIS BID PLEASE CALL ME AT (812) 876-2513.

HARMON STEEL, INC. IS A CERTIFIED M.B.E.

THANK YOU

  
MICHAEL SINN



# E. H. HUGHES COMPANY, INC.

201 WEST COURT AVENUE • P.O. BOX 429 • JEFFERSONVILLE, IN 47131  
(812) 283-7340 • FAX (812) 282-1093

July 19, 1993

Indiana Department of Transportation  
621 N. 9th Avenue  
Evansville, Indiana 47712

Attention: Mr. Stuart May

Reference: INDOT Contract B-20039  
Vanderburgh County, IN.

Subject: Steel Beam Repair

Dear Mr. May,

Per your request, the E.H. Hughes Company submits a price to perform the repairs as detailed on the attached sketch approved by Don Leonard. Also please find attached our subcontract quote and backup from Harmon Steel, Inc.. Our price for this work is \$5226.00 Lump Sum. Markup was added according to the Specifications as follows:

Subcontract Price			\$4800.00
Markup	First	$\$3000.00 \times 0.10 =$	\$ 300.00
	Remaining	$\$1800.00 \times 0.07 =$	\$ 126.00
		Total	<u>\$5226.00</u>

As this work is critical to the project schedule, any assistance you can provide in expediting approval would mitigate the possibility of delays.

Sincerely,

James E. Horton

cc: Bobby Shaver  
John Sullivan  
Richard Clarke  
File



INDUSTRIAL AND HEAVY CONSTRUCTION • SEWAGE AND WATER PLANTS • E.C.

UNITED CONSULTING ENGINEERS, INC.

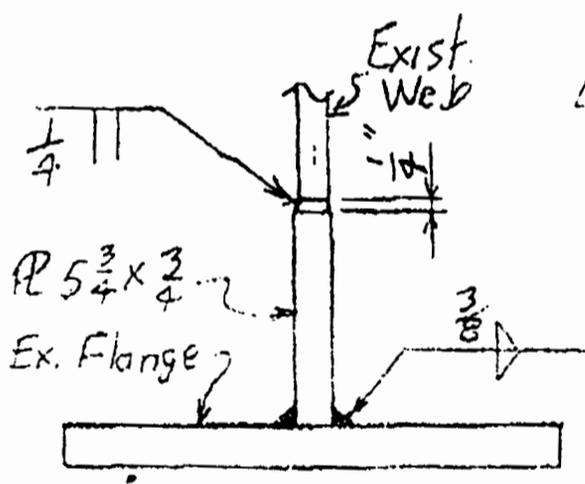
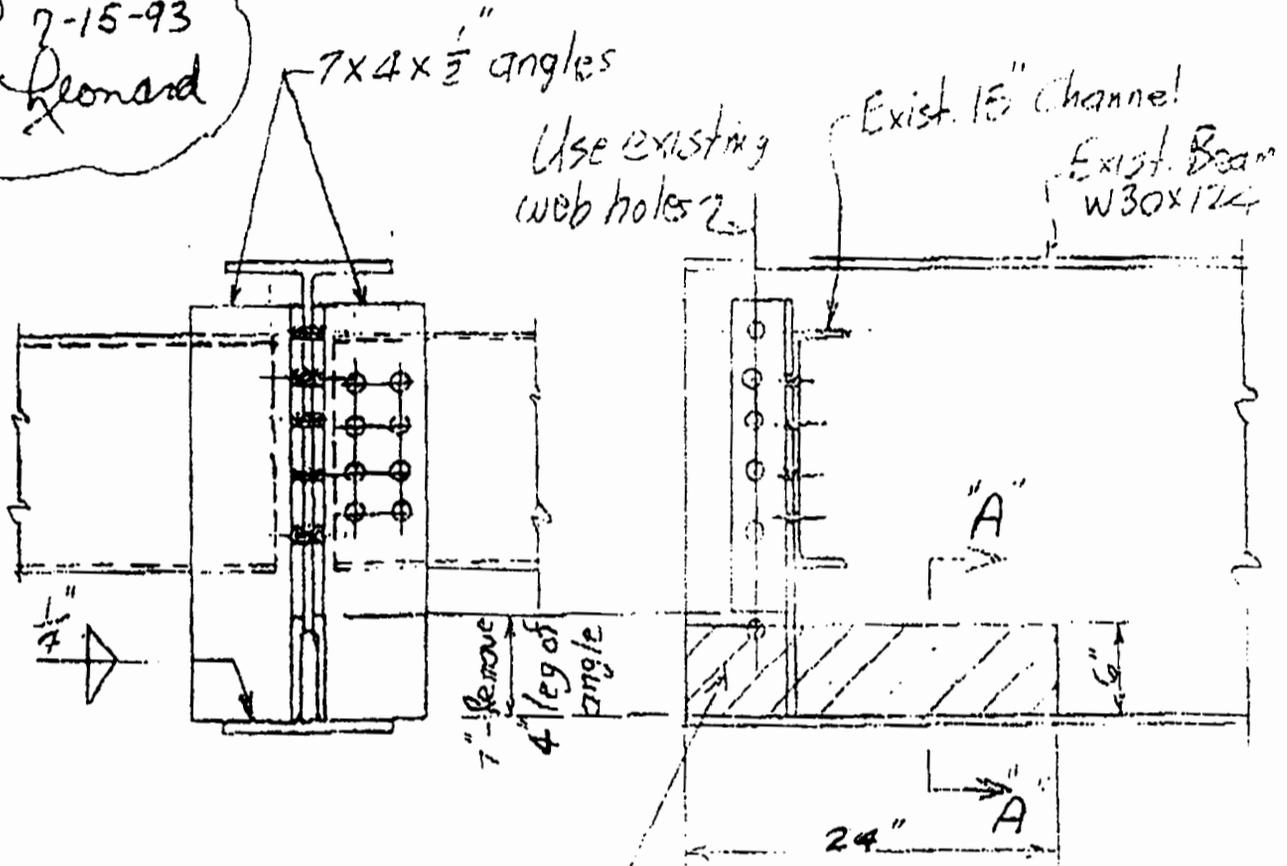
Jeff B. Smith, P.E.  
 Ken B. Deane, P.E., L.S.  
 Mark A. Kottler, P.E.  
 Mike W. Jones, P.E., L.S.  
 Jacob E. Hall, P.E., L.S.  
 William F. Hall, P.E.

Harold C. Miller, P.E.  
 Cecelia Fraano, P.E.  
 William D. Richter, P.E., L.S.  
 Jerry T. Smith, P.E.  
 Greg L. Haminger, P.E.

Andrew C. Churchill, N.A., A.I.A.  
 Kaye L. Coppedge, R.A.  
 John K. Horton, R.A., A.I.A.  
 John D. Slatney, N.A., A.I.A.

BY JDR DATE 7/4/93 SUBJECT Contract B-20039 SHEET NO. 1 OF 1  
 CHKD BY \_\_\_\_\_ DATE \_\_\_\_\_ Vanderburgh 10751A JOB NO. 78-315  
Beam Repairs

OK 7-15-93  
 Leonard



Remove web within hatched area  
 Grind smooth top of flange.  
 Replace with  $5 \frac{3}{4} \times \frac{3}{8} \times 7'0R$   
 (A509 - 36)

Note: This repair  
 required at 4 locations  
 Bent #6 - Beams 3, 4, & 5  
 Bent #9 - Beam #2

Section A-A  
 Scale 3/8" = 1'-0"



# Harmon Steel, Inc.

523 SOUTH STATE STREET  
P.O. BOX 346  
NORTH VERNON, IN 47265

(812) 348-2064

Reinforcing, Structural Steel, and Metal Deck Installation

E. H. HUGHES CO., INC.  
201 W. COURT AVE.  
JEFFERSONVILLE, IND. 47131

JULY 19, 1993

ATTN: JIM HORTON

RE: INDOT. B-20039 VANDERBURG CO.  
BEAM REPAIRS

### COST BREAKDOWN FOR LABOR, EQUIPMENT AND MATERIALS.

LABOR	\$2,505
EQUIPMENT	\$1,930
MATERIALS	\$365
TOTAL	\$4,800

IF YOU HAVE ANY QUESTIONS ABOUT THIS BID PLEASE CALL ME  
AT (812) 876-2513.

HARMON STEEL, INC. IS A CERTIFIED M. B. E.

THANK YOU

*Michael Sinn*  
MICHAEL SINN

Post-It™ brand fax transmittal memo 70/1		# of pages >	1
To	JIM HORTON	From	MIKE SINN
Co.	E. H. HUGHES	Co.	HARMON STEEL
Dept.		Phone #	
Fax #		Fax #	

## INDIANA DEPARTMENT OF TRANSPORTATION LPA CLAIM-VOUCHER

INSTRUCTIONS: This agency is requesting disclosure of your Social Security Number in accordance with I.C. 4-1-8.

VENDOR INFORMATION		AGENCY INFORMATION
Document Number	Date (Month, Day, Year) 6/19/93	Agency Name
Vendor Name BOARD OF COMMISSIONERS		Agency Number
Address (Number, Street) VANDERBURGH COUNTY INDIANA		Social Security Number or
305 Administration Bldg		Federal I.D. Number 035600020514
NW Martin Luther King Blvd		Vendor Number
City, State and Zip Code Evansville, IN 47708		

**AREA BELOW TO BE COMPLETED BY AGENCY.**

DATE	AMOUNT	FUND	OBJECT	CENTER	LOAN / INV / NBR	QTY.	UNIT	DESCRIPTION
6 19	800,000	4000	579000	108120				NO

**TOTAL AMOUNT: \$**

Doc. ID: PV 800

**INDOT ACCOUNTING LINE DISTRIBUTION**

L N	Invoice Number	Fund	Appr.	Loc.	Func.	Object	Cost Account	Project			Part.	Contract	Amount
								Prefix	Number	( )			
01		401	812	800	52	790	112						800,000.00
02													
03													

Line No.	Description
1	Claim No. <u>1</u> Contract No. _____ Project No. <u>Distressed Road Fund</u>
2	This claim-voucher is for: (Preliminary) (R/W) (Const.) <u>Engineering, Force Account or R/W Costs</u>
3	Project Description <u>Distressed Road Loan #1 for partially matching funds for Federal Aid project Lynch Rd. Ext (Phase I Grading R-20843)</u>
4	Period covered by this claim-voucher: From _____ To _____
5	Gross amount of previous claims \$ _____
6	Net amount of previous claims \$ _____
7	This (is) (is not) a final claim voucher (Time Certification must be included with final claim-voucher)
8	Gross amount of this Local Agency Claim \$ _____
9	Federal Share Reimbursable (Line 8 x _____ %) = \$ _____
10	Less State Retainage @ _____ % - \$ _____
11	Net Amount of Claim Voucher = \$ <u>800,000.00</u>

**RECOMMENDED FOR APPROVAL**

\_\_\_\_\_  
INDOT Official Initiating the Charge

\_\_\_\_\_  
Date

I certify that this claim is correct and valid and is a proper charge against the State Agency, Fund and Center indicated.

Authorized Signature of State Agency

Date (Month, Day, Year)

Pursuant to the provisions and penalties of Indiana Code 5-11-10-1, I hereby certify that the foregoing Fund and Center 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.

Signature of Vendor

Official Title

Date (Month, Day, Year)



RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF VANDERBURGH COUNTY, INDIANA,  
SUPPORTING RIVERBOAT GAMBLING

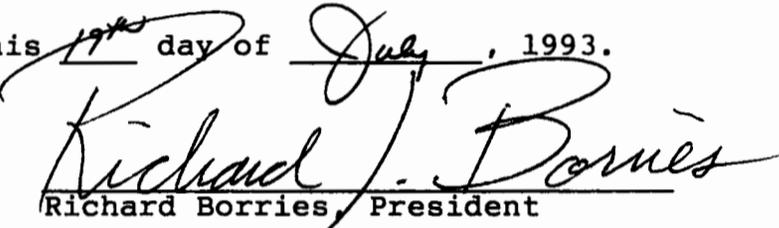
WHEREAS, the Board of Commissioners of Vanderburgh County wishes to benefit the people of the State of Indiana and the citizens of Vanderburgh County by promoting tourism and assisting economic development; and,

WHEREAS, pursuant to House Enrolled Act 1001(ss), the General Assembly of the State of Indiana has authorized riverboat gambling in certain specified areas of the State of Indiana; and,

WHEREAS, pursuant to I.C. 4-33-6-18(b) the Common Council of the City of Evansville has adopted an ordinance permitting the docking of riverboats within the city limits of Evansville, in Vanderburgh County, and requesting that a special election be held to allow the voters of Vanderburgh County to decide the question of whether licenses shall be issued to permit riverboat gambling in Vanderburgh County;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Board of Commissioners of Vanderburgh County supports the efforts of the Common Council of the City of Evansville in complying with the various dictates of the Indiana Code to authorize riverboat gambling in Vanderburgh County.

ADOPTED AND EXECUTED this ~~19th~~ day of July, 1993.

  
Richard Borries, President

  
Pat Tuley, Vice-President

  
Don Hunter, Commissioner

RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF VANDERBURGH COUNTY APPOINTING A HEARING  
OFFICER FOR POOR RELIEF APPEALS

WHEREAS, The Board of Commissioners of Vanderburgh County desire to provide a forum for the hearing of poor relief appeals, pursuant to Indiana Code 12-20-15-1, et seq., other than the regularly scheduled meeting of the Board of Commissioners; and,

WHEREAS, Indiana Code 12-20-15-3(2) provides that the Board of Commissioners may appoint a hearing officer to conduct hearings on poor relief appeals for the board;

NOW, THEREFORE, IT IS HEREBY RESOLVED that, pursuant to Indiana Statutes, the Board of Commissioners of Vanderburgh County, Indiana, hereby appoints the Vanderburgh County Attorney to select a hearing officer for poor relief appeals.

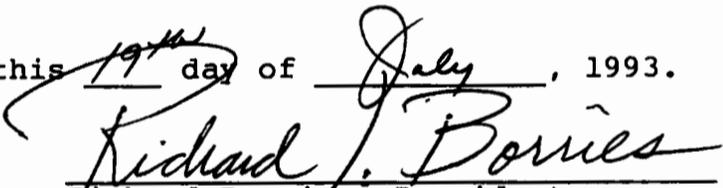
Immediately on being notified that a poor relief appeal has been filed pursuant to the presently existing procedure for appeal, the Vanderburgh County Attorney shall designate an assistant county attorney to conduct the poor relief appeal hearing.

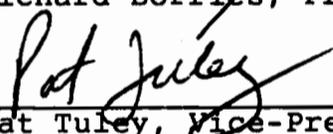
The hearing officer shall conduct the hearing in compliance with the standards set out in I.C. 12-20-5-4, and shall render an advisory decision immediately after the hearing has been completed.

The hearing officer shall cause the hearing to be recorded, and said recording shall be made immediately available to the Board of Commissioners for review. The Board of Commissioners may then adopt or amend the advisory decision of the hearing officer.

If the Board of County Commissioners has not adopted or amended the advisory decision of the hearing officer within ten (10) days after the appeal form is received in the commissioners' office, the decision of the hearing officer shall become final.

ADOPTED AND EXECUTED this 19<sup>th</sup> day of July, 1993.

  
Richard Borries, President

  
Pat Tuley, Vice-President

  
Don Hunter, Commissioner

VANDEBURGH COUNTY BRIDGE CREW

PROGRESS REPORT

FRIDAY JULY 9 THRU JULY 15, 1993

FRIDAY, JULY 9, 1993

Installed concrete drop box.  
Helped install pipe at 2807 Rode Rd.  
Helped install pipe on St. George Rd.  
Cut grass on guard rail at the following Roads: Happe, Mill, Felstead, and Schroeder.

MONDAY, JULY 12, 1993

Helped install pipe on St. George Rd.  
Sawed driveways on St. George Rd. for pipe installation.

TUESDAY, JULY 13, 1993

Sprayed weeds for 1<sup>st</sup> Ave. for weed control.  
Helped on St. George Rd. for pipe installation.  
Haul dirt from St. George rd. to yard, haul guardrail, trees and brush from Darmstadt Rd. Bridge.

WEDNESDAY, JULY 14, 1993

Helped install culvert at 5000 W. Mill Rd.  
Clean out Drains on Tekoppel Overpass.  
Help install pipe on St. George Rd.

THURSDAY, JULY 15, 1993

Help install pipe on St. George Rd. project.  
Break out concrete drives on St. George Rd.  
Saw asphalt for removal of boiler pipe on Hogue Rd.

VANDEBURGH COUNTY HIGHWAY DEPT.

PROGRESS REPORT

FRIDAY JULY 9 THRU JULY 15, 1993

FRIDAY JULY 9, 1993

The Gradall and crew worked at St. George Rd. and replaced a culvert at 2807 Rode Rd.  
The Patch Crew worked on Koresse Rd.  
The grader and crew worked on grading and rocking various roads in Union township.  
Two mower crews worked on the westside and southwest side of the county.  
Tiger mower worked on the Northside.  
The summer crew worked at Mill Rd. and at Happe Rd.

MONDAY JULY 12, 1993

Gradall and crew worked on St. George Rd.  
1 crew moved the equipment and furniture for the Engineers office.  
patch crew was on Hillsdale Rd., Allens Lane/Mesker Park Dr., and at Old State/  
Evergreen Roads.  
The Summer Crew worked on cutting grass at various intersections on the north  
and east sides.  
The Grader and crew worked on grading and rocking roads in Union Township.  
The mower worked at Barton Rd. and Old State, the west side, and southwest side  
of the county.

TUESDAY JULY 13, 1993

The Gradall worked on St George Rd. Project  
The Paving crew was on Allens Lane.  
The Summer Crew worked on the East side and west side clearing intersections  
The Trash crew worked on the southeast side.

WEDNESDAY JULY 14, 1993

One gradall and crew worked on St. George, the other at 5000 W. Mill Rd. installing  
a culvert.  
The trash crew worked on Old Henderson Rd. and at other roads in Union Township.  
The summer crew worked on various intersections in the county.  
The Tree crew worked on Kansas Road.

THURSDAY JUNE 15, 1993

The Gradall worked on the St. George Rd. Project.  
The patch crew was on Wright Rd. Meier Rd., and other northside locations.  
The Tree crew was on Mohr Rd, Fisher Rd, and diefenbach Rd.  
The summer crew was on the westside, and the north sides.  
The mower crews were on the north, east, and west sides  
the trash crew worked on all sides of the county.

# REQUEST FOR APPROPRIATION

DEPARTMENT: \_\_\_\_\_

County Commissioners

7/12/93

DATE: \_\_\_\_\_

ACCOUNT	LINE ITEM	AMOUNT
130-3120	Postage	50,000.00

### EXPLANATION OF NEED FOR REQUEST

Postage account is very low -- we are using approx.  
18,000.00 a month.

**VANDEBURGH COUNTY  
REC'D**

JUL 12 1993

*Sam Hopley*  
AUDITOR

**BALANCE OF ACCOUNTS:**

ACCOUNT NO.	BUDGET	DISBURSEMENTS	BALANCE	BALANCE AFTER APPROV

VCC-2

DEPARTMENT HEAD: \_\_\_\_\_

*Richard J. Bonica*  
3/

VANDERBURGH COUNTY HIGHWAY DEPT.

ABSENTEE REPORT

FRIDAY JULY 9THRU JULY 15, 1993

FRIDAY, JULY 9

T. Deller - Vacation  
R. Triplett - Vacation  
R. Ritter - Vacation  
D. Chamberlain - Vacation  
C. Sills - Vacation  
F. Howard - Vacation

TUESDAY JULY 13

R. Ritter - Sick  
D. Riat - Vacation  
D. Chamberlain - Vacation  
R. Triplett - Vacation

THURSDAY JULY 15

D. Hudson Sick  
D. Riat - Vacation  
R. Triplett - Vacation  
D. Chamberlain - Vacation

MONDAY, JULY 12

L. Babbs - Sick  
D. Bassemier - Vacation  
D. Riat - Vacation  
S. Kirk - Vacation  
C. Sills - Vacation  
R. Triplett - Vacation  
D. Chamberlain - Vacation

WEDNESDAY JULY 14

D. Hudson - Sick  
R. Triplett - Vacation  
D. Riat - Vacation  
D. Chamberlain - Vacation

VANDERBURGH COUNTY BRIDGE CREW

FRIDAY JULY 9

No One Off

MONDAY JULY 12

G. BRAY - VACATION

TUESDAY JULY 13

G. Bray - Vacation

WEDNESDAY JULY 14

G. Bray - Vacation

THURSDAY JULY 15

G. Bray - Vacation

CLAIM No. .... WARRANT No. ....

IN FAVOR OF  
NAME AND ADDRESS

ZIEMER, STAYMAN, WEITZEL & SHOULDERS  
P.O. Box 916  
Evansville, IN 47705

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

\$ 350.00

ON ACCOUNT OF APPROPRIATION

ACCOUNT NO. 130-3610

PURCHASE ORDER NO.

INVOICE NO. JUNE 30

PURPOSE

Allowed ..... 19 .....

In the sum of \$  
*Richard J. Bonner*  
*Robert J. Jones*  
*[Signature]*  
Commissioners ..... County

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

.....  
7/16  
.....  
19 93  
.....  
*Richard J. Bonner*  
.....  
B











MINUTES  
COUNTY COMMISSIONERS MEETING  
JULY 26, 1993

I N D E X

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MINUTES  
COUNTY COMMISSIONERS MEETING  
JULY 26, 1993

The Vanderburgh County Board of Commissioners met in session at 5:50 p.m. on Monday, July 26, 1993 in the Commissioners Hearing Room with President Rick Borries presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order and announced that the Drainage Board will convene immediately following the Commission Meeting. He then welcomed the attendees, introduced members of the County Staff and asked the group to stand for the Pledge of Allegiance.

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

RE: VOTERS REGISTRATION/APPROVAL & ACCEPTANCE FOR REDISTRICTING PRECINCTS

President Borries said he has asked for more time on this item and has asked the Commission Office to contact the Voter Registration office. Briefly, as with most things in government and in life, we are very concerned about the expense of elections. There are some rather rigid State rules that apply to 800 voters. We're looking at ways in which we might be able to reduce the number of voting precincts and thereby save money. There is a typo on the agenda; Item B is about "redistricting" or re-drawing the precincts.

RE: AGREEMENT BETWEEN VANDERBURGH COUNTY & DARMSTADT RE LAW ENFORCEMENT SERVICES

Commissioner Borries said he knows there is one Darmstadt Town Board member present today, Mr. Robert Dillon. He has talked with him and they've been actively working with Sheriff Ray Hamner to look at a way in which the Town of Darmstadt would, he guesses, be essentially eliminating a part time position but, in effect, working with the Sheriff's Department to enhance and provide full time law enforcement services. This agreement has been set back and forth between the town of Darmstadt. He would note for the record that we now have unanimous signatures on the agreement. What this agreement will do -- again, the Town of Darmstadt is able to eliminate a position; there will be a payment to the County's General Fund; and the Sheriff of Vanderburgh County will provide law enforcement services throughout the Town of Darmstadt. Mr. Borries asked if there are other members of the Town Board of Darmstadt present. (There was no response.) Mr. Borries said Attorney Kissinger is present and there is one item the Board might want to discuss, that being the aspect of some equipment -- at least a vehicle and some radio equipment that at this point had been purchased and used by the Town of Darmstadt. He asked if Sheriff Hamner would want to come forward.

Sheriff Ray Hamner, Sheriff of Vanderburgh County, said, "Mr. President and Members of the Commission, we have agreed to this agreement and as for the equipment being referred to, there is a 1988 Ford police car that is owned by the Town of Darmstadt. The communications for that car is still intact with the car and there are two (2) portable 800 meg. radios that go along with that equipment. His concern -- and he has talked to Mr. Dillon and he has indicated it is his belief that this equipment would be turned over to Vanderburgh County Sheriff's Department once this agreement

is in place.

Mr. Borries asked if it would be Mr. Dillon's understanding among the Town Board Members that they would be in agreement to transfer the use of that.

Mr. Dillon said that Sheriff Hamner is right. It was a matter of the signing of the agreement, obviously. He believes it is also a matter of being sure they can give, donate, or do whatever and not have to actually sell that equipment. That is a legal question -- but he doesn't see why that would be a problem. If you'd try to sell the car, what would you get out of it. The radio is worthless to anybody for hundreds of miles around Evansville. And it is their intention to give the equipment to the Sheriff's Department.

Mr. Borries said it is his understanding that it does only fit the 800 meg system that would be used by the Sheriff's Department and he then asked Sheriff Hamner if he would be able to use the equipment if he gets it in an in kind agreement. Mr. Hamner gave an affirmative response. Mr. Borries then asked Attorney Kissinger if the Attorney would have to draw up an in kind agreement.

Attorney Kissinger asked, "Mr. Dillon, was the Town of Darmstadt expecting to be reimbursed for the value of the vehicle."

Mr. Dillon said it is his understanding that they were not. The car has many miles on it, etc.

Attorney Kissinger said we could just prepare an agreement between Vanderburgh County and the Town of Darmstadt to donate that vehicle as an in kind payment toward payment for the services and then it would simply be a transfer of title. He is assuming it is titled in the name of the Town Board.

Mr. Dillon said it is titled in the name of the town.

Mr. Kissinger said the title can then be transferred to Vanderburgh County -- or however the Sheriff's Department are titled. It would be simple enough to do that.

Mr. Borries said he is certain the Sheriff of Vanderburgh County will make sure that this does enhance the law enforcement services and give greater protection to the Town of Darmstadt and the Board commends him for his work on this. Commissioner Borries then entertained comments or questions.

Sheriff Hamner said he is looking forward to enforcing the law in the town of Darmstadt.

Mr. Borries entertained a motion to execute the agreement, thereby making it official.

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

RE: EMPLOYEE ASSISTANCE PROGRAM/SOUTHWESTERN INDIANA MENTAL HEALTH CENTER, INC./DAN DEMUTH

The meeting proceeded with President Borries recognizing Mr. Dan DeMuth of the Southwestern Indiana Mental Health Center, who said he is here basically to answer any questions the Commissioners might have about the Employee Assistance Program. He sent a contract to Mark Abell; it is the same contract as that signed last year and the same price. The program is a one to three assessment and referral program. It's for any employee and their family and that can include extended family. Basically, anyone living in the home -- they consider that to be family and they would be seen in their program. Their contract says they will see a person within 72 hours or three days and, if an emergency, they will see them

sooner. It calls for workshops. They have done several workshops for the County this past year -- at least three. If the County has any Federal contracts that call for substance abuse information, they can also take care of that. That comes under the Employee Assistance Program. He believes the Commissioners have a copy of the utilization program. That is pretty normal for the first year. Their average for people who have been using it three and four years is between 5% and 8%. They presently have about 40 contracts entered around Evansville with various businesses. So it looks low -- he thinks there were like 17 employees.

Mr. Hunter said there were 35.

Mr. Borries said he thinks that is a start and it is a service in this day and age that is certainly needed.

Mr. DeMuth said one of the other things he is real happy with is that he has received a number of calls from supervisors who are dealing with a crisis situation. They have somebody right there in their office or they have something coming up and they are using them and calling them -- and that is part of their service. They can talk to them over the telephone and try to give them some guidance and direction as to how to deal with the situation and someone.

Mr. Hunter asked if there is anything we can do from our end to increase the utilization of the program.

Mr. DeMuth said it is not really that low. The key is getting information out concerning the program. They do have pamphlets which they can send out as payroll stuffers -- and utilizing the workshops. The more they are in front of somebody, the more the supervisors and management are aware of them, the more apt they are going to be to refer somebody. So it is just utilizing what we have. You'll never get everybody who'll know there is an Employee Assistance Program. But the usage will vary from year to year.

Following further brief discussion concerning the funding of the program, it was the consensus of the Board that this contract would be through December 31, 1992 and then they can provide a contract for 1994 -- so we would be doing this on a calendar year basis. So the amount of this contract would be for period of 6/13/92 thru 12/31/93 in the amount of \$2,082. When they send a contract in January, 1994 -- it would be for a full calendar year.

Mr. DeMuth said this is what they did for the City -- so that is no problem.

Motion to approve the current contract, as amended, was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: PETITION TO VACATE UNNAMED STREET ADJACENT TO FREY RD.

Mr. Andy Easley of Andy Easley Engineering was recognized and stated that Nancy Barnett and Rosie Neale who reside at 1400 Frey Rd. asked him to write the legal description and help them submit the necessary papers to ask the Commissioners to vacate this 25 ft. unnamed right-of-way that was platted many years ago. He thinks the house is 40 years old. The people who live there have been there seven (7) years. The previous owners have always mowed and maintained this undeveloped right-of-way. He has submitted approval letters from the utility companies to Joanne Matthews. SIGECO wanted an easement retained over the right-of-way and his clients do not object to that. He thinks they've done everything they needed to do.

Commissioner Borries queried Mr. Easley concerning the purpose of

the vacation.

Mr. Easley said they have used it; they have maintained it; they have planted gardens on it and they would like to own it. He then proceeded to share a map with the Commissioners. He said the brown line indicates property still owned by the Burgdorf heirs. He then showed photos of last year's garden area to the Commissioners. His clients live on Lot #1; Lot #2 is vacant and the gentleman who owns Lot #3 in Burgdorf Subdivision is in the audience. The Burgdorf property still has -- and he looked at the Assessor's plats -- 1,100 feet of frontage to get to their property. It really would enhance the value of his clients' property if the Board would see fit to vacate. In response to query from Commissioner Tuley, Mr. Easley again stated his clients have resided in their house for seven years and maintained the area being discussed during that period of time. And all of the previous owners have maintained it.

Commissioner Borries entertained questions. There were none. He then asked if there is anyone to remonstrate either for or against the petition to vacate.

Attorney Ed Johnson was recognized and stated he is representing Pauline Burgdorf, the owner of the tract immediately east of the rear of this property. She owns 29-1/2 acres and that runs all the way along the east side of Burgdorf Subdivision. It is true that the Burgdorfs do own three lots which is presumably the 1,100 ft. frontage which Andy Easley refers to. However, there is a severe ravine which cuts right through designated area, so two-thirds or approximately 20 acres can be reached if they so desire to make themselves a new road and use up some of their land for public purposes. So they can reach the twenty acres, but they can't reach the upper 10 acres because of the ravine. He then pointed out the roadway and said the adjacent farmer (who is here) has a roadway which he uses for farming purposes and there is a ridge. The reason the road was laid out on the ridge is because it all falls down -- and falls down severely in designated area. Ms. Burgdorf's father purchased this land in 1937 and had the subdivision laid out in 1949 and it's been there ever since. She has a projected use for this and he thinks she perhaps has contacted some of the County Commissioners about the projected use and she wants to speak to that in just a moment. But this 25 ft. easement is a public road and has been since 1949. SIGECO has used it. Ms. Burgdorf uses it occasionally, but she doesn't want to give up the platted road. That is the entrance on this ridge. This is a platted easement and County land. There is a taxpayer that owns the 29 acres behind that says she wants to continue to be serviced by this roadway and it shouldn't be given to private individuals for the benefit of their lot. He doesn't doubt that it would increase the value of their lot, but it would severely decrease the value of this. For the record, Mr. Johnson said there is a severe ravine that cuts across the 29 1/2 or so acres owned by Ms. Burgdorf that lies east of this property and the roadway that is sought to be vacated is on a ridge and services the upper ten (10) acres. She cannot reach that if this land is vacated. She will be unable to reach the upper ten (10) acres for all practical purposes. He supposes you could put on boots and walk the ravine, but it is not traversable. Also, for the record, he would say that if the roadway is vacated (and he doesn't think the Commission will vacate it) then, of course, Ms. Burgdorf has an action for inverse condemnation for damages to the ten (10) acres because it will render it substantially worthless. But she has plans for the entire 29 acres and he thinks she wants to address the Commission about that. Before she speaks however, he would like to introduce a copy of the deed where the present petitioners have title and call the Commissioners' attention to the language. The present petitioners took title subject to all the legal highways, rights-of-way and dedicated streets. He then asked if Ms. Burgdorf wished to make her comments at this time.

Ms. Pauline Burgdorf, Box 1700, Frey Rd., introduced herself and said this came as a surprise to her. It was a surprise because when these two women moved in they asked permission to have a garden in that area. She told them that would be fine. She felt it was sort of an understanding that they would keep the grass mowed around that area in return for the use of it as a garden. There were four occasions when they asked if they could do something there. They asked about maybe removing the fence. They asked about some digging they were doing on the north side of their house and they were going to be using that as an ingress and egress and had piles of dirt and rock there for a while. She said that was fine as long as it was put back. Then, finally, they asked to buy it. She told them she didn't think it would be wise to sell it, because it was a valuable access there. In the meantime, they could still use and enjoy almost an addition to their yard. This is only the second owner of this property. The first owner of any duration was there from about 1952 to 1988 and her father had built a lot on the first lot (where these two women now live) and then a house on the third lot, where Mr. Rader lives. Then he died of cancer at age 58, so he couldn't finish his dream, which was to complete that subdivision. Her mother did not want a house that would not be of the same quality put between the two houses and she decided to sell that lot to one of the other two parties or divide it between them. She asked the woman who owned the house on the north. She said she really didn't want anymore yard to take care of. Had she agreed, she could have had that whole extra lot, which would have been another 100 ft. x 175 ft. -- or at least half of it. But she didn't want to. The man in the third lot bought that lot in 1973 -- twenty years ago -- and that is the reason it is still set up that way. What she wanted to call to the Commissioners' attention is that she has talked to several individuals in County government over the past year, because she was involved in a lawsuit over some property and she was trying to get the County interested in saving and using some virgin forest on the very western edge of the County. She was offering whatever she felt she could offer -- that was, if she could remain living on this place she could give the County an easement into this forest track which was considerable size and she could also give or let them use -- or let a nature group use -- this 14 acres of classified forest (which has been classified since 1937) and this would be the access to that. She has been in conversations for longer than twenty or more years and, in particular, the last year, with Ward Peyronnin from the Nature Conservancy; with Miles Rosenquist from the Audubon Society and with Jim Daniels of the Issac Walton League. All of these people are interested in the property. It is her intention that as soon as this can be worked out that one of these groups will use this for the benefit of this community. And she regards this as a valuable access because they could come in here with relatively little disturbance of a commercial type, without coming through her property or having to make that roundabout route. She then entertained questions.

Commissioner Tuley said he is one of the individuals she talked to and perhaps he totally misunderstood her, but he thought when they talked that she was talking about selling this to the county.

Ms. Burgdorf said, "giving it."

Mr. Tuley said, "Okay, my misunderstanding then."

Mr. Borries said, "Mine, too, because I thought..."

Mr. Hunter asked, "You were talking about a different piece of property -- something over by West Franklin."

Ms. Burgdorf said, "Yes. Because of the lawsuit involved I had no right to give away what I didn't own."

Mr. Hunter said, "So we're talking about two different things here,

aren't we."

Ms. Burgdorf said, "It's part of it. Because all that my brother and I inherited from my mother was in question -- and I had a choice of which piece of property I might take. Due to the reason for this suit, which was economic, I felt that if the County or someone could come up with funds to purchase part of that, then I could remain where I was and still offer some thing in addition. Do you understand what I am saying? Have I made myself clear enough?"

Mr. Borries asked, "Has that suit been resolved now, Ms. Burgdorf?"

Ms. Burgdorf replied, "Yes, in December -- or actually, it was final in April. So that meant that my half included this place, which was valued at \$175,000 and just a few other acres besides."

Mr. Borries said, "You are aware that you are making some commitments -- I'm sure you're under advice of Counsel here and you're speaking -- for our official record here, are you saying that you're willing to commit in writing to the effect that at some point there would be some authorization for use on your part here?"

Ms. Burgdorf replied, "I have already written letters. I have with me letters from the National Trust for Historic Preservation. I have piles of letters from the organizations I have mentioned -- and numerous telephone contacts. People from the Sycamore Land Trust, people from the State Division of Nature Preserves, and from the Forestry Department, people from the Nature Conservancy, and the Audubon Society have all been on one or more tracts of this property and have seen it. And one of the appraisals I have with me mentions that this tract of woods (the last appraisal that was done) said that this tract of woods was actually superior to some of the others. Now that might be debatable, but at least there were some very large trees in the area. One of the trees taken out when it was logged in 1986 was 48 inches in diameter and 40 feet long. It was the only log that could be carried on the truck. So once in a while there could be the removal of a few trees, but my concern would always never to do that to any extent that would harm it as this type of a nature preserve"

Mr. Hunter said, "You said you'd had a classified forest since 1937. This classified forest, does that permit you to log it?"

Ms. Burgdorf responded, "Yes. You can cut trees as long as you do not clear cut. But you cannot build on it; you cannot graze it; you cannot have recreational vehicles running up and down that would cause erosion; or horseback trails to any extent -- anything that would harm the woods. Because the purpose of it with the State is to maintain a forest reserve in this State; that there will always be trees as a resource for timber and for recreation."

Mr. Borries asked, "Who would you envision -- and you say you are going to put this in an estate -- who would you envision would administer this property as you describe it, once you would..."

Ms. Burgdorf asked, "I die?"

Mr. Borries said, "What we're talking about -- I just want to make clear for the record here that you're describing a use for this property that will be used at some point in the future log after all of us assembled here in this room are gone."

Ms. Burgdorf said, "I want the use to start as soon as possible, but I haven't had time since the end of the lawsuit to do it yet."

Mr. Borries asked, "Will you work with your attorney to do this -- to draw up some kind of an agreement? I mean, who will it belong to -- the Audubon Society?"

Ms. Burgdorf replied, "Well, there are several ways that this can be handled. I mean, I could continue to own it and just let another group use it. Or, I can have a life estate and give it to an organization. Some organizations, such as one I contacted, would prefer it to be carried on by someone like myself or maybe another family member -- as long as they could maintain that for their purposes, too."

Mr. Borries asked, "But you do intend, at some point in the future then, to enter into an agreement with some entity or some group?"

Ms. Burgdorf replied, "That's right. I'm in the process of doing it -- and have been over several years."

Mr. Hunter asked, "And there will be a commitment on your part that this will remain as a classified forest or as a nature conservancy?"

Ms. Burgdorf said, "That's right. I want to see it preserved -- just as I did the other forest that I was talking about. This is about a mile from USI. It's very close to Evansville. It's really handy to get to and I think it is an asset that the community should not lose -- as many others are, owned by other people."

Commissioner Borries entertained further questions of Ms. Burgdorf. There being none, he expressed appreciation to Ms. Burgdorf for her comments.

Attorney Johnson said his comments are not concerned with what might be done in the Land Trust or Forest Trust -- and there's only about 13 or 15 acres that is in a classified forest. The other 16 acres is not. His comments come from strictly a legal approach to this -- that there is a dedicated street that gives access to 29 acres, of which 10 acres to the north has no other practical access. And she is entitled -- any taxpayer or property owner is entitled -- to the platted street to be there, unless there is compelling reason to vacate it. The only reason he has heard this evening is that the petitioners want to increase their lot by 25 ft. free of charge. Again, I want for the records that it would be inverse condemnation and Alan and I would be in Court to see each other again -- for the second, third or fourth time."

Mr. Borries asked if there is someone else who wishes to speak to this matter.

Mr. Lee Rader was recognized and stated he lives on Lot # of the Burgdorf Subdivision on Frey Rd. and has since 1954. Up until April 27th of this year he assumed that the 25 ft. x 175 ft. area north of Lot #1 that is being petitioned for vacation tonight was the property of the Burgdorf family. This is something that was shared by the three families who have lived in the house of Lot #1. If a garden was planted or the grass was mowed or any other activity was to be taken on this strip of ground, it had to have the approval of a Burgdorf family member. In all of the years since the spec house built on Lot #1 was sold, residents have kept the referred to area mowed and free of weeds. Over the years it has looked like a part of Lot #1. In April of this year, Ms. Burgdorf advised the current residents she might use the area to remove logs. I don't think at that time she had checked to see if there were marketable logs in there or not. But she might use it -- and when she mentioned that, she told them she would have the logging done -- come out of that frontage -- and she said she wanted to log that 25 ft. The current residents, Nancy Barnett and Rosie Neale were understandably upset to learn that a logging operation would be performed within 12-1/2 ft. of the north side of their house. They realized the activity would probably damage the area, create noise next to their house, and the threat of similar use in the future would decrease the value of their home if they should decide to sell. Since both ladies work and he is retired,

he offered to do a little research on it and see if there were any restrictions on the lot that might prevent it from being used to log. There were none. During his research he was surprised to learn that the property was not owned by Ms. Burgdorf, but had been dedicated to the County as a street at the time the subdivision was platted. He called Ms. Burgdorf and advised her of his findings -- because he knew she would be as surprised as he was. He also advised the owners of Lot #1 of his findings. During the course of his search he was advised by someone in the departments that he visited that the current occupants could petition for vacation and have the area added to their lot and it would be taxed as such. In view of the fact that the owners of Lot #1 have over forty years maintained this area as if it were part of their own lot and their own property, and in view of the fact that the threat of using it as access to the woods behind the property could, in fact, affect the value of their real estate, plus the fact it would generate some tax revenue for the county, he feels the fair thing to do would be to grant the petition.

Mr. Borries asked, "For the record, Mr. Rader, you are aware that a Warranty Deed was signed -- apparently by the owners -- that indicated -- and they signed and at that time agreed to the aspect that says, 'The above described real estate is subject to all legal easements, right-of-way, highways, roadways and building and use restrictions of record and all existing public highways and roadways' -- and that was signed on March 30, 1988? At least that is when it was recorded. I'm sorry, they signed on March 29, 1988 -- R. Neale and Ms. Barnett."

Mr. Rader said he did not know that.

Mr. Borries entertained further questions. There being one, he asked if there is anyone else who wishes to speak concerning this matter.

Ms. Rosie Neale was recognized and stated she lives at 1400 Frey Rd., Lot #1, and is one of the petitioners. The property in question -- the 25 ft. easement -- she doesn't know if the picture shows it or not, but the back portion of it (which would be the east portion) has a very severe slope to it. In order for that to be made into a street or a roadway, it is going to take a lot to level it out which, in turn, will probably do some damage to their property. She feels it will be a very expensive thing to do for the County.

Mr. Borries said, "Ms. Neale, for the record, the County has no plans to do this. But, on the other hand, what I envision or what I heard was there is a public right-of-way that was agreed to at one time that in the future might be used -- it could be for a road or it could just be for access -- do you understand that? I mean, we have no plans to do a road there."

Ms. Neale said, "Yes. I thought that was why it was dedicated."

Mr. Borries said, "Well, dedications occur because in the future it is kind of like an educated guess -- at some point there might be a use for access to a particular piece of property; or a road may be built. But at this time the County has no plans for building a road."

Ms. Neale said, "Thank you very much."

Mr. Rader was again recognized and stated, "Ms. Burgdorf and I had quite a conversation about it on the 14th of this month when she got her registered letter. And she termed me a trouble maker for finding anything out about it. At that time we didn't leave on the best of terms, but later in the week we did have another conversation and she seemed a little less upset with me. And at that time I asked her if she lived in that house and Nancy Barnett

and Rosie Neale owned the property behind and wanted to do what she planned to do, how she would feel about it. She said she wouldn't particularly like it, but she is only going to do it once or twice. So when I talked to her, she had not consummated anything about deeding the property to some organization for scenic tours. Thank you."

The Commissioners spent several minutes discussing this matter with the County Attorney, as well as John Stoll, the County Engineer. Mr. Borries said they had asked Mr. Stoll to check this out and give a verbal report. The verbal report was what he had indicated earlier -- that at this time there are no plans to build a road on this particular piece of property. Mr. Borries then entertained further comments from anyone who might wish to speak to this matter. There being none, a motion to approve the petition to vacate was entertained.

Motion to approve the petition to vacate an unnamed street adjacent to Frey Rd. was made by Commissioner Tuley, with a second from Commissioner Hunter.

President Borries then asked for a roll call vote: Commissioner Hunter, no; Commissioner Tuley, no; and Commissioner Borries, no. President Borries declared the petition to vacate denied by unanimous roll call vote.

RE: COUNTY ATTORNEY - ALAN M. KISSINGER

Right of Entry: Attorney Kissinger reported he has prepared a Right of Entry for the signature of the President of the Board of Commissioners. Specifically, this Right of Entry allows, he believes, the Limited Partnership known as Evansville Star Associates -- who is handling the construction for the completion of Virginia Street east of Burkhardt Rd. to continue their work there. It gives them the Right of Entry on the piece of real estate previously deeded to the County (the .77 acres described on Exhibit "A"). To this point, as he informed the Commissioners last week, they have been given oral permission to do their preliminary staking and he recommends the Commissioners consider approving this permanent Right of Entry, which will allow them to complete the project.

President Borries said what Attorney Kissinger is also referring to is that this, they hope, will resolve a matter and to move forward a project known as the Virginia Street Project. This will, in effect, enable a public right-of-way (a road) to be built through this area. He then entertained a motion.

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

(Attorney Kissinger instructed Mr. Abell to make a copy of this document and retain in his files.)

Lawsuits/Board of Commissioners vs. Kramer; Board of Commissioners vs. Romain; and Board of Commissioners vs. VanWinkle: Attorney Kissinger said there have been negotiations and offers of settlement in reference to all three of these cases. These are all condemnation cases. The Kramer case is on the USI Overpass project. Based on previous discussion in the Executive Session, he would request permission from the Commissioners to settle that case for the amount of \$5,353.00.

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

With regard to the Romain case, Attorney Kissinger said he would request permission to settle that case for the total amount of \$4,800.00.

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

With regard to the VanWinkle case, Attorney Kissinger said he would request permission to settle that case for the amount of \$18,500.00, plus the value of certain timber -- which has been removed.

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

RE: SUPERINTENDENT OF COUNTY BUILDING - MARK ABELL

In response to query from Commissioner Borries, Mr. Abell said he has nothing to report this week.

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Work Report: Mr. Morphew submitted his written report for the County Highway Department and the Bridge Crew for period July 16, 1993 thru July 22, 1993....report received and filed. He said this is the first report off of their new computer and printer.

St. George Rd. Project: In response to query from Commissioner Borries, Mr. Morphew said this project is almost completed. The pipes should be completed tomorrow, followed by some clean-up work and concrete paving, etc.

Boonville-New Harmony Rd.: Commissioner Hunter said he assumes Boonville-New Harmony Rd. is now open between Old Petersburg Rd. & Highway 57, since his telephone has stopped ringing.

Mr. Morphew confirmed that it is open.

Cypress-Dale Rd.: Mr. Morphew said they're working on this road now.

County Line Rd. West: It was noted by Mr. Morphew that he looks forward to starting on this project in about two weeks. We had a heat index today of 115 degrees and they will be starting to work at 6:00 a.m. tomorrow (an hour early) and cease an hour early. They will adhere to this schedule this until the end of the week. In response to query from Commissioner Hunter, he said they're drinking a lot of Gatorade and taking salt tablets.

RE: COUNTY ENGINEER - JOHN STOLL

Notice to Bidders/Vogel Rd. Bridge: Mr. Borries said this is another project where the Board has been working with a private group of developers to extend Vogel Rd. from where its current location ends to Burkhardt Rd. What the County has agreed to do is to construct a bridge structure over a legal drain which is in County right-of-way. This, at this point, is now a formality that, as John points out, moves this project forward. He then entertained a motion.

Motion to approve advertising Notice to Bidders was made by Commissioner Tuley, with a second from Commissioner Borries. So ordered.

Change Order/Crack Sealing Contract: Mr. Stoll said that in order to get some of the streets in Evergreen Acres crack sealed, he needed a change order. Rather than go through the process of getting a new contract issued on this we decided it would be in our best interest to go ahead and just have change order. It is in the amount of \$16,000 and funds are available.

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

Acceptance of Streets for Maintenance/Bolin Meadows West Sub, Section "C": Mr. Stoll this consists of 350 ft. on Rainbow Drive, 280 ft. on Pinebrook Drive, and 200 ft. on Meadowlark Drive. They have all been constructed according to standards and inspected and everything was found to be in order. It is recommendation that these streets be accepted for County maintenance.

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

Request to go on Council Call/Transfer & Appropriation: Mr. Stoll said he needs to transfer \$30,000 from Allen's Lane to the Columbia/Delaware Bridge project and he needs an appropriation for \$1,200 for reclassification of a job. In response to query from Commissioner Borries, Mr. Stoll said the job reclassification was previously discussed by the Job Study Committee and approved.

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

Letter/Relocation of Telephone Cable/Utility Reimbursable Agreement: Mr. Stoll said a telephone cable needs to be relocated as part of the USI Interchange project. It is located along Clark Lane. This relocation became necessary once the project was staked out. It was obvious the cable needed to be relocated. This is a reimbursable agreement in the amount of \$15,709. He recommends the agreement be executed so we can proceed with the project.

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

Ohio Street Bridge Project: Mr. Stoll said that in order for CSX Railroad to begin their review of the plans for this project, we have to agree to pay them for their preliminary engineering fees or they won't even begin their review, which will even further delay the project. The cost is estimated to be somewhere around \$5,000. They will bill us only for the hours worked and INDOT -- at the Field Check last week -- discussed that this will be necessary before any review will even begin. He has prepared a letter stating we will pay for their preliminary engineering review, so we can keep this project moving and in order to try to help speed it along so we can try to get it under construction before the Lloyd Expressway Bridge gets constructed.

Commissioner Hunter asked if this is a normal type thing and it's not reimbursable?

Mr. Stoll replied, "Right; and they won't review it until they know where the funding is coming from and it is not reimbursable. We're going to end up with one new crossing on Ohio Street, which will take the place of the old crossing; and then there is going to be a private crossing that will access the terminal down there. So we will, in effect, be getting rid of one of the two crossings out there. But in order to get it started we have to say we will pay them the money."

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

Letter/Proposed Haul Route for Borrow Dirt from Borrow Pits/USI Project: Mr. Stoll said he has prepared this letter for Robert Mills at Bernardin-Lochmueller to approve of the proposed haul route for the borrow dirt from the borrow pits on the USI project to the USI Interchange site. Blankenberger Bros. is the contractor and they've prepared a letter stating that they would have flagmen out there when the trucks are crossing Eickhoff Rd. and they will repair any damage to Eickhoff Rd. The subject letter says that subject to the conditions in their letter we approve their proposed haul route for the borrow dirt. It's a requirement of Indiana

specifications to have this letter and he recommends approval and forwarding of same to the consultants.

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

Letter from INDOT/Conversion to Metric System: Mr. Stoll said the final item on his agenda is a letter he received from INDOT discussing the conversion from English to Metric Units. They have a letting date of October, 1996 as their deadline when projects have to be in metric in order for them to be eligible for State and Federal funding. So eventually, once we pin some of these Federal-Aid projects down on their time frames, we will end up having Supplemental Agreements for the conversion of all the design work done thus far to convert it from English to Metric Units. So projects like Lynch Rd. and Eickhoff-Koressel, once we pin down better what their letting dates will be, he'd say those are two prime candidates for this conversion.

Commissioner Borries said for the old timers, will there still be explanations about miles and feet and of that so they will understand?

Mr. Stoll said that INDOT put together a manual explaining what all the conversions will be -- so they're trying to make it a little easier. This will probably double the cost of the Supplemental Agreements or the drafting fees or something. If the Commissioners want more information on this, he has a copy of INDOT's proposed conversions.

Mr. Borries said that is Mr. Stoll's job. He has enough to think about now and Mr. Stoll can tell them what it means later on.

Attorney Kissinger said he's like a copy. He won't be here next week -- but he is going to Canada, where they use the metric system.

Mr. Stoll said this concludes his agenda.

RE: CONSENT AGENDA

President Borries entertained questions concerning the Consent Agenda. There being none, a motion was entertained for approval. Motion to this effect 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.

Burdette Park/Gun Control: Commissioner Hunter said the only business he has is that, as the Board will recall, last week the Commissioners decided to have Legal Counsel create a gun law that prohibit firearms at Burdette Park. It does seem that there was kind of an ominous feeling at Burdette Park two years ago that included gun control and he understand Legal Counsel had reviewed the ordinance and it meets everything we need. He guesses the one suggestion he might have would be that there be some signage at the entrance of Burdette Park stating that firearms are prohibited period.

Attorney Kissinger said he thinks that is totally appropriate. The ordinance, he assumes (and he knows he is safe in assuming, because Joanne probably handled proper advertising, notices, etc.) -- technically the public is bound by the law. They have been advised. But if you post it then there is going to be no excuse. No one is going to be able to day, "I didn't know." So to post it

would probably be appropriate.

Mr. Hunter asked, "So you would recommend the signage?"

Attorney Kissinger said he certainly wouldn't oppose the idea. It would be a matter of how it is done -- and he wouldn't have any input on that.

Commissioner Tuley pointed out there are two point of entry -- the main entrance and the entrance by BMX at the top -- so we need to make sure we have both entrances covered.

Commissioner Borries said he guesses these things happen sometimes in a complicated society when we work with a lot of different parts of information. He guesses this is also one of the reasons we do keep verbatim minutes of our agenda, as well, so we can go back and see all these thousands or items and words that have been taken care of. He thinks what Commissioner Hunter -- and he doesn't want to speak for him -- but he thinks what our intent was, was to certainly to really keep firearms out. But, also, possibly to also include the aspect of anything construed as a weapon. The park is for public enjoyment, obviously, and not for the use fighting or any kind of use of weapons or that type of thing would not be tolerated. Maybe a fine point here. What are the Commissioners' feelings about knives and those types of things? Would they also be prohibited in this situation?

Attorney Kissinger said he doesn't think that type weapon is specifically covered by the ordinance. It might be rather difficult to put that in there in consideration of the fact that ..

Mr. Borries said, "Yes, we have boy scouts and timber and everything else. But we may want to consider it at some point."

Mr. Hunter said, "Yes, anything that could be construed as a weapon."

Commissioner Borries said he can understand where you'd have knives if you needed something for whittling or sometimes the boy scouts have access. But, all too unfortunately, in this day and age could be used for something non-intended. So the Commission may want to give this some consideration, but he would defer to Attorney Kissinger's advice concerning that ordinance.

RE: NEW BUSINESS

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

Mr. Borries said, "Real quickly, I attended a meeting -- this County attended a meeting -- we arrived at different times. John Stoll was there. What this was, was some discussion we don't have to make a decision on today which had to do with maintenance of the Old Ohio Street Bridge as part of the Pigeon Creek Greenway project. What the use would be would be for bicyclers and joggers, to keep the old structure there -- and also could be used as a historic landmark. It is probably the oldest bridge in the County. He believes it was constructed in 1891. They did produce some kind of a historical bridge report from DePauw University or somewhere that said this is from a Pittsburgh Trust thing. It's the second oldest or one of only two left in Indiana. Therefore, it does have historical significance. The Propeller Club and others thought it also could be used somewhat as an interpretive site for looking at the river, the history of the area, and eve to explain why there are sewer and water lines that go across it as a major service to the west side of Evansville. There would be uses for it, but the Board does not have to make that decision today. Since a new bridge is planned, they do have the luxury of considering this at another time. There would be some engineering

checks we'd have to look at. For example, runs and that type of thing. If we had 2,000 joggers pounding on this, we'd want to make sure that everything in terms of motion, etc., is sufficient. Also, there is an item the Board does need to make a decision on under New Business. There has also been some comment about the Lloyd Expressway.; in fact, not some -- but a lot. And we know they are projecting a different bridge in here and he wants to emphasize that it is not the State's intention to keep the bridge open; not to disrupt the service across this bridge, because it probably carries more traffic than any other structure in the city. But, as part of the long range plan, he guesses what the Commissioners would need to do as a Commission would be to take action to see if we could ask the State (the comment period to the State from the public hearing ends Thursday) to have the State look at the conditions. In no way does the Commission want to delay this thing, but to look at, for example, the City of Evansville is currently nearing completion of an update of the Army Corps of Engineer Master Plan on the Pigeon Creek Greenway. The Master Plan objective is to develop easements for a trail on both sides of Pigeon Creek where it passes under the Lloyd Expressway and the current expressway poses no deterrent to this. However, the supporting structure for the proposed one would pose a barrier for the passage of like a 12 ft. wide bike and pedestrian trail. We'd ask you to consider the alternatives, such as maybe suspension of the trail element from the bridge to the structure or to penetrating the mechanically stabilized earth wall with a culvert, tunnel of adequate dimension, or the benching of the creek edge between the head walls and the creek (this is engineering stuff) to provide a trail platform. So, in conclusion, we would request that the detailed design of the bridge structure to accommodate a 12 ft. wide clear trail passage per ASHTO standards for bikeways. Would the Commissioners want to ask for that?

The other two Commissioners so agreed.

In continuing, Mr. Borries said that basically what we are asking is -- they are going to build a bridge that looks like the rest of the Lloyd Expressway, which is somewhat more earthquake proof and it's going to be solid fill. But if we don't take action now to see that they moderate the standards, there may not be enough room to accommodate bikers or joggers on this envisioned greenway to get to the west side. We're asking them for consideration on this and that would be the thrust of our letter.

Commissioner Tuley moved we write to them, telling them what we want to do, with a second from Commissioner Hunter. So ordered.

Mrs. Barbara Cunningham said it was suggested we Fax the letter and make sure it gets there, since the deadline is Thursday.

Public Notice/Community Block Grant/East Side Senior Citizens Center:

It was noted by Commissioner Borries that Messrs. Steve Petro and Jerry Shyler from S.W.I.R.C.A. (Southwest Indiana Regional Council on Aging) want to secure some small cities Community Block Grant money to look at a proposed east side Senior Citizens Center in Vanderburgh County. In order to do that, they must first of all publish in The Evansville Courier and The Evansville Press and they have set up a Notice which, if approved by the Board, he will sign and have Mrs. Matthews submit for advertisement so the hearing can be conducted. He then entertained a motion.

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

Drainage Board Meeting: President Borries asked for a five (5) minute recess so the Commissioners can execute some documents, following which the Drainage Board will convene.

Executive Session: Commissioner Tuley moved for an Executive Session on August 16th at 4:30 p.m. for purposes of discussing Personnel Matters and Pending Litigation.

Motion seconded by Commissioner Hunter and so ordered.

Claim/David M. Griffith & Associates: President Borries said a claim from David M. Griffith & Associates was not received in time to be included on the Consent Agenda. However, every year this firm collects far more money from reviewing various accounts on a wide variety of matters. They look at the collection of fees and those types of things. They've been doing this for years. The claim is for a professional service contract in the amount of \$13,125.00. They reimburse the County far in excess of the claim amount. He then entertained a motion for approval.

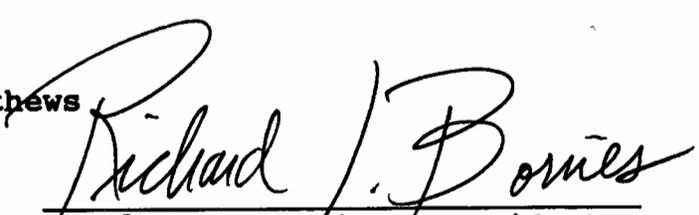
Motion to approve made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

President Borries entertained further matters of business to come before the Board. There being none, he declared the meeting adjourned at 7:15 p.m.

PRESENT:

Richard J. Borries, President  
Patrick Tuley, Vice President  
Don Hunter, Member  
Sam Humphrey, County Auditor  
Alan M. Kissinger, County Attorney  
Sam Elder, Health Department  
Rosie Neale  
Nancy Barnett  
Andy Easley/Andy Easley Engineering  
Lee Rader  
Bob Snyder  
Phillip W. Pat  
Walt Miller  
Jerry & Vickie Jeffries  
Cindy Brush  
Robert Dillon/Business Owner-Developer  
Ray Hamner, Sheriff  
Dan DeMuth/E.A.P.  
Bill Morphey/County Highway  
John Stoll/County Engineer  
Keith Poff/Morley & Associates  
Darwin Graham  
Monica Winders  
Riley L. Winders, Jr.  
Mary V. Graham  
Dan Rector/Ameriqua Foods  
Darrell Rice/Soil & Conservation Service  
Mark Abell/Commission Office  
B. J. Farrell/Commission Office  
Annie Michel/Student Intern/Commission Office  
Others (Unidentified)  
News Media

SECRETARY: Joanne A. Matthews

  
Richard J. Borries, President

  
Patrick Tuley, Vice President

\_\_\_\_\_  
Don Hunter, Member



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

RICHARD J. BORRIES  
DON L. HUNTER  
PATRICK TULEY

*Final*

**AGENDA**

**VANDERBURGH COUNTY COMMISSIONERS**

**JULY 26, 1993**

**5:30 P.M.**

1. **CALL TO ORDER** — *6:50 P.M.*
  2. **INTRODUCTIONS** ✓
  3. **PLEDGE OF ALLEGIANCE** ✓
  4. **ACTION ITEMS**
    - A. Any group/individual wishing to address the commission — *None*
    - Deprived* B. Voters Registration/Susie Kirk, Jon Hill  
re: approval and acceptance for redistricting precincts
    - Agg'd* C. Agreement between Vanderburgh County and Darmstadt  
re: law enforcement
    - Agg'd* D. \* Dan DeMuth/Southwestern Indiana Mental Health Center, Inc. ✓  
re: employee assistance program
    - Denial* E. Petition to Vacate/Unnamed street (adjacent to Frey Road)  
\* Andy Easley will be present
  5. **DEPARTMENT HEADS**
    - Alan Kissinger ----- County Attorney ✓
    - Mark Abell ----- Superintendent of County Buildings ✓
    - Bill Morphew ----- County Garage ✓
    - John Stoll ----- County Engineer ✓
- \*See attached engineer requests

\* *2,082 from 6/3/93 thru 12/3/93*

6. **CONSENT ITEMS** *Opp'd.*

A. **Travel/Education Requests**

County Assessor (4) Health (1)

B. **Claims for payment:**

- 1) Given & Spindler 7,493.31 (reimbursement for services)
- 2) Vision 2000 27,500.00 (3rd Quarter)
- 3) Wyman J. Holder 52,000.00 (Virginia Street Extension)

C. **Council Call/Health Department**  
\* transfer of funds

D. **Checks/Quietuses for acceptance**

- 1) Koester Contracting Corporation #038811.....200.00  
\*rent on Green River Road/quietus #9237
- 2) Hillcrest-Washington Youth Home # 14001....158,428.06  
\*Second Quarter/quietus # 9283

D. **Employment Changes:**  
see attached

8. **OLD BUSINESS** *1 - Gun Control / Boudette P-11.*

9. **NEW BUSINESS** -  
*DWG*

10. **MEETING ADJOURNED** *- 7:15 pm.*

**Drainage Board Immediately Following**

**SCHEDULED MEETINGS**

Mon	July 26	County Commissioners:		
		Executive Session	4:30 PM	RM 307
		County Commissioners	5:30 PM	RM 307
		Drainage Board Immediately Following		
Wed	July 28	County Council		
		Personnel/Finance	3:30 PM	RM 301

# COUNTY ENGINEER'S

## CONSENT AGENDA

JULY 26, 1993

- |    |  |
|----|--|
| 1. | <b>NOTICE TO BIDDERS:</b><br>The Installation of a Liquid Rubber Roof System for the Vanderburgh County Highway Garage VC 93-04-01   |
| 2. | <b>CLAIMS:</b><br>USI INTERCHANGE - 430 BOND<br>Bernardin Lochmueller (Inv. #92-057-5(8))           \$ 70.73<br>Bernardin Lochmueller (Inv. #89-24-1(35))         \$ 873.81<br><br>CONTRACTUAL SERVICES - 216-3930<br>Culverts Plus, Inc. (Boonville-New Harmony)     \$7,762.58 |

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CENTER ASSESSOR

*sl*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490-1110-1990	JAMES E. CORDER	7708 OUTER GRAY NEWBURGH, IN 47630	PT TIME FLD DEP R.E.	HOUR 7 00	7-26-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*[Signature]*

DATE 7-26-93

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CENTER ASSESSOR

*sl*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
249011101990	ROBERTA A. McKANNAN	4500 MEADOWRIDGE RD	PART TIME R.E. DEP.	HOUR 7 00	7-26-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*[Signature]*

DATE 7-26-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CENTER ASSESSOR

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1110-1190	WENDI OAKLEY	2819 S. RUSTON	PART TIME DEPUTY	HR 5 00	6-7-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*[Handwritten Signature]*

DATE

7-22-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department 213.4 Health Department/WIC Program

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
111	Laura Edwards	1115 Spring Creek Dr. Evansville, IN 47710	Reg. Nurse	25,908 00 12 4081	7/26/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*[Handwritten Signature]*

DATE

7-22-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Pigeon Township Assessor - REASSESSMENT

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490-150-1990	Jacqueline L. Murphy	2416 Helmuth	Part Time Data Coll.	7 00	7/21/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*David A. Fox* 7-20-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH COUNTY ASSESSOR

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1801090	MARGARET EFFINGER	11909 BUENTE ROAD	OFFICE CLERK/ DEPUTY	\$16428 00	7/5/93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
801090	MARGARET EFFINGER	11909 BUENTE ROAD	OFFICE CLERK/ DEPUTY	\$14263 00	6/14/93 ✓

(RETRO PAY - PAID FROM 6/14/93 → 6/29/93 ON 7/32/93 P.R.)

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*James L. Angermiller* DATE 7/6/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department HEALTH 213.0 *sl*

## APPOINTMENTS MADE

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1220 GOBERT, Laurie L., R.N.	640 S. Bennighof Ave. 47714	Public Health Nurse	25,908 00	August 5, 1991

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

Director DATE 7/14/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Health 213.1

## APPOINTMENTS MADE

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1140 MILLER, Vickie L.	3110 E. Boonville-New Harmony Rd. 47711	Tech. Supr. and Med. Tech./ Lead Program	25,908 00	8/02/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

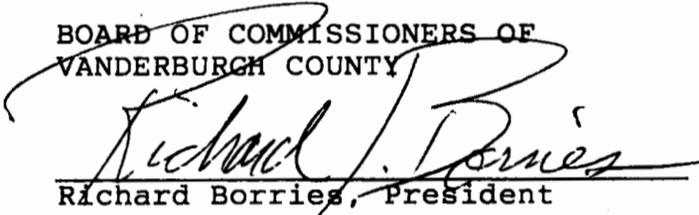
Director DATE 7/20/93

RIGHT OF ENTRY

The Board of Commissioners of Vanderburgh County, Indiana, hereby grants to Evansville Star Associates the right to enter on certain real estate in Vanderburgh County, Indiana, the legal description of which is contained in Exhibit "A", which is attached hereto. The purpose of this Right of Entry is to enable Evansville Star Associates to perform all work necessary for the extension of Virginia Street in an Easterly direction to the point at which it will intersect with Burkhardt Road. This project is identified in the records of the Vanderburgh County Engineer as Project No. VC93-08-01. This Right of Entry shall continue to be in full force and effect from the date of its execution by the President of the Board of Commissioners of Vanderburgh County, until the above-described project has been completed.

EXECUTED this 26th day of July, 1993.

BOARD OF COMMISSIONERS OF  
VANDERBURGH COUNTY

  
Richard Borries, President

Part of the East Half of the Southeast Quarter of Section 24, Township 6 South, Range 10 West in Vanderburgh County, Indiana and being more particularly described by metes and bounds as follows:

Commencing at a brass disk marking the southeast corner of the Southeast Quarter of Section 24-6-10; thence along the east line thereof (assumed bearing) north 00 degrees 32 minutes 28 seconds east 1324.03 feet to the northeast corner of the Southeast Quarter of the Southeast Quarter of said Section 24-6-10; thence continue along said east line north 00 degrees 31 minutes 56 seconds east 372.45 feet, said point being south 00 degrees 31 minutes 56 seconds west 951.12 feet from the northeast corner of the Southeast Quarter of Section 24-6-10; thence north 89 degrees 28 minutes 04 seconds west 30.00 feet to the west right-of-way of Burkhardt Road, said point being the true point of beginning; thence north 44 degrees 38 minutes 08 seconds west 56.40 feet; thence north 89 degrees 48 minutes 12 seconds west 501.08 feet; thence south 81 degrees 46 minutes 47 seconds west 4.82 feet; thence north 00 degrees 31 minutes 56 seconds east 60.71 feet to the northwest corner of said Holder property; thence along the north line thereof south 89 degrees 48 minutes 12 seconds east 545.85 feet to the west right-of-way of Burkhardt Road; thence along said right-of-way south 00 degrees 31 minutes 56 seconds west 100.00 feet to the point of beginning, containing 0.77 acres (33,552.64 square feet).

EXHIBIT "A"

AGREEMENT

This Agreement entered as of the 26<sup>th</sup> day of July, 1993 by and between the Town of Darmstadt, Indiana, a municipal corporation located in Vanderburgh County, Indiana (hereinafter "Darmstadt") and Vanderburgh County, Indiana, (hereinafter "Vanderburgh County"), pursuant to I.C. 36-1-7-3 and I.C. 36-1-7-7:

WHEREAS, Vanderburgh County, through its Sheriff's Department provides police and law enforcement services to parts of Vanderburgh County outside the City of Evansville; and

WHEREAS, Darmstadt would like Vanderburgh County to provide the same police and law enforcement services in Darmstadt; and

WHEREAS, Vanderburgh County is willing to provide such police and law enforcement services to Darmstadt.

NOW, THEREFORE, in consideration of the premises and the mutual obligations hereinafter contained, the parties agree as follows:

1. Vanderburgh County, by and through its Sheriff's Department, will provide police protection and law enforcement services within the geographical limits of Darmstadt. The staffing for this project will be employees of the Vanderburgh County Sheriff's Department. Services provided in Darmstadt will be basically the same level and type of services provided in other parts of Vanderburgh County by the Vanderburgh County Sheriff's Department.

2. This Agreement shall commence upon the approval of this Agreement by the appropriate authorities of Vanderburgh County and of Darmstadt, is recorded with the Vanderburgh County Recorder, filed with the President of the Town Council of Darmstadt and the Auditor of Vanderburgh County and is filed with the Auditor of the State of Indiana.

3. This Agreement shall continue through December 31, 1993 and then be automatically renewed for additional periods of one year each, unless at any time either party gives the other party sixty (60) days prior written notice of its intention to terminate this contract. Notwithstanding the foregoing, this Agreement shall terminate no later than four (4) years from the date it becomes effective.

4. In consideration of the providing of police services to Darmstadt, Darmstadt shall pay to Vanderburgh County Five Thousand Dollars (\$5,000.00) per calendar year. For the calendar year 1993 the consideration payable to Vanderburgh County shall

be prorated for the period commencing upon the effective date through the end of calendar year 1993. Payments shall be made by Darmstadt to Vanderburgh County on June 30 of each calendar year.

5. Administration of this Agreement and of the services to be provided hereunder shall be governed by a joint board composed of two (2) representatives appointed by Darmstadt and two (2) representatives appointed by Vanderburgh County, with one (1) of said representatives appointed by Vanderburgh County to be a member of the Vanderburgh County Sheriff's Department.

6. Unless otherwise agreed, all real and personal property used in the joint undertaking described herein shall be the property of Vanderburgh County.

7. The Treasurer of Vanderburgh County is hereby delegated the duty to receive, disburse and account for all monies of the joint undertaking described herein.

8. Vanderburgh County and the Vanderburgh County Sheriff's Department shall be responsible for the conduct of its personnel, the supervision of said personnel, their medical expenses and worker's compensation.

IN WITNESS WHEREOF, the parties have caused the execution of this Agreement by their authorized representatives as of the day and date first above written.

TOWN OF DARMSTADT, INDIANA

By Bernie Kahre  
Bernie Kahre, President

Roger Steinkuhl  
Roger Steinkuhl

ATTEST:

George Krietemeyer  
George Krietemeyer,  
Clerk-Treasurer

Robert Dillon  
Robert Dillon

BOARD OF COMMISSIONERS OF  
VANDERBURGH COUNTY, INDIANA

By

*Richard J. Borries*

Richard J. Borries,  
President

By

*Patrick Tuley*

Patrick Tuley,  
Vice-President

By

*Don Hunter*

Don Hunter,  
Commissioner



# 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 06-13-93 through ~~06-14-94~~.

2,082.00 *AMK*

12-31-93 *AMK*

BY: *John K. Browning*  
John K. Browning, Executive Director  
Southwestern Indiana Mental Health Center, Inc.

Accepted this 26<sup>th</sup> day of July, 1993

BY: *Richard J. Barnes*  
Richard J. Barnes  
Authorized Officer

Main Office  
415 Mulberry Street  
Evansville, IN 47713-1298  
(812) 423-7791

Stockwell Center  
60 South Stockwell Road  
Evansville, IN 47714  
(812) 476-5437

West Side Office  
1 North Barker Avenue  
Evansville, IN 47712  
(812) 423-4418

Stepping Stone  
30 South Stockwell Road  
Evansville, IN 47714  
(812) 473-3144

Gibson Regional Services  
310 South Fifth Avenue  
Princeton, IN 47670  
(812) 385-5275

Posey Regional Services  
100 Vista Drive  
Mt. Vernon, IN 47620  
(812) 838-6558

Warrick Regional Services  
112 E. Main Street  
Boonville, IN 47601  
(812) 897-4776

**SOUTHWESTERN INDIANA MENTAL HEALTH CENTER, INC.**

**EMPLOYEE ASSISTANCE PROGRAM  
UTILIZATION REPORT**

COMPANY Vanderburgh County Commissioners

CONTRACT DATE \_\_\_\_\_

REPORTING PERIOD Annual

ELIGIBLE EMPLOYEES 694  
UTILIZATION RATE 3.3%

	<u>This Report</u>	<u>Contract Y-T-D</u>
<b>STATUS:</b>		
# Employees . . . . .	16	
# Family members . . . . .	7	
# Other		

	<u>This Report</u>	<u>Contract Y-T-D</u>
<b>EMPLOYEE JOB CLASS:</b>		
Supervisor		
Non-Supervisor . . . . .	16	
Unknown		

**REFERRAL SOURCE:**

Supervisor (formal)	
Supervisor (informal)	
Family	
Other employee	
Self . . . . .	23
Other	

**YEARS OF SERVICE:**

0-5	6	11-20	3
6-10	2	21+	

**REASON FOR CONTACT:**

Program information	
Problem assessment . . . . .	23
Mgmt. consultation	
Re-assessment	
Other	

**EMPLOYEE AGE:**

0 - 9	
10 - 19	
20 - 29 . . . . .	4
30 - 39 . . . . .	9
40 - 49 . . . . .	3
50 - 59	
60 +	

**REFERRAL INFORMATION:**

Client did not complete assessment . . . . .	4
No referral needed . . . . .	11
Client refused referral	
Inpatient/hospital treatment	
Individual, family, or group therapy . . . . .	7
Self-help group	
Legal counseling	
Financial counseling	
Other . . . . .	1

**PROBLEMS:**

(1) Marital . . . . .	7
(2) Divorce . . . . .	1
(3) Personal relationship	
(4) Depression . . . . .	2
(5) Anxiety/stress . . . . .	5
(6) Employee alcohol use	
(7) Family alcohol use	
(8) Employee drug problem	
(9) Family drug problem . . . . .	1
(10) Legal problem	
(11) Financial problem	
(12) Occupational . . . . .	1
(13) Emotional/psychiatric . . . . .	1
(14) Child/school	
(15) Child/parent . . . . .	4
(16) Teenage/adjustment . . . . .	1
(17) Other	

**CONTACT:**

Office	
Phone	
Other	

**TOTAL # OF SESSIONS:**

Employees . . . . .	35
Family members . . . . .	1
Others	

Vanderburgh County Engineering Department

Agenda for July 26, 1993

1. Vogel Road bridge notice to bidders — *apd*
2. Crack sealing contract change order —
3. Acceptance of streets in Bolin's Meadow Section C — *DN/PT*

Rainbow Drive	350 feet
Pine Brook Drive	280 feet
Meadowlark Drive	200 feet
4. Council Call request: — *PT/DH*

Transfer \$30,00 from Allens Lane bridge to Columbia / Delaware bridge  
Appropriation for \$1,199 for the reclassification of David Franklin's job
5. USI utility reimbursable agreement for \$15,709 for the relocation of a telephone cable — *PT/DH*
6. Letter to INDOT agreeing to pay for the CSX railroad preliminary engineering review of the Ohio Street bridge plans — *PT/DH*
7. Letter to approve of the proposed haul route for borrow dirt for the USI interchange — *DN/PT*
8. INDOT letter discussing the conversion to the metric system —

VANDERBURGH COUNTY ENGINEERING DEPARTMENT  
 Old Courthouse, Suite 307  
 201 N.W. Fourth Street  
 Evansville, IN 47708

DATE: July 26, 1993

Tel. (812) 424-9603

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

RE: Acceptance of Street Improvements in  
Bolin's Meadows Section C

Dear Commissioners:

The undersigned have made an inspection of the subject Street and Storm Drainage (included within the street right-of-way) Improvements on 7/23/93. These Improvements were constructed/finished on 7/16/93. All streets were constructed with Concrete in accordance with the approved plans.

The following is a summary of the length of the completed 29.00 feet wide streets in the subject Subdivision:

	R/W	Length	
<u>Rainbow Drive (Continuation)</u>	<u>50</u>	<u>350</u>	LFT
<u>Pine Brook Drive (Continuation)</u>	<u>50</u>	<u>280</u>	LFT
<u>Meadowlark Drive</u>	<u>50</u>	<u>200</u>	LFT
_____	_____	_____	LFT
_____	_____	_____	LFT
_____	_____	_____	LFT
<b>TOTAL:</b>		<b><u>830</u></b>	<b>LFT</b>

It is recommended that these Street and Storm Drainage (included within the street right-of-ways) improvements be accepted for maintenance:

If you have any questions please call the County Engineering Department.

Respectfully,

John Hall  
 County Engineer  
Doug Penker  
 Assistant County Engineer

Accepted for Maintenance by the  
 Board of County Commissioners  
Richard J. Dames  
 President  
Richard J. Dames  
 Vice-President  
Steve Hunt  
 Member

CC: Developer  
 Design Engineer  
 APC  
 Co. Highway Dept.  
 Road File

07/93

VANDERBURGH COUNTY ENGINEERING DEPARTMENT

Room 325A Administration Building

Civic Center Complex

Evansville, Indiana 47708

ACCNT NO: \_\_\_\_\_

PROJ.: Crack Sealing

CONTRACT NO: VC 93-05-02

The following change(s) ~~is~~(are) recommended. (Give loc., descr. and reason)

Additional Streets to be Crack Sealed:

CONTRACT ITEM	UNIT PRICE	INCREASE		DECREASE		% OF CHANGE
		QUANT.	AMT.	QUANT.	AMT.	
Crack Sealing						
Weed Control	2¢	5000'	\$100.00			
GLENVIEW DRIVE	29.9¢	3500'	1046.50			
All Streets: EVERGREEN AVE						
BERRY COURT, BERRY LANE,						
BERRY DR., HOLLY HILL DR.,						
HOLLY COURT, HEATHER CT.						
PINE PLACE, RED BUD LANE,						
LARCH LANE, ESTIMATED	29.9¢	50,000'	14950.00			
<b>CHANGE DOES <del>NOT</del> DOES NOT</b>	<b>TOTALS</b>		\$16096.50			
<b>RESULT IN A CUM.</b>	<b>NET INCREASED</b>		<b>ESTIMATED COST \$ 16,096.50</b>			
<b>CHANGE OF 20% TO ANY</b>	<b>DECREASED</b>					
<b>ITEM CONSTITUTING 5%</b>						
<b>OF THE ORIGINAL CONT.</b>						

Signed: Ray Fisher Title: Assistant Date: 7/26/93

NOTIFICATION AND CONSENT TO THIS CHANGE IN PLANS IS HEREBY ACKNOWLEDGED.

Contractor: Pavement Maintenance Specialists BY: Robert Hill Date: 7/26/93

Investigated and the following recommendations made: \_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA

Richard J. Bous  
President

Patricia J. Jurek  
Vice-President

Robert Hill  
Member

ATTEST:

\_\_\_\_\_  
\_\_\_\_\_

## Notice to Bidders

Sealed Proposals, or Bids, for **VOGEL ROAD BRIDGE AND PAVING - PROJECT VC 07-01-93** in Vanderburgh County, Indiana will be received at the office of the County Commissioners, Room 305, until 5:00 p.m. on the **16th day of August** local time, as prescribed by the Acts of the Indiana Legislature in Chapter 172, year 1957, at which time all bids will be publicly opened and read aloud in the County Commissioners Hearing Room 307.

- Any bids received after the designated time, for any reason, will be returned unopened.
- Contract documents are on file in the Office of the Vanderburgh County Engineer.
- Bids shall be delivered in a sealed envelope bearing the name and address of the bidder indicating identification of the project and the branch of the work on which is being bid.
- Bids shall be submitted on the Itemized Proposal Form included in the contract documents and on Indiana Form 96, revised in 1987, provided separately, with a non-collusion affidavit, also provide in the contract documents, all properly executed, signed and sealed. The non-collusion affidavit must also be properly notarized.
- Each bid shall be accompanied by a bid bond, certified check, cashier's check, bank treasure's check or bank money order in the amount of five percent (5%) of the total bid submitted.
- No bid shall be withdrawn after the opening of the bids without the expressed consent of the Vanderburgh County Commission for a period of thirty (30) days after the scheduled time of the bid opening.
- The Contractor receiving the award will be required to furnish a performance bond, Indiana Form 86A revised in 1947, in the amount of one-hundred percent (100%) of the award amount, which is to remain in effect for twelve (12) months from the date of acceptance of the completed work.
- Attention is called to the fact that prevailing wage minimum salaries and wages are set forth in the Contract Documents. The Contractor shall list any subcontractors and the percentage of the contract to be performed by each subcontractor in the bid submittal.
- Construction and installation shall be in full accordance with the contract drawings, specifications, and special provisions. Construction and installation shall be in full accordance with the contract drawings, specifications, and special provisions. Applicable sections of the 1993 Edition of the Indiana Department of Transportation Standard Specifications and any current Supplemental Specifications to the 1993 Standard Specifications.

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

DATED THIS 26TH DAY OF JULY, 1993

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

Richard J. Barnes  
Robert J. Wiley  
Alvin Hunter

ATTEST:

Tom Humphrey  
Vanderburgh County Auditor

RECOMMENDED:

John Still  
Vanderburgh County Engineer  
vogel/ntbvgl VC 07-01-93



INDIANA DEPARTMENT OF TRANSPORTATION

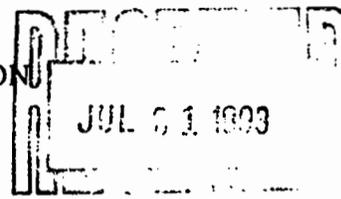
100 North Senate Avenue

Room N755

Indianapolis, Indiana 46204-2249

(317) 232-5533

FAX: (317) 232-0238



EVAN BAYH, Governor  
FREDERICK C. P'POOL, Commissioner

Writer's Direct Line:  
(317) 232-5319

July 9, 1993

MEMORANDUM

TO: All Local Public Agencies (LPA's), Metropolitan Planning Organizations (MPO's) and Consultants

FROM: Donald W. Lucas, Chief Highway Engineer  
Indiana Department of Transportation

SUBJECT: METRIC SYSTEM CONVERSION

This is a follow up to our memorandum of May 22, 1992 concerning the Federal mandate to convert to the "Metric System" of measurement for all Federal-Aid projects. We want to reemphasize the importance of providing a timely conversion to the metric system in all federally funded construction contracts beginning with the October 1996 bid letting.

The Indiana Department of Transportation (INDOT) is vigorously pursuing metric conversion on all its projects, without exception, due to the approaching deadline. With this in mind, we strongly encourage all LPA's to do the same.

We must point out that we have no choice in the matter since the bulk of our funding comes from Federal funds. It would be unthinkable to lose this source of revenue due to non compliance with the Federal mandate. It is of paramount importance, therefore, that all of us pull together in this effort and provide as smooth a transition as possible.

Several local projects, currently under design, may not be let by the October 1996 deadline due to current funding limitations. Without additional revenues, several of these projects are expected to require conversion. We must caution you that conversion to metric units on existing projects carries a cost so that it makes perfect sense to convert now before projects advance too far. To start design activities on projects in the English system at this time would be a major gamble and we do not recommend it. The INDOT has targeted July 1995 to begin letting construction contracts in metrics and we strongly urge all LPA's to take the same approach. This method will provide a window of safety, as well as a pool of "READY TO LET" projects in metrics, in case funding is not available by the October 1996 deadline.

**Metric Conversion**

**July 9, 1993**

**Page 2**

**We realize this is not an easy task we are asking you to do. However, it is an essential one, and in our best interest, if we are to comply with the law and retain the use of Federal funds in Indiana. Thank you for your efforts and cooperation on this vital issue. If you have further questions, please call Bruno Canzian at (317) 232-5319.**

**DWL/bc**

**cc. Metric Committee Members  
File**



July 15, 1993

John Stoll  
Vanderburgh County  
Engineering Department  
Old Court House  
Suite 307  
201 N.W. Fourth Street  
Evansville, IN 47708

RE: Project R-20697 Interchange  
of Eickhoff Road over State  
Road 62

Dear John,

We are requesting approval to cross Eickhoff Road with construction equipment for the purpose of bringing borrow dirt to the jobsite. Our anticipated equipment route is as follows: Excavate borrow dirt from Mr. Gene Pfeiffer's property, cross Eickhoff Road from the Pfeiffer property to the Hartig property and proceed South on the Hartig property to the jobsite right of way.

The majority of borrow dirt will be transported with scrapers. During construction the road crossing will be maintained with stone for local traffic access. Once borrow excavation is complete the road crossing will be repaired and repaved.

Flagmen will be utilized while the crossing is in use.

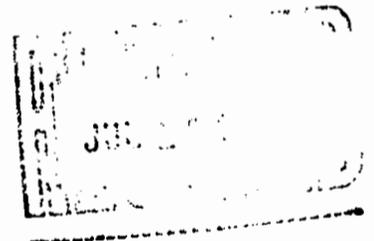
Should you have any questions regarding this request please feel free to call.

Sincerely,

Blankenberger Brothers, Inc.

Steven B. Titzer, P.E.  
Estimator

ST/jb



R.R. No. 1, Box 69  
Cynthiana, IN 47612  
(812) 845-2717  
FAX (812) 845-2727

# BERNARDIN · LOCHMUELLER & ASSOCIATES, INC.

PLANNERS · ENGINEERS · SURVEYORS

SUITE 606 HULMAN BLDG. · EVANSVILLE, IN 47708

TEL. (812) 426-1737

July 19, 1993

Mr. John Stoll, P.E.  
Vanderburgh County Engineer  
Old Court House, Suite 307  
201 NW Fourth Street  
Evansville, IN 47708

RE: USI Interchange  
Project #C-E 180( )  
BLA Project #93-003-2

Dear John:

Robert Mills, project supervisor, has informed me that since the project along Clark Lane is now sloped-staked, it has become evident that part of a 1200 pair telephone cable owned by the University of Southern Indiana (USI) is in the way of construction. Approximately 300 ft. of the line is in direct conflict with proposed roadway. USI, however, has requested that the line be relocated from pedestal to pedestal, which is approximately 890 ft. USI is concerned that splicing the line would create future maintenance problems.

USI is proposing to relocate 890 ft. of the existing 1200 pair telephone cable with 2-600 pair cables. Apparently the required length of 1200 pair cable cannot be obtained. Both cables will be placed in the same trench.

USI received four (4) bids to supply the materials. ANIXTER is the low bidder at \$19404. The bid, however, was for 3,080 ft. (1-1500 ft. reel & 1-1580 ft. reel). The needed length of 600 pair cable is  $2 \times 890 \text{ ft.} = 1780 \text{ ft.}$  The estimated cost to the County for materials is  $\frac{1780}{3080} \times \$19404 = \$11214.$

USI received three (3) bids for labor. Wayne Cambell Electric, Inc. was the low bidder at \$6,970. The bid, however, was to install two (2) 600 pair cables in a 1380 ft. long trench. The needed length of trench (which will hold both cables) is 890 ft. The estimated cost to the County for labor is:  $\frac{890}{1380} \times \$6,970 = \$4495.$

The total estimated cost to the County is:

Materials:	\$11,214
Labor:	<u>\$ 4,495</u>
Total:	<u>\$15,709</u>

Mr. John Stoll, P.E.  
July 19, 1993  
Page 2

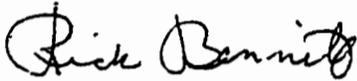
For lack of a better Instrument I've prepared a CITY/COUNTY UTILITY REIMBURSEMENT AGREEMENT. I've stated USI as being the utility in question. The situation is of such a simple nature that the Exhibit "A" has not been included in the Agreement. The work will be done at the direction of the project engineer/supervisor.

PLEASE HAVE THE COUNTY COMMISSIONERS DATE AND SIGN THE HIGHLIGHTED PORTION OF BOTH ORIGINAL AGREEMENTS. RETURN BOTH AGREEMENTS TO ME IMMEDIATELY AND I'LL HAVE THEM SIGNED BY USI. ONE ORIGINAL WILL BE RETURNED TO YOU FOR YOUR RECORDS.

If you have any questions and/or comments don't hesitate to call either myself or Bob Mills (465-7126).

Respectfully,

**BERNARDIN, LOCHMUELLER & ASSOCIATES**

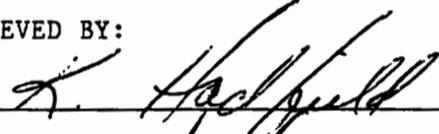


Richard Z. Bennitt  
Project Engineer II

RZB/map

cc: Robert Mills, P.S.

RECIEVED BY:

  
\_\_\_\_\_

Date: \_\_\_\_\_

7/19/93

## Section

- 96.01 Rules and regulations  
96.02 Enforcement

§ 96.01 RULES AND REGULATIONS.

It shall be a violation for any person to do any of the following in or upon the grounds or facilities of any county park without the permission of the Commission:

- (A) Canvass or solicit any contribution or vend, sell, peddle or offer for sale any goods or activities on park property.
- (B) Bring or allow any animal to go onto park property, with the exception that one may bring a cat or dog on park property if the animal is under the absolute control of such person and is constantly maintained on a leash.
- (C) Paste, glue, tack or otherwise post any sign, placard, advertisement, or inscription whatever or erect or cause to be erected any sign whatever on any public land or highways or roads in or adjacent to a park.
- (D) Dig or remove any soil, rocks, sand, stone, trees, shrubs, plants, or other wood or materials or make any excavation by tool, equipment, blasting, or other means of agents on park property.
- (E) Damage, cut/carve, mark, transplant, or remove any plant or injure the bark or pick flowers or seeds from any tree or plant, dig in or otherwise disturb grass areas, or in any other way injure the natural beauty or usefulness of park property.
- (F) Swim, bathe, or wade in any waters or waterway in or adjacent to any park except in such waters and at such places as are designated specifically thereof.
- (G) Ice skate, sled or otherwise go upon the surface of any frozen lake, pond or other body of water within the park boundaries.
- (H) Take any boats, canoes or other watercraft upon any lake, pond or other body of water within the park boundaries.
- (I) Kindle, build, maintain, or use a fire, except in places provided for such purposes. Any fire shall be continuously under the care and direction of a competent person from the time it is kindled until it is extinguished. No person shall throw away or discard any lighted match, cigar, cigarette, tobacco, paper, or other material within or against any building, boat, or vehicle or under any tree or in any underbrush.
- (J) Hunt, molest, harm, frighten, kill, trap, pursue, chase, tease, shoot, or throw missiles at any animal, wildlife, reptile, or bird; or remove or have in one's

possession the young of any wild animal or the eggs, nest, or young of any reptile or bird.

(K) Fish in any waters or waterways in or adjacent to any park, except in such waters and at such places as are designated specifically therefor.

(L) Wilfully mark, deface, disfigure, injure, tamper with, displace, or remove any building, bridges, tables, benches, fireplaces, railings, paving or paving material, water lines, or other public utilities or parts or appurtenances thereof, signs, notices, or placards, whether temporary or permanent, monuments, stakes, posts, or other boundary markers, or other structures or equipment, facilities, or park property or appurtenances whatsoever, either real or personal.

(M) Throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, bay, or other body of water in or adjacent to any park, or any tributary stream, storm sewer, or drain flowing into such waters any substance, matter or thing, liquid or solid, which will or may result in the pollution of said water.

(N) Bring glass beverage containers onto any park property or facility.

(O) Be or remain on or in park property between the hours of 12:00 p.m. local time and 7:00 a.m. the following day unless engaged in activities directly supervised by park personnel acting within the scope of their employment.

(P) Sell or offer for sale any alcoholic beverage in or upon park property.

(Q) Drive any vehicle on any area except the paved park roads or parking areas or leave a vehicle standing or parked in established parking areas or elsewhere in the park and recreation areas during hours when the park and recreation area is closed.

(R) Endanger the safety of any person by any act or conduct.

(S) Violate any rule or regulation imposed in any park and recreation area, golf course, or pool, which rules and regulations shall be pasted at the park or recreation area, golf course, or pool, and shall also be on file for public inspection in the office of the County Commissioners and the office of the County Auditor. *pasted*

(T) Bring into or have in one's possession in or on any park property any pistol, revolver, or object from which loaded or blank cartridges may be used, or any rifle, shotgun, BB-gun, airgun, spring-gun, slingshot, bow, or other weapon in which the propelling force is gunpowder or spring or air.

(U) Bring into, have in one's possession, or set off any fireworks in or upon any park property.

(Ord. passed 3-23-92)

**VANDERBURGH COUNTY HIGHWAY DEPARTMENT**  
**PROGRESS REPORT**

**FRIDAY, JULY 16, 1993 THRU THURSDAY, JULY 22, 1993**

**FRIDAY, JULY 15, 1993**

Gradall and four trucks ditched and placed pipe on St. George Rd.  
Summer crew worked on various work orders.  
One crew worked on break room.  
One crew hauled mulch.  
Brush crew worked on St. George Road.  
Grader and two crews graded and rocked roads.  
Tree crews worked on various work orders.

**MONDAY, JULY 19, 1993**

Gradall and three crews worked on St. George Road.  
Two Patch crews worked on work orders.  
Grader and two crews graded and rocked Roth and Little Schmuck.  
Summer crews worked on work orders.  
One crew sealed parking lot.  
Two tree crews worked on Broadway.  
One crew worked on the Gradall.

**TUESDAY, JULY 20, 1993**

Gradall and two crews worked on St. George Road.  
Gradall and one crew replaced driveway culvert and added pipe to  
existing pipe at 3201 and 3209 Folz Lane.  
Paver, Roller and six crews paved Allens Lane.  
Two Patch crews worked on work orders.  
Summer crew and Tiger Mower worked on Peerless and Marx.

**WEDNESDAY, JULY 21, 1993**

Gradall and three crews worked on St. George Road.  
Paver, Roller and seven crews paved Allens Lane.  
Two Patch Crews worked on work orders.  
Summer crew worked on work orders.  
Tiger Mower worked on Marx Road.  
Cycle Mower worked on Allens Lane.

**THURSDAY, JULY 22, 1993**

Gradall and two crews worked on St. George Road.  
Gradall and one crew placed pipe on Henze at Mill.  
Paver, Roller and seven crews paved Allens Lane.  
Patch crew worked on work orders.  
Summer crew worked on Mill Road.  
Tiger Mower worked on Marx Road

VANDEBURGH COUNTY BRIDGE CREW  
PROGRESS REPORT  
FRIDAY, JULY 16, 1993 THRU THURSDAY, JULY 22, 1993

FRIDAY, JULY 16, 1993

Crew #1 - cut weeds at guardrail and bridges on Orchard, St. Joe Ave at Darmstadt sign, Claremont Bridge and Upper Mt. Vernon.  
Crew #2 & #3 - install pipe on St. George Road.

MONDAY, JULY 19, 1993

Crew #1 - build drop boxes on St. George Road and drains from homes.  
Crew #2 & #3 - install pipe on St. George Road.

TUESDAY, JULY 20, 1993

Crew #1 - build concrete drop box on St. George Road, install pipe on Folz Lane.  
Crew #2 & #3 - install pipe on St. George Road.

WEDNESDAY, JULY 21, 1993

Crew #1 - build concrete floor in drop box on St. George Road and make grill for last box, build drop box on Folz Lane.  
Crew #2 & #3 - install pipe on St. George Road.

THURSDAY, JULY 22, 1993

Crew #1 - install pipe on Henze at Mill Road.  
Crew #2 & #3 - install pipe on St. George Road.





DAVID M. GRIFFITH & ASSOCIATES, LTD.

101 West Ohio Street, Suite 730 Indianapolis, Indiana 46204 (317) 634-7040 FAX (317) 637-7835

July 20, 1993

VANDERBURGH CO.  
FILED

JUL 26 1993

*Sam Humphrey Jr.*  
AUDITOR

The Honorable Sam Humphrey  
Vanderburgh County Auditor  
1 Martin Luther King Blvd., Room 208  
Evansville, IN 47708

Dear Auditor Humphrey:

Our records indicate that Vanderburgh County has collected, or will soon collect sufficient revenues in Fiscal Year 1993 to satisfy the terms of our professional services contract with you. Consequently, enclosed is an invoice for our services for preparation of a County Cost Allocation Plan based on Fiscal Year 1991 for use during Fiscal Year 1993.

Thank you for your continued support.

Respectfully,

Thomas B. Carawan  
Vice President

TBC:ve  
enclosures

# INVOICE



**DAVID M. GRIFFITH & ASSOCIATES, LTD.**  
Professional Services to the Public Sector

Date: July 20, 1993

Cost Center 026

Federal ID No. 36-2897743

The Honorable Sam Humphrey  
Vanderburgh County Auditor  
1 Martin Luther King Blvd., Room 208  
Evansville, IN 47708

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## FOR PROFESSIONAL SERVICES RENDERED

Preparation of cost allocation plan based on Fiscal Year 1991 for use in 1993.

Per contract specifications.

Please Remit: \$13,125.00

Please Remit To: **DAVID M. GRIFFITH & ASSOCIATES, LTD.**  
c/o Glencoe National Bank  
P.O. Box 3056  
Northbrook, IL 60065

MINUTES  
COUNTY COMMISSIONERS MEETING  
AUGUST 2, 1993

I N D E X

<u>Subject</u>	<u>Page No.</u>
Meeting Opened @ 5:30 p.m. ....	1
Introductions, Remembrance of Councilman David Koehler and Pledge of Allegiance .....	1
Schmitt Lane/Request to Correct Driveway Problems .....	1
(J. Stoll to meet with Mr. Marion Lee on Wednesday toward resolving the problems)	
Executive Session .....	3
Awarding of Bids/Diesel Tractor, etc. for County Highway ...	3
County Attorney/Keith Rounder, Assistant .....	3
Acceptance of Check/Alfred H. Bauer, Sr. (\$49,800) re Lynch Rd. Extension Project	
Superintendent of County Buildings/Mark Abell .....	4
(No Report)	
County Highway/Fred Howard .....	4
Weekly work Report St. Joe Rd./Close to County Highway Garage/Debris (F. Howard to contact BFI) St. George Rd. Project Computer at Garage	
County Engineer/John Stoll .....	4
Notice to Bidders/County Garage Roof (To be advertised August 5 and 12, 1993 w/Bid Opening on August 23rd) Change Order/Darmstadt Rd. Bridge Project (\$4,055) Reimbursable Utility Agreement/USI Project (\$1,158) Request from Gene Whitehead re Proposed Haul Route for Borrow Dirt for Construction of Mobile Home Park at I-164 and Lynn Rd. (approved) Request for Improvements/Staser Rd.	
Consent Agenda .....	6
Old Business (None) .....	6
New Business .....	6
Executive Session - 4:30 p.m. August 23, 1993 Legal Aid Society/Appointment of Douglas D. French to replace Gerald Elliott Appointment of Mark Acker as Veteran's Service Officer for Vanderburgh County effective 8/9/93	
Meeting Adjourned @ 6:30 p.m. ....	7

MINUTES  
COUNTY COMMISSIONERS MEETING  
AUGUST 2, 1993

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Monday, August 2, 1993 in the Commissioners' Hearing Room with President Rick Borries presiding. Commissioner Don Hunter was absent, as he was on vacation.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order, welcomed the meeting participants and introduced members of the County Staff (B. J. Farrell, Executive Secretary & Administrative Assistant to the Commission; Annie Michel, Student Intern; Mark Abell, Supt. of County Buildings; Keith Rounder, Assistant County Attorney; Commissioner Tuley, himself, Sam Humphrey/County Auditor and Joanne Matthews/Recording Secretary for the Commission). He then asked the group to join him in the Pledge of Allegiance. Commissioner Borries said, however, before that -- David Koehler, a good friend of his and long time City Councilman and friend to all, a resident of Vanderburgh County and the City of Evansville -- passed away yesterday -- and he would first ask for a moment of silence in remembrance of David. The group subsequently proceeded with the Pledge of Allegiance.

RE: SCHMITT LANE

Commissioner Borries subsequently asked if there are any groups/individuals present who wish to address the Commission but do not find their particular item of interest on tonight's agenda.

Mr. Marion Lee, 6609 W. Schmitt Lane, approached the podium. He stated he appeared before the Commission a year ago over some work that was being done by J. H. Rudolph Construction Company in German Township. At that time the work was unsatisfactory. You couldn't get into your own driveway safely for about six months. They did send a gentleman out there; he doesn't know whether it was David Savage or Andy Easley -- probably one of the two.

Mr. Borries said it was probably David Savage, who was in the role of County Engineer at that time.

Mr. Lee continued, saying they came out there and said they would take care of and correct the problems. They said they would pour the concrete back to where they tore it out of the driveways. This past week they did have somebody out there -- Evansville Concrete - - and an outfit (one of the trucks had a license plate from Florida) pouring concrete. He has tried for the last week to contact somebody to see exactly whose driveway they are going to fix this time. The telephone number he has been trying to get a response from is 424-9603, a gentleman by the name of Mr. Kercher. As of about five minutes to 5:00 p.m. today he has received no response from Mr. Kercher. He is basically wanting to know whose driveways they are going to fix this time and if there is anybody out there to check the progress.

Commissioner Borries said John Stoll is the County Engineer and he is present today. He then asked Mr. Stoll if there has been a change in the telephone number at all since the County Engineer's relocation to the Old Court House. Mr. Stoll said there has not been. Mr. Borries advised Mr. Lee is calling the correct number. If he would not find Mr. Kercher in the office, it is probably because he is out on the job site. Mr. Stoll confirmed Mr. Kercher

is out on the Orchard Rd. project; he's the inspector on the job site.

Mr. Lee said he called at 7:30 a.m. today and left a message, but he has not had a response.

Mr. Borries said Mr. Kercher can't be an inspector on the job site and in the office at the same time, so that does present a little problem there. He then asked Mr. Stoll if we can work on this. Schmitt Lane is a problem that developed before Mr. Stoll was appointed County Engineer. It essentially involved repaving and installation of curbs. There were some concerns and discussion, a lot of which had to do with the drainage that took place in getting into and out of people's driveways at that point. There have been some changes in that particular contract, so maybe we can get someone to come out and work with Mr. Lee. That's the best we can do at this point.

Commissioner Tuley said, "The only thing is, they have been more than patient, okay? John and I have talked several times -- I know we were going to start and then the weather or the Orchard Rd. project held us back. Where are we in terms of progress on Schmitt Lane? This has been an ongoing problem for some time and it needs to be resolved."

Mr. Stoll said, "As you noted, the weather held us up several times. I wasn't aware of these concerns. I've been talking off and on with several of the property owners along there and I thought we had most of the problems ironed out."

Mr. Lee said, "The problem we've got right now -- they started last week and I didn't know if the neighbor west of me (which would be Jim Kuebler) was having his home driveway poured or what. I went walking up and down the street and there are several people to the west of him and their's is all torn out and being concreted. Mine is not. Another gentleman who lives at St. Wendel and Schmitt Lane (name of Savage) -- their's is not torn out and replaced with concrete. It seems as though if they were going to lay concrete they would dig it all up in one whack, form it, and come out the next day and pour the concrete and leave."

Mr. Borries asked if Mr. Lee is sure this is part of the repairs that were discussed and agreed to last year.

Mr. Lee said this was last year, after about six or seven of the residents came to a Commissioners' meeting. Mr. Savage was sent out there by Commissioner McClintock. He came out there and he said this is what we will do and he would take it back to the Board. It was his understanding from one of the neighbors who attended that in December the money had been approved or whatever it was. But, as he said, they did come out last week and start on two or three houses. As he said, he's tried to reach Mr. Kercher a number of times to see if his driveway is on the list to be done this time or will he have to wait another week or another year -- because for six months he had to take a two by ten and put in on the curb and run up it with his riding mower so he could cut his grass. The only other alternative he had was to go down Schmitt Lane northbound to St. Wendel Rd. in that traffic, go up through the neighbor's property and then to his back yard to cut his grass.

Mr. Borries thanked Mr. Lee and said if he will work with Mr. Stoll, we'll try to get something done. He would ask Mr. Stoll to get something in writing as to what the scope is.

(Note: During his departmental report, Mr. Stoll indicated he and Mr. Lee plan to meet on Wednesday morning of this week to see what it is going to take to resolve that situation. Mr. Tuley said there is one other thing -- and he and Mr. Stoll have talked about this several times. He has the name of an individual who's been

calling him. Mr. Stoll has the names of three or four people he's been dealing with. It would certainly help if they would get a spokesperson to deal with one person in the County Engineer's office and stay on that and try to get this resolved as soon as possible. He hasn't heard further from the person who was calling him and he assumed everything was going okay. Mr. Stoll said he will see what it will take to finish this; he knows it has been going on way too long -- and, hopefully, he can resolve Mr. Lee's problems with the way the driveways are being constructed out there.)

In continuing, Mr. Borries asked if there is anyone else who wishes to discuss an item not included on the printed agenda. There was no response.

RE: EXECUTIVE SESSION

It was noted by President Borries that the Board held an Executive Session prior to today's Commission Meeting.

RE: AWARDING OF BIDS/DIESEL TRACTOR, ETC.

Mr. Daryn Burgdorf said that with regard to awarding the bid for the tractor with side hydraulic mower for \$93,010.00, it is his recommendation that this be awarded to Stephens and the Ford Model 5640 Tractor at a price of \$23,394.00 and the Alamo Mower at \$9,120.00 would both be awarded to Stephens for a total of \$32,514.00. The other two items -- the trailer and tractor mounted broom, he would recommend awarding this to Carlisle Equipment. They bid the trailer at \$16,835 and the broom at \$4,756.00. The foregoing were all low bids.

Commissioner Borries entertained a motion.

Motion to approve awarding the bids as recommended by Purchasing was made by Commissioner Tuley, with a second from Commissioner Borries. So ordered.

RE: COUNTY ATTORNEY - KEITH ROUNDER

Commissioner Borries said August is a great vacation month and everybody is enjoying that. Alan Kissinger is on vacation and Keith Rounder, Assistant County Attorney is present today. He then welcomed Attorney Rounder.

Acceptance of Check/Alfred H. Bauer, Sr.: Attorney Rounder said he only has one thing to report today. He has a check from Mr. Alfred H. Bauer, Sr. payable to the Board of Commissioners of Vanderburgh County in the amount of \$49,800. This is a refund that Mr. Bauer has been ordered to pay by a Judgment Entry. It was originally awarded in the lawsuit he was involved in with the Commissioners -- an Appraiser's award of \$105,300. That award was reduced by the Court and this is the refund which he will tender to Auditor Humphrey today.

Commissioner Borries said Attorney Rounder can attend meetings more often if he can bring checks like this.

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

Some question arose as to whether this should be deposited into the Judgments & Refunds account or the General Fund. Ms. Farrell said she has paid out of the Judgments & Refunds account, but never deposited any monies in this account. She always deposits into the General Fund.

(Note: Subsequent to the meeting, it was determined by Chief Deputy Auditor Cindy Mayo that this check is to be deposited into

COMMISSION MEETING  
August 2, 1993

4

Acct. 216-4827 to reimburse the Proposed Lynch Rd. Extension account in this amount. Copy of Quietus #9539 attached hereto.)

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

When called upon for his report, Mr. Abell said he has no checks and nothing to report this week.

RE: COUNTY HIGHWAY - FRED HOWARD

It was noted by President Borries that Mr. Bill Morphew, County Highway Superintendent is on vacation. However, Mr. Fred Howard is present today to submit a report.

Weekly Work Report: Mr. Howard submitted the written Weekly Report for period July 23, 1993 thru July 29, 1993.....report received and filed.

St. Joe Rd./Close to County Highway Garage: Commissioner Tuley said he was stopped by one of the Building Authority cleaning people today talking about St. Joe Rd. close to the County Highway Garage.

Mr. Howard said they started cleaning some of the side ditches this morning. A lot of that comes from BFI trucks and BFI will bring a sweeper truck down there. He will call them in the morning.

Mr. Tuley asked that he please check on this to see if it is a legitimate complaint.

Mr. Howard said it usually is -- it usually is.

Mr. Tuley said this person normally is, too. He knows her pretty well and she probably wouldn't complain unless it were a valid complaint.

St. George Rd.: Commissioner Borries queried Mr. Howard about the St. George Rd. project.

Mr. Howard said they are almost finished with the ditch. All of the pipe is in and he is really proud of the crew. He believes this will help that problem tremendously.

Mr. Borries said he believes this is one of the biggest jobs they've ever done.

Computer: Mr. Howard said he wants to express his thanks to the three Commissioners for the computer at the Garage; the upcoming roof. They've gotten a lot of things this year and he and Mr. Morphew want to thank the Commissioners.

Mr. Borries said the Board appreciates this. He thinks there's a lot of good possibilities; they can begin to work with this computer to start entering their records where we can begin to identify some trouble spots and really provide much more accurate information on a lot of things, as opposed to trying to do this by hand. He's glad they have it. Now it's just a matter of getting the necessary training, etc.

RE: COUNTY ENGINEER - JOHN STOLL

Notice to Bidders/Repair of Garage Roof: Mr. Stoll said he would like to get this advertised later this week, with scheduled bid opening on August 23, 1993. (Note: To be advertised on August 5, 1993 and August 12, 1993.)

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

Change Order/Darmstadt Rd. Bridge Project: Mr. Stoll said this change order is needed for some additional liability insurance in working around the railroad right-of-way. It wasn't included in the initial contract because they weren't sure as to exactly what insurance would be required. Now that we're into the project we need the extra liability insurance. The amount is \$4,055.00.

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

Reimbursable Utility Agreement/USI Project: Mr. Stoll said he mentioned this agreement last week. This electric line needs to be relocated. It was found and cut as part of the ongoing construction out there. It wasn't initially relocated because nobody knew exactly where the line was. The cost is \$1,158.00.

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

RE: REQUEST FROM GENE WHITEHEAD RE PROPOSED HAUL ROUTE FOR BORROW DIRT FOR CONSTRUCTION OF MOBILE HOME PARK AT I-164 & LYNN RD.

Mr. Stoll submitted a request from Gene Whitehead, who will be developing a mobile home park out off of 164 and Lynn Rd. He is wanting to build a 24 inch mound of dirt for him to be able to haul his fill for the mobile park area across a local service road that was constructed as part of the 164 project. He is requesting permission to be able to just close the road during construction. He is projecting that it will be closed for about three (3) months. There are no residences on the designated end of the service road. It was primarily put there for access to the farm field. The farmer said it was okay with him. There was nothing in the letter that said they would repair any damages to the road. If this request is granted, in the letter notifying him that this is okay, he will include that they will be responsible for repairing any damage to the road.

Commissioner Borries said this is the first time this matter has been discussed before this Board. For the record, he would say that this particular plan was approved through the Board of Zoning Appeals -- so it wasn't heard in this Board. But he would also say that in view of the location of this -- which is south of the levee in Vanderburgh County -- in view of the record setting floods that are occurring in the St. Louis area and along the Mississippi River, he has some real concerns about the location of this particular project. He would ask the County Engineer to very carefully monitor this situation. This is for a mobile home park located off Lynn Rd. south of what would be known as I-164 which, in effect, becomes the levee for Vanderburgh County. This was approved by the Board of Appeals, so official action has been taken. But it is very, very close to a floodplain; he doesn't know if it sits in the floodplain or not. It was always his understanding that almost anything south of that levee was in the floodplain. Again, we in this community have been very fortunate to have avoided what we're seeing occur along the Mississippi River. But, for the record, he wants to express his concern that we're talking about a rather large project here that could be affected at some point in terms of future flooding. He again asked that Mr. Stoll closely monitor this situation. It was not within the action of this Board to approve this; no rezoning was involved. This was a zoning variance. But, again, he has concerns about its location and he wants to state this for the record.

Mr. Stoll said part of what they will be doing when they dig this lake is to truck the fill and raise the ground up there.

Mr. Borries said most of these what are called lakes are borrow pits out in this area and hold water. But also within probably

spitting distance of this are some disasters that we certainly cannot say were done the correct way. That is why he thinks this bears some very close monitoring on the part of our Engineering Department.

Mr. Tuley said getting back to the letter, if Mr. Stoll would include in the letter -- and have them sign it -- that they would agree to repair and be responsible for any damages, then he would move for approval of the request. Seconded by Commissioner Borries. So ordered.

Request for Improvements/Staser Rd.: Mr. Stoll said the final item on his agenda is a request to make some improvements to Staser Rd. in calendar year 1994 as a part of just trying to facilitate future ongoing growth out in that area.

Mr. Borries said this has to do with some long range economic development issues that also have looked at kind of scrutinizing this area.

Mr. Stoll said he wants to bring the road up to standards and try to make it two lanes with shoulders.

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

RE: CONSENT AGENDA

Approval of Minutes: Mr. Borries said he has copies of minutes from two meetings for approval -- July 19th and July 26th. He would ask that approval of the minutes of July 26th be added to the Consent Agenda; the July 19th minutes are already listed.

There being no further questions concerning the Consent Agenda, Commissioner Tuley moved that the Consent Agenda, as amended, be approved. Seconded by Commissioner Borries. So ordered.

RE: OLD BUSINESS

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

RE: NEW BUSINESS

Executive Session: Commissioner Borries entertained matters of New Business to come before the Board. Commissioner Tuley requested an Executive Session be called for 4:30 p.m. on August 23, 1993 for purposes of discussing Personnel Matters and Pending Litigation. Seconded by Commissioner Borries and so ordered.

Legal Aid Society: Mr. Tuley said he also has a letter from the Legal Aid Society. Apparently Mr. Gerald Elliott of Bristol-Myers-Squibb has resigned as a Board Member for the Legal Aid Society because he took other employment within Bristol-Myers that apparently requires him to travel. They have asked that Douglas D. French, President & C.E.O. of St. Mary's Medical Center be appointed. They state that Mr. French has agreed to serve. He would move the appointment of Mr. French to the Legal Aid Society Board. Seconded by Commissioner Borries and so ordered.

Appointment of Veterans Service Officer for Vanderburgh County: Commissioner Tuley said he does have one item under Personnel Matters. He has had an opportunity to read the recommendations in reference to the Veterans Service Officer opening that was created when Mike Robbins submitted his letter of resignation effective August 6, 1993. Letters of recommendation are from: Ivan Dimmett, Post Commander for VFW 1114 on Wabash Avenue in favor of Mark Acker, who held the position as the Deputy County Veterans Service Officer for some seven years; Bill Mitchell, Chef De Gaure,

Voiture Forty and Eight/Evansville; and letter of endorsement from Council of Veterans Organizations of Vanderburgh County. Mr. Tuley said it has been his feeling with regard to this position that probably there is no other department head in the county that could be designated as a "special interest office" in terms of whom they provide services for. Mark served as the Assistant for seven years and he would move at this time that Mr. Mark Acker be named the Director effective August 9, 1993. Mr. Tuley said he also had a telephone call from Laura Kirby, Funkhouser American Legion Post. She, too, would nominate Mark Acker for the post. Again, there are several different people -- all representing veterans -- indicating whom the veterans would like to have as their liaison or Veterans Service Officer. Seconded by Commissioner Borries and so ordered.

Commissioner Borries stated, "Let me say, too, that on behalf of the Commission I wrote a letter of appreciation to Mr. Mike Robbins for his service to Vanderburgh County. We certainly wish him well in his future endeavor and look forward to working with Mr. Acker. I think, as you have correctly pointed out, it is a highly specialized office created for veterans and their dependents and we certainly rely on recommendations from veterans organizations."

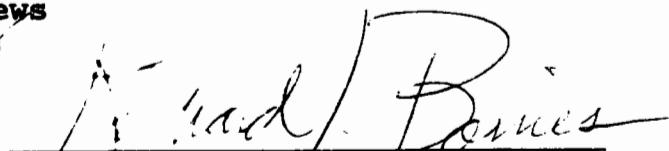
President Borries entertained further matters of business to come before the Board. There being none, Commissioner Borries said the Drainage Board will convene following a five minute recess. He then declared the meeting adjourned at 6:30 p.m.

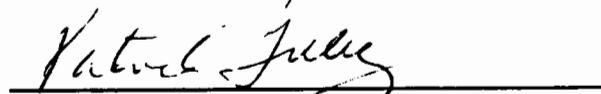
PRESENT:

Richard J. Borries, President  
Patrick Tuley, Vice President  
Sam Humphrey/County Auditor  
Keith Rounder/Asst. County Attorney  
John Stoll/County Engineer  
Fred Howard/County Highway  
Mark Abell/Commission Office  
B. J. Farrell/Commission Office  
Annie Michel/Commission Office  
Daryn Burgdorf/Purchasing Dept.  
Marion Lee/Schmitt Lane Resident  
Keith Montgomery/Carlisle Equipment Co.  
Jim Morley/Morley & Associates  
Keith Poff/Morley & Associates  
Others (Unidentified)  
News Media

ABSENT: Don Hunter

SECRETARY: Joanne A. Matthews

  
Richard J. Borries, President

  
Patrick Tuley, Vice President



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

*Jm*

**AGENDA**

**VANDERBURGH COUNTY COMMISSIONERS**

**AUGUST 2, 1993**

**5:30 P.M.**

**FINAL**

1. CALL TO ORDER
2. INTRODUCTIONS
3. PLEDGE OF ALLEGIANCE
4. ACTION ITEMS
  - A. Any group/individual wishing to address the commission
  - B. Daryn Burgdorf Puchasing
    - 1) Award Bid: VC 9310/Diesel Tractor, etc.

5. DEPARTMENT HEADS

- R. Rounder*
- ~~Alan Kissinger~~ ----- County Attorney ✓
  - Mark Abell ----- Superintendent of County Buildings *U.S.A.?*
  - ~~Bill Morphew~~ ----- County Garage *Free Howard.*
  - John Stoll ----- County Engineer
- \*See attached engineer requests

*Free Howard*

**6. CONSENT ITEMS**

**A. Travel/Education Requests**

Health (4)                      Burdette Park (1)

**B. Claims for payment:**

**D. Checks/Quietuses for acceptance**

1) Capital Cable # 27553.....627.27  
Quietus # 9347/Franchise Fee

**E. Commissioner Minutes/July 19, 1993**  
\* approval/acceptance

**F. Employment Changes:**  
see attached

**8. OLD BUSINESS**

**9. NEW BUSINESS**

1) Legal Aid Society:  
Letter regarding an appointment to board of directors

**10. MEETING ADJOURNED**

**DRAINAGE BOARD IMMEDIATELY FOLLOWING**

# COUNTY ENGINEER'S

## CONSENT AGENDA

AUGUST 2, 1993

1. CLAIMS:

REPAIR TO BUILDINGS & GROUNDS 203-3550 Fireside Gallery, Inc. (Carpet & Installation)	\$ 2061.50
FURNITURE & FIXTURES 203-4210 Fan & Light World (Ceiling Fans & Lights)	\$ 751.80
Phoenix Blind Company (Window Blinds)	\$ 783.91
DARMSTADT ROAD BRIDGE #214 203-4342 Sam Oxley & Company (Est. #2)	\$11,590.00
CONTRACTUAL SERVICES 216-3930 Pavement Maintenance Spec. (Inv. #2)	\$18,253.94
Koester Contracting (Inv. #93-1082-2306)	\$34,195.03
USI OVERPASS & SR 62 430 BOND Bernardin Lochmueller (Inv. #93-003-2(2))	\$20,485.36

**SCHEDULED MEETINGS**

Mon	Aug 2	County Commissioners Executive Session	4:30 PM	RM 307	
		Commissioners Meeting	5:30 PM	RM 307	
Tues	Aug 3	County Council			
		Wed Aug 4	Thurs	Wed 5	
		Budget Hearings	9:00 AM - 12:00 PM		Room 301
Wed	Aug 4	County Council	3:30 PM	RM 307	
Mon	Aug 9	County Commissioners Solid Waste	4:30 PM	RM 307	
		Commissioners Meeting	5:30 PM	RM 307	
Tues	Aug 10	County Council			
		Wed Aug 11	Thurs	Aug 12	
		Budget Hearings	12:00 PM - 3:00 PM		Room 301
Mon	Aug 16	County Commissioners Executive Session	4:30 PM	RM 307	
		Commissioners Meeting	5:30 PM	RM 307	
		Rezoning	7:00 PM	RM 307	
Tues	Aug 17	County Insurance Comm	9:00 AM	Room 303	
Thurs	Aug 19	Employee Steering Comm	9:00 AM	Room 303	
Mon	Aug 23	County Commissioners	5:30 PM	RM 307	
		Drainage Board Immediately Following			
Wed	Aug 25	County Council Personnel/Finance	3:30 PM	RM 301	
Mon	Aug 30	County Commissioners	5:30 PM	RM 307	

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department                      Knight Township Assessor

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
490-1130-199	Hurshel B. Cobb	2216 E. Tennessee	Deputy	7.00 per hr	7/27/93
90-1130-1110	Al Folz	3600 Keck Ave	Assessor	5,980.00	6 mo. 7/1/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1130-1990	Hurshel B. Cobb	2216 E. Tennessee	Deputy	5.00 per hr	7/27/93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Stanley Roeder DATE 7/29/93

*Chief Deputy  
Knight Twp*

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department                      Treasurer                     

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
103-199	Pat Tutt	2009 E. Michigan	clerk	per 5 hr 00	8-2-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Jayne B. Blank DATE August 2, 1993

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH SUPERIOR COURT

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
26201980	Gregory Combs		Probation Officer	Other pay (Weekend work crew)	7.27 93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY T. J. D. [Signature] DATE July 30, 1999

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Knight Township Assessor

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490-1130-1990	Mark Bassenier	863 Sycamore Lake Dr	Deputy	7.00 per hr	

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY [Signature] DATE 7/30/99  
Chief Deputy Knight Township Assessor

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department German Township Assessor/ Reassessment

### APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	Hourly Rate	EFFECTIVE
2490-1120-1990	Diane M Dunigan	2108 Evanston Dr	extra help	\$ 7 00	7-19-93
2490-1120-1990	Brenda C Mossberger	4820 Seib Rd	extra help	\$ 7 00	7-19-93
2490-1120-1110	Timothy L Schaefer	4700 Mesker Park Dr	Assessor	\$ 813 00**	7-1-93
	**Annual/6 months				

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

### RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Timothy L. Schaefer*  
Timothy L. Schaefer  
German Township Assessor

DATE 7-19-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CENTER ASSESSOR

### APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
249011101990	DEANNA WILSON	500 PLEASANT VIEW DR 47711	PT TIME FIELD DEP R.E.	HOUR 7 00	7-30-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

### RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Alvin J. ...* DATE 7-30-93





# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department VETERANS SERVICE OFFICE (VANDEBURGH COUNTY) 22

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
	MICHAEL C. ROBBINS	9020 Petersburg Rd.	Veterans Service OFFICER	\$23,827.00	8/06/93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Michael C. Robbins DATE 7/28/93

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105011300207	Jennifer Wright		Clerk/Typist	6 8309 14263 00	8-2-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105011300207	Dawn Kahre		Clerk/Typist	6 8309 14263 00	7-25-93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Ry Hamm DATE \_\_\_\_\_

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH COUNTY CLERK 2

## APPOINTMENTS MADE

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1010-1990 MINDY S NONWEILER	PAID IN FULL RETURNING TO SCHOOL		6 00	7-30-93
	<i>STILL ON 8/6/93 PL</i>	<i>11 days</i>		

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Betty Knight Smith* DATE 7/30/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Health/ Lead Program 213.1 2

## APPOINTMENTS MADE

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1140 Miller, Vickie L.	3110 E. Boonville-New Harmony Rd. 47711	Tech. Supr. & Med. Tech/Lead	25,908 00	
	<i>(COLLECTION OF PREVIOUS PINK SLIP)</i>			

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1140 Miller, Vickie L.	3110 E. Boonville-New Harmony Rd. City 47711	Tech. Spr. & MadTech/Lead	25,908 00	9

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Kennedy* DATE 8-2-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
505 105Q 100	Dawne Kahre		Clerk/Typist	14263 00	7-26-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Ray Hamer

DATE 7/30/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department TREASURER (CORRECTED COPY)

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
103-112	James E. Lindenschmidt	2023 Polster	Chief Deputy	28,887 00	7-30-93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Jayne Berry-Blank

DATE July 9, 1993

(CORRECTED COPY)

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	HR	EFFECTIVE
136.1-1990	TIMOTHY S. PIERCE		PART-TIME CORRECTION OFFICER	5.00	HR	7-12-93
505.01362 1990	EDWARD L. WILLIAMS		PART-TIME CORRECTION OFFICER	5.00	HR	7-12-93
136-1970	ELIZABETH P. PORTER		PART-TIME BAILIFF	5.00	HR	7-12-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	HR	EFFECTIVE
136.1-1990	GREG WALKER		PART-TIME CORRECTION OFFICER	7.00	HR	6-28-93
136-1990	LEA SCHULTEIS		INTERN	4.75	HR	7-6-93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*[Signature]*  
JUDGE, CIRCUIT COURT

DATE

7/27/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CENTER ASSESSOR

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	HR	EFFECTIVE
249011101990	JANET CORDER	7788 OUTER GRAY MEMBURGH 47630	PT TIME FIELD R.E.	HOUR 7	00	7-27-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	HR	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*[Signature]*

DATE

7-27-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department PROSECUTOR 505-108 B and 505-108 G *sd*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
108B1110108B	Misty Silkey	1052 E. Heerdink Ave	Ass't. APS	5.00	7-26-93
108G1120108G	Misty Silkey	1052 E. Heerdink Ave.	Ass't APS	5.00	7-26-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
108B1110108B	Amy Sarff	2021 N. Thomas	Ass't. APS	5.00	7-26-93
108G1120108G	Amy Sarff	2021 N. Thomas	Ass't APS	5.00	7-26-93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Stanley M. Levco* DATE 7-28-93

Stanley M. Levco

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Pigeon Township Assessor - REASSESSMENT *sd*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490- 1150-1990	Sandra B. Boyd	1212 S. Kentucky	Part Time Data Coll.	Hourly 7 00	7/30 93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490- 1150-1990	Tina Marie Garris	408 Kings Path	Part Time Data Coll.	Hourly 7 00	7/27 93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Diana G. Fox* DATE 7-28-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department PROSECUTOR 108 *sd*

### APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
108012301080	Johnny W. Watkins	3005 Nevada Ave.	Investigator	21,660.00	7-26-93
		(6 Month Step)			

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

### RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
108012301080	Johnny W. Watkins	3005 Nevada Ave.	Investigator	20,654.00	7-26-93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY: *Stanley M. Levco* DATE 7-28-93  
Stanley M. Levco

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department PROSECUTOR 505-108 M transfer to 108 PROSECUTOR

### APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
108013001080	Nancy A. Haerle	1017 MacArthur	ParaLeg Sec	20,523.00	7-26-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

### RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
108011201080	Nancy A. Haerle	1017 MacArthur	ParaLeg Sec	20,523.00	7/26/93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY: *Stanley M. Levco* DATE 7-28-93  
Stanley M. Levco



# Vanderburgh County Engineering Department

OLD COURTHOUSE, SUITE 307 - 201 NW FOURTH ., EVANSVILLE, IN 47708 812 424-8803

## Vanderburgh County Engineering Department

Agenda for August 2, 1993

1. Notice to bidders for the repair of the County Highway Garage roof *PT/RS*
2. Darmstadt Road bridge change order for \$4,055.00 — *PT/RS*
3. USI utility reimbursable agreement for \$1,158.54 for the relocation and repair of an electric line — *PT/RS*
4. Letter to approve of the proposed haul route for borrow dirt for the construction of a mobile home park at I-164 and Lynn Road. — *PT/RS*



SAM ONLEY & CO., INC.  
P.O. BOX 743  
JASPER, IN 47541-0743  
(812) 683-2565  
FAX (812) 683-5265

July 15, 1993

John Stoll, P.E.  
Vanderburgh County Board of Commissioners  
Old Court House  
Suite 307  
201 N.W. Fourth Street  
Evansville, IN 47708  
RE: Contract VC 93-0601

Gentlemen.

Enclosed you will find our policy for coverage of Railroad Protection Liability as previously discussed on the above mentioned project.

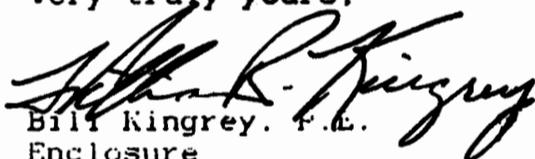
In addition and as agreed, the cost of this coverage will be handled through an E.W.A. (Extra Work Agreement) in the amount of \$4,055.00, with breakdown as follows:

Premium	\$ 3,687.00
+ 10% overhead	368.00
Total	<u>\$ 4,055.00</u>

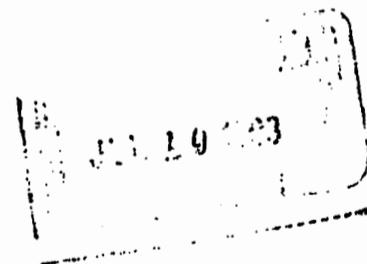
Therefore, please consider this our formal request for a contract increase in the amount of \$4,055.00.

Should you have any questions or need clarification on this matter feel free to contact me at your convenience.

Very truly yours,

  
Bill Kingrey, P.E.

Enclosure  
:80



CITY/COUNTY UTILITY REIMBURSEMENT AGREEMENT

THIS AGREEMENT, made and entered into this 2<sup>nd</sup> day of August A.D. 1993,  
by and between Board of Commissioners of Vand. Co.  
Rm 305 Civic Center Complex  
Evansville, IN 47708 (hereinafter referred to as the  
LPA),

and the University of Southern Indiana  
3600 University Blvd.  
Evansville, IN 47712 (hereinafter referred to as the Utility)

WITNESSETH:

WHEREAS, the LPA desires to make certain highway improvements,  
consisting of projects for the construction of USI Interchange  
Eichoff & SR 62 and the reimbursable  
utility work thereon is to be designated as Project C-E 180(A), and,

WHEREAS, the State of Indiana through the Indiana Department of Transportation  
hereinafter referred to as "State," has agreed to recommend approval of this project ~~to~~  
~~the Federal Highway Administration for construction with funds apportioned to the State~~  
~~under Public Law #85 as found in Title 23, United States Code and Acts amendatory~~  
~~thereof and supplementary thereto, and,~~

WHEREAS, the LPA ~~State~~ will award the contract and supervise the construction of the  
project ~~and act as Liaison agent for the \_\_\_\_\_ with the Federal Highway~~  
~~Administration, and,~~

WHEREAS, due to the said highway construction, certain adjustments, removals,  
alterations and relocations of the existing facilities of the Utility will have to be made as  
shown on Exhibit "A" attached hereto and by this reference made a part of this  
agreement, and,

WHEREAS, it is necessary for the parties hereto to comply with the applicable  
terms and provisions of the Federal Highway Administration's Federal-Aid Highway  
Program Manual Volume 6, Chapter 6, Section 3, Subsection 1 (hereinafter called  
FHPM 6-6-3-1) dated September 6, 1985, and Federal-Aid Highway Program Manual  
Volume 6, Chapter 6, Section 3, Subsection 2 (hereinafter called FHPM 6-6-3-2) dated

September 6, 1985, ~~in order to obtain Federal participation in the payment of the costs involved herein, and,~~

WHEREAS, it is in the best interests of the Utility and the LPA, for the Utility to make the necessary adjustments, removals, alterations and/or relocations of its existing facilities as shown on Exhibit "A" with the Utility's regular construction and maintenance forces, or by a contractor paid under a contract let by the Utility.

NOW, THEREFORE, for and in consideration of the mutual covenants herein recited, the Utility and the LPA do herein agree as follows:

SECTION I. The Utility with its regular construction or maintenance crew and personnel, at its standard schedule of wages and working hours, or by an approved contractor as set forth in Paragraph 9 of FHPM 6-6-3-1, will make the necessary adjustments, removals, alterations and/or relocation in its existing facilities as shown on Exhibit "A". The preliminary estimated cost thereof is \$ 1158.54 as shown on the estimate attached hereto, marked Exhibit "B", and prepared in accordance with Paragraph 10 of FHPM 6-6-3-1 which said Exhibit "B" is hereby made a part of this agreement.

SECTION II. The Utility will be reimbursed for its actual costs of the work in Exhibit "B" upon presentation of itemized bills to the LPA from the Utility; said itemization being shown and said costs being computed by and in accordance with the methods and procedures set forth in Paragraph 10 of FHPM 6-6-3-1. The Utility accounts ~~and the accounts~~ and records of any contractor or subcontractor involved in carrying out the purpose of work shall be kept in such manner that they may be readily audited and actual costs determined, and such accounts shall be available for audit by auditors of the Indiana Department of Transportation, and the ~~Federal Highway Administration~~ <sup>LPA</sup> for a period of not less than three (3) years from date final payment has been received by the Utility in accordance with Paragraph 10.i.(3) of FHPM 6-6-3-1.

Should the accumulated costs of the work materially exceed the

Exhibit "B" preliminary estimated costs, due to conditions not known or anticipated at the time of estimate preparation, and no substantial change in the scope of work, method of installation, change in location, or other changes of similar nature has taken place, the Utility shall notify the LPA in writing of such fact and the reasons therefor as promptly as possible.

The payments to the Utility will be made on the basis hereinafter set forth;

Progress or Final Billing. The Utility may submit progress billings reflecting the actual cost incurred or it may submit a final billing upon completion of the project. It is agreed that progress payments be made by the LPA to the Utility for not more than ninety-five percent (95%) of the total amount of work done as shown on monthly statements or when the amount due the Utility equals \$1,000.00 or more, said progress billing to be paid within sixty (60) days of receipt. It is further agreed that upon receipt of a final bill, prepared in the same format as the estimate Exhibit "B", the Utility shall be reimbursed for such items of project work, project expense, and project retainage within ninety (90) days after issuance of the audit report.

Provided, however, that all relevant books, records and accounts of the Utility and the accounts and records of any contractor or subcontractor involved in carrying out the proposed work to which a payment for a relocation has been made by the LPA, shall be audited by the State <sup>or the LPA</sup> and the Utility following such audit shall delete those items from the final bill or refund that portion of the payment for which it is not entitled to reimbursement. The billing shall be compatible with the format as used in Exhibit "B."

SECTION III. The Utility shall not start work on the work contemplated by this Agreement until written notice has been given to the Utility by the LPA that the work has been authorized and that funds are available to reimburse the Utility, nor until a satisfactory starting date has been established with the appropriate District Engineer

of the State.

SECTION IV. FHPM 6-6-3-1 and FHPM 6-6-3-2 form an essential part of this Agreement, and terms or provisions of this Agreement shall in no way abrogate or supersede the terms or provisions set forth in said FHPMs provided, however, notwithstanding said terms and conditions, the LPA shall reimburse the Utility for the work or expense shown on Exhibit "B" and all other work or expense performed or incurred pursuant to the written direction of the LPA.

SECTION V. The Utility, its contractor and subcontractors, if any shall not discriminate against any employee or applicant for employment, to be employed in the performance of this contract, 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, national origin or ancestry. Breach of this covenant may be regarded as a material breach of the contract.

SECTION VI. The Utility for itself, its employees, agents and representatives, shall indemnify, protect and save harmless the County of Vanderburgh and the State of Indiana from and against any and all legal liabilities and other expenses, claims, costs, losses, suits or judgments for damages, or injuries to or death of persons or damage to or destruction of property (hereafter "Claim"), arising out of intentional tortious acts of or arising out of the contributing or sole negligence of the Utility, its employees or agents or contractors, in relation to or in connection with any work performed or to be performed pursuant to this Agreement, provided, however, that where said LPA, IN Dept. of Transportation or the State of Indiana, is guilty of negligence with respect to the occurrence or occurrences giving rise to the Claim, the Utility shall have no duty to indemnify, protect, or save harmless the LPA, Indiana Department of Transportation, and the State of Indiana.



BOARD OF COUNTY COMMISSIONERS

Richard J. Borries  
Signature

Richard J. Borries

(Print or Type Name and Title)

Patrick Tuley  
Signature

Patrick Tuley

(Print or type Name and Title)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
(Print or Type Name and Title)

ATTEST:

Sam Humphrey  
Auditor

Sam Humphrey

(Print or Type Name)

ACKNOWLEDGMENT

STATE OF INDIANA

COUNTY OF Vanderburgh

On this 2nd day of August, 19 93 there appeared before me, a Notary Public in and for said (County) \_\_\_\_\_, and Richard J. Borries, and Patrick Tuley respectively, of the Board of Commissioners of Vanderburgh County and stated that the above agreement was signed and attested in behalf of said County.

Witness my hand and seal this 2nd, day of August, 19 93  
My Commission Expires:

~~JOANNE A MATTHEWS~~  
~~NOTARY PUBLIC STATE OF INDIANA~~  
~~VANDERBURGH COUNTY~~  
~~MY COMMISSION EXPIRES JUNE 12, 1996~~

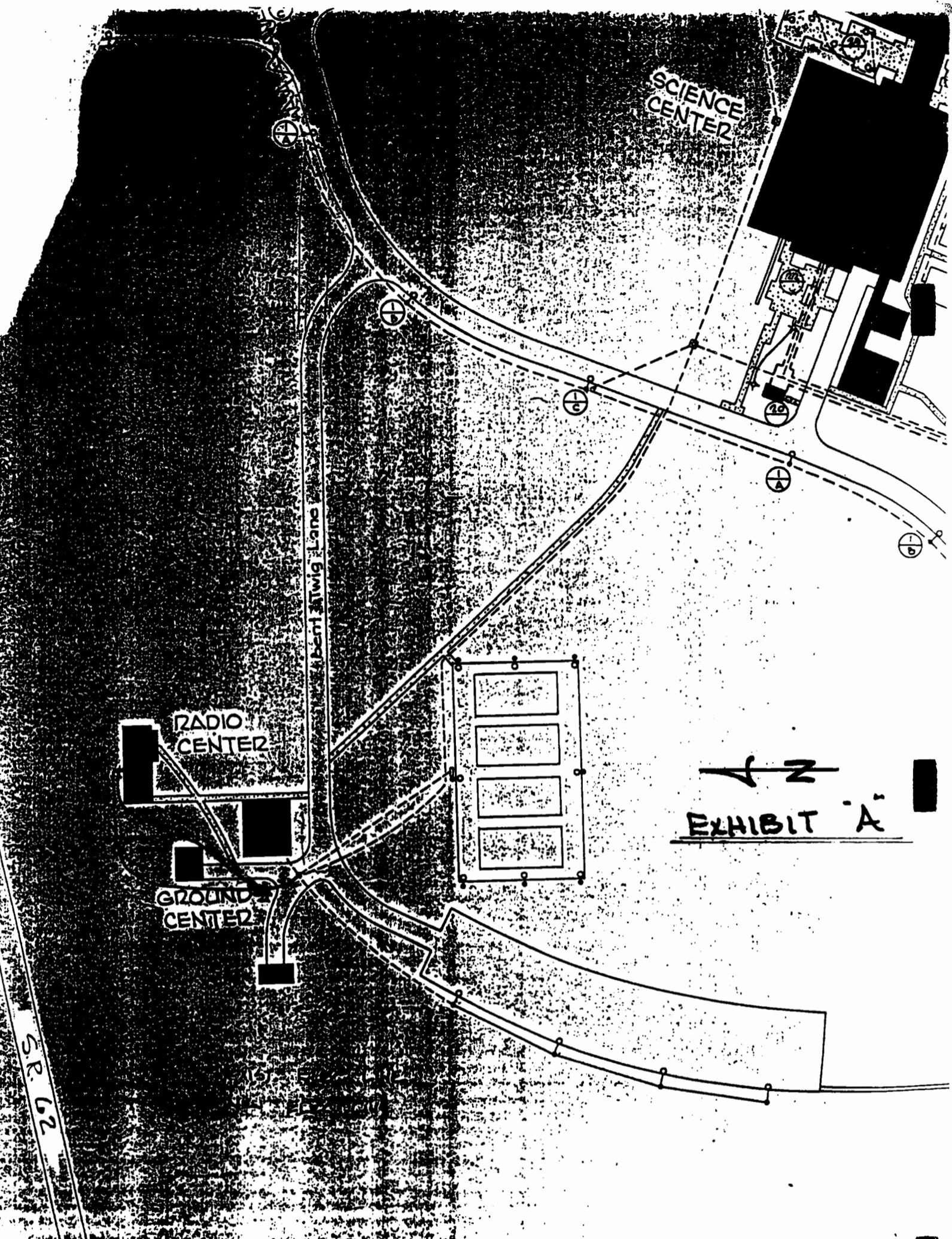
My County of Residence:  
Vanderburgh

Joanne A. Matthews  
Notary Public

Joanne A. Matthews

(Printed)





SCIENCE CENTER

RADIO CENTER

GROUND CENTER

Bent Twig Lane

← Z  
EXHIBIT A

SR 62

a

b

c

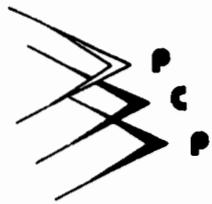
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**EXHIBIT "B"**

1. **Process Chemical Piping, Inc.**  
**Mt. Vernon, Indiana**
  - **emergency repairs of electrical service to  
USI Radio Center on July 1, 1993** **\$ 298.54**
  
2. **Wayne Campbell Electric, Inc.**  
**Evansville, Indiana**
  - **low-bid to relocate electrical service to  
USI Radio Center** **\$ 860.00**

**\$1,158.54**



**Process Chemical Piping Inc.**

P.O. Box 653  
Mt. Vernon, IN 47620

EXHIBIT "B"

INVOICE

NUMBER: PCP - 5050-93

THIS NUMBER MUST APPEAR ON CHECK,  
CREDIT MEMO OR ANY CORRESPONDENCE  
PERTAINING TO THIS INVOICE

DATE: July 1, 1993

TERMS: Net 30 Days Unless  
Otherwise Specified

CLIENT OR VENDOR ORDER  
NUMBER OR AUTHORITY FOR CHARGE.

TO: University of Southern Indiana  
8600 University Boulevard  
Evansville, IN

Attn: Accounts Payable

HOURS	PARTICULARS	UNIT RATE	AMOUNT
	Electrcial services for the emergency repair on electric feeder of the radio station.		
	<u>LABOR:</u>		\$212.75
	<u>MATERIAL:</u>		82.06
	<u>SALES TAX:</u>		3.73
	THANK YOU!		\$298.54

WAYNE CAMPBELL  
ELECTRIC, INC.  
19400 N. Barton Road  
EVANSVILLE, INDIANA 47711

EXHIBIT B

# PROPOSAL

Page No. \_\_\_\_\_ of \_\_\_\_\_ Pages

(812) 867-2910

To: University Of Southern Indiana  
8600 University Blvd.  
Evansville, IN 47712

JOB NAME NO	
LOCATION	
PHONE	DATE
	7-20-93

I hereby submit specifications and estimates for:

Labor and material to trench and install one 4/0 URD feeder cable from radio transmitter house approximately 175 ft. and splice onto existing 4/0 feeder cable in lawn area.

Considering overtime labor may be necessary to complete job.

RECEIVED

JUL 21 1993

PURCHASING DEPT.

WE PROPOSE hereby to furnish material and labor — complete in accordance with these specifications, for the sum of:

Eight Hundred Sixty

dollars (\$ 860.00)

Payable as follows:

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature

*Wayne Campbell*

NOTE: This proposal may be withdrawn by us if not accepted within 30 days.

ACCEPTANCE OF PROPOSAL — The prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature \_\_\_\_\_ Date \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_



University of EXHIBIT "B" DATE  
**Southern Indiana**

8600 UNIVERSITY BOULEVARD  
 EVANSVILLE, INDIANA 47712

07/23/93

0400113

*Bob Mills*

APPROVED BY STATE BOARD OF ACCOUNTS 1991

NOTE: PURCHASE ORDER NUMBER MUST BE REFERENCED ON INVOICE  
 SEND ITEMIZED INVOICES TO: Accts. Payable.

TERMS

I

F.O.B.

- DEST.-PREPAID

QUOTE NO./QUOTE DATE

EXPECTED DELIVERY DATE

PURCHASING CONTACT  
**EBBIE WEIGAND**

PHONE  
**812/464-1848**

REQUEST NO.  
**R016517**

DEPARTMENT/INTERNAL NO.  
**00220**

VENDOR I.D. NO.  
**A0000022260**

V  
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 WAYNE CAMPBELL ELECTRIC  
 19400 NORTH BARTON ROAD  
 EVANSVILLE IN 47711

S  
H  
I  
P  
T

PHONE /357-2910

ACCOUNT NUMBER	PERCENT	AMOUNT	ACCOUNT NUMBER	PERCENT	AMOUNT
1-15000-6990	100.00				

NO.	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	EXTENSION
01	1.00	LOT	<p><b>CONFIRMING ORDER</b></p> <p>... WRITTEN QUOTE BY W CAMPBELL DATED 7/20/93</p> <p>... TELEPHONE ORDER TO WAYNE 7-26-93</p> <p>LABOR AND MATERIALS NEEDED TO REPLACE AND SPEICE CABLE FEEDING RADIO STATION FROM TRANSFORMER SPLICE, TRENCH AND BACKFILL 175' OF 4/0 UNDERGROUND ELECTRICAL FEED FROM RADIO CENTER TO TRANSFORMER SOUTHWEST OF RADIO CENTER LOCATED IN MAINTENANCE DRIVE BY GROUNDS CENTER. CONTRACTOR WILL LOCATED ALL UTILITIES BEFORE TRENCHING AND WILL SEND AND STRAW TRENCH AFTER IT IS BACKFILLED. SOME WORK MAY BE REQUIRED AFTER 5:00 PM DUE TO RADIO BROADCASTING. PLEASE COORDINATE WORK SCHEDULE WITH MIKE FULLING AT 465-1060</p>	860.0000	860.00

VOUCHER DATE

TOTAL

\$

860.00

VENDOR INVOICE NO

VOUCHER NUMBER

PURCHASING

Page

1

ELECTRICAL PROPOSAL

Rejected Bids



429 S. E. Eighth St. P. O. Box 508 Evansville, Indiana 47703  
Phone (812) 424-7931

University of Southern Indiana  
8600 University Boulevard  
Evansville, Indiana 47712  
  
Attn: Debbie Weigand

Date July 22, 1993  
Project \_\_\_\_\_  
Location \_\_\_\_\_  
A & E \_\_\_\_\_

Base Bid \$1,374.00

ALTERNATES		
	ADD	DEDUCT
1.	\$	\$
2.	\$	\$
3.	\$	\$
4.	\$	\$

Further clarification of our proposal is as follows:

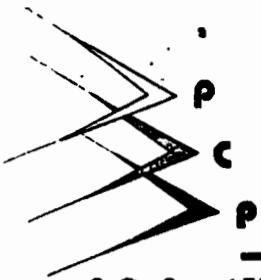
Labor, tools and materials for the electrical work involved to furnish trench wire and backfill to reroute the underground service to the Radio Center from the transformer.

RECEIVED  
JUL 23 1993  
PURCHASING DEPT.

This proposal will remain in effect and will not be withdrawn for a period of 30 days or for the same period of time required by the contract documents for the general contractor in regard to the prime bid.

  
By \_\_\_\_\_ Project Manager  
Charles Weber (Title)  
SWANSON-NUNN ELECTRIC CO., INC.

PROPOSAL NO. \_\_\_\_\_



## Process Chemical Piping Inc.

P.O. Box 653

Mt. Vernon, IN

(812) 838-0071

July 2, 1993

Mike Fulling

University of Southern Indiana  
8600 University Boulevard  
Evansville, IN

Dear Mr. Fulling

We are pleased to submit to you the following quote of two thousand - one hundred - ninety five dollars, (\$2,195.00) for the installation of a new 275" 4/0 underground electrical feeder to the radio station per your instruction.

This price includes:

- 1.) cable
- 2.) trenching
- 3.) overtime pay for after hours work
- 4.) all lugs and connectors

Thank you for considering P.C.P. We look forward to doing business with you in the future.

Respectfully,

Keith A. Hinderliter  
Electrical Superintendent

KH/ao

RECEIVED

JUL - 7 1993

BLA

July 26, 1993

*approved*

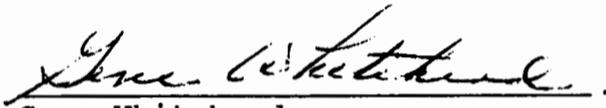
Vanderburgh County Commissioners  
Room 305 Civic Center Complex  
Evansville, IN 47708

Dear Commission Members:

I respectfully request permission to place a 24 inch thick earth cushion across the frontage road constructed off Lynn Road south of I-164 so that I can haul dirt from my borrow area to construct a new mobile home park.

I will maintain this crossing with tapered edges so that the farmer for the adjoining property can get across it. I will remove this cushion when the hauling is completed.

Sincerely,

  
Gene Whitehead

jqm/gw/tac

cc: Morley and Associates, Inc.

July 26, 1993

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

Dear Commission Members:

I farm the Loge property which is the only other property, in addition to the Whitehead property, that is served by the frontage road constructed by the State Highway south of I-164 on Lynn Road.

I have no objection to allowing Mr. Whitehead to construct a 24 inch thick earth cushion across this frontage road so that he can haul dirt without hurting the frontage road. I understand that the earth cushion will be sloped so that I can drive over it.

Sincerely,

Donald Wether

jqm/gw/tac

# Legal Aid Society of Evansville, Inc.



ROOM 200, CIVIC CENTER COMPLEX • 1 NW MARTIN LUTHER KING, JR. BLVD. • EVANSVILLE, INDIANA 47708  
(812) 426-5173

July 20, 1993

Richard Borries, President  
Vanderburgh County Commissioners  
Room 305, Civic Center Complex  
1 N.W. Martin Luther King, Jr. Blvd.  
Evansville, Indiana 47708

Dear Mr. Borries:

Douglas D. French, president and CEO of St. Mary's Medical Center, 3700 Washington Avenue, has agreed to be on our board of directors. He will replace Gerald Elliott of Bristol Myers Squibb who resigned when transferred to a job that entailed travel. Please put his appointment on the agenda for your next meeting. We hope his appointment will be approved. Attached is a current board roster for your information. Thank you for your consideration of this matter. Please advise us once the appointment is approved.

Sincerely,

  
Sue Ann Hartig  
Executive Director

SAH:kgp

cc.doc  
enclosure  
cc: Douglas French

*approved*

**BOARD OF DIRECTORS**

July 21, 1993

President  
(1) Stephan Weitzel 424-7575 fax 421-5089  
Attorney, Ziemer, Stayman, Weitzel and Shoulders  
1507 Old National Bank Building  
Main Street  
Evansville, Indiana 47708  
home - 236 E. Buena Vista Road 47711  
Appointed by the Bar Association  
Term expires 1-94

Vice  
President  
(2) James Casey 426-1231 fax 464-3676  
Attorney, Bowers, Harrison, Kent & Miller  
Permanent Savings Building  
P.O. Box 1287  
Evansville, Indiana 47706-1287  
1300 Kingswood Drive 47715  
Appointed by the Bar Association  
Term expires 2-95

Secretary  
(3) Al Folden 426-5136 home 479-5471  
Probation Department, Juvenile Court  
Civic Center Complex  
825 Sycamore Street  
Evansville, Indiana 47708  
home - 1521 Olympic Court 47715  
Appointed by the County Commissioners  
Term expires 6-94

Treasurer  
(4) Dan Carwile, attorney at law 464-1395 fax 464-1388  
Trust Officer and Vice President  
Old National Bank  
420 Main Street, P.O. Box 207  
Evansville, Indiana 47702-0207  
527 S. Roosevelt 47714  
Appointed by the Bar Association  
Term expires 1-96

Member  
(5) Diane Floyd 473-5879 fax 474-6665  
A.G. Edwards & Sons, Inc.  
4424 Vogel Road  
Evansville, Indiana 47715  
home - 7501 E. Sycamore 47715  
Appointed by the County Commissioners  
Term expires 4-95

Member  
(6) Kim Johnson (w) 465-8427 (h) 867-0313  
Supervisor of Mathematics 1595 W. Hilldale 47710  
Evansville Vanderburgh School Corporation  
1 N.W. 9th Street  
Evansville, Indiana 47708  
Appointed by the Mayor  
Term expires 1-95 fax 465-8358

Member  
(7) John Staser 464-1599 fax 464-1386  
Trust Officer and Vice President  
Old National Bank  
420 Main Street  
Evansville, Indiana 47708  
home - 1675 W. Hillsdale Road 47710  
Appointed by the Bar Association  
Term expires 6-94

Member  
(8) Orvietta Shannon 464-0077 fax 464-8519  
Human Resources Director  
Hudson Valley Tree, Inc.  
225 West Morgan Avenue  
Evansville, Indiana 47710  
home - 4913 Ridge Knoll Drive 47710  
Appointed by the Mayor  
Term expires 6-95

Member  
(9) Patricia Muenchen 424-7711  
Evansville Courier  
300 E. Walnut Street, P.O. Box 268  
Evansville, Indiana 47702  
home - 204 Olde Newburgh Drive  
Newburgh, Indiana 47630  
Appointed by the Mayor  
Term expires 4-95

Member  
(10) Douglas D. French 479-4000 fax 474-7800  
President and CEO  
St. Mary's Medical Center  
3700 Washington Avenue  
Evansville, Indiana 47750  
home - 10166 Amber Court, Newburgh, IN 47630  
home telephone - 853-7426  
Appointed by the County Commissioners  
Term expires 8-94

Member  
(11) Brian Williams 423-3183 fax 423-3841  
Attorney, Kahn, Dees, Donovan and Kahn  
P.O. Box 3646  
Evansville, Indiana 47735-3646  
home - 2319 E. Mulberry Street 47714-2303  
Appointed by the Bar Association  
Term expires 1-94

Member  
(12) Kelly Lonnberg 422-7878 fax 421-9709  
Attorney at Law  
David Jones' Law Office  
123 N.W. 4th Street, suite 520  
Evansville, Indiana 47708  
home - 6407 Washington Avenue 47715  
Appointed by the Bar Association  
Term expires 5-95

Staff:  
Sue Ann Hartig, Executive Director  
Kevin Gibson, Staff Attorney  
David Kent, Staff Attorney  
Karen Paulin, Senior Legal Secretary  
Kathleen Rusche, Junior Legal Secretary  
office phone: 426-5173  
FAX number: 426-1091 or 426-5344

V  
F  
W

VETERANS OF FOREIGN WARS OF THE UNITED STATES

ALL AMERICAN COMMANDER



IVAN DIMMETT  
Post Commander, Indiana  
1985-86

July 30, 1993

To Whom This May Concern:

Mark Acker has done an excellent job for Post #1114  
as Service Officer in the past.

I highly recommend him for the position as County  
Service Officer for Vanderburgh County.

Regards,

Ivan Dimmett  
Commander Post #1114

Forty and Eight  
Voiture 471

July 29, 1993

VANDERBURGH COUNTY COMMISSIONERS  
Attn: Rick Borries  
Room 305  
City - County Bldg.  
Evansville, IN 47708

Dear Commissioner Borries:

Voiture 471, Forty and Eight, of Vanderburgh County, hereby wholeheartedly endorses Mark D. Acker, as the Vanderburgh County Veterans Service Officer. Mr. Acker, a Vietnam veteran, is thoroughly familiar with the federal and state regulations involved with filing benefit claims. During seven years as assistant service officer, his work resulted in hundreds of thousands of dollars coming to local veterans and their dependents.

Mr. Acker is highly regarded in the Veteran community, and has received the Kentucky Colonel and Indiana Sagamore of the Wabash awards for his work on Agent Orange legislation. He was awarded the Disabled American Veterans Occupational Award for 1986.

Mr. Acker is recognized for his efforts in coordinating the restoration of Soldiers and Sailors Memorial Coliseum, and is a tireless worker who freely gives of his time and talents. He is a true asset to the Evansville community.

For all these reasons, we endorse Mark for the position of Vanderburgh County Veterans Service Officer. By so doing you will be best serving the needs of your veterans and their dependents.

Sincerely,

*Bill Mitchell*

Bill Mitchell,  
Chef De Gaure  
40 and 8, Evansville

# Veterans Council of Vanderburgh County Indiana, Inc.

300 Court St., P.O. Box 3764  
Evansville, Indiana 47736-3764  
[812] 424-5879 422-2487 FAX 424-5879

July 29, 1991

VANDERBURGH COUNTY COMMISSIONERS  
Room 300  
City - County Bldg.  
Evansville, IN 47708

Dear Commissioners:

The Council of Veterans Organizations of Vanderburgh County, Inc., having a vested interest in the service provided by the Vanderburgh County Veterans Service Office, wholeheartedly endorses Mark D. Acker, as the Vanderburgh County Veterans Service Officer. Mr. Acker, a Vietnam veteran, having served for seven years as assistant county service officer, is thoroughly familiar with the federal and state regulations involved with filing benefit claims. His work has resulted in hundreds of thousands of dollars coming to local veterans and their dependents, directly benefiting them as well as boosting the local economy.

Mr. Acker is highly regarded in the Veteran community. He served as DAV state service officer and is serving as Chapter service officer for the DAV and service officer for American Legion post eight. He has received the Kentucky Colonel and Indiana Sagamore of the Wabash awards for his work on Agent Orange legislation. He was awarded the Disabled American Veterans Occupational Award for 1986.

Mr. Acker was named the Vanderburgh County Volunteer of the Year for 1989. He is recognized for his efforts in coordinating the restoration of Soldiers and Sailors Memorial Coliseum. Mark is a tireless worker who freely gives of his time and talents. He is a true asset to the Evansville community.

For all these reasons, we respectfully request that the County Commissioners award the position of Vanderburgh County Veterans Service Officer to Mr. Acker; by doing so you will be best serving the needs of your veterans and their dependents. On this basis, Mark D. Acker is our recommendation for this vital position of Vanderburgh County Veterans Service Officer.

Sincerely,



L.O. Montgomery, Commander

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

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FRIDAY, JULY 23, 1993 THRU THURSDAY, JULY 29, 1993

FRIDAY, JULY 23, 1993

Gradall and one truck installed culvert at 8040 N. St. Joe Road.  
Gradall and 2 crews worked on St. George Road.  
Patch crew worked on work orders.  
One crew cleaned paver and distributor.  
Tree crew worked on work orders.  
Two summer crews worked on work orders.  
Tiger mower worked on St. Joe Avenue.

MONDAY, JULY 26, 1993

Gradall and one crew repaired holes on Cypress Dale.  
Gradall and 2 crews worked on St. George Road.  
Two patch crews worked on work orders and Cypress Dale Road.  
Summer crews worked on work orders.  
Tree Crews worked on Schaeffer Road.  
Tiger Mower worked on work orders.

TUESDAY, JULY 27, 1993

Gradall and two crews worked on St. George Road.  
Gradall and three crews worked on Cypress Dale.  
Patch crew worked on work orders.  
Tree crews worked on work orders.  
Summer crews worked on work orders.  
Grader and one truck graded and rocked Hillside & Outer Darmstadt  
Tiger Mower worked on St. Joe Ave.

WEDNESDAY, JULY 28, 1993

Gradall and three crews worked on St. George Road.  
Gradall and six crews worked on Cypress Dale.  
Two Patch Crews worked on work orders.  
Summer crew worked on work orders.  
Two crews hauled concrete.  
Cycle Mower worked North and West sides.  
Grader and one truck graded and rocked River Road.  
Tiger Mower worked on St. Joe Ave.

THURSDAY, JULY 29, 1993

Gradall and two crews worked on St. George Road.  
Gradall and six crews worked on Cypress Dale.  
Two crews hauled concrete.  
Trash crew worked on regular route.  
Summer crews worked on work orders.  
Tiger Mower worked on Bayou Creek.  
One crew striped garage parking lot.  
Grader and one truck graded and rocked Fitzgerald and Co. Line E.  
Cycle mowers worked north and west.

**VANDEBURGH COUNTY BRIDGE CREW**  
**PROGRESS REPORT**  
**FRIDAY, JULY 23, 1993 THRU THURSDAY, JULY 29, 1993**

**FRIDAY, JULY 23, 1993**

Crew #1 - cut weeds and mark bad spots on Ohio St. Bridge.  
Crew #2 - install pipe on St. George Road.  
Crew #3 - install pipe at 8040 N. St. Joe Road.

**MONDAY, JULY 26, 1993**

Crew #1 - add 8' pipe to existing culvert on Orchard Road, seal culvert at 9500 St. Joe Road.  
Crew #2 - saw areas for storm drains on 12th Avenue.  
Crew #3 - worked on St. George Road.

**TUESDAY, JULY 27, 1993**

Crew #1 - repair drains on 12th Ave, saw road for culvert on St. George Road.  
Crew #2 - remove rip rap and clean out culverts.  
Crew #3 - worked on St. George Road.

**WEDNESDAY, JULY 28, 1993**

Crew #1 - install 8' drain pipe on Cypress Dale.  
Crew #2 - build inlets on St. George Road.

**THURSDAY, JULY 29, 1993**

Crew #1 & backhoe - install drain pipe on Cypress Dale.  
Crew #2 - cut grating and rip rap and pick up barricades on St. George Road.

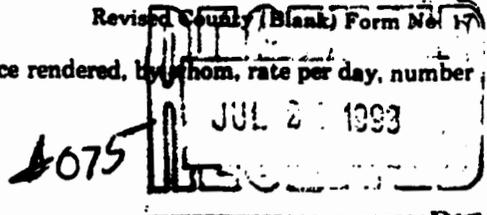






Claim to be properly itemized, must show: Kind of service where performed, dates service rendered, by whom, rate per day, number of hours, rate per hour, price per foot, per yard, per hundred, per pound, per ton, etc.

Vanderburgh County, Indiana



To ... Sam Oxley & Co., Inc. ... Dr.

On Account of Appropriation For ... VC-93-0601 ... 203 - 4342

19. 93	Order Number	ITEMIZED CLAIM	DOLLARS	Cts.
7-15	93	Total complete to date <i>Job 849</i>	5 3 9	5 9 06
		less: Retainage 5%		2 6 9 7 95
<i>St. #2</i>		Previous applications	3 9 6	7 1 11
		TOTAL DUE THIS APPLICATION	1 1 5	9 0 00
		<i>7/1/93 - 7/15/93</i>		
		WE APPRECIATE YOUR BUSINESS!		

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

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

Sam Oxley & Co., Inc. *Sam Oxley* Sec./Tres. Title

Date July. 19, ..... 19 .. 93 ..

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







**MINUTES  
COUNTY COMMISSION MEETING  
AUGUST 9, 1993**

**I N D E X**

<b><u>Subject</u></b>	<b><u>Page No.</u></b>
Meeting Opened at 5:30 p.m. ....	1
Introductions & Pledge of Allegiance .....	1
Vanderburgh Auditorium/Parking Problems .....	1
Assistant County Attorney/Keith Rounder .....	6
Superintendent of County Bldgs./Mark Abell .....	6
A.D.A./Request for Interpreter for Deaf Employee during A.D.A. Committee Meetings (M. Abell to send letter to determine if we have someone on the County staff who can perform this function)	
Interpreter for Public Meetings; K. Rounder advises County should avoid taking any ADA funding for purposes of interpreter for the deaf for the general public during public meetings	
County Highway - Bill Morphew .....	7
Weekly Progress Report County Line Rd. West Consideration of Lease-Purchase Equipment	
County Engineer - John Stoll .....	10
County Line Rd. West/Agreement Change Order/USI Project (\$362.84 decrease) Proposals re Traffic Control/USI Project Street Acceptance/Revision/Bolin Meadows-Section C Street Acceptance/Meridian Subdivision Agreement between the County & the State re Bridge Inspection Agreement between the County & United Consulting Engineers re Bridge Inspection Lynch Rd. Project/J. Stoll to review requests re purchase of houses in line with the proposed Lynch Rd. Extension Project	
Consent Agenda .....	12
Old Business .....	12
MDA Fund Raiser/Burdette Park (M. Abell to require specific documentation as outlined by the Board of Commissioners by no later than 8/27/93	
New Business .....	13
Appointment to Airport Authority District Board (John K. Browning effective immediately) Budget Hearings	
Meeting Adjourned @ 6:45 p.m. ....	13

MINUTES  
COUNTY COMMISSIONERS MEETING  
August 9, 1993

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Monday, August 9, 1993 in the Commissioners Hearing Room with President Rick Borries presiding. Mr. Borries said that Commissioner Don Hunter will not be present today, as he is still on vacation.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order, welcomed those present, introduced members of the County Staff (Mark Abell, Ann Michel, Keith Rounder (substituting for Alan Kissinger, who is also on vacation), Commissioner Tuley, himself, County Auditor Sam Humphrey and Joanne Matthews) and asked the group to stand for the Pledge of Allegiance.

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

RE: VANDEBURGH AUDITORIUM/PARKING PROBLEMS

Auditor Humphrey said that he's had a series of events occur, with the most recent being last Tuesday, he believes, where one of the employees in his office had purchased parking space in the Auditorium Parking lot for a full month and paid a fee, but was displaced because the facility was leased/rented to another body. When this occurs, they must go to the back parking lot. He's been told that at that time school buses were in the back lot and there were no parking places except in the metered slots. He believes these are three hour meters. Employee must then get up and go plug the meter; or, if they get busy and overlook it -- the employee gets a ticket -- and this happened. He is getting a lot of static in his office and he is certain other offices are, too. What is actually happening -- it's like the old promotional thing -- 'He who sells what isn't his'n, goes to prison'. They've sold this place for a full month and then displaced the employees and that is not right. He doesn't know what the Commissioners can do about it, but something should be done to address that. And, he's told this occurs several times a month.

Commissioner Tuley said this has been addressed. A couple of months or so ago when this whole thing came to a head so to speak, he believes Sandy Toten provided the Board with some numbers in terms of how much it cost to park at other facilities downtown and that is why the rate is so reduced in the Auditorium parking lot, because there's been (and he's quoting from memory here) five times where this had to happen?

Ms. Toten interjected, "In one year. There are two situations on the lot. One, yes, we give the tagholders a notice when they buy their tag, saying these are the dates during the month that you're buying your tag for that you will not be allowed on the lot at all. That particular scenario -- and again recalling from memory, and it may be in the minutes of the June 1st meeting, where I gave information on the lot -- like four times in one year, the first year we were in the Auditorium. The second scenario we use is when they buy their tags. With each tag we give a small slip which says (and this is out of convenience; we felt we should give the employee this information -- and it is always worded)

"To All Parking Tag Holders: We will be having daytime events on

the following dates. (Then we give the dates.) For your convenience, we suggest that you do not move your car during lunch hour or any other time after the lunch hour in order to assure your parking space." We are warning them there could be people on the lot. To insure their parking space that they paid for, we are suggesting they make other arrangements during lunch. Or if they go off the lot, then they are forewarned there may not be that particular parking spot available that they've always parked in. There may be one out towards Walnut Street more, but not that particular spot they've always parked in. And she thinks those people have parked in that lot long enough that they know that Jane's spot is here and John's is there, etc., and they don't park in those spots. Ms. Token said she doesn't know what else they can do. These go out every month if there is something in the building. A copy of the letter goes to Marsha Bell's office informing her not to ticket anybody on the lot on certain days when there are events in the building -- so we don't have that problem.

Mr. Humphrey said they are getting tickets.

Ms. Token countered, "Not if the dates are on these sheets - they're not giving tickets. The last time we closed the lot off to our tagholders was April 29th for the Old National Bank Corp. luncheon where they had almost a thousand people in the building. They bought that lot out. They reserved that lot for their corporate people to park in. That was the very last time that any of our tag holders were told they could not park on that lot."

Mr. Tuley asked if these spots are reserved?

Ms. Token said they are not reserved; but most everybody parks up towards Locust Street.

Mr. Tuley said if the last time that lot was leased/rented was in April, he's trying to figure out where Mr. Humphrey's complaint is coming from -- it sounds like something just happened.

Mr. Humphrey said this just happened.

Ms. Token said there are 162 parking spaces on that lot and she believes there are 20 City meters over which they have no control. The tagholder number averages about 75 per month. Some months, more; some months, less -- but 75 tagholders per month is a good average. So out of 162 spaces, this leaves a lot of empty spaces in the lot every day -- unless there is a set-up for an event in the building and they park in that lot (that is part of their contract) -- and then you're still just talking about a handful of cars, so there's still a lot of parking space on that lot.

Mr. Tuley asked if Mr. Humphrey knows when the ticket was for.

Mr. Humphrey said the individual talked to Mark Abell.

Mr. Abell said he believes it was in May -- she'd had it for a while. He recalls the day the school buses were parked in the North 40 and the City parking police were out directing traffic early in the morning.

Ms. Token said if it was May 11th, they had a staff meeting in the facility and those people coming in for testing were told they were not to use the lot. That doesn't matter to some people and their lot was full and a lot of tickets were issued. She is sure the Civic Center lot had a lot of the overflow, just as did Green's parking lot -- and that could have been the day she was trying to find the parking space. But she would be more than happy to research the date if she knows the date the ticket was issued. But they had two dates in May (May 11th and May 12th, the latter being SWIRCA Senior Days -- and, again, a note was given to each

tagholder with their tag purchase at the end of April -- so they had advance notice on this. She doesn't know -- if anybody has any better suggestion as to how to handle this with people -- and she's heard "You know, I pay my \$15.00 and I should get my service for my money" -- and yes, she did a great deal of research on updating Center City Corporations' parking survey that they did in 1989-1990 on parking costs in the downtown area. She spent two days putting those numbers together to come up with current numbers so she could do a real comparison -- the Auditorium lot as compared to other comparable lots. They're cheap. The bottom line is we are cheap -- \$15.00 per month is nothing compared to what everybody else pays for parking in downtown Evansville. It goes from \$25.00 to \$60.00 per month. At the June 1st Commission meeting she made the statement that she was under the impression when they took over that lot the reason the cost factor was so low (which it has not been raised in three or four years) is to offset some days that those tagholders were requested not to park on the lot because of events in the building -- which sounds quite fair to her. She also understands there is nothing in writing to that effect. Maybe there should be a directive from the Commissioners explaining the pricing on the lot and why it is low -- until some other decision is made with regard to the lot -- such as, are we going to go with all meters? Continue the tags and raise the \$15.00 to \$20.00, which is still below market?

Commissioner Borries noted that in the time he has been on the Commission we have improved technology to the point where we're way beyond putting people on the moon; we've had them go by the planet Saturn -- and we still have not been able to solve the problems on this Auditorium parking lot. Therefore, he shares Sandy's frustrations, as well as Sam's. He can recall when we paid a person to be out on the parking lot to collect parking fees. We then went to machines and technology and then pretty soon -- we never knew who it was -- but, again, we knew we had employees who want to walk across the street. If you have it free, it cuts down on all the revenue of the Auditorium, plus the fact there'd be all kinds of other crazy hard feelings, because you couldn't get all the County people to park over there anyway. And that's why we have this big lot across the street. So it always seemed feasible to charge a fee. When we went to the technology we had people coming in and trying to double pump the machine and the arm would come down and crunch the hood of their car and then they'd file a claim. We had incidents when some of the funds were mishandled because of problems and he remembers witnessing a situation where he had to confront an employee because we were not quietusing money in -- so that has been a problem. We've done everything on that lot. He wishes we could all work together. He doesn't know how to solve the employees' concerns because on a pretty day they don't all want to park there anyway -- they want to park there when it is 95 degrees and up or 33 degrees and down and raining. We have certain days -- similar to today-- when nobody would use the lot, because they like to walk and you can see other people as you cross the street. But when it's 95 degrees and sizzling at 9:00 a.m. or the opposite at 4:00 p.m. and it's raining -- you get all kinds of frustrated people. He thinks we have to work together on this and he is always open to suggestions. He doesn't see a way where it would ever be feasible to make it free. We've done that at the Coliseum to make a statement for the downtown to try to create positive ways to encourage people to use the Center City and park there free. He thinks we have to be fair. In fact, he guesses that is the only thing we can do -- is be fair about this. If not -- and he thinks we are, in terms of the cost. He knows, because one person who served on this Board (Mark Owen, who is a property manager and can quote what the rates are across from the Y.M.C.A. -- and they are probably double what is being charged here. So, in effect, employees are getting a service over there. And fairness is something we do have to be concerned about. But he will have to stop short of saying it is free, because he thinks that would create chaos, too -- we couldn't get everybody over there.

Mr. Humphrey said if the City wouldn't issue tickets -- isn't that one of the reasons for the tags?

Ms. Toten said that is one of the reasons for the back-in parking and going to one color on the tags -- because.....

Mr. Humphrey said if there was a tag on the car and a ticket was issued, he is assuming Ms. Toten could address that with Marsha Abell.

Mr. Tuley said he would think.

Mr. Borries said he thinks it would take some communication, some cooperation -- he really doesn't have any magic on this as to if we could refund that ticket. But short of spending a lot of money on a machine he doesn't know of a solution to this.

Mr. Tuley said that maybe a joint letter with Marsha -- having her sign that in the event on one of those identified days when employees are not supposed to park there because something else is going on -- if you park at one of those meters you will not be ticketed.

Ms. Toten said Ms. Abell does not ticket the meters. The meters have nothing at all to do with any of the requests on that lot. If they have a sold out lot or they've asked the tagholders not to park on the lot, people can still park at the meters.

Mr. Tuley asked, "Free?"

Ms. Toten responded, "No, they have to pay -- but they're allowed to come onto the lot.

Mr. Tuley remarked that he misunderstood.

Mr. Borries asked if Ms. Toten sees the meters as a cost effecting thing? The City gets a certain part of the revenue and the County gets a certain part of the revenue?

Ms. Toten said that right now the meters that are on the lot (which, she believes numbers twenty) -- the City collects 70% of the revenue and the County gets 30% put into the General Fund. She doesn't know who negotiated this. For a while she was getting the numbers from Marsha Bell -- she has them available. She thinks if we're looking to totally meter the lot, maybe that is the solution. She knows Andy has been checking into that. Before that happens, we'd need to give a 30 day written notice to the City to re-negotiate that ordinance, because 70%/30% is not a fair split on that.

Mr. Borries said there is probably no magic on those figures -- that is probably based on population of the county. He was even questioning if it is cost effective to do it the way we are right now with those meters. Take the meters out and have more monthly payers. In response to query, Ms. Toten said those are 10-hr. meters.

Ms. Toten said she doesn't think we will ever get that lot full of monthly payers. Even in the winter the most people who have bought tags on that lot was 122 people. With all the havoc that goes on with the tagholders, she doesn't know that we'd ever fill up the lot with tagholders.

Mr. Tuley said at the risk of making everybody in this building mad when he says this, the only guarantees in life are life, death and taxes -- and a place to park close to the Civic Center is not going to be on that list for a long time to come. But he thinks it sounds as though the way Ms. Toten is trying to do it is the way to do it. If everybody is made aware of the fact -- and we send a

letter saying this is why it only costs you \$15.00 per month is because there will be certain days that you're not going to be able to park there.

Ms. Toten said she thinks this has to be something of record. Her experience is if it's not something that becomes an official record, then everybody will stand and argue the point with you. Commissioner Tuley said he travels the State and there is never enough space to park when you're trying to get close to a Court House. It doesn't make any difference -- that parking lot could be twice the size and people working down town who park there and use the trolley -- the lot is not big enough. But that is the problem you have no matter where you go. We're actually fortunate -- even though it costs to park over there, we're fortunate that we have a place to park that close to the building.

Ms. Toten said that since we made the new rules on the lot and some things have already been corrected off her original goal that she set out, such as the half hanging light pole on the bus stop that has been there for years -- it's just been hanging there and never used -- it took an act of Congress to find out who that belonged to and have them get it off the building. Well, it finally came down and it looks better. There are still a lot of improvements that need to be done to the lot as far as directional arrows and our handicapped parking spaces need to be put down yet. Probably the majority of people she is hearing from are commending them for doing certain things on the lot -- even the backing in. She's heard more good things about that than she has bad things -- except the good things are never heard by the masses. So she thinks they are doing right over there.

Auditor Humphrey said the Commissioners have that same feeling -- all the good they do nobody hears about it. But if they make a mistake everyone hears about it.

Ms. Toten said she is open to suggestions. That doesn't mean she can do them. She can't accommodate everybody -- but, as she said, she is open to good, sound suggestions.

Mr. Tuley suggested sending a letter to the officeholders located in the building to disseminate that among their employees and explain why it is the way it is and let it go at that.

Mr. Borries said we could give some comparisons here, Lot A by the Y.M.C.A., etc. -- he thinks the parking fee is more than reasonable. The Commissioners try to accommodate the employees as well as the public and it's a real tightrope and you sometimes fall off.

Ms. Toten said if it is a parking violation ticket that was issued on their lot on a day that Marsha Abell's office was asked not to ticket, anybody, then she has been very good about voiding out those tickets because one of her people forgot -- even though everything is posted in her office and it is double checked. She and Ms. Abell have an open line of communication insofar as the parking lot and the front drive are concerned. So she would think Ms. Abell would take care of that.

Mr. Humphrey said as he recalls, he thinks this took place on the back lot.

Ms. Toten said she wouldn't have anything to do with that.

Mr. Abell said he would make one comment he thinks is important, for many reasons. That is, is it safe to say that we don't provide employee parking as a rule?

Mr. Tuley responded, "Pretty safe."

Mr. Abell continued, "I think that is important to say, because with the ADA there are some handicapped parking issues that ..."

Mr. Borries said, "I think we provide parking wherever available in what is considered the 'Back Forty' -- I mean, that is a public lot for employees as well as the public."

Mr. Bell said that was his point.

Mr. Borries said, "We've always had a payment attached to the Auditorium parking lot. The dilemma has always been what is the fairest way; what is the most efficient way -- and we've tried everything."

Ms. Toten said, "Well, I can't afford to put a union person out there all day to collect."

Mr. Borries said it is a problem and the Commissioners will try to communicate and be as fair as we possibly can.

Mr. Tuley said that Ms. Toten is probably right. They are probably in the minutes of that meeting; he remembers seeing it and that is why he brought that back up.

Mr. Borries thanked Ms. Toten for being here and said he appreciates her work.

RE: COUNTY ATTORNEY - KEITH ROUNDER

Commissioner Borries asked if Assistant County Attorney Rounder had anything to report today.

Attorney Rounder said he has nothing to report.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

ADA: Mr. Abell said that with regard to an ADA issue, we have a girl who represents one of our departments as a liaison who is deaf and we will need to be having an interpreter for her at the monthly ADA meetings. The fee for interpreters is \$30.00 per hour and he was wondering if that is something he can take out of extra contractual services or .....?

Mr. Borries asked, "County Auditor?"

Mr. Humphrey asked, "Does a blind person need a seeing eye dog?"

Mr. Borries, "If the ADA..."

Mr. Abell said, "If that was the case. It is good to have -- that is what we want on the committee as we go towards our goal of the transition plan. We need disabled people and their input. But, again, there are the various ramifications that come from that."

Mr. Borries asked, "Have you talked with the Deaf Association people?"

Mr. Abell said that he has.

Mr. Borries asked, "And that's their fee? How often do you meet?"

Mr. Abell replied, "Yes. Once a month."

Mr. Borries said he thinks we will have to take this out of contractual services.

In response to query from Commissioner Tuley, Mr. Abell said the monthly ADA meetings normally last two hours; but they will have one that will probably be three hours in length. He would say,

however, that the meetings average two hours.

Mr. Borries asked, "Do we know of anyone on our staff who signs -- or any County employee. I wonder if we could send out a memo to see if we have anyone who signs."

Mr. Abell said he hasn't done that yet; but he can do that.

Mr. Borries said it might be helpful to find out if we have anyone; we have a large work force and there might be some employees who are able to carry on that function. He then asked Mr. Abell to send out a memo saying we are in need of those services.

Mr. Humphrey asked if the School Corporation has anybody.

Mr. Borries said, "Oh, plenty -- you bet. They are not borrowed in the School Corporation. He's sure there would be some kind of service fee involved in that, but he can check. To provide services for deaf persons in class rooms they're accompanied by a person who can sign and in most of the schools where there are deaf students in our public schools they have staff available for them."

Mr. Abell said, "We may need in the County a line item for this type of thing as time goes by, where deaf people or those hard of hearing request, with reasonable notice, to attend any public meeting -- we should provide an interpreter. Just get a separate line item for ADA services, I guess."

Attorney Rounder commented, "If I could just make one short comment on that. With respect to public meetings, the ADA requires the County to take certain action with respect to its employees. It doesn't, I don't believe, require the County to take any action with respect to the general public. So you would want to avoid taking any money out of any account which was allotted for ADA purposes, if, in fact, you have such an account."

Commissioner Borries said, "We do not."

Attorney Rounder continued, "Well if, in fact, you create one it would, I think, have to be kept separate."

RE: COUNTY HIGHWAY - BILL MORPHEW

Commissioner Borries welcomed Mr. Morphey back from vacation.

Weekly Work Report: It was noted by Commissioner Borries that Mr. Morphey has submitted his Weekly Work Report for period of July 30, 1993 thru August 5, 1993.....report received and filed.

1993 Budgets: Mr. Borries said he guesses Mr. Morphey knows that budget hearings were held while he was gone.

Mr. Morphey said his father-in-law visited him on vacation and he relayed information that Council had questions concerning what he had asked for in the budget. What he did, he went over the budgets for the County Highway over the last seven or eight years to review what was asked for and what was needed and took into account the additional money they're going to need insofar as F.I.C.A., etc., and that is how he did the budget this year. And the amount of money they've had to go back to request for material -- rock, sand - he took all of this into consideration when he prepared the budget. He knows he is going to have to answer some questions and he doesn't mind.

County Line West: Mr. Tuley said he received a phone call today saying the pipe has been laid. Is the paving crew ready to go to work?

Mr. Morphey replied, "Well, yes and no. The gas line is done.

SIGECO has completed the gas line. But there is a problem and John Stall would like to address this. The Posey County Commissioners want a 20 ft. wide pavement and they are rather adamant about that. They do not want us to pave County Line West Road 18 ft. wide. It is going to take more money to pave it 20 ft. wide and they are not willing to pay for same. He almost gets a feeling they really don't want us to pave the road period.

Commissioner Borries said he knows it is an expense. He, too, feels that for the amount of time we're going to be able to look at this particular project seems to him to be feasible. He appreciates the budgetary problems and knows that is a major problem. If there are ways to work together to explore ways to cut the cost, either by them giving us some additional services on the road prep or whatever, it might be helpful. Otherwise, we may have to phase it in on a little different schedule or something of that nature.

Mr. Morpew said that is something he thought about doing. He and John discussed this for about half an hour this afternoon. He had thought about paving from St. Wendel Rd. down to the County Line -- getting that section this year and let the rest of it go from Baseline Rd. to Schmitt Lane. Then next year, pave a section of that from Baseline to the railroad track.

Commissioner Borries said he thinks this merits consideration; because we have budgetary restrictions just like they do. He doesn't know of any way we can resolve that. He can think of some possible additional sources of revenue. He, Sam and Pat have talked and he thinks Don Hunter has been involved. From the bonds in the overpass we don't know how much additional money we could have for other road improvements that could be specified there -- so we might have some additional sources there, but that is very iffy. And he would be very hesitant since we're just starting on the USI Overpass to make any kind of statements or commitments otherwise.

Mr. Tuley said he would ask that if the news media writes something on this that they make it very clear that if it does not get paved in its entirety this year that it is because of the hang-up on the extra 2 ft. width, which we are financially strapped to do it. In his opinion, it basically has been held up by Posey County because they are insisting upon the 20 ft. wide road -- but on their side of the road there are no residents; they all live on our side of the road.

Commissioner Borries said it has been a long time coming to get where we are and he wants to move forward.

Mr. Tuley said he is willing to go the 20 ft. if that is what it takes, but with the understanding that we may not get all of it done this year.

Mr. Borries interrupted that he thinks we're going to have to look at a different paving schedule. We can examine some different sources of revenue, but they're all iffy at this point. We simply can't make any commitments.

Auditor Humphrey said he has been asked to put \$1 million in local R&S this year and the Highway budget itself is limited by the funds the State allows us -- so those are the limitations. However, you can now displace some of those needs through buying through the local R&S equipment as you need it, and perhaps that is a possibility.

Mr. Morpew said he asked for \$350,000 for new equipment for the County Highway Department next year.

Mr. Humphrey said that will be restricted by the funds that the

State allows us.

Mr. Morphey continued by saying the amount of money that we're spending to maintain this equipment is starting to diminish. He has transferred money out of garage and motor twice and he will do it again probably once or twice more this year -- the reason being we do have some new equipment. We're not throwing money away on old equipment buying axles, engines, transmissions, etc. -- when you rehab an entire hydraulic system on a Gradall you're going to spend \$20,000. To completely re-do a truck you're going to spend another \$20,000 to \$15,000. He feels we're throwing money away by doing that. This equipment that is 15, 20 and 30 years old we need to get rid of. We need to start turning this equipment every five to seven years. We can reduce the maintenance and repair bills of this equipment by 75%. It's simply going to cost money to buy the equipment to get to a start up.

Mr. Borries said he knows at least one local bank has called and he knows all of them offer the services of leasing or lease-purchase types of things. He thinks this is at least a way to update and keep your equipment in current good condition and, again, avoid some of the things Mr. Morphey is talking about -- because when you get to equipment that is 16 or 17 years old, parts are hard to find and you're just limited as to how far you can go with certain pieces of equipment -- models change, etc. He thinks this perhaps is something we'll want to consider to maybe avoid some big cash outlays. There are all kinds of leasing plans out there and with the lower interest rates this may merit consideration. And when we're finished with the leased equipment we look at something else -- because this stuff does wear out and in the long run we end up paying more for it.

Mr. Morphey said the Gradalls were obtained on a lease-purchase and we made a final payment this year.

Mr. Borries said that hopefully they are still useful; of course, we've also done some major projects, not the least of which is St. George Rd. and other ones. Without those heavy pieces of equipment it would have cost the county a great deal more to do.

Mr. Humphrey said we went up to the Indiana Bond Bank and there was a program there that allowed you to do this. But Ruby Mentzel went up to that meeting and she told him she borrowed \$15 million from the Indiana Bond Bank last year. He asked her if she did a study as to whether it was cost beneficial. She said she had completed the study and the same cost here -- she would have saved about \$1,000 in the Indiana Bond Bank and all she had to do here was to put the application in to get it and they had to jump through for about three months to qualify for the Indiana Bond Bank. So it probably is not cost effective to do it. The money is available through the local banks and on a competitive basis.

Mr. Borries said he thinks this is something we need to look at and it may be that this will even reduce some of our cash outlay as to our purchase on some of this equipment.

Mr. Morphey said he tries to be as cost effective as he possibly can and we are trailoring our equipment through contract companies and he believes that will save us \$10,000 on equipment repair next year. We could reduce the budget at the County Highway in so far as garage and motor -- a lot of the repair bills -- by using the equipment as it is designed to be used and also replacing it every five to seven years.

Commissioner Borries requested that either Mr. Morphey or Mr. Stoll report back to the Board next week on the County Line Rd. He understands their point and they need to understand our point. We're trying to work together on this. The alternatives he sees is if we build a road that is 20 ft. wide we need to look at a

different paving schedule or look at the solutions they have on that. He asked if that is agreeable with Commissioner Tuley.

Mr. Tuley said he doesn't know what else to do. We need to get it done.

Mr. Morphew said he first suggested St. Wendel to the Vanderburgh County Line because that is where the majority of the homes are. From Baseline Rd. to Schmitt Lane there are only five homes and there are seven on that half mile section at the other end. As far as homes per square mile, that is the logical end to do.

Mr. Borries said that is fine.

re: COUNTY ENGINEER - JOHN STOLL

County Line Rd. Agreement: With regard to this agreement, Mr. Stoll asked if the Board specifically wants to go with the 20 ft. width?

Mr. Tuley said if that is what it takes to get the job done -- as far as he is concerned.

Change Order/USI Project: Mr. Stoll said this change order is a decrease of \$362.84. The revision came about via rather than using thermoplastic striping and lay markings they are going to go with just paint striping.

Motion to approve the change order was made by Commissioner Tuley, with a second from Commissioner Borries. So ordered.

Proposals re Traffic Control/USI Project: It was noted by Mr. Stoll that there are several different proposals that have come around on the USI Interchange as far as traffic control during the construction period.

Mr. Borries said he sees they are starting to look at the alternative routes and the media has pointed those out, which has been helpful.

Mr. Stoll said there have been several proposals and they'll look at these once classes start. Right now it's hard to evaluate some of them.

Mr. Borries said also at some point -- is the State going to plan to help and assist in terms of adding a turn blister on the east side of Schutte Rd.?

Mr. Stoll said that is almost complete -- the right turn lane. They extended the left turn lane from the Expressway into Schutte Rd. and then added the right turn lane.

Mr. Borries said that is great. He's got to go out there to see that.

Street Acceptance/Revision/Bolin Meadows-Section C: Mr. Stoll said this is a revision of a street acceptance he brought in a couple of weeks ago.

Rainbow Drive (Continuation)	50 ft. R/W	<u>200</u> LFT
Pine Brook Drive (Continuation)	50 ft. R/W	<u>350</u> LFT
Meadowlark Drive	50 ft. R/W	<u>280</u> LFT

Total		830 LFT
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Motion to accept the revised street acceptance for Bolin Meadows - Section C was made by Commissioner Tuley, with a second from Commissioner Borries. So ordered.

Street Acceptance/Meridian Subdivision: Mr. Stoll submitted street acceptance as follows:

Meridian Avenue	50 ft. R/W	1,090 LFT
Meridian Drive	50 ft. R/W	380 LFT
Pendleton Avenue	50 ft. R/W	1,080 LFT

Mr. Tuley asked who the engineer is on this subdivision -- Morley & Associates?

Mr. Stoll replied that initially it was Morley & Associates. Subsequently, owners of the property changed and Veach, Nicholson, Griggs became the engineers.

Mr. Tuley said he received a call several weeks ago, which has nothing to do with this. But it did remind him of it. Apparently they made some agreement as to when they were going to do that -- in terms of drainage swales and things like that. Does Mr. Stoll know whether this is being done?

Mr. Stoll said the work has not yet been done; but the money for those side ditches is still on the Letter of Credit, so they've put up the money for it. It's just a matter of when they get out there to build them. As far as he knows, they still intend to do this work. He also received some calls.

Upon motion made by Commissioner Tuley and seconded by Commissioner Borries, the street acceptance for Meridian Subdivision was approved, as submitted. So ordered.

Agreement re Bridge Inspection: Mr. Stoll said he has the agreement between the County and the State and the County and the Consultant on the bridge inspection, which will cost \$48,300. Our share of that is 20%. He is requesting approval so he can get this back to INDOT and proceed with this project.

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

Lynch Rd. Project: Mr. Stoll said he's had a couple of requests from people who were looking at perhaps buying some of the houses that are in line with the Lynch Rd. project and since the house was going to be demolished, they wanted to buy it from the County and then pay to have it moved to another site. Is the proper way to do that to have them route that through him or just come to the beginning portion of the Commission meeting and have them present their request at that time? He's seen it done both ways and he didn't know how the Commission wished to proceed.

Commissioner Borries said that Mr. Stoll is going to get involved one way or another, so it would probably be better to have them just bring it to him. The Commission would ask him to review it anyway.

Mr. Stoll said he received all the paperwork today on the Lynch Rd. project in so far as our sending the State our local match, so they should be getting started on that project some time soon. It came in significantly under the Engineer's estimate. This will be the earth work and the bridges -- between Oak Hill and Burkhardt Rd. It will save us about \$200,000 based on the initial engineer's estimate.

Mr. Borries said he thinks we've completed nearly all the property acquisition out in that area so we ought to be in pretty good shape.

Mr. Stoll said there are a couple of property transfers from one property owner to the adjacent property and we have to transfer some property from the County to Wesselman Park Nature Center.

Beyond that.....

Mr. Borries said we're using the interest free loan to get this going, aren't we?

Mr. Stoll said once it came in significantly under the engineer's estimate we probably don't even need the full \$800,000 that we borrowed. He hasn't gotten into the numbers to the extent to know exactly what it will cost -- but we're in good shape.

Mr. Borries said he appreciates Mr. Stoll's work.

RE: CONSENT AGENDA

Mr. Borries entertained questions concerning the Consent Agenda. There being none a motion was entertained.

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

RE: OLD BUSINESS

MDA Fund Raiser/Burdette Park: Mr. Tuley said he was approached a couple of weeks concerning an MDA fund raiser at Burdette Park sponsored by Duffy's Tavern. At the time they were talking about selling liquor and he thinks a park ordinance reflected the sale of alcohol was not permitted and this was explained immediately. They have now come back with a new request. He will read same into the record:

We are sponsoring an MDA fund raiser at the Burdette Park pavilion. We will furnish a license from ABC and insurance from Heston Insurance. Participating businesses in the fund raiser are Central Beverage, Berry Plastics, R. C. Cola, MDA, Burdette Park, TV-25, TV-14, Meyers Printing, Lewis Bakery -- these are just some of the ones involved. Others are pending. The event is scheduled for September 5th at 12:00 noon. They will have burgers and hot dogs to sell. There will be a cover and no one under age 21 will be admitted. Someone will be in the hall foyer or the office checking I.D.'s before they can come through the door. Only licensed waitresses and bartenders will be serving the beer. There will be a battle of the bands throughout the day for the cash prize. After all expenses have been paid, the remainder of the money will be donated to MDA in the name of all the participating businesses.

Mr. Tuley said there is a note attached directed to him which says:

"Pat, I've changed my mind about selling the beer. You said said it would be easier if I charged a cover and gave the beer to the people."

Mr. Tuley said they therefore will not be selling the beer. He has no particular problem with it if, in fact, they provide to the Commissioners office a copy of their ABC permit, so we know they are legal: secondly, that they hold us harmless and that they provide us with proof of insurance. Since they are not selling it does not violate park ordinance to his knowledge.

Mr. Borries said that since this is for a charitable entity, he wants an itemized list of how much they turn in to MDA.

Mr. Tuley said he initially asked to see something from the MDA. What he has is an envelope from the MDA addressed to Robert Goodman, who he guesses is the representative at Duffy's Tavern.

Mr. Tuley said we could verify through the local MDA office that

they are aware of this and agree to same. He then advised Mr. Abell that we want a letter from the MDA; a hold harmless clause; proof of insurance; licensing; a letter from the local MDA that they are aware of this event, and an itemized breakdown of all income and expenses and the amount actually donated to the MDA. With those stipulations he has no problem with allowing them to hold the subject fund raiser. But if we don't have all of these in advance, we'll stop the event on the day it is scheduled.

Attorney Rounder suggested that on the Hold Harmless we might want to mention hold harmless and indemnification -- because sometimes they are two different things.

Mr. Borries said since they are having licensed bartenders, we might also want to have somebody eyeballing everybody -- obviously not only checking I.D.'s, but when they're leaving make sure they are walking in pretty good fashion.

Mr. Tuley suggested we request that all of these conditions have to be met by no later than Friday, August 27th. He then asked that Mr. Abell contact Mr. Goodman at Duffy's Tavern to this effect.

RE: NEW BUSINESS

Appointment to Airport Authority Board: Commissioner Tuley said that Mr. Darryl Veach's term on the Evansville-Vanderburgh County Airport Authority District Board expired, he believes, June 30th. Mr. Tuley said it is his recommendation at this time that Mr. John K. Browning of 414 S. Lincoln Park Drive (Executive Director of Southwestern Indiana Mental Health) be the appointee of the Board of Commissioners to the Airport Authority Board.

Motion to this effect made by Commissioner Tuley, with a second from Commissioner Borries. So ordered. Mr. Tuley asked Mr. Abell to send a letter to Mr. Veach, thanking him for his years of service on the Board. Also, send a letter to Mr. Browning stating the appointment was made tonight, effective immediately. He has already approached Mr. Browning and he is more than willing to serve on this Board. He said he thinks it would be nice if one of the Commissioners called Mr. Veach tonight. He'd hate for him to wake up in the morning and read in The Courier that he has been replaced.

Mr. Borries said, "Either that, or we'll get the office to call him tomorrow morning if we can't make contact."

Budget Hearings: Commissioner Borries said County Council had Budget Hearings yesterday and will conduct same again tomorrow. There are lots of things on the table and lots of discussions going on, so we'll see what transpires. He thinks the Commissioners have taken a pretty clear approach to what they see as some needs for the County by taking steps to set up this Cumulative Capital Improvement Fund. We've taken steps to improve our telephone service, as well as save money. We've taken steps in tough ways to ask the employees to contribute more to keep the benefits in terms of health insurance. We're asking for some realistic consideration particularly on some items in our budget that always appear to be out of control where we put in for \$400,000 for patient-inmate care and they cut to \$200,000 and then we come back and we've spent \$462,000. We're trying to look at it from a realistic viewpoint. We'll see what happens. Commissioner Hunter will be back with us next week.

There being no further business to come before the Board, President Borries declared the meeting adjourned at 6:45 p.m.

PRESENT:

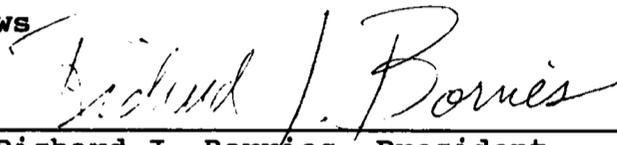
COMMISSION MINUTES  
August 9, 1993

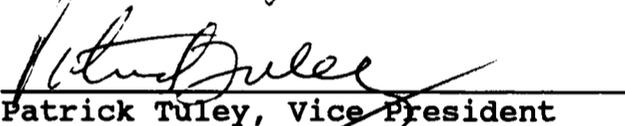
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Richard J. Borries, President  
Patrick Tuley, Vice President  
Sam Humphrey, County Auditor  
Keith Rounder, Asst. County Attorney  
Mark Abell/Commission Office  
B.J. Farrell/Commission Office  
John Stoll/County Engineer  
Bill Morphew/County Highway Supt.  
Andy Davidson/Given & Spindler  
Sandy Toten/Given & Spindler  
Others (Unidentified)  
News Media

ABSENT: Don Hunter (on vacation)

SECRETARY: Joanne A. Matthews

  
\_\_\_\_\_  
Richard J. Borries, President

  
\_\_\_\_\_  
Patrick Tuley, Vice President



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

**AGENDA**

**VANDERBURGH COUNTY COMMISSIONERS**

**AUGUST 9, 1993**

**5:30 P.M.**

- 1. **CALL TO ORDER** ✓
  - 2. **INTRODUCTIONS** ✓
  - 3. **PLEDGE OF ALLEGIANCE** ✓
  - 4. **ACTION ITEMS**
    - A. Any group/individual wishing to address the commission - *None*
    - B. Sam Humphrey/County Auditor ✓  
re: Auditorium parking lot
  - 5. **DEPARTMENT HEADS**
    - Alan Kissinger ----- County Attorney ✓
    - Mark Abell ----- Superintendent of County Buildings
    - Bill Morphew ----- County Garage ✓
    - John Stoll ----- County Engineer ✓
- \*See attached engineer requests

**FINAL**

**6. CONSENT ITEMS**

**A. Travel/Education Requests**

Health (1)

**B. Claims for payment:**

- 1) Given & Spindler.....4,110.15  
Management fee - August
- 2) Kevin Bryant.....1,212.65  
Legal Fees
- 3) Bowers Harrison Kent Miller.....249.00  
Inv# 6/26/93
- 4) Kahn Dees Donovan Kahn.....28.51  
Inv# July 24
- 5) Alexander Ambulance.....42,750.00  
\*per contract
- 6) Ziemer Stayman Weitzel Shoulders.....105.00

**C. TCI Great Lakes Inc. Check #219905  
/Quietus # 9493..40,676.56  
\* for acceptance/approval**

**D. County Treasurer's Report for month of June**

**E. Council Call/Auditorium  
\*see attached request**

**F. Employment Changes:  
see attached**

**8. OLD BUSINESS**

**9. NEW BUSINESS**

**10. MEETING ADJOURNED**

SCHEDULED MEETINGS

Mon	Aug 9	County Commissioners			
		Solid Waste	4:30 PM	RM 307	
		Commissioners Meeting	5:30 PM	RM 307	
Tues	Aug 10	County Council			
		Wed Aug 11	Thurs Aug 12		
		Budget Hearings	12:00 PM - 3:00 PM		Room 301
Mon	Aug 16	County Commissioners			
		Executive Session	4:30 PM	RM 307	
		Commissioners Meeting	5:30 PM	RM 307	
		Rezoning	7:00 PM	RM 307	
Tues	Aug 17	County Insurance Comm	9:00 AM	Room 303	
Thurs	Aug 19	Employee Steering Comm	9:00 AM	Room 303	
Mon	Aug 23	County Commissioners			
		Execitove Session	4:30 PM	RM 307	
		County Commissioners	5:30 PM	RM 307	
		Drainage Board	Immediately Following		
Wed	Aug 25	County Council			
		Personnel/Finance	3:30 PM	RM 301	
Mon	Aug 30	County Commissioners	5:30 PM	RM 307	

# COUNTY ENGINEER'S

## CONSENT AGENDA

AUGUST 9, 1993

1. CLAIMS:

USI INTERCHANGE - 430 BOND Blankenberger Brothers (Inv. #1)	\$262,799.71
UNION TOWNSHIP ACCESS (TEKOPPEL AVE.) 430 BOND CSX Transportation (Inv. #2L50184)	\$ 7,770.67
CONTRACTUAL SERVICES - 216-3930 Concrete Pavers, Inc. (VC 93-05-04)	\$ 15,528.75
Pavement Maintenance (VC 93-05-02)	\$ 12,124.76
Law Construction, Inc. (Schmitt Lane)	\$ 22,570.39
GREEN RIVER ROAD NORTH 216-4910 United Consulting Engineers (Inv. #16)	\$ 34,899.06
AIR CONDITIONING - OLD COURTHOUSE 203-3560 Whirlpool Tech Care (Inv. #7301)	\$ 2,487.00
STRINGTOWN ROAD BRIDGE #72 203-4348 Indiana University (Inv. #20Q935)	\$ 550.00
OAK HILL ROAD BRIDGE #117 203-4394 (Inv. #4)	\$ 6,945.00

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department PERRY TOWNSHIP ASSESSOR REASSESSMENT *sl*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490 1140 1100	AMELIA L. TORNATTA	1411 REITER DR	ASSESSOR	2,501.00	7-1-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Amelia L. Tornatta* DATE *8-3-93*

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department BURDETTE PARK *sl*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	BEN MORAN		GUARD	4 50	7-27-93 ✓
1180	DAN GELARDIN		GUARD	4 50	7-27-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	BEN MORAN		GUARD	4 50	7-28-93 ✓
1180	DAN GELARDIN		GUARD	4 50	7-28-93 ✓

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Steve Hooper* DATE *8-3-93*

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department PIGEON TOWNSHIP ASSESSOR - REASSESSMENT *al*

### APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490 1150-1110	David L. Fox	1219 S. Kentucky	Assessor Pigeon Twp.	6 month 4,700 00 4,5014/11/12 <i>JM</i>	7-1-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

### RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *David L. Fox* 8-2-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department 201 County Highway *al*

### APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
201-1006	David A. Franklin		Hwy Engr Asst	\$26,749.00	Aug. 4, 199
			STEP INCREASE TO PAT V		

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

### RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
201-1006	David A. Franklin		Hwy Eng Asst	23,827.00	Aug. 4, 19

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *John Steel* DATE 8/5/97

# VANDBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff

*sd*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
10501130001	Terry Hayes		Sergeant	17 2389 35995 00	Suspended 6-24-93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*R. Hamm*

DATE

*8/4/93*

# VANDBURGH COUNTY EMPLOYMENT CHANGES

Department COUNTY CLERK

*2/1/93*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1010-1990	LISA G. VOGEL	504 SHEREDON	DEPUTY CLERK	6 00	8-2-93
1010-1990	JUDITH LUDWIG	1347 MESKER PARK DR.	DEPUTY CLERK	6 00	7-23-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

*Approved by  
County Council*

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*Betty Knight Smith*

DATE

*8/5/93*

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department COUNTY CLERK

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
1010-1360	PATRICIA PATTON	2750 LODGE	DEP CLERK	14,263	00	8/9/93
1010-1530	ARDITH SCULLY	2021 RHEINHARDT	DEP CLERK	15,607	00	8/9/93
1010-1210	STEPHANIE HARVEY	13,625 OLD STATE RD	HEAD CASHIER	17,133	00	8/9/93
1010-1150	LINDA OLDHAM <i>Pat</i>	209 W OREGON	ASST CHIEF DEP	20,263	00	8/9/93
1010-1310	JUDITH LUDWIG	1347 MESKER PARK	DEP CLERK	14,889	00	8/9/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
1010-1210	LINDA OLDHAM	209 W OREGON	HEAD CASHIER	17,963	00	8/6/93
1010-1990	JUDITH LUDWIG	1347 MESKER PARK	DEP CLERK	14,950	00	8/6/93
1010-1990	PATRICIA PATTON	2750 LODGE APT 261	DEP CLERK	14,950	00	8/6/93
1010-1360	ARDITH SCULLY	2021 RHEINHARDT	DEP CLERK	14,950	00	8/6/93
1010-1530	STEPHANIE HARVEY	13,625 OLD STATE RD	DEP CLERK	15,607	00	8/6/93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Betty Lou Smith* DATE 8/6/93

# VANDEBURGH 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	Hollis D. Johnson	18 Washington Ave.	Part Time Data Coll.	Hourly 7	00	8/5/93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Dana Q. Fox* DATE 8/6/93



TO: ALL AUDITORIUM PARKING TAG HOLDERS  
FROM: SANDRA TONON, GENERAL MANAGER *St.*  
DATE: JULY 19, 1993  
REF: PARKING LOT SIGNAGE

A few of the tag holders have been concerned about the new back-in parking requirement sign on the Auditorium parking lot. In order to satisfy those concerns much research has been conducted by my office and other government offices regarding the code requirements of signage on a "PRIVATE LOT".

I am sure that a few are questioning the terminology "PRIVATE LOT". Through our research, we were told that since the lot is charging a fee for parking, the space is classified as a "PRIVATE LOT". Being a "PRIVATE LOT", our signage is not covered under a control code. I do feel that a great deal of thought went into the placement of all signage.

In light of this information, the following will take place:

1. BEGINNING ON JULY 19th, THERE WILL BE A FIVE (5) WORKING DAY GRACE PERIOD WHERE TICKETS WILL NOT BE ISSUED.
2. BEGINNING ON JULY 26th, THERE WILL BE A FIVE (5) WORKING DAY PERIOD OF WARNING NOTICES ISSUED BY THE CITY METER DEPARTMENT.
3. BEGINNING ON THE MORNING OF AUGUST 6th, PARKING TICKETS WILL BE ISSUED FROM THE CITY CLERKS OFFICE TO THOSE WHO DO NOT FOLLOW THE SIGNAGE REQUIREMENTS. AT THIS POINT, TICKETS WILL NOT BE WAIVED.
4. THERE ARE TWO (2) CLASSIFICATIONS WHICH THIS REQUIREMENT DOES NOT APPLY TO, WHICH ARE:
  - A. CARS USING THE CITY METERS
  - B. HANDICAP PARKING SPACE

Also, in the future when our tag holders are given a notice concerning the lot when purchasing a new monthly tag, each individual will be asked to sign an acknowledgement sheet for the receipt of the notice. This system should void any complaints that a notice was not received.

In closing, I feel that this office has been more than willing to address all issues concerning THE PARKING LOT. Remember it is YOUR responsibility to properly display your monthly parking tag from your rear view mirror.

HAVE A NICE DAY.....

715 LOCUST STREET EVANSVILLE, INDIANA 47708 PHONE:(812) 426-2270 FAX: (812) 422-0550

Professionally Managed by: GIVEN & SPINDLER MANAGEMENT COMPANY, INC.

N O T I C E

YOU HAVE FAILED TO OBEY PARKING REQUIREMENTS  
OF THIS "PRIVATE LOT". EFFECTIVE AUGUST 6th,  
1993, A TICKET WILL BE ISSUED BY THE CITY CLERK  
OFFICE.



# VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

## Vanderburgh County Engineering Department

### Agenda for August 9, 1993

1. USI interchange change order for a decrease of \$362.84 — *PT/RS*
2. Revised street acceptance form for Bolins Meadow Section C — *PT/RS*

Rainbow Drive	200 feet
Pine Brook Drive	350 feet
Meadowlark Drive	280 feet
3. Street acceptance for Meridian Subdivision — *PT/RS*

Meridian Avenue	1090 feet
Meridian Drive	380 feet
Pendelton Avenue	1080 feet
4. Bridge inspection agreements — *PT/RS*

5.





INDIANA DEPARTMENT OF TRANSPORTATION  
CHANGE ORDER

Project No. LOC E-180(A) Contract No. IC R 20697

Change Order No. 01

Whereas, the Standard Specifications for this contract provides for such work to be performed, the following change is recommended. (Give location, description and reason)

THE PLANS FOR TR-1 CALL FOR PAINTED PAVEMENT MARKINGS, BUT THE PROPOSAL CALLS FOR THERMOPLASTIC. BECAUSE THIS IS A TEMPORARY RUN AROUND IT IS RECOMMENDED THE FOLLOWING ITEMS BE CHANGED TO PAINTED TRAFFIC MARKINGS, CAUSING A REDUCTION IN THERMOPLASTIC MARKINGS AND AN ADDITION OF NEW ITEMS FOR PAINTED TRAFFIC MARKINGS

ITEM NO.	DESCRIPTION OF ITEM	UNIT PRICE	INCREASE		DECREASE		% CHANGE	
			QUANTITY	AMOUNT	QUANTITY	AMOUNT	THIS C.O.	TO DATE
175	TRANSVERSE MARKINGS, THERMO. WHITE CROSSHATCH LINE 12 IN	1.42			18	25.56	19	19
177	TRANSVERSE MARKINGS, THERMO. STOP LINE 24 IN	4.50			55	247.50	28	23
178	TRANSVERSE MARKINGS, THERMO. LANE INDICATIONAL ARROWS	44.10			4	176.40	57	57
179	TRANSVERSE MARKINGS, THERMO. WORD (ONLY)	50.40			4	201.60	57	57
185	TRANSVERSE MARKINGS, PAINT WHITE CROSSHATCH LINE 12 IN	.49	18	8.82				
186	TRANSVERSE MARKINGS, PAINT WHITE STOP LINE 24 IN	1.32	55	72.60				
187	TRANSVERSE MARKINGS, PAINT LANE INDICATIONAL ARROWS	24.20	4	96.80				
188	TRANSVERSE MARKINGS, PAINT WORD (ONLY)	27.50	4	110.00				
PLACE "EW" FOR EXTRA WORK ITEMS			TOTALS			651.06		
PLACE "FA" FOR FORCE ACCOUNT ITEMS			NET	INCREASED DECREASED	288.22	ESTIMATED COST \$	(362.84)	

It is the intent of the parties that this change order is full and complete compensation for the work described above. Notification and consent to this change in plans is hereby acknowledged.

Contractor Wester Contracting By James R Heron Date 8/3/93

Submitted For Consideration	
PE/S	D.E.
AE	CONST. ENGR.
DCE	CHIEF DIV.

Wester Contracting  
James R Heron 8-9-93  
Patricia J. Heron  
Patricia J. Heron

Approved for Indiana Department of Transportation

Charles R. Miller (SIGNATURE) P.S. (TITLE) 8-2-93 (DATE)

## INDIANA DEPARTMENT OF TRANSPORTATION LPA CLAIM-VOUCHER

INSTRUCTIONS: This agency is requesting disclosure of your Social Security Number in accordance with I.C. 4-1-8.

VENDOR INFORMATION		AGENCY INFORMATION	
Document Number <u>C 800</u>	Date (Month, Day, Year) <del>5/19/93</del> <u>7-21-93</u>	Agency Name <u>800</u>	
Vendor Name <u>BOARD OF COMMISSIONERS</u>		Agency Number <u>INDOT</u>	
Address (Number, Street) <u>VANDERBURGH COUNTY INDIANA</u>		Social Security Number or	
<u>205 Administration Bldg</u>		Federal I.D. Number <u>035600020514</u>	
<u>NW Martin Luther King Blvd</u>		Vendor Number	
City, State and Zip Code <u>Evansville, IN 47708</u>			

**AREA BELOW TO BE COMPLETED BY AGENCY.**

DATE	AMOUNT	FUND	OBJECT	CENTER	LOAN / INV / NBR	QTY.	UNIT	DESCRIPTION
6 19	800,000	4000	579000	108120				(NO)

TOTAL AMOUNT: \$ 800,000.00

Doc. ID: PV 800 5550940137

**INDOT ACCOUNTING LINE DISTRIBUTION**

L N	Invoice Number	Fund	Appr.	Loc.	Func.	Object	Cost Account	Project			Part.	Contract	Amount
								Prefix	Number	( )			
01	<u>0137</u>	401	812	800	52	790	112						800,000.00
02													
03													

Line No.	
1	Claim No. <u>1</u> Contract No. _____ Project No. <u>Distressed Road Fund</u>
2	This claim-voucher is for: (Preliminary) (RW) (Const.) <u>Engineering, Force Account or RW Costs</u>
3	Project Description <u>Distressed Road Loan #1 for partially matching funds for Federal Aid project Lynch Rd. Ext (Phase I Grading R-20843)</u>
4	Period covered by this claim-voucher: From _____ To _____
5	Gross amount of previous claims \$ _____
6	Net amount of previous claims \$ _____
7	This (is) (is not) a final claim voucher (Time Certification must be included with final claim-voucher)
8	Gross amount of this Local Agency Claim \$ _____
9	Federal Share Reimbursable (Line 8 x _____ %) = \$ _____
10	Less State Retainage @ _____ % - \$ _____
11	Net Amount of Claim Voucher = \$ <u>800,000.00</u>

**RECOMMENDED FOR APPROVAL**

Bruce C. Conner  
INDOT Official Initiating the Charge

7/27/93  
Date

I certify that this claim is correct and valid and is a proper charge against the State Agency, Fund and Center indicated.

Authorized Signature of State Agency <u>Gary Blanton</u>	Date (Month Day Year) <u>JUL 27 1993</u>
---	---

Pursuant to the provisions and penalties of Indiana Code 5-11-10-1, I hereby certify that the foregoing Fund and Center 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.

Signature of Vendor <u>Richard D. Davis</u>	Official Title <u>Commissioner</u>	Date (Month Day Year) <u>7/17/93</u>
--	---------------------------------------	---

PAY EIGHT HUNDRED THOUSAND DOLLARS AND NO CENTS

13096069

To Treasurer of State

PAY TO THE ORDER OF

VANDEBURGH COUNTY COMRS  
305 ADMINISTRATION BLDG  
1 N W MARTIN LUTHER KING BLVD  
EVANSVILLE IN 47708

DATE 07/27/93 THE SUM OF \*\*\*\*\*800,000.00

*Ann J. DeWore*  
AUDITOR OF STATE

# 13096069 # :074001035: 80=0000 2#

DATE	INVOICE/CREDIT MEMO	TYPE	DESCRIPTION	GROSS	DISCOUNT	NET
072193	C800005124 AGENCY 800-PAYMENT FROM HIGHWAY DEPARTMENT			80000000	00	80000000
<i>Note: Place check in pre-assigned "cash card" account. JSD</i>						
<b>TOTALS</b>				<b>80000000</b>	<b>000</b>	<b>80000000</b>

PRESCRIBED BY STATE BOARD OF ACCOUNTS

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

August 17, 1993

OFFICE OF COUNTY AUDITOR  
VANDERBURGH COUNTY, INDIANA

EVANSVILLE, INDIANA

NO. 7802

FUND 282-CASH CARD

\$800,000.00

I HEREBY CERTIFY THAT: AUDITOR/STATE OF INDIANA

HAS FILED IN MY OFFICE THE RECEIPT OF THE TREASURER OF VANDERBURGH COUNTY, IN.  
IN THE SUM OF \$800,000.00 DOLLARS

ON ACCOUNT OF LYNCH RD. LOAN FROM INDIANA DEPT.  
OF TRANSPORTATION

EDM HUMPHREY  
AUDITOR VANDERBURGH COUNTY, INDIANA

COUNTY-STATE AGREEMENT FOR BRIDGE INSPECTION BY CONSULTANT FORCES

THIS AGREEMENT, made and entered into this 9<sup>th</sup> day of August, 19 93, by and between the State of Indiana, acting by and through the Indiana Department of Transportation, hereinafter referred to as the "STATE", and the County of Vanderburgh, Indiana, acting by and through the Board of Commissioners of Vanderburgh County, hereinafter referred to as the "COUNTY".

W I T N E S S E T H

WHEREAS, through the cooperation of the COUNTY, the STATE and the Federal Highway Administration, the following Project has been approved by the Federal Highway Administration, namely Project No. MABR-NBIS(211) providing for the inspection of all bridges owned and/or maintained by the COUNTY, and

WHEREAS, the COUNTY desires to participate in the engineering on this project using Federal-aid funds allocated and made available to the STATE, and

WHEREAS, the STATE is willing for the COUNTY to participate in the engineering on this project, subject to approval of the Federal Highway Administration.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto mutually covenant and agree as follows:

1. The COUNTY will comply with the applicable conditions set forth in (1) Title 23, U.S. Code, Highways (2) the regulations issued pursuant thereto, and (3) the policies and procedures promulgated by the STATE and Federal Highway Administration relative to the project.
2. The COUNTY may at its discretion engage a competent and qualified consultant to perform the engineering for the COUNTY. The COUNTY'S procedures for selection of

consultants will be in accordance with applicable Federal Highway Administration requirements and Indiana Department of Transportation guidelines. Furthermore, proposed agreements will be submitted for Indiana Department of Transportation and Federal Highway Administration approval prior to execution.

3. All work performed under this Agreement will be subject to review and approval of the Indiana Department of Transportation and the Federal Highway Administration.
4. The COUNTY'S share of the cost for engineering will be the total amount of the entire cost incurred by the COUNTY less the amount contributed by the Federal government through Federal-aid. The Federal share of eligible costs is equal to 80%, or such other amount as may be allowed and provided by law. If for any reason the STATE is required to repay to the Federal Highway Administration the sum or sums of Federal funds paid to the COUNTY through the STATE under the terms of this Agreement, then the COUNTY will repay the STATE such sum or sums upon receipt of a billing from the STATE. Payment for any and all costs incurred by the COUNTY which are not eligible for Federal funding will be the sole obligation of the COUNTY.
5. The COUNTY'S share of the project cost shall be the amount as determined by the procedure outlined in Section 4 of this Agreement. From the COUNTY'S share thus computed, there shall be deducted all previous payments made by the COUNTY to the STATE. Billings to the COUNTY for its share of project costs shall be due and payable 30 days from date of billing by the

STATE. If the COUNTY has not paid the full amount due within 60 days past the due date, the STATE shall be authorized to proceed in accordance with IC 8-14-1-9 to compel the Auditor of the STATE of Indiana to make a mandatory transfer of funds from the COUNTY'S allocation of the Motor Vehicle Highway Account to the Indiana Department of Transportation's account.

6. The COUNTY will receive payment of the Federal contribution, through Federal-aid, for the eligible costs incurred under this Agreement as follows:

- a. The COUNTY will submit invoices to the STATE not more often than once per month during the progress of the work, for payment on account for the work completed during the period in question.
- b. When submitting invoices for costs for work which was performed by a Consultant the COUNTY will certify by its responsible officer and/or Engineer that those costs represented by the subject billing represent work physically completed by the Consultant. The submission shall be accompanied by a copy of the Consultant's invoice for work completed.
- c. Upon approval of invoices by the STATE, the STATE will request Federal-aid Funds from the Federal Highway Administration for the amount of the subject invoice claim.
- d. Upon receipt of Federal-aid funds, the STATE will make payment to the COUNTY.
- e. Prior to final payment pursuant to this contract, a final audit of the COUNTY records may be made by the STATE, and

upon approval thereof by the STATE, then payment will be made in accordance with the procedure set out above. Obligation of Federal-aid funds extends only to project costs incurred by the COUNTY after the Indiana Department of Transportation authorization to proceed with the project.

7. The COUNTY and its subcontractors will maintain all books, documents, papers, accounting records and other evidence pertaining to the cost incurred and shall make such materials available at their respective offices at all reasonable times under the contract period and for three years from the date of final payment by the Federal Highway Administration to the COUNTY through the STATE under the contract, for inspection by the STATE, Federal Highway Administration or any other authorized representatives of the Federal Government and copies thereof shall be furnished if requested.
8. The COUNTY agrees to hold harmless and indemnify the State of Indiana, the Indiana Department of Transportation and the Federal Highway Administration from any and all liability for any act or omission committed, suffered to be committed, or omitted to be done, by any office, agent, employee, servant or contractor of the COUNTY in relation to the rights and duties of the COUNTY under this Agreement.
9. Insofar as authorized by law, this Agreement shall be binding upon the parties hereto their successors or assigns.

IN WITNESS WHEREOF the STATE of Indiana and the LPA, through their undersigned respective officials, have hereunto affixed their signatures.

BOARD OF COUNTY COMMISSIONERS

STATE OF INDIANA  
INDIANA DEPARTMENT OF TRANSPORTATION

Richard J. Barnes  
Signature

\_\_\_\_\_  
Frederick C. P'Pool  
Commissioner

\_\_\_\_\_  
(Print or type name and title)

ATTEST:

Patricia Wiley  
Signature

\_\_\_\_\_  
Dennis E. Faulkenberg  
Deputy Commissioner,  
Chief Financial Officer

\_\_\_\_\_  
(Print or type name and title)

APPROVED AS TO LEGALITY AND FORM

\_\_\_\_\_  
Signature

\_\_\_\_\_  
(FOR)  
Pamela Carter  
Attorney General

\_\_\_\_\_  
(Print or type name and title)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
(Print or type name and title)

ATTEST:

Sam Humphrey  
Auditor

A C K N O W L E D G M E N T

State of Indiana County Vanderburgh

Before me, the undersigned Notary Public in and for said County personally appeared Richard J. Borries, President and Patrick Tuley,  
(name of signers, their official  
Vice President/Board of Commissioners  
capacity and agency name)

and each acknowledged the execution of the foregoing contract on this 9th  
day of August, 19 93, and each acknowledged and stated that he/she is  
the party authorized by the said agency to execute the foregoing contract.

Witness my hand and seal the said last named date.

My Commission Expires

~~JOANNE A. MATTHEWS~~  
~~NOTARY PUBLIC STATE OF INDIANA~~  
~~VANDERBURGH COUNTY~~  
~~MY COMMISSION EXP. JUNE 12, 1996~~  
Vanderburgh  
County of Residence

  
Notary Public

Joanne A. Matthews  
Print or type name

A C K N O W L E D G M E N T

State of Indiana, County of Marion, SS:

Before me, the undersigned Notary Public in and for said County,  
personally appeared \_\_\_\_\_,  
(name) (title)

of the Indiana Department of Transportation, and acknowledged the execution  
of the foregoing contract on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Witness my hand and seal this said last named date.

My Commission Expires

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
County of Residence

Prepared by \_\_\_\_\_  
Marka L. Wildman  
Agreement and Accounts Supervisor

COPY

## A G R E E M E N T

THIS AGREEMENT is made and entered into August 9,  
 19 93, by and between the Vanderburgh, acting by and through the  
Board of County Commissioners, hereinafter referred to as the "LOCAL  
 PUBLIC AGENCY", and

United Consulting Engineers, Inc.

1625 North Post Road

Indianapolis, IN 46219-1995

hereinafter referred to as the "CONSULTANT".

## W I T N E S S E T H

WHEREAS, the LOCAL PUBLIC AGENCY desires to contract for

Engineering Services required to continue the county participation in  
 the National Bridge Inspection Program hereinafter described,

WHEREAS, the CONSULTANT has expressed a willingness to

provide the necessary engineering services to continue county participation  
 in the National Bridge Inspection Program hereinafter described

NOW, THEREFORE, the parties hereto agree that said CONSULTANT shall  
 provide the services and documents, hereinbefore and hereinafter described, in  
 relation to the following described project or projects:

- Phase I: A complete inspection and full report of all county bridges twenty (20)  
 feet or greater in length on all county roads, both on and off system; said  
 inspection to be in accordance with the "Manual for Maintenance Inspection  
 of Bridges"
- Phase II: A complete reinspection update and full report starting two (2) years after  
 the beginning of Phase I.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto mutually covenant and agree as follows:

Section I Services by CONSULTANT

The services to be provided by the CONSULTANT under this Agreement are as set out in Appendix "A", attached to this Agreement, and made an integral part hereof.

Section II Information and Services to be Furnished by LOCAL PUBLIC AGENCY

The information and services to be furnished by the LOCAL PUBLIC AGENCY are as set out in Appendix "B", attached to this Agreement, and made an integral part hereof.

Section III Notice to Proceed and Schedule

The CONSULTANT shall begin the work to be performed under this Agreement immediately upon receipt of the written notice to proceed from the LOCAL PUBLIC AGENCY, and shall deliver the work to the LOCAL PUBLIC AGENCY in accordance with the Schedule contained in Appendix "C", attached to this Agreement, and made an integral part hereof.

The CONSULTANT shall not begin work prior to the date of the notice to proceed.

Section IV Compensation

The CONSULTANT shall receive payment for the work performed under this Agreement as set forth in Appendix "D", attached to this Agreement, and made an integral part hereof.

The cost principles contained in the Federal Acquisition Regulations, 48 CFR part 31, shall be adhered to for work under this agreement.

Section V    General Provisions

1.    Work Office

The CONSULTANT shall perform the work under this Agreement at the following office(s) United Consulting Engineers, Inc.

1625 North Post Road

Indianapolis, IN 46219-1995

The CONSULTANT shall notify the LOCAL PUBLIC AGENCY and the Indiana Department of Transportation of any change in its mailing address and/or the location(s) of the office(s) where the work is performed.

2.    Employment

During the period of this Agreement, the CONSULTANT shall not engage, on a on full or part time or other basis any LOCAL PUBLIC AGENCY Personnel who remain in the employ of the LOCAL PUBLIC AGENCY.

3.    Covenant Against Contingent Fees

The CONSULTANT warrants that he has not employed or retained any company or person, other than a bona fide employee working solely for the CONSULTANT, to solicit or secure this Agreement, and that he has not paid or agreed to pay any company or person, other than a bona fide employee working solely for the CONSULTANT, any fee, commission, percentage, brokerage fee, gifts or any other consideration, contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty the LOCAL PUBLIC AGENCY shall have the right to annul this Agreement without liability, or, in its discretion to deduct from the Agreement price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift or contingent fee.

4. Subletting and Assignment of Contract

No portion of the work under the Agreement shall be sublet, assigned or otherwise disposed of, except with the written consent of the LOCAL PUBLIC AGENCY and the Indiana Department of Transportation. Consent to sublet, assign or otherwise dispose of any portion of the work under this Agreement shall not be construed to relieve the CONSULTANT of any responsibility for the fulfillment of this Agreement. A subcontractor shall not subcontract any portion of its work under this Agreement.

5. Ownership of Documents

All documents, including tracings, drawings, reports, estimates, specifications, field notes, investigation, studies, etc., as instruments of service, are to be the property of the LOCAL PUBLIC AGENCY. During the performance of the services, herein provided for, the CONSULTANT shall be responsible for any loss or damage to the documents, herein enumerated, while they are in his possession and any such loss or damage shall be restored at his expense. Full access to the work during the progress of the work shall be available to the LOCAL PUBLIC AGENCY.

6. Access to Records

The CONSULTANT and his subcontractors shall maintain all books, documents, papers, accounting records and other evidence pertaining to the cost incurred and shall make such materials available at its respective offices at all reasonable times during the period of this Agreement and for three years from the date of final payment under the terms of this Agreement, for inspection by the LOCAL PUBLIC AGENCY, Indiana Department of Transportation, Federal Highway Administration or any other authorized representatives of the Federal Government and copies thereof shall be furnished if requested.

7. Compliance with State and Other Laws

The CONSULTANT specifically agrees that in performance of the services herein enumerated by him or by a subcontractor or anyone acting in behalf of either, that he or they will comply with any and all State, Federal, and Local Statutes, ordinances, and regulations and obtain all permits that are applicable to the entry into and the performance of this Agreement.

8. Responsibility for Claims and Liabilities

The CONSULTANT shall be responsible for all damage to life and property due to activities of the CONSULTANT, his subcontractor, agents, or employees in connection with such services, and shall be responsible for all parts of his work both temporary and permanent. It is expressly understood that the CONSULTANT shall indemnify and hold harmless the LOCAL PUBLIC AGENCY and the State of Indiana from claims, suits, actions, damages, and costs of every name and description arising out of or resulting from the services of the CONSULTANT under this Agreement, and such indemnity shall not be limited by reason of the enumeration of any insurance coverage, hereinafter provided.

9. Status of Claims

The CONSULTANT shall be responsible for keeping the LOCAL PUBLIC AGENCY currently advised as to the status of any claims made for damages against the CONSULTANT resulting from services performed under this Agreement. The CONSULTANT shall send notice of claims related to work under this Agreement to the Local Public Agency. Copies of the notices shall be sent to:

Chief, Division of Internal Affairs  
Indiana Department of Transportation  
100 North Senate Avenue, Room 1201  
Indianapolis, Indiana 46204-2249

10. Workmen's Compensation and Liability Insurance

The CONSULTANT shall procure and maintain, until final payment by the LOCAL PUBLIC AGENCY for the services covered by this Agreement, insurance of the kinds and in the amounts hereinafter provided in insurance companies authorized to do such business in the State of Indiana covering all operations under this Agreement whether performed by him or by his subcontractor. The CONSULTANT will not be given a notice to proceed until the CONSULTANT has furnished a certificate or certificates in a form satisfactory to the LOCAL PUBLIC AGENCY, showing that this section has been complied with. During the life of this Agreement, the CONSULTANT shall furnish the LOCAL PUBLIC AGENCY with certificates showing that the required insurance coverage is maintained. The certificate or certificates shall provide that the policies shall not be changed or canceled until ten (10) days written notice has been given to the LOCAL PUBLIC AGENCY. In the event that such written notice of change or cancellation is given, the LOCAL PUBLIC AGENCY may at its option terminate this Agreement and not further compensation shall in such case be made to the CONSULTANT.

The kinds and amounts of insurance required are as follows:

- (A) Policy covering the obligations of the CONSULTANT in accordance with the provisions of the Workmen's Compensation Law. This agreement shall be void and of no effect unless the CONSULTANT procures such policy and maintains it until acceptance of the work.

- (B) Comprehensive Policies of Bodily Injury Liability and Property Damage Liability Insurance, including Owners or Contractors Protective Coverage and a Save and Hold Harmless Endorsement of the types herein specified each with Bodily Injury Limits of liability of not less than \$100,000.00 for each person, including death at any time resulting therefrom, and not less than \$300,000.00 in any one accident, and not less than \$100,000.00 for all damages arising out of injury to or destruction of property.
- (C) Automobile Policies of Bodily Injury and Property Damage Liability Insurance of the types herein specified with bodily injury limits of liability of not less than \$100,000.00 for each person, including death at any time resulting therefrom, and not less than \$300,000.00 in any one accident, and not less than \$100,000.00 for all damages arising out of injury to or destruction of property, including hired and non-owned vehicles.

11. Progress Reports

The CONSULTANT shall submit a monthly Progress Report to the LOCAL PUBLIC AGENCY by the tenth of each month, showing progress to the first of the month. The report shall consist of a progress chart with the initial schedule on which shall be superimposed the current status of the work.

12. Changes in Work

In the event the LOCAL PUBLIC AGENCY requires a major change in scope, character or complexity of the work after the work has progressed as directed by the LOCAL PUBLIC AGENCY, adjustments in compensation to the CONSULTANT and in time for performance of the work as modified, shall be determined by the LOCAL PUBLIC AGENCY in the exercise of its honest and reasonable judgment and the CONSULTANT shall not commence the additional work or the change of the scope of the work until a supplemental agreement is executed and the CONSULTANT is authorized in writing by the LOCAL PUBLIC AGENCY and the Indiana Department of Transportation, to proceed with the work.

13. Delays and Extensions

The CONSULTANT agrees that no charges or claim for damages shall be made by him for any delays or hindrances from any cause whatsoever during the progress of any portion of the services specified in this Agreement. Such delays or hindrances, if any, shall be compensated for by an extension of time for such period as may be determined by the LOCAL PUBLIC AGENCY in the exercise of its honest and reasonable judgment, it being understood, however, that the permitting of the CONSULTANT to proceed to complete any services, or any part of them after the date to which the time of completion may have been extended, shall in no way operate as a waiver on the part of the LOCAL PUBLIC AGENCY of any of its rights herein.

14. Abandonment and Termination

The LOCAL PUBLIC AGENCY reserves the right to terminate or suspend this Agreement upon written notice.

- (A) If the LOCAL PUBLIC AGENCY shall abandon the services herein mentioned, the CONSULTANT shall deliver to the LOCAL PUBLIC AGENCY all data, reports, drawings, specifications and estimates completed or partially completed and these shall become the property of the LOCAL PUBLIC AGENCY. The earned value of the work performed shall be based upon an estimate of the portions of the total services as have been rendered by the CONSULTANT to the date of the abandonment and which estimate shall be as made by the LOCAL PUBLIC AGENCY in the exercise of its honest and reasonable judgment for all services to be paid for on a lump sum basis and shall be based upon an audit for those services

to be paid for on a cost basis or a cost plus fixed fee basis. The audit shall be performed by the Indiana Department of Transportation's Division of Accounting and Control in accordance with generally accepted auditing standards and the cost principles contained in the Federal Acquisition Regulations, 48 CFR Subpart 31.2. The payment as made to the CONSULTANT shall be paid as the final payment in full settlement for his services hereunder.

- (B) If, at any time, for any cause whatsoever, the CONSULTANT shall abandon or fail to timely perform any of its duties hereunder, including the preparation and completion of plans and specifications within the several times hereinbefore specified, or within such further extension or extensions of time as agreed upon, the LOCAL PUBLIC AGENCY may give written notice, that if the CONSULTANT shall not within twenty (20) calendar days from the date of such notice, have complied with the requirements of this Agreement, then the Agreement is deemed terminated. Upon the mailing or delivery of such notice or personal delivery thereof to the CONSULTANT, and the failure of the CONSULTANT within said described (20) day period to fully comply with each and all requirements of this Agreement, this Agreement shall terminate and the LOCAL PUBLIC AGENCY may by any method it deems to be necessary designate and employ other consultants by agreement or otherwise, to perform and complete the services herein described. When written notice is referred to herein, it shall be deemed given when deposited in the mail addressed to the CONSULTANT at its last known address.

(C) In case the LOCAL PUBLIC AGENCY shall act under the last preceding paragraph, then and in such event, all data, reports, drawings, plans, sketches, sections and models, all specifications, estimates, measurements and data pertaining to the project, prepared under the terms or in fulfillment of this Agreement, shall be delivered within twenty (20) days to the LOCAL PUBLIC AGENCY. In the event of the failure by the CONSULTANT to make such delivery upon demand, then and in that event the CONSULTANT shall pay to the LOCAL PUBLIC AGENCY any damage it may sustain by reason thereof.

15. Non-Discrimination

(A) Pursuant to I.C. 22-9-1-10, the CONSULTANT and his subcontractors, if any, shall not discriminate against any employee or applicant for employment, to be employed in the performance of work under this Agreement, with respect to hire, tenure, terms, conditions or privileges of employment or any matter directly or indirectly related to employment, because of race, color, religion, sex, handicap, national origin or age. Breach of this covenant may be regarded as a material breach of the Agreement.

(B) The CONSULTANT in the performance of the work under this Agreement shall comply with the United States Department of Transportation regulations which follow:

During the performance of this Agreement, the CONSULTANT for itself, its assignees and successors in interest agrees as follows:

- (1) Compliance with Regulations: The CONSULTANT will comply with the Regulations of the Department of Transportation relative to nondiscrimination in federally assisted programs of the Department of Transportation, 49 CFR Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this Agreement.

- (2) Nondiscrimination: The CONSULTANT, with regard to the work performed by it after award and prior to completion of the Agreement work, will not discriminate as defined by the regulations, in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The CONSULTANT will not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the Agreement covers a program set forth in Appendix "B" of the Regulations.
- (3) Solicitations for Subcontractors, Including Procurements of Materials and Equipment: In all solicitation either by competitive bidding or negotiation made by the CONSULTANT for work to be performed under a subcontract, including procurements of materials or equipment, each potential subcontractor or supplier shall be notified by the CONSULTANT of the CONSULTANT'S obligations under this Agreement and the Regulations relative to non-discrimination.
- (4) Information and Reports: The CONSULTANT will provide all information and reports required by the Regulations, or directives issued pursuant thereto, and will permit access to its books, records, accounts, and other sources of information, and its facilities as may be determined by the LOCAL PUBLIC AGENCY or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a CONSULTANT is in the exclusive possession of another who fails or refuses to furnish this information, the CONSULTANT shall so certify to the LOCAL PUBLIC AGENCY, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) Sanctions for Noncompliance: In the event of the CONSULTANT'S noncompliance with the nondiscrimination provisions of this Agreement, the LOCAL PUBLIC AGENCY shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to, (a) withholding of payments to the CONSULTANT under the Agreement until the CONSULTANT complies, and/or (b) cancellation, termination or suspension of the Agreement, in whole or in part.
- (6) Incorporation of Provisions: The CONSULTANT will include the provision of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The CONSULTANT will take such action with respect to any subcontract or procurement as the LOCAL PUBLIC AGENCY or the Federal Highway Administration may direct as a means of

enforcing such provisions including sanctions for noncompliance. Provided, however, that, in the event the CONSULTANT becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the CONSULTANT may request the LOCAL PUBLIC AGENCY to enter into such litigation to protect the interests of the LOCAL PUBLIC AGENCY, and in addition, the CONSULTANT may request the United States to enter into such litigation to protect the interests of the United States.

16. Successors and Assignees

The LOCAL PUBLIC AGENCY, insofar as authorized by law, binds itself and its successors, and the CONSULTANT binds his successors, executors, administrators and assignees, to the other party of this Agreement and to the successors, executors, administrators and assignees of such other party, as the case may be insofar as authorized by law, in respect to all covenants of this Agreement.

Except as above set forth, neither the LOCAL PUBLIC AGENCY nor the CONSULTANT shall assign, sublet or transfer its or his interest in this Agreement without the consent of the other.

17. Disadvantaged Business Enterprise Program

A. General

1. Notice is hereby given to the CONSULTANT or subcontractor that failure to carry out the requirements set forth in 49 CFR Sec. 23.43(a) shall constitute a breach of contract and, after notification, may result in termination of the contract or such remedy as the LOCAL PUBLIC AGENCY deems appropriate.
2. The referenced section requires the following policy and Disadvantaged Business Enterprise (DBE) obligation to be included in all subsequent agreements between the CONSULTANT and any subcontractor.
  - a. It is the policy of the LOCAL PUBLIC AGENCY that disadvantaged business enterprises, as defined in 49 CFR Part 23, shall have the maximum opportunity to participate in the performance of contracts financed in whole or part with Federal funds under this contract. Consequently the DBE requirements of 49 CFR Part 23, apply to this contract.

- b. The CONSULTANT agrees to ensure that disadvantaged business enterprises, as defined in 49 CFR Part 23, have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this contract. In this regard, the CONSULTANT shall take all necessary and reasonable steps, in accordance with 49 CFR Part 23, to ensure that disadvantaged business enterprises have the maximum opportunity to compete for, and perform contracts. The CONSULTANT shall not discriminate on the basis of race, color, national origin or sex in the award and performance of Federal assisted contracts.

3. As part of the CONSULTANT'S equal opportunity affirmative action program it is required that the CONSULTANT shall take positive affirmative actions and put forth good faith efforts to solicit proposals or bids from and to utilize Disadvantaged Business Enterprise subcontractors, vendors or suppliers.

B. Definitions

The following definitions apply to this section.

1. "Disadvantaged Business Enterprise" means a small business concern: (a) which is at least 51 percent owned by one or more socially and economically disadvantaged individuals, or in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more socially and economically disadvantaged individuals; and (b) whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.
2. "Small Business Concern" means a small business as defined pursuant to section 3 of the Small Business Act and relevant regulations promulgated pursuant thereto.
3. "Socially and economically disadvantaged individuals" means those individuals who are citizens of the United States (or lawfully admitted permanent residents) and who are women, Black Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans, Asian-Indians Americans or women and any other minorities or individuals found to be disadvantaged by the Small Business Administration pursuant to section 8(a) of the Small Business Act.
4. "Certified Disadvantaged Business Enterprises" means the business has completed and filed with the Indiana Department of Transportation a request for certification, and that the business has been reviewed and determined to

comply with the guidelines established in 49 CFR, Part 23. Businesses which are determined to be eligible will be certified as a Disadvantaged Business Enterprise (DBE).

C. Subcontracts

1. If the CONSULTANT intends to subcontract a portion of the work, the CONSULTANT is required to take affirmative actions to seek out and consider disadvantaged business enterprises as potential subcontractors prior to any subcontractual commitment.
2. The contacts made with potential disadvantaged business enterprise subcontractors and the results thereof shall be documented and made available to the LOCAL PUBLIC AGENCY and the FHWA when requested.
3. In those cases where the CONSULTANT originally did not intend to subcontract a portion of the work and later circumstances dictate subletting a portion of the contract work, the affirmative action contacts covered under paragraph C.1 and C.2 of this Section shall be performed.
4. No subletting will be approved until the CONSULTANT demonstrates his compliance with paragraphs C.1 and C.2 of this Section. The CONSULTANT shall demonstrate his compliance by submitting Form DBE-2 with each request to sublet. The CONSULTANT shall also submit documentation with the DBE-2 evidencing contacts and the results thereof made with potential disadvantaged business enterprise subcontractors for the specific work to be subcontracted.

D. Affirmative Actions

The CONSULTANT agrees to establish and conduct a program which will enable Disadvantaged Business Enterprises to be considered fairly as subcontractors and suppliers under this contract. In this connection the CONSULTANT shall:

1. Designate a liaison officer who will administer the CONSULTANT'S Disadvantaged Business Enterprise program.
2. Ensure that known Disadvantaged Business Enterprises will have an equitable opportunity to compete for subcontracts, so as to facilitate the participation of Disadvantaged Business Enterprises.
3. Maintain records showing (1) procedures which have been adopted to comply with the policies set forth in this clause, including the establishment of a source list of Disadvantaged Business Enterprises, (2) awards to Disadvantaged Business Enterprises on the source list, and (3) specific efforts to identify identify and award contracts to Disadvantaged Business Enterprises.

4. Cooperate with the LOCAL PUBLIC AGENCY in any studies and surveys of the CONSULTANT'S Disadvantaged Business Enterprise procedures and practices that the LOCAL PUBLIC AGENCY may from time to time conduct.
5. Submit periodic reports of subcontracting to known Disadvantaged Business Enterprises with respect to the records referred to in Subparagraph (3) above, in such form and manner and at such times as the LOCAL PUBLIC AGENCY may prescribe.

E. Leases and Rentals

1. The CONSULTANT shall notify the Indiana Department of Transportation when purchases or rental of equipment (other than leases for hauling) are made with disadvantaged businesses. The information submitted shall include the name of the business, the dollar amount of the transaction, and the type of purchase made or type of equipment rented.

F. DBE Program

Unless otherwise specified in this Agreement, the DBE Program developed by the LOCAL PUBLIC AGENCY and approved by the Federal Highway Administration applies to this agreement.

18. Certification for Federal-Aid Contracts

The Consultant certifies, by signing and submitting this contract, to the best of his or her knowledge and belief, that he or she has complied with Section 1352, Title 31, U.S. Code, and specifically, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. This form is available through the Indiana Department of Transportation.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. This certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code.

The Consultant also agrees by submitting his or her contract that he or she shall require that the language of this certification be included in all lower tier subcontractors, which exceed \$100,000 and that such subrecipients shall certify and disclose accordingly. Any person who fails to sign or file this required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.

19. Supplements

This Agreement may only be amended, supplemented or modified by a written document executed in the same manner as this Agreement.

IN TESTIMONY WHEREOF, the parties hereto have executed this Agreement.

CONSULTANT

LOCAL PUBLIC AGENCY

BY Jacob E. Hall  
President Jacob E. Hall

Board of County Commissioners, Vanderburgh County  
BY Richard J. Barnes

Attest:  
Keat D. Downey  
Secretary Keat D. Downey

BY \_\_\_\_\_

BY Patricia Juley

BY \_\_\_\_\_

ATTEST:  
[Signature]  
Approved as to Legality and Form:

[Signature]  
Attorney for Vanderburgh County

A C K N O W L E D G M E N T

Rev. 4/4/91

State of Indiana County of Marion SS:

Before me, the undersigned Notary Public in and for said County personally appeared Jacob E. Hall, President and Kent D. Downey, Secretary  
(name of signers, their official

United Consulting Engineers, Inc.  
capacity and firm name)

and each acknowledged the execution of the foregoing contract on this 2<sup>nd</sup> day of August, 1993, and each acknowledged and stated that he/she is the party authorized by the said firm to execute the foregoing contract.

Witness my hand and seal the said last named date.

My Commission Expires

May 15, 1996

*Pamela J. Neidenberger*  
Notary Public

Marion  
County of Residence

Pamela J. Neidenberger  
Print or type name

A C K N O W L E D G M E N T

State of Indiana, County of Vanderburgh, SS:

Before me, the undersigned Notary Public in and for said County, personally appeared Richard J. Borries, PRESIDENT and  
(Name of signers, their official capacity and agency name)

Patrick Tuley, VICE PRESIDENT/BOARD OF COMMISSIONERS

and acknowledged the execution of the foregoing agreement on this 9<sup>th</sup> day of August, 1993.

Witness my hand and seal this said last named date.

My Commission Expires  
JOANNE A MATTHEWS  
NOTARY PUBLIC STATE OF INDIANA  
VANDERBURGH COUNTY  
MY COMMISSION EXP. JUNE 12, 1996  
Vanderburgh  
County of Residence

*Joanne A. Matthews*  
Notary Public  
Joanne A. Matthews  
Print or type name

CERTIFICATE OF CONSULTANT

I hereby certify that I am the President and duly authorized representative of the firm of United Consulting Engineers, Inc. whose address is 1625 North Post Road, Indiana 46219-1995

and that neither I nor the above firm I hereby represent has:

- (a) employed or retained for a commission, percentage, brokerage, contingent fee, or other consideration, any firm or person (other than a bona fide employee working solely for me or the above consultant) to solicit or secure this contract.
- (b) agreed, as an express or implied condition for obtaining this contract, to employ or retain the services of any firm or person in connection with carrying out the contract, or
- (c) paid, or agreed to pay, to any firm, organization or person (other than a bona fide employee working solely for me or the above consultant) any fee, contribution, donation, or consideration of any kind for, or in connection with, procuring or carrying out the contract;

except as here expressly stated (if any): \_\_\_\_\_

I further certify that no employee, officer or agent or partner or any member of their immediate families of this firm is employed or retained either full or part-time, in any manner by the LOCAL PUBLIC AGENCY; except as herein expressly stated (if any); \_\_\_\_\_

I acknowledge that this certificate is to be furnished to the Indiana Department of Transportation and the Federal Highways Administration, in connection with this contract involving participation of Federal-aid highway funds, and is subject to applicable State and Federal Laws, both criminal and civil.

8-2-93  
(Date)

Jacob E. Hall  
(Signature)  
Jacob E. Hall, President

CERTIFICATE OF LOCAL PUBLIC AGENCY

I hereby certify that (I am) (we are) the Commissioners of the Vanderburgh County, and that the above Consultant or his representative has not been required, directly or indirectly as an express or implied condition in connection with obtaining or carrying out this contract to:

- (a) employ or retain, or agree to employ or retain, any firm or person, or
- (b) pay, or agree to pay, to any firm, person, or organization, any fee, contribution, donation, or consideration of any kind

except as here expressly stated (if any): \_\_\_\_\_

(I) (We) further certify that no employee, officer or agent or partner, or any member of their immediate families of the consultant is employed or retained either full or part-time, in any manner by the LPA except as here expressly stated (if any): \_\_\_\_\_

I acknowledge that this certificate is to be furnished to the Indiana Department of Transportation and FHWA, in connection with this contract involving participation of Federal Aid Highway Funds, and is subject to applicable State and Federal laws, both criminal and civil.

August 9, 1993  
(Date)

Richard J. Bernier  
Victor J. Jurek  
 \_\_\_\_\_

(Form approved by the Attorney General)

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA )  
 )  
COUNTY OF )

The undersigned, being duly sworn on oath says, that he is the contracting party, or, that he is the representative, agent, member, or officer of the contracting party, that he has not, nor has any other member, representative, agent, or officer of the firm, company, corporation or partnership represented by him, directly or indirectly, entered into or offered to enter into any combination, collusion or agreement to receive or pay, and that he has not received or paid, any sum of money or other consideration for the execution of the annexed agreement other than that which appears upon the face of the agreement.

United Consulting Engineers, Inc.

Jacob E. Hall

Jacob E. Hall, President  
(Print or type name)

Subscribed and sworn to before me this 2<sup>nd</sup> day of August, 1993.

Pamela J. Neidenberger  
Notary Public  
Pamela J. Neidenberger

My Commission Expires

May 15, 1996

DEBARMENT CERTIFICATION

Jacob E. Hall, President

(PRINTED OR TYPED NAME OF OFFICIAL)

being duly sworn, certifies that except as noted below, the CONSULTANT or any person associated therewith in the capacity of owner, partner, director, officer, principal investor, project director, manager, auditor, or any position involving the administration of federal funds:

- 1) is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
- 2) has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past 3 years;
- 3) does not have a proposed debarment pending; and
- 4) has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

Exceptions are as follows:

Exceptions will not necessarily result in denial of award, but will be considered in determining the CONSULTANT'S responsibility. For any exception noted, indicate to whom it applies, initiating agency, and dates of action. Providing false information may result in criminal prosecution or administrative sanctions.

BY Jacob E. Hall  
(SIGNATURE) (TITLE)

Jacob E. Hall, President  
PRINTED OR TYPED

United Consulting Engineers, Inc.  
COMPANY

Before me, a Notary Public in and for said County and State, personally appeared Jacob E. Hall, Pres., who swore to and acknowledged the truth of the statements in the foregoing certification on this 2<sup>nd</sup>

day of August, 1993.  
BY Pamela J. Neidenberger  
(SIGNATURE) (NOTARY PUBLIC)

My Commission Expires May 15, 1996

Marion  
(COUNTY OF RESIDENCE)

Pamela J. Neidenberger  
(PRINTED OR TYPED)

## APPENDIX "A"

SERVICES BY CONSULTANT

The CONSULTANT shall attend meetings with the LOCAL PUBLIC AGENCY (LPA), Indiana Department of Transportation (INDOT) and Federal Highway Administration (FHWA) as may be requested. Qualifications of inspection personnel shall comply with the National Bridge Inspection Standards (NBIS). A Listing of the Personnel and their responsibilities doing the inspection and preparing the report shall be included in the preface of the bridge inspection report. The title page of each copy of the report shall include the signature and seal of the Professional Engineer in charge of the inspection.

The bridge inspections shall be done in accordance with the "NBIS" and the current "AASHTO Manual for Maintenance Inspection of Bridges". The CONSULTANT shall ensure that each bridge shall be inspected at an interval not to exceed two (2) years.

The approximate number of bridges to be inspected is 136.

The services to be performed under the terms of this agreement are to be in two phases:

- (1) Complete inspection and report of all bridges;
- (2) Complete inspection update within 2 years after the last inspection.

The CONSULTANT shall make all necessary studies including field inspections of each bridge site and furnish all labor, materials, travel expenses, and insurance, except where stated otherwise, to perform all services as outlined herein. No work shall begin until a written notice to proceed has been issued by the LPA.

PHASE #1

Before starting to inspect the bridges, the INDOT bridge inspection section shall be contacted for obtaining current available inventory

information and a procedural outline to follow when a bridge deficiency is observed that if not addressed immediately and corrected could result in a serious traffic safety hazard of cause the failure of all or part of a bridge. The Consultant shall inspect all bridges in accordance with the time frames outlined in APPENDIX "C" (Schedule) and provide the LPA with eight (8) copies and the INDOT three (3) copies of the final report, accompanied by necessary maps, Computerized County Bridge Inspection Paradox Program data disk(s), evaluations and recommendations. The title page of each copy of the report shall include the signature, date, and seal of the Professional Engineer in charge of the bridge inspections. The report shall be prepared in such a manner and form so as to meet the requirements of the State of Indiana (INDOT) and the Federal Government (FHWA) as defined in the "Computerized County Bridge Inspection Paradox Program", the current edition of the federal "Recording and Coding Guide for the Structure Inventory and Appraisal of the Nation's Bridges" and the "INDOT's County Bridge Inspection Guide". Specifically, the following items shall be incorporated in both the initial draft and final report submittals:

- A. Structure Inventory and Appraisal (SI&A) report for individual structures.
- B. Legible current photographs of the bridge alignment, elevation and areas showing deficiencies.
- C. Current county and all applicable city/town key map(s) clearly identifying the location of each bridge contained within the report.
- D. Summary of bridges which have been added, deleted, replaced, reconstructed, rehabilitated and/or closed bridges.
- E. Listing posted and closed bridges
- F. Individual listings of bridges that must be closed, posted, have posting corrections, or have posting signs removed.
- G. Updated data disk(s) shall be furnished to the Bridge Inspection Section, Division of Program Development, INDOT.
- II. Listing of historical structures

- I. Summary of bridges with major or minor changes.
- J. Schedule of safety improvements needed.
- K. Other miscellaneous type bridge summaries as provided by the "Computerized County Bridge Inspection Paradox Program".
- L. Priority schedules (by type of improvement need) specifically listing bridge improvement needs and related costs categorized by type of work (repair, rehabilitation and/or replacement).
- M. Where the bridge inspection process indicates supplemental in-depth inspection procedures would be required, (bridges having fracture critical members; bridges requiring underwater inspection and other bridges that, because of location, strategic importance or special design features, warrant special attention), a master list shall be prepared and included in the report, indicating:
  - (1) Type and location of the bridge.
  - (2) Type and frequency of required inspection.
  - (3) The location of the members to be inspected.
  - (4) Inspection procedures to be used.
  - (5) Dates of previous inspections.
  - (6) Special equipment required.
  - (7) The findings of the last inspection.
  - (8) Follow-up actions taken on findings of the last inspection.

PHASE #2

The Consultant shall physically reinspect all bridges in accordance with time frames outlined in APPENDIX "C" (Schedule) and provide the LPA with eight (8) copies and the INDOT three (3) copies of the final report, accompanied by necessary maps, "Computerized County Bridge Inspection Paradox Program" updated data disk(s), evaluations and recommendations. The title page of each copy of the revised report shall include the signature, date, and seal of the Professional Engineer in charge of the bridge inspection. Revised report and master list composition and preparation shall be in accordance

with the requirements of PHASE I as previously defined and specifically the following items:

- A. Legible current photographs of the bridge alignment and elevation plus new photographs of areas showing deficiencies of any bridge exhibiting significant changes since the last report.
- B. Revised schedules, listings, summaries, etc. for each report shall be in accordance with the requirements stated in PHASE I above.

SCOPE

The scope of services under terms of this agreement shall include the following:

- A. All highway bridges in the county except State highway bridges, Federal land bridges and privately owned bridges shall be inspected.
- B. All highway bridges in cities and towns except State highway bridges shall be inspected.
- C. Bridges carrying railroad traffic shall not be inspected. Bridges owned by the railroad but carrying highway traffic shall be inspected.
- D. Concerning county line bridges, only those on the east and south county lines are to be inspected. Copies of the SI&A reports shall be sent to the adjacent county.
- E. All County bridges on State lines shall be inspected. Copies of the SI&A sheets shall be sent to the adjacent State and County and/or Local Public Agency.
- F. Only county bridges having a clear distance, measured parallel to centerline of roadway more than 20 feet between end walls, are to be inspected. This shall include large single pipes or multiple pipes where clear distance between opening is less than half the smaller contiguous opening.

APPENDIX "B"

INFORMATION AND SERVICES TO BE FURNISHED BY THE "LPA"

The LPA shall furnish the CONSULTANT with information and services as follows:

- A. The LPA shall furnish all existing right of way data, as well as maps, traffic data, and other information in its possession which may be useful in connection with the work.
- B. The LPA shall assist in obtaining access upon private and public property for the CONSULTANT to perform the work under this agreement.

APPENDIX "C"

SCHEDULE

The CONSULTANT shall complete the work described in Appendix "A" Phase I, after receiving the "Notice to Proceed" from the LPA in accordance with the following:

1. A single draft copy of the final report, including all summary reports, in-depth inspection master lists and individual SI&A reports and the computerized county bridge inspection paradox program data disk(s) shall be submitted within five (5) calendar months for preliminary review.
2. If revisions are necessary, the complete and final report shall be submitted no later than thirty (30) calendar days from receipt of the marked up copy of the preliminary report from the INDOT.

The CONSULTANT shall initiate the work in Appendix "A" Phase II, within two (2) years after the last inspection. The work must be completed within two (2) years and four (4) calendar months after receiving the "Notice to Proceed" from the LPA. Any extension of time required to complete the work under this agreement must be approved in writing by the LPA and the INDOT.

## APPENDIX "D"

COMPENSATIONA. Amount of Payment

1. The CONSULTANT shall receive as payment for the work performed under this agreement the total fee not to exceed \$ 48,300.00, unless a modification of the agreement is approved in writing by the LPA and INDOT.
2. For services rendered in connection with the work as set forth in Appendix "A" Phase 1, the CONSULTANT shall receive a lump sum fee of \$ 28,400.00.
3. For services rendered in connection with the work as set forth in the Appendix "A" Phase 2, the CONSULTANT shall receive a lump sum fee of \$ 19,900.00.

B. Method of Payment

1. The CONSULTANT shall submit invoices to the LOCAL PUBLIC AGENCY, not more often than once per month during progress of the work, for partial payment on account for the work completed to date. Such invoices shall represent the value, to the LPA, of the partially completed work based on the proportion which its percentage bears to the total cost of the fully completed work.
  - a. Upon approval by the Local Public Agency after submittal of the completed work, in each phase, a sum of money equal to the fees heretofore set forth, less the total of the amounts of the partial payments previously paid to the CONSULTANT shall be due and payable to the CONSULTANT.

## MANHOURS BY CLASSIFICATION - BRIDGE INSPECTION

OWNER: Vanderburgh County Commissioners  
 PROJECT NO: BRO-NBIS( ), PHASE I  
 DESCRIPTION: VANDERBURGH COUNTY BRIDGE INSPECTION PROGRAM

CATEGORIES OF WORK	PROJECT ENGINEER	STRUCTURAL ENGINEER	TECHNICIAN	DRAFT PERSON	CLERICAL	TOTAL
FIELD INSPECTION		120	120			240
REVIEWS & RECOMMENDATIONS	8	16				24
RATING CALCULATION	8	40				48
COMPUTER DATA INPUT			80			80
REVIEW & MOUNT PHOTOS		4		40		44
MAP PREPERATION	2		4	8		14
SUMMARY TABLES	4	8				12
REVIEW & CHECK DATA	4	16				20
REPORT PREPERATION	2	8			16	26
FINAL REVISIONS	2	4	8		8	22
<b>Total Hours</b>	<b>30</b>	<b>216</b>	<b>212</b>	<b>48</b>	<b>24</b>	<b>530</b>
<b>Hourly Rate: (1/1/93)</b>	<b>\$20.60</b>	<b>\$18.75</b>	<b>\$14.50</b>	<b>\$9.00</b>	<b>\$7.60</b>	
<b>Total Labor:</b>	<b>\$618.00</b>	<b>\$4,050.00</b>	<b>\$3,074.00</b>	<b>\$432.00</b>	<b>\$182.40</b>	<b>\$8,356.40</b>
<b>Overhead - 156.47%</b>						<b>\$13,075.26</b>
<b>Labor + Overhead</b>						<b>\$21,431.66</b>
<b>Fixed Fee</b>						<b>\$3,214.75</b>
<b>Subtotal</b>						<b>\$24,646.41</b>
<b>Direct Cost</b>						<b>\$5,392.80</b>
<b>TOTAL</b>						<b>\$30,039.21</b>
<b>TOTAL FEE USED</b>						<b>\$30,000.00</b>

**VANDERBURGH COUNTY  
BRIDGE INVENTORY  
PHASE I  
DIRECT NON-SALARY COSTS**

Travel:	6 Trips from Indianapolis to Vanderburgh County at 162 miles (one way) = 972 miles. In County 8 miles per bridge * 136 bridges = 1088 miles TOTAL MILES: 2060 * \$ 0.28 per mile =	\$ 576.80
Meals:	15 Days at \$ 24.00 per day * 2 persons =	\$ 720.00
Lodging:	12 Nights at \$ 35.00 per night * 2 persons =	\$ 840.00
Supplies:	Film: 3 photos per bridge * 136 bridges * 1 roll per 36 photos @ \$ 5.00 per roll =	\$ 60.00
	Developing: 3 photos per bridge * 136 bridges @ \$ 0.50 per photo =	\$ 204.00
Printing:	136 bridges * \$ 22.00 per bridge =	<u>\$ 2,992.00</u>
	<b>TOTAL NON-SALARY COST</b>	<b>\$ 5,392.80</b>

**MANHOURS BY CLASSIFICATION - BRIDGE INSPECTION**

OWNER: Vanderburgh County Commissioners  
 PROJECT NO: BRO-NBIS( ), PHASE II  
 DESCRIPTION: VANDERBURGH COUNTY BRIDGE INSPECTION PROGRAM

CATEGORIES OF WORK	PROJECT ENGINEER	STRUCTURAL ENGINEER	TECHNICIAN	DRAFT PERSON	CLERICAL	TOTAL
FIELD INSPECTION		80	80			160
REVIEWS & RECOMMENDATIONS	2	16				18
RATING CALCULATION	4	20				24
COMPUTER DATA INPUT			40			40
REVIEW & MOUNT PHOTOS		2		8		10
MAP PREPERATION	2		4	8		14
SUMMARY TABLES	2	8				10
REVIEW & CHECK DATA	2	8				10
REPORT PREPERATION	2	8			16	26
FINAL REVISIONS	2		2	4	8	16
<b>Total Hours</b>	<b>16</b>	<b>142</b>	<b>126</b>	<b>20</b>	<b>24</b>	<b>328</b>
<b>Hourly Rate: (1/1/95)</b>	<b>\$21.63</b>	<b>\$19.69</b>	<b>\$15.23</b>	<b>\$9.45</b>	<b>\$7.98</b>	
<b>Total Labor:</b>	<b>\$346.08</b>	<b>\$2,795.98</b>	<b>\$1,918.98</b>	<b>\$189.00</b>	<b>\$191.52</b>	<b>\$5,441.56</b>
<b>Overhead - 156.47%</b>						<b>\$8,514.41</b>
<b>Labor + Overhead</b>						<b>\$13,955.97</b>
<b>Fixed Fee</b>						<b>\$2,093.40</b>
<b>Subtotal</b>						<b>\$16,049.36</b>
<b>Direct Cost</b>						<b>\$4,955.44</b>
<b>TOTAL</b>						<b>\$21,004.80</b>
<b>TOTAL FEE USED</b>						<b>\$21,000.00</b>

**VANDERBURGH COUNTY  
BRIDGE INVENTORY  
PHASE II  
DIRECT NON-SALARY COSTS**

Travel:	4 Trips from Indianapolis to Vanderburgh County at 162 miles (one way) = 648 miles. In County 8 miles per bridge * 136 bridges = 1088 miles TOTAL MILES: 1736 * \$ 0.29 per mile =	\$ 503.44
Meals:	10 Days at \$ 25.00 per day * 2 persons =	\$ 500.00
Lodging:	8 Nights at \$ 37.00 per night * 2 persons =	\$ 592.00
Supplies:	Film: 3 photos per bridge * 40 bridges * 1 roll per 36 photos @ \$ 6.00 per roll =	\$ 24.00
	Developing: 3 photos per bridge * 40 bridges @ \$ 0.60 per photo =	\$ 72.00
Printing:	136 bridges * \$ 24.00 per bridge =	<u>\$ 3,264.00</u>
	<b>TOTAL NON-SALARY COST</b>	<b>\$ 4,955.44</b>

VANDEBURGH COUNTY HIGHWAY DEPARTMENT  
PROGRESS REPORT

---

FRIDAY, JULY 30, 1993 THRU THURSDAY, AUGUST 5, 1993

FRIDAY, JULY 30, 1993

Grader and 8 crews worked on County Line West.  
Four trucks hauled rock to Cypress Dale.  
Patch crews - worked on Lynn Road.  
Summer crews worked on work orders.

MONDAY, AUGUST 2, 1993

Gradall, paver, roller, and 9 crews paved Cypress Dale.  
Summer crews worked on work orders.  
Trash crews ran regular routes and work orders.

TUESDAY, AUGUST 3, 1993

Paver, roller and 8 crews paved on Cypress Dale and Ridgewood.  
Gradall and two crews ditched on Cypress Dale.  
Patch crews - patched on St. George.  
Summer crews worked on work orders.

WEDNESDAY, AUGUST 4, 1993

Gradall and three crews ditched on Cypress Dale.  
Two crews cleaned trucks, distributor and Paver.  
Two crews hauled rock to Old Henderson.  
Summer crew worked on work orders.  
Trash crew ran regular routes.  
One crew rocked shoulders.  
One crews rocked mailbox approaches.

THURSDAY, AUGUST 5, 1993

Paver, roller and six crews paved Ridgewood.  
Gradall and two crews ditched on Cypress Dale.  
Two patch crews worked on New Harmony Road.  
Summer crews worked on work orders.

**VANDEBURGH COUNTY BRIDGE CREW**  
**PROGRESS REPORT**  
**FRIDAY, JULY 30, 1993 THRU THURSDAY, AUGUST 5, 1993**

**FRIDAY, JULY 30, 1993**

Crew #1 & Backhoe - install pipe on Cypress Dale.  
Crew #2 - spray guardrail and bridges on Hogue, Upper Mt. Vernon,  
and Dixie Flyer.

**MONDAY, AUGUST 2, 1993**

Crew #1 & Backhoe - dig out and add french drain on Cypress Dale, add rip rap and 53's on Boonville New Harmony East, clean truck and backhoe.  
Crew #2 - spray Broadway, Mohr, Evergreen, Old State and Petersburg, add barricades and one lane traffic signs on Boonville New Harmony East.

**TUESDAY, AUGUST 3, 1993**

Crew #1 & Backhoe - spray weeds, straighten guardrail on 3000 Red Bank Road, dig out St. George for patch.  
Crew #2 - clean rip rap from Kolb Ditch, concrete culvert at guardrail on Pollack Fuquay, paint guardrail on Kremer Road, Daylight, Resurrection, and New Harmony.

**WEDNESDAY, AUGUST 4, 1993**

Crew #1 - add 12" X 34" culvert on Cypress Dale.  
Crew #2 & Backhoe - install curved guardrail on Adler Road East, of St. Joe, clean equipment.

**THURSDAY, AUGUST 5, 1993**

Crew #1 - Pollack & Calf Lane, spray bridges and guardrails NW.  
Crew #2 & Backhoe - Pollack & Calf Lane, remove concrete from guardrail post on Darmstadt bridge, haul scrap to junkyard.

# REQUEST FOR APPROPRIATION

DEPARTMENT: Vanderburgh Auditorium                      DATE: August 9, 1993

<u>ACCOUNT</u>	<u>LINE ITEM</u>	<u>AMOUNT</u>
1440-1850	Union Overtime	\$8000.00

### EXPLANATION OF NEED FOR REQUEST

Union Overtime for events booked as of 8-9-93 for the balance of 1993.  
This amount does not include any additional events for the balance of 1993.

### BALANCE OF ACCOUNTS:

<u>ACCOUNT NO.</u>	<u>BUDGET</u>	<u>DISBURSEMENTS</u>	<u>BALANCE</u>	<u>BALANCE AFTER APPROP</u>

VCC-2

DEPARTMENT HEAD: Sandra Toton

*Consent Agenda  
Council Call*

Warrant No. \_\_\_\_\_

Claim No. \_\_\_\_\_

Date \_\_\_\_\_

IN FAVOR OF

Vendor Name BLANKENBELLER BROTHERS

Vendor No. 481

\$ 262,799.71

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name USE INTERCLERK

Account No. 430 BOND

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Aug 4, 93

John Stall  
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

Allowed \_\_\_\_\_ 19\_\_\_\_

In the sum of \$  
Richard J. Barnes  
Patricia J. Gulez

Board of Commissioners

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>#1</u>	<u>-</u>	<u>7/31/93</u>	<u>430 BOND</u>	<u>262,799.71</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 262,799.71



Warrant No. \_\_\_\_\_

Claim No. \_\_\_\_\_

Date \_\_\_\_\_

Vendor Name IN FAVOR OF  
CONCRETE PAVERS

Vendor No. 3899

\$ 15,528.75

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name CONT. SUCS

Account No. 216-3930

Allowed \_\_\_\_\_ 19\_\_\_\_

In the sum of \$  
Richard J. Barnes  
Robert Jiles

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Aug 6, 93

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>93-360</u>	<u>—</u>	<u>8/2/93</u>	<u>216-3930</u>	<u>15,528.75</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 15,528.75





Warrant No. \_\_\_\_\_

Claim No. \_\_\_\_\_

Date \_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IN FAVOR OF

Vendor Name UNITED CONSULTING

Vendor No. 1262

Aug 6, 93

[Signature]  
Signature of Office Holder

\$ 34,899.06

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

ON ACCOUNT OF APPROPRIATION  
Dept. Fund Name GREEN RIVER RD.

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.

Account No. 216-4910

Auditor

Allowed \_\_\_\_\_ 19\_\_\_\_

In the sum of \$  
Richard J. Barnes  
Natural Justice

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>#16</u>	<u>—</u>	<u>7/28/93</u>	<u>216-4910</u>	<u>34,899.06</u>
TOTAL				<u>34,899.06</u>

Board of Commissioners











CLAIM No. .... WARRANT No. ....

#618  
IN FAVOR OF  
NAME AND ADDRESS  
Bowers Harrison  
bert - Miller

249.00

ON ACCOUNT OF APPROPRIATION  
ACCOUNT NO. 130-3610  
PURCHASE ORDER NO.  
INVOICE NO. 6/26/93  
PURPOSE

Allowed ..... 19 .....

In the sum of \$  
Richard J. Bowers  
Richard J. Bowers

Commissioners ..... County

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

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

..... Auditor

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

Richard J. Bowers

8/2  
.....  
1993

13



CLAIM No. .... WARRANT No. ....

IN FAVOR OF  
NAME AND ADDRESS

ZIEMER, STAYMAN, WEITZEL & SHOULDERS  
P.O. BOX 916  
EVANSVILLE, IN 47706

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.

No. 35-1066906

Auditor

Page: 1  
08/04/93  
.994-101M  
IT NO: 24

\$ 105.50

ACCOUNT OF APPROPRIATION

ACCOUNT NO. 130-3610

PURCHASE ORDER NO.

INVOICE NO. ZSWS 8-4-93

PURPOSE

Allowed ..... 19 .....

In the sum of \$

*Richard J. Barnes*  
*Robert Julez*

Commissioners ..... County

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

*Richard J. Barnes*  
1993

\$350.00

-----  
105.00

0.50

-----  
0.50

105.50

-350.00

08/04/93 Payment

CLAIM No. .... WARRANT No. ....

#1053 IN FAVOR OF  
NAME AND ADDRESS

KARR, DEE, DONOVAN & KARR  
308 UNION FEDERAL BUILDING  
POST OFFICE BOX 3646  
EVANSVILLE, IN 47735-3646

28.51

ON ACCOUNT OF APPROPRIATION

ACCOUNT NO. 130 - 3610

PURCHASE ORDER NO.

INVOICE NO. JULY 24

PURPOSE

Allowed ..... 19 .....

In the sum of \$  
*Richard J. Bowers*  
*Patricia J. J...*

Commissioners ..... County

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

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

423-3841  
NO. 51271  
0  
993

Auditor

ion

I certify that the within bill is true and correct; that the supplies and materials therein itemized and for which charge is made were supplied by (fill in) and are 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 .....

8/22  
19 93  
*Richard J. Bowers*  
of

.00  
23.10  
23.10  
23.10

AMOUNT  
23.10

**MINUTES  
COUNTY COMMISSIONERS MEETING  
AUGUST 16, 1993**

**I N D E X**

<b>Subject</b>	<b>Page No.</b>
Meeting Opened @ 5:50 p.m. ....	1
Introductions & Pledge of Allegiance .....	1
Authorization to Open Bids on Vogel Rd. Bridge and Paving Project No. VC-07-93 .....	1
Ordinance Amending Chapter 154 (Floodplain Management Ordinance) of the Vanderburgh County Code of Ordinances (First Reading) .....	1
Agreement Between OCS Technologies and the City of Evansville & Vanderburgh County - Roger Elliott .....	2
Reading of Bids/Vogel Rd. Bridge & Paving Project VC-07-93.	3
County Attorney - Alan Kissinger .....	3
Claim/Francis Miller (\$985.00) Waiver/Various Inoculation & Vaccination Screenings	
Superintendent of County Buildings - Mark Abell .....	4
Public Appearance Officer/Eric Williams	
County Highway - Bill Morphey .....	4
Weekly Progress Report Agnew Property/Weed Cutting to be Contracted Out St. Joe Avenue/Clearance of Debris, etc. Request to Attend Seminar/Purdue University County Line Rd. West Request to go on Council Call/Transfer of Funds from Lynch Rd. to Columbia-Delaware & Vogel Rd. Bridge Projects - John Stoll Green River Rd. Project/American Wholesaler's/ Construction of Temporary Access Rd.	
County Engineer - John Stoll .....	8
Acceptance of Check/Loan for Lynch Rd. Extension in the amount of \$800,000 Claim/County Garage Remediation/Environmental Consulting Engineers (\$12,103.60) Testing of Unmarked Barrels at County Highway Garage to be included as part of the initial Agreement with Environmental Consulting Engineering Change Order/Crack Sealing Contract (\$3,842.50 increase)	
Consent Agenda .....	11
Council Call/Burdette Park/Incentive Bonus for Lifeguards Travel Requests Employee's Release/Sheriff's Dept. (Resignation of Terry Hayes) Armstrong Township Assessor Summer Intern/Ann Michel	
Old Business .....	12
New Business .....	12
Commission Meeting/Tuesday, September 7, 1993 Request for Executive Sessions on August 30, 1993 and September 7, 1993 Request to Advertise/Specs for Abstract Titles/Tax Sale	

REZONING PETITIONS

VC-12-93/Petitioner, Gayle C. Ellison (App'd. First Reading)..13  
VC-13-93/Petitioners, W. C. Bussing, Jr., O. W. Kattmann, Jr.,  
and Bruce A. Biggerstaff (App'd. on First Reading)  
VC-11-93/Petitioner, Calvin Dentino (App'd. on Final Reading)  
(County Engineer to investigate R/W and prepare plans  
for widening of Eissler Rd. in phases) to take place  
in the future

Meeting Adjourned @ 7:40 p.m. .... 17

MINUTES  
COUNTY COMMISSIONERS MEETING  
AUGUST 16, 1993

The Vanderburgh County Board of Commissioners met in session at 5:50 p.m. on Monday, August 16, 1993 in the Commissioners Hearing Room with President Richard Borries presiding. Commissioner Borries apologized for the late start, due to an Executive Session held prior to the regular meeting of the Board.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order, welcomed the attendees, introduced members of the County Staff (Mark Abell, B. J. Farrell, Ann Michel, Attorney Kissinger, Commissioners Tuley and Hunter, himself, Auditor Sam Humphrey and Joanne Matthews, secretary) and asked the group to stand for the Pledge of Allegiance.

Commissioner Borries then asked if there are any individuals/groups present who wish to address the Commissioners but do not find their particular item of interest on tonight's agenda. There was no response and the Board continued with the agenda, as printed.

RE: AUTHORIZATION TO OPEN BIDS ON VOGEL ROAD BRIDGE AND PAVING PROJECT VC-07-93

President Borries entertained a motion to authorize Attorney Kissinger to open the subject bids.

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

RE: ORDINANCE AMENDING CHAPTER 154 (FLOODPLAIN MANAGEMENT ORDINANCE) OF THE VANDERBURGH COUNTY CODE OF ORDINANCES - FIRST READING

Mr. Borries said this is the First Reading of the proposed ordinance, so there will be no action required tonight. Said ordinance will need to be advertised for Second and Final Readings.

Mrs. Barbara Cunningham, Area Plan Commission, said the Commissioners have a memo she sent on August 11th stating the City of Evansville and Vanderburgh County participate in the National Flood Insurance Program by having adopted and enforcing Floodplain Management Regulations. These regulations are to guide development and control land use in flood hazard areas by decreasing existing and mitigating future flood damages. Because of the city's and county's participation in the NFIP, insurance coverage is available for most homes or businesses, owners and renters for both buildings and their contents.

As of December 1992, in Evansville there were 279 flood insurance policies in effect providing \$20,320,000 worth of protection. Mrs. Cunningham said, "We get periodic visits from the Department of Natural Resources and FEMA to ascertain if we are in compliance with the ordinance. As you recall, we rewrote the ordinance about 1-1/2 years ago and they changed the ordinance and we've made an amendment. This is what is before you tonight. We adopted the last one in 1990 and amended it in 1991. We patterned it after the State model ordinance and since we've adopted this FEMA has reviewed the State ordinance and has recommended some changes. They've also reviewed our ordinance and accepted it, so we are in compliance. Therefore, since we're a participating community in the National Flood Insurance Program they have requested we amend our ordinance to include these changes. These changes are before

you tonight in the ordinance that Joanne has. All of the changes are denoted in yellow on the Commissioners' copies and they are exactly as the State told us to do, with the exception we did add another date and a new map has been submitted to our office and will include that date.

Commissioner Borries entertained questions of Mrs. Cunningham.

Commissioner Hunter asked if Mrs. Cunningham anticipates any FEMA changes in their policy after -- well, he drove through St. Louis and Kansas City and it was unbelievable -- an unbelievable amount of property damaged that was in a floodplain. You kind of wonder if they're not going to amend their policy.

Mrs. Cunningham said a lot of those communities perhaps may not have been participating in the program. We had the big flood of 1937 and we know how awful it can be -- so we're very careful. Every time a permit is looked at in our office or a subdivision comes in, we always make sure of floodplain elevation. This is just something they automatically check -- so she would imagine there might be national changes, and then she'll be back.

Commissioner Borries said that even though we have a levee, this destruction has been enormous and in this day and age with inflation being as it is, as -- the actual cost of replacement seems to go up so dramatically -- literally anyone in the City of Evansville and the County of Vanderburgh can get flood insurance, is that correct? You don't have to be in the floodplain; you don't have to be near that?

Mrs. Cunningham said that is correct.

Continuing, Commissioner Borries said this is something we probably need to really encourage people to consider.

Mrs. Cunningham said the banks are doing it more all the time -- and they call a lot for our elevations, etc., and she doesn't believe it is that expensive a policy to get. She believes that everybody in the county could participate. Of course, it would depend on the elevation and it might not be a necessity at all for that. But she imagines they are going to change some of those regulations.

Commissioner Borries said he is going to review his own insurance policy. What those people have gone through really brings this point home.

Mrs. Cunningham said certain loans require it now -- the banks are getting more strict in this regard.

RE: AGREEMENT BETWEEN OCS TECHNOLOGIES AND THE CITY OF EVANSVILLE & VANDERBURGH COUNTY - ROGER ELLIOTT

Mr. Roger Elliott of SCT said what he has this evening for the Board's approval is a contract that will provide maintenance coverage for the police records management system (which is a joint application being used by both the Sheriff's Department and the Police Department). The cost to the City and to the County will be \$3,117.19 each. That pays the maintenance cost until the end of the year. Starting next year then, there would be an annual agreement that would come into place. In response to query from Commissioner Hunter, Mr. Elliott said we are paying them for maintenance -- problem resolution, software updates if they come during this point in time and that type of thing -- to the end of this year. Next year's cost is estimated to be either \$14,000 or \$16,000.

Commissioner Borries asked if there are sufficient available funds for the agreement at this time.

Mr. Elliott responded affirmatively, noting it is coming in under budget. The budget for this was an \$8,000 plus figure.

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

RE: READING OF BIDS

At the request of President Borries, Attorney Kissinger read the following bids into the record with regard to the Vogel Road Bridge Project and Paving Project VC-07-93:

Sam Oxley & Company	\$148,462.40
Phoenix Construction Co.	\$146,671.50
CCC of Evansville, Inc.	\$122,975.17
Deig Bros.	\$133,679.70
Ragle, Inc.	\$137,126.50
Southwest Engineering, Inc.	\$120,112.50
Koester Contracting Corp.	\$137,165.20
Concrete Pavers, Inc.	\$103,715.00

Upon motion made by Commissioner Hunter and seconded by Commissioner Tuley, the bids are to be referred to the County Engineer for his review and a recommendation to the Board. So ordered.

County Engineer John Stoll noted the Engineer's Estimate on this was \$140,378.50, so we did receive some good bids.

RE: COUNTY ATTORNEY - ALAN KISSINGER

Attorney Kissinger said he has a claim that has been filed by Mr. Francis Miller, the agent hired by the County Commissioners for the purpose of handling the acquisition of a piece of real estate for the Virginia Street Extension to Burkhardt Rd. He has submitted a claim in the amount of \$985.00. As the Commissioners may recall, this money is being paid from a gift account that was established by American Star Associates for the purpose of financing the acquisition of this piece of property. Mr. Don Hansen submitted a claim to the County in the amount of \$600.00 that was paid from this account, which left \$51,400.00 in the account. We then paid the property owners the amount of \$52,000.00, which left a deficit of \$600.00 in the account. Sam Humphrey, the Auditor, made a transfer from another account into this gift account on a temporary basis. He would request that the Commissioners authorize another such transfer in the amount of \$985.00 for the purpose of paying Francis Miller and he will then contact American Star Associates and advise them that the final billing by the County for this acquisition will be in the amount of \$1,585.00. That can then be deposited back into the gift account and subsequently transferred back into the account from which the other transfer was made -- if the Commissioners approve those transfers.

Commissioner Borries entertained questions of Attorney Kissinger, saying the bottom line here will be that the County will not be out any money. This will follow the same procedure as when we first began to acquire that land. He then entertained a motion.

Motion to grant the request of the County Attorney was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Request for Approval of Waiver/Various Inoculation and Vaccination Screenings: Attorney Kissinger said the County Attorneys will be preparing for the Commissioners' consideration of a Waiver to be given various apartment owners by the Health Department for various inoculation and vaccination screenings. He will ask Keith Rounder, Assistant County Attorney, to prepare that Waiver. Mr. Kissinger said he will then present the Waiver to the Commissioners --

probably at the next meeting.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Having been recognized, Mr. Abell said he has nothing to report today.

Public Appearance Officer/Eric Williams: Mr. Abell said he would note however that Deputy Eric Williams has been appointed Public Appearance Officer and will be attending future sessions of the Board of Commissioners.

President Borries said the Board welcomes Deputy Williams' presence.

RE: COUNTY HIGHWAY - BILL MORPHEW

Weekly Progress Report: Commissioner Borries stated that Mr. Morphey has submitted his weekly progress report for period of August 6, 1993 thru August 11, 1993 .....report received and filed. Mr. Borries entertained questions of Mr. Morphey.

Agnew Property/Weed Cutting: Commissioner Hunter said we've had some problems with regard to not having equipment to do much with the weeds on the Agnew property. He would ask the Commissioners if we couldn't instruct him to look for bids and contract that and get those weeds cut.

Mr. Morphey said he has a new tractor and a new mower coming in.

Discussion followed exactly as to the location of the property. Mr. Morphey said he if gets ingress/egress permission from the adjacent property owner (Ms. Kixmiller) he could probably use his Tiger mower with the boom mower on it to do this. But he would have to put the tractor on private property to do it.

Mr. Hunter asked if Mr. Morphey wants him to call Ms. Kixmiller. All of the Commissioners received a letter form her, as she is concerned about it.

Mr. Morphey said he also received the letter; the quotes weren't exactly what he said, but he can live with it.

Mr. Hunter asked if Ms. Kixmiller grants permission if Mr. Morphey will go in and do the weed cutting.

Mr. Morphey responded affirmatively, noting his only concern (he talked with Messrs. Stoll and Kercher about this) other than getting off of private property was the construction limits out there. We don't want to be working inside a contract construction zone -- because it may be work the contractor is being paid to do.

Mr. Hunter said this is on Lynch Rd. This has nothing to do with...

Mr. Morphey said the Lynch Rd. Extension corridor -- and the Green River Rd. project ties in right at the corner.

Mr. Hunter said the Agnew property is to the west. He won't get involved at all with North Green River Rd. It's far enough west -- the area he is talking about is almost to Pigeon Creek.

Mr. Morphey said the area Ms. Kixmiller wants mowed is up on Green River Rd. We contracted the property out that is adjacent to her property. We mowed that with a bush-hog.

Mr. Borries asked when that was done.

Mr. Morphey said about a month ago.

Mr. Borries said it may need it again.

Mr. Hunter said Ms. Kixmiller mentioned it had been done once and needed it again pretty badly.

Mr. Morphey said we've mowed it once or twice.

Mr. Abell said we had the contractor mow it once -- and maybe it was two months ago.

Mr. Borries said Mr. Morphey won't have to worry about the other construction on Green River Rd. because these are separate contracts and there has been no construction engineering let yet on Lynch Rd.

Mr. Morphey said we should probably contract this work one more time. He doesn't have a bush-hog. With the new tractor we're getting we could probably do that.

Mr. Hunter said if it's a contract we don't have any problem with liability on her property, so why not just contract that and we don't have to worry about it. That's the smart way.

Mr. Borries said someone may have to meet with the contractor to make sure they mow the part there is concern about.

Mr. Morphey said he met with Ms. Kixmiller out there about year ago and he knows the areas she is wanting mowed. She doesn't like the idea of living in a jungle; yet, she lives 500 ft. off the road with trees, shrubs and brush all around -- so it is going to look like a jungle. The property she is talking about mowing with a bush-hog is between her house and Day School property.

Mr. Borries asked if the County owns it. We're not going to mow anything on private property.

Mr. Morphey said we do own it; it is where the old swimming pool was. They also bought property from Ms. Kixmiller adjacent to Green River Rd. for the widening -- and her husband used to mow that. She was concerned about that property because they were not going to mow it anymore and she wanted us to do that. That is where in the letter he stated he could not have a tractor sit on Green River Rd. and mow that, because of the ongoing construction and amount of traffic on Green River Rd.

Mr. Hunter asked if we own it if we're liable for taking care of it.

There were several affirmative responses.

Mr. Morphey said we bought an initial 50 ft. parallel to Green River Rd. in front of the Kixmiller's property -- from the Kixmillers -- for the widening of Green River Rd. And that is an area that she is concerned about mowing. For him to mow that, he has to get a tractor on private property.

It was the consensus of opinion among the Commissioners that we need to contract that work out -- and Mr. Morphey can communicate with them so we can resolve this and then show the contractor the area.

Mr. Morphey said it would be the intersection of Lynch Rd. and Green River Rd. He believes that is the reason the extra right-of-way was purchased and the way it was purchased there. It is a wide area.

St. Joe Avenue: Mr. Tuley said a couple of weeks ago (he believes Fred Howard was here) someone stopped him in the hallway and asked him about St. Joe getting cleaned up and removal of debris from the

ditches or whatever. There was a note tonight that said, "Thank you. I appreciate the job getting done." So whoever took care of it -- he appreciates it.

Mr. Morphew said that when he was on vacation two weeks ago, Fred Howard was here. About every six weeks we have to ask BFI to come down and sweep off St. Joe Avenue. It looks like a hog road from Diamond Avenue out. We washed the bridge off four times last year and in two months it will get two inches of mud caked on it.

Mr. Tuley said it apparently made the individual happy, because she left a post it note on his desk today.

Mr. Morphew said he appreciates that -- they can use all the pats on the back they can get.

Request to Attend Seminar/Purdue University: Mr. Morphew requested permission to attend a free seminar with regard to a Roads Program -- a hands-on accounting computer program. It is for two days. He basically needs just the use of the car.

Mr. Tuley asked, "You don't need lodging?"

Mr. Morphew said he can do that on his own.

Mr. Tuley said it is county business -- we can put him up in a hotel for the night.

Commissioner Borries said it is a long drive -- having had two daughters and having been doing this for six years. He's glad Purdue is offering something free up there. They got in his pocketbook.

Mr. Morphew said he talked to one of the Commissioners in Warrick County and they are using this program. They like it real well.

Mr. Hunter said we'll know what kind of condition our roads are in, when they've been paved.....

Mr. Morphew interjected, how much we've spent on gravel, etc.

Mr. Tuley said we'll know exactly the job costs of the County maintenance system. He asked Mr. Morphew when the seminar starts.

Mr. Morphew said it begins tomorrow -- from 9:00 a.m. to 4:00 p.m.

Mr. Borries asked if Mr. Morphew is going to try to drive that tonight -- he's talking four hours driving.

Mr. Morphew said he will drive it tomorrow morning. He did that every day for a year and a half.

Mr. Tuley said Mr. Morphew will be using the County car, so all he needs then is lodging for one night and per diem. He then moved to approve the request, with a second from Commissioner Hunter. So ordered.

County Line Rd. West: Commissioner Hunter asked, "You're getting onto County Line Rd. West? It will be paved 18 ft. across and it will be a total of 4 inches - and that will happen by September 1st?"

Mr. Morphew said it starts no later than September 1st. That is when they begin paving. One person has asked him not to pave the road because of bicycle traffic. Evidently there are bicycle enthusiasts who like to travel the county roads and they continue to look for bike trails.

Commissioner Tuley asked if we now have an understanding between

Posey County and Vanderburgh County?

Mr. Stoll said he talked with Steve Schenk today and he said the Commissioners of Posey County would like to see a road of 20 ft. width, but will accept the 18 ft. width. He told them of our concerns re the additional costs associated with widening it to 20 ft. and they understood that -- and decided 18 ft. width would be adequate. In response to query from Commissioner Hunter, Mr. Stoll said the whole thing will be paved.

Mr. Hunter said the Commissioners are getting calls now from the residents who are concerned that if it is done in sections their section won't be the first one. This is what it would boil down to now.

Mr. Stoll said Bill Morphew was ready to pave it a couple of weeks ago, but then the issue of the width came up -- so he would assume Bill could get ready to do it by September 1st.

Request to go on Council Call: Mr. Stoll said he needs to go on Council Call with regard to transfer of money from Lynch Rd. Extension since it came in at significantly below the Engineer's estimate to the Columbia-Delaware Bridge and to the Vogel Rd. Bridge. We'll probably need around \$52,000 -- transferred into the Lynch Rd. Extension and \$25,000 into the Vogel Rd. Bridge project.

Green River Rd. Project: Attorney Kissinger asked if Mr. Stoll is in frequent contact with the construction people who are working on the Green River Rd. project.

Mr. Stoll responded affirmatively.

Attorney Kissinger said, "There is apparently some controversy out there in reference to American Wholesaler's and access while this building is going on. I don't know if you were aware of it, but the Commissioners did enter into an agreement in reference to giving them access during the construction. I have a copy of the agreement. I'm going to have Les Shively (American Wholesaler's attorney) contact you tomorrow about this. I think the agreement explains itself. It indicates that we are supposed to build and maintain a temporary access for them while construction is going on. But I wanted you to be aware of that -- and Les Shively will be contacting you, because I'm sure the construction people are going to want that communication from you."

Mr. Stoll said, "This issue just came up late today. Keith Lytton, the Construction Manager for United Consulting, had said that all the documentation he had only called for paving a driveway approach up to the right-of-way line and there was no provision for the gravel temporary access -- I guess across the remainder of the front of the property."

Attorney Kissinger stated, "That is what this agreement includes and I wanted to provide you with that -- and probably this controversy will go away."

Mr. Stoll said he called Jeff Wilhite and he was supposed to be able to give me the same thing.

Commissioner Hunter said there was some litigation on that and he was wondering if this didn't come out as part of the agreement on that.

Attorney Kissinger said, "It definitely did. To refresh your memory, there was one day of litigation and that ended in the parties entering into this agreement for compensation for the real estate and damages, as well as the temporary drive. Joanne Matthews got this for us in record time and has probably stopped the fire before it started. I believe they were getting ready to

start a war."

Mr. Stoll said he will give them a call.

Commissioner Borries asked if Mr. Stoll has any idea of our target date to get that completed? He's had some calls.

Mr. Stoll stated he met with Koester Contracting today and they felt that early November would probably be the earliest they could get it done. They still feel they can get it finished this year; but there were also problems with the weather and the soil conditions they've run into all along the entire project. If we have a dry fall they should be able to get it finished. But if it turns into a wet season like it was in the spring, it could cause some problems. They want to get it finished. The Commissioners want to get it finished. And he wants to get it finished -- he's received phone calls, as well.

Mr. Borries said he appreciates Mr. Stoll's continuing to monitor it. He even got a question at Rotary re the elevation of it -- but he's sure Mr. Stoll is monitoring this, too.

Mr. Stoll said he talked to the Design Engineers and they said the reason it was designed that way was to facilitate drainage and they took into consideration any run-off that would come from the fields adjacent to the roads.

Mr. Borries said there are also sewers down there now, where heretofore there weren't.

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RE: COUNTY ENGINEER - JOHN STOLL

Acceptance of Check/Loan for Lynch Rd. Extension: Mr. Stoll said he is in receipt of check from Indiana Department of Highways - the distressed road fund loan in the amount of \$800,000.00 for the Lynch Rd. Extension. According to Auditor Humphrey we need to deposit it into one of our accounts and then turn around and write the checks for our local match. Once we get all that paperwork resolved, he will bring the claims next week. Today he is asking the Commissioners to accept the check, endorse it, and deposit same into the appropriate account so we can pay bills. (Note: Deposited on August 17, 1993 into Cash Card Account #282/Lynch Rd. Extension, Quietus No. 9802.)

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

Claim/County Garage/Remediation: A claim in the amount of \$12,103.60 to Environmental Consulting & Engineering was presented and Mr. Stoll said this is for County Highway Garage remediation. He talked to Mark Abell this afternoon, because he wasn't sure exactly how to handle this claim. It is coming out of the Commissioners' budget, not the County Highway Garage or Engineering Department budget. He didn't know whether he was supposed to sign these claims as a part of being the go-between, between the Consultant and the County Highway Garage or just how this was supposed to be handled.

Commissioner Borries said he definitely wants Mr. Stoll involved with it. He doesn't care whether he signs it or not. On the other hand, he would prefer that Mr. Stoll sign it, to kind of verify that everything is proceeding along out there.

Mr. Stoll said he has met with Tim Boisture several times in the past couple of months on this and they seem to be doing a good job on it. They've been in contact with IDEM to determine what they need to do in order to properly address their sample plan and things like that. They pretty much have that resolved. They are

going to develop a soil sampling plan. They say that initially we will be paying more up front on doing more soil tests, but in the long run it will save us more money -- because the clean-up won't have to be as extensive. That is the current plan of action, but we pretty much have to wait and see the results of the samples back before they can say one way or another what all it will involve. But it seems to be going along pretty well.

Mr. Hunter asked, "In other words, the soil samples might indicate that the area is contaminated or not as extensive as originally thought?"

Mr. Stoll said that is correct.

Mr. Hunter said it is probably a good investment.

Commissioner Borries said what they are going to try to do is identify those hot spots and see if we can't remove some of that -- not thorough bioremediation, but if bugs can live in it then some of that can literally be removed. So they're trying to identify that. He's not optimistic that IDEM can move as quickly. They got nailed big time in terms of some budget reduction.

Mr. Stoll said IDEM indicated when they were down here that they were going to be hit with budget cuts and probably lose staff -- so they will probably end up being the hold up on this through no fault of their own.

Mr. Borries said we'll keep pushing on it -- but the long run costs are going to be cheaper.

Mr. Stoll said that is correct; they felt the sampling would show the spills haven't been as bad as initially thought.

Ms. Farrell interrupted by asking, "Since this is the Commissioners' account it would need your signature. And I would need to initial that claim so we can keep a record of it in our office, because that is a specific account set up for garage remediation."

Mr. Stoll asked, "So I don't need to sign it?"

Ms. Farrell responded, "I would think that you -- if you would sign it indicating it has been checked, then Mr. Borries will need to sign it since it is our account, and then it will need my initials to show we've entered it into our records."

Commissioner Borries stated, "It comes out of contractual services."

Mr. Hunter asked, "Are the soil samples and this analysis of contents of drums -- are we talking about two different things here?"

Mr. Stoll replied, "Right. This is a separate issue. But it is all part of remediation."

Mr. Hunter asked if these are existing drums we have out there.

Mr. Stoll said that is correct. The analysis of the drums is something that was brought up today. There are several drums out there that nobody knows what the contents are and they've got to identify what is in there before they can dispose of them or do anything with them.

Mr. Hunter asked "Who is they, Donan?"

Mr. Stoll replied, "Environmental Consulting Engineering. They

called today and said they could do the analysis of the drums as part of their current agreement with the County at the rates stated in the agreement. I was asking whether they would have to have a Supplemental Agreement. Tim Boisture said he felt they could do it within the scope of their original agreement, if that was okay with the Commissioners. Their agreement called for anything that had to do with corrective action for the remediation. They are considering the drums as art of that corrective action."

Mr. Hunter asked, "If those drums show there is something in them that should not be, then we'll have disposal costs, too, won't we?"

Mr. Stoll said that is correct.

Commissioner Borries asked how long these drums have been out there. This is not part of some other kind of long continuing investigation, is it?

Mr. Stoll said this has been years that they've been sitting around, with no labels on them. No one knows what is in them.

Mr. Borries said that is unbelievable. He thought we had resolved all that.

Mr. Stoll said that several of the drums had their contents identified and they were disposed of, but there were several others -- and from the looks of things they'd been sitting out there for quite a while.

Mr. Borries said, "And nobody out there can identify the contents."

Mr. Stoll commented, "Nobody out there knows what it is. They called the manufacturers trying to get a feel for what is in the drums, but while the manufactures could provide them with a list of what they produced, there were no serial numbers on the drums to help identify the contents. They will not have to send them off to a laboratory for an analysis before they can determine what to do with it."

Commissioner Hunter asked, "Do you feel comfortable that once we get through this group of drums that we're not going to find anymore out there -- or in a warehouse or something?"

Mr. Stoll said he hasn't seen anymore out there.

Commissioner Borries said he'd like to get all the drums out of there.

Mr. Hunter said we should get all the drums out of the way. As long as he has been on the Commission -- which is about three years -- every time we turn around there is a drum out there and.....

Mr. Stoll interjected that they were all confined to one area and some of them just contained old rainwater. Bill has already disposed of those. But these other ones are sealed and nobody knows what is in them. It's just a matter of getting them to a lab.

Commissioner Borries said, "Bill, to follow up what Don says -- if it takes a point-by-point checklist, let's just get all that stuff that they're not using out of there."

Commissioner Hunter agreed, saying, "Yes, everything that is questionable. Let's get it tested and get going and dispose of what we have to and still environmentally do what we are supposed to do. Because every time you turn around there seems to be a barrel or something that no one knows what it is. Maybe it is just rainwater, but...."

Mr. Stoll said these drums are sealed, so they shouldn't be just

rainwater or anything like that.

Commissioner Borries said that, hopefully, this program that Mr. Morpew is going to see at Purdue --and it gets into purchases, too, which they need to put on there in some kind of fashion so we know what is out there. We've got people who have worked at the garage for twenty years. He can't believe that no one would know.

Mr. Stoll said he guesses there were so many of them initially that nobody knew what was there.

Mr. Stoll asked if doing this as a part of Engineering Consultants' original agreement is okay?

The Commissioners all agreed that this is acceptable.

Change Order/Crack Sealing Contract: Mr. Stoll said he has a change order on this contract - for the additional streets we agreed to do as part of the initial contract -- in the amount of an additional \$3,842.50.

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

RE: CONSENT AGENDA

Council Call/Burdette Park/Incentive Bonus: President Borries entertained questions concerning the Consent Agenda. In response to query from Commissioner Hunter re the Council Call for Burdette Park, Mr. Borries said we are having concerns re the staff in relation to making sure we have adequate staff for lifeguarding during the remainder of the season. There are several major private parties scheduled and many of the colleges are beginning to reopen as early as August 23rd, which is just a week away. Burdette is requesting permission to go to County Council re a 25 cents per hour incentive bonus for the lifeguards if they stay until the end of the season. Mr. Tuley thinks this would be a good thing for us to do. The Aquatics Center will be open on weekends only beginning August 23rd with the final night party on September 11th. He assumes the local and parochial schools will begin August 24th -- so it makes sense Burdette would only be open on weekends after that.

Mr. Hunter said he gathers the incentive bonus program was highly successful last year.

Travel Requests: Commissioner Borries said Mr. Tuley has requested copies of the Travel Requests -- who and what.

Ms. Farrell said the Health Department is never County money; they ask permission to go but they always fund themselves.

Mr. Borries said there is a request from the County Recorder -- a State meeting; a request from the County Auditor that has to do with the Diploma Program in Bloomington; and B.J. has requested permission for a call regarding her Notary and that is in Evansville.

Mr. Tuley asked if the State called meetings come out of appropriated money.

Auditor Humphrey said he would urge the Commissioners to attend the A.I.C. meeting on August 27th thru August 29th. We're hoping to receive an Award on the County Morgue. Messrs. Tuley and Hunter indicated they are going. Mr. Borries said he will try to make it. Ms. Farrell said the reservations have been sent in.

Claim: Mr. Borries presented a claim to Waggoner, Irwin & Scheele in the amount of \$16,760, saying we have now finished some

preliminary reports which he's given to Mark Abell for each of the Commissioners. He will ask Mark to review same and report back to the Board. What they have also done is prepare (he met with Kathy in an exit conference last Friday) job descriptions as they relate to the jobs which are under the authority of the Commissioners. This has nothing to do with salary, but direct relationship to job functions as ADA. They are not, however, completed in terms of positions at the County Highway or Burdette Park. These are the only two departments not included. There should be two copies -- one for our master Personnel Policy file in the Commission office and one for the County Council office. They have interviewed every department now and published a list of job descriptions as directly related to this ADA and given an Executive Summary, as well as suggestions to the Commissioners. Again, this is a preliminary thing. The only thing they have not done is to come in and give training to various department heads in relation to ADA.

There is also a claim to Mark Abell for minor vandalism to his car. Somebody egged the car. Claim is around \$5.00.

Employee Release/Sheriff's Department: Mr. Borries said he wants to add this Employee Status form for Terry Hayes from the Sheriff's Department.

Armstrong Township Assessor: Mr. Humphrey said there is also one on the agenda that was not signed and dated. (Ms. Farrell said they came into the office today and signed and dated same.)

Summer Intern: Mrs. Farrell said this is the last meeting for Ann Michel and she would like to thank her. She's enjoyed having her; she's been a lot of help and she wishes she were here all the time. Mr. Borries said he wishes Ann well at Butler University. She has done a super job and will certainly get the highest recommendation from the Commissioners.

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

RE: OLD BUSINESS

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

RE: NEW BUSINESS

Commission Meeting/September 7th: Commissioner Tuley asked if the Board is going to meet on Tuesday, September 7th, following Labor Day.

Mr. Borries said he is. He doesn't like to cancel meetings unless we can't get a quorum. That is also the day the County Council will have the final hearing on the 1994 budgets. There is also a Solid Waste Meeting at 8:00 a.m.

Request for Executive Sessions: Commissioner Tuley requested Executive Sessions at 4:30 p.m. on Monday, August 30th, and on Tuesday, September 7th, for purposes of discussing Personnel Matters and Pending Litigation. Seconded by Commissioner Hunter. So ordered.

Request to Advertise/Specs for Abstract Titles/Tax Sale: Upon motion made by Commissioner Tuley and seconded by Commissioner Hunter, approval was given to advertise the ad prepared by the Auditor's Office. So ordered.

There being no further business to come before the Board, President Borries declared the meeting recessed at 6:55 p.m. and said the Board will reconvene for Rezoning Hearings at 7:00 p.m. (Mr. Abell and Ms. Farrell exited the meeting.)

REZONING PETITIONS

President Borries reconvened the meeting at 7:10 p.m. and stated there are two Petitions to be considered on **First Reading**. If approved tonight, they will be forwarded to the Area Plan Commission. The APC will hear them on September 1st and return to the Commission for **Third Reading** on September 20th.

VC-12-93/Petitioner, Gayle C. Ellison: Common known address is 20 E. Campground Rd. and 100-102 Petersburg Rd. and requested rezoning is from C1 and Agricultural to C2. Mr. Borries then entertained a motion.

Motion made by Commissioner Tuley to approve the petition on First Reading and forward to the Area Plan Commission, with a second from Commissioner Hunter. So ordered.

VC-13-93/Petitioners, W. C. Bussing, Jr., O. W. Kattmann, Jr., and Bruce A. Biggerstaff: Common known address is 1330 Heinlein Rd. and requested rezoning is from Agricultural to R-1, M-1 and C-4. This is a continual parcel and appears to be in an area which would be near an industrial park.

Mrs. Cunningham noted there will also be two subdivisions -- a residential subdivision and commercial subdivision.

President Borries entertained a motion.

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

VC-11-93/Petitioner, Calvin Dentino: President Borries said this is the Final Reading on this Petition. This matter was deferred from July 19th. Request is for a change from a P.U.D. (Planned Unit Development) to R1, which would be for single family residential. Mr. Jim Morley is present and is representing Mr. Dentino.

Mr. Morley stated that Mr. Dentino is also in the audience if the Commissioners have any questions. In 1987, this was rezoned to a P.U.D. with a concept of zero lot line high density housing and that plan was never carried forward. Therefore, it is necessary to remove the P.U.D. zoning and return it to R1. It was originally agricultural, but we'd be returning it to R1, residential district. "We have already prepared a new subdivision plot called The Villas and presented this to the Plan Commission and received Plan Commission approval on The Villas.

Mr. Borries asked if this includes the other part which at the time was not....

Mr. Morley interrupted, "No, the only portion -- the lines do not exactly correspond with the rezoning, but the boundary is slightly different. I think there is about one (1) acre that is north of the planned Villas subdivision that actually falls into what would be Deerfield Section II larger lots.

Mr. Borries asked, "Because of the drainage plan that we amended?"

Mr. Morley said that is correct.

Mr. Tuley said, "There were four lots in Deerfield II, correct -- that was part of the...he also explained to Commissioner Hunter that the Board approved Deerfield II drainage plan while he was on vacation -- but not Deerfield III. That comes up at the August 23rd Drainage Board Meeting.

Mr. Morley interrupted, "There's a little sliver off the back of them that is part of this rezoning -- that is correct. On the drainage plan I've got a composite plan that shows you all of these if you want to see." Mr. Morley then spent a few minutes pointing to the plan and explaining various areas.

Mr. Tuley said that Deerfield II was all subject to the same drainage plan, as was The Villas, when the Board approved it.

Mr. Morley said that The Villas was approved and Deerfield II wasn't -- but it should have been, because this is all part of the same drainage plan. Mr. Morley noted that all the drainage information on Deerfield III has been made available to Darrell Rice for review. Hopefully, if Darrell comes to the Drainage Board meeting on August 23rd he can make a report.

Returning to the rezoning, they obviously are not going ahead with the P.U.D. and they need to return it to something and they are not seeking to go to a higher zoning than a regular R1. Since it is not going to really be agricultural property, it might as well be R1. The entire designated area is currently zoned P.U.D. and they are talking about taking the entire thing and returning it to R1. No special exceptions of any kind are being requested. These are standard size lots. This will be a reasonably high density subdivision relative to regular R1. He terms a high density subdivision something you have to come in and get special permission to do -- your P.U.D.'s, like Indian Woods and the proposed subdivision here with zero setbacks. In response to query from Commissioner Hunter, Mrs. Cunningham said this is planned to have sidewalks. Mr. Morley said this density would not qualify for an exemption.

In response to query from Commissioner Tuley, Mr. Morley said a P.U.D. that we're taking it away from essentially allows you to violate any of the normally adopted standards for an R1 or an R3 on the condition that you put together a complete plan -- the building dimensions, the density -- you show what you are going to do. You can have common driveways, for instance. You can go in and do cluster housing where you go four houses around a little court. But where it holds you down, the P.U.D. says bring your plan in, first show us exactly what you are going to do, and then you have to follow it to the letter. Whereas in R1 and Agricultural, as long as you meet the minimum lot size you can build any shape house you want as long as you meet the side yard setbacks, front and rear setbacks it doesn't matter what you build. Under a P.U.D. in order to be granted these exceptions to do certain things. Like this was originally done as a P.U.D. in order to have zero setback homes. That's a home that sits exactly on the property line on one side and only has side yard on one side of the house -- Indian Woods and Polo Run are good examples. Often it includes the whole gamut from single family, from detached homes, to apartments to even commercial -- all into a planned community. It's a mixed where use where you have to define what your use is going to be. You're committed before you break ground. And in this case we're simply backing off and saying well, we'll go to a lower density than originally proposed. We're dropping the density and simply returning to the standard rules of the game without requesting any exceptions.

President Borries asked if there are any remonstrators in the audience.,

Mr. Riley Winders, Jr. of 417 Eissler Rd. approached the podium and said he doesn't have a real complaint re the zoning, the subdivision itself or anything. His concern is the road. With all the increase (he knows this is really about The Villas, but with The Villas, Deerfield II and Deerfield III, all of the increase he feels will put a real burden on the people who live down Eissler Rd. now with the road as it exists. He knows it is supposed to be

a rezoning meeting, but....

Messrs. Tuley and Borries said now is the time to speak up.

Mr. Winders said he has no real problem with changing it from P.U.D. to R1; in fact, if anything the houses they are proposing will help the value of the nearby property.

Commissioner Borries thanked Mr. Winders for his comments.

Mr. Morley said at the APC meeting he spoke with some of the neighbors who raised questions and he suggested to him that as far as a public meeting was concerned, here at the Commission meeting was the time to let the Commissioners know of any concerns - that the actual plans for the roads within The Villas and Deerfield III will be presented to the County Commissioners for approval -- and that doesn't normally get notification to the neighbors. So if they wanted to be notified they should attend tonight's Commission meeting and let the Commissioners know they were concerned.

President Borries queried Mr. Morley concerning the width of Eissler Rd.

Mr. Morley said the width of the existing road is approximately 18 ft. and in some places 16 ft. He believes the road was last resurfaced around 1988 or 1989. The county replaced a bridge and did a little resurfacing and a little widening as they did the resurfacing. In Old State Subdivision, which lies immediately to the south, in those houses Guthrie May actually fronted those lots right on Eissler Rd. and in so doing he widened it about 5 ft. to 6 ft. and installed curbs and there are people who park along there.

Mr. Winders confirmed it is 5 ft. to 6 ft. wider in front of their house.

Mr. Morley said those are the kinds of things that have gone on in the past and there may be minutes in the Commissioners records concerning the rezoning when this first came up.

Mr. Borries asked if there was discussion on the part of Mr. Morley's development of any road improvements that would take place at the intersection.

Mr. Morley said there was not. At this point their proposal for the roadway is, of course, a large radius standard intersection onto Eissler Rd. They're not really aware of nor have they had any indication essentially from the Commissioners or the County Engineer about any further plans. At the time of the original rezoning in 1987, Eissler was really in bad shape. It badly needed resurfacing and, as he said, it was even more narrow than it is now. He's invited John Stoll to come out and take a look at it.

Mr. Hunter asked that with The Villas, Deerfield II and Deerfield III, how many homes are we talking about.

Mr. Morley said around 140. In response to query from Commissioner Hunter concerning the traffic increase, Mr. Morley said the number of vehicle trips per day is around five or ten per household.

Mr. Borries said the problem is going to be the right-of-way. It looks like there is only 30 ft. right-of-way.

Mr. Winders said that in 1987, extra easement was granted by the property owners on the north side of Eissler; not exactly where the development is right now. But there are property owners along the designated area (Mr. Pate, etc.) who, in 1987, when the County came to them and they granted them extra easement with the idea for widening -- but they never did take that extra easement.

Mr. Morley said that within this subdivision they are granting extra right-of-way -- or establishing additional right-of-way. He believes it is shown on the plat. He thinks part of what actually happened, the County did it in conjunction with the planned bridge project and he thinks they cleaned some ditches around that time -- but he's not sure they did much else.

Mr. Winders said the information he got from Mr. Pate was that they were going to install culverts and completely cover the ditches along with the widening.

Mr. Morley said he thinks relative to this, the Commissioners are all different; the County Engineer is different -- everything has changed and you hear all kinds of opinions. He thinks it essentially calls for the new County Engineer to look at it and give the Commissioners an evaluation.

Mr. Tuley asked of the 140 homes, how many does Mr. Morley anticipate will be built and lived in by this time next year.

Mr. Dentino optimistically said he hopes all of them are. Realistically, he would anticipate that in The Villas probably around 35. In regards to Deerfield, Deerfield will not open up on the Eissler Road side for probably two or three years -- because Deerfield is going to continue on from where it is now. And it will continue to have its primary road and access road Mt. Pleasant Rd. He totally agrees with Mr. Winders that Eissler Rd. probably should be widened. He would hope that the Commissioners could look at this and see fit to widen it.

Mr. Tuley said obviously they are not going to do that this year. But if they could do this next year.

Mr. Morley said it is essentially too late right now to start the planning process, determine what would happen and actually complete the work in good form this year. But it is a project that whatever the Board decides to do, some portions of the project perhaps should be done next year or the following year. But, as noted by Mr. Dentino, we're probably looking at three years before Deerfield would open out onto Eissler Rd. If the Commissioners will recall, the original concept of Deerfield when it came in -- it didn't even open onto Eissler and he doesn't remember if one of the Commissioners or someone from the Fire Department who essentially said -- or maybe it was EUTS simply reporting -- they think there should be interconnecting access of at least one road for safety purposes of traffic movement through there. They didn't care which street, but they wanted to make sure that one street did connect to Eissler Rd. so there would be a connection from Eissler through to Mt. Pleasant Rd. And, in fact, on the plan they have there is a street that goes through, but it is rather curvilinear. They don't want it to be a cut-through; but it is still there as an interconnection to those two streets and he thinks that was a request by the Fire Department for purposes of better access.

Commissioner Hunter suggested the Board request that the County Engineer put this together as a long term project to be done in phases.

Mr. Tuley interjected, "Starting as early as next year."

Mr. Borries said the critical thing would be right-of-way.

Mr. Tuley said what he means is starting to let these people know that we are going to give serious consideration to widening of Eissler Rd. so the property owners will not be overburdened with traffic a road can't handle.

Mr. Hunter said we have two or three years in which to get our act together.

Mr. Winders said the backstretch where Deerfield is going to be is even more narrow. That portion of the road never got the road widening that they got in front of their house, which was done by Guthrie May.

Mr. Morley said Eissler is a deadend road. It comes up over a hill to the old Eissler place at the end of it, with no turnaround or anything and he thinks it is probably only 14 ft. wide back there. So right-of-way investigations and all those things take a great deal of time. They have a great deal of information which they can make available to John Stoll -- but they don't have all of it.

In response to query from Commissioner Hunter with regard to price range on the homes, Mr. Dentino said the price range on the homes in The Villas is probably going to be in the range of \$95,000 to \$110,000. The price range on the homes in Deerfield II will be around \$115,000 up. The price range on homes in Deerfield III will probably around \$175,000 and up. It is good that Mr. Hunter asked that question, because it complements what Mr. Tuley was saying. When it is completed, this will generate another \$30 million, with the real estate, that the County will generate taxes on. What has already been done in Deerfield represents about \$6 million worth of real estate that has been added. So there has been benefit without any additional expenditures at this point in time by the County and he would totally agree with the desires of the residents who are there, plus the desires of the residents who ultimately will go into these areas that it would be good planning and prudence to widen Eissler Rd. and he appreciate the Commissioners' consideration in this regard.

Mr. Borries called for further discussion. There being none a motion was entertained.

Motion to approve VC-11-93 on Third Reading, as submitted, was made by Commissioner Tuley, with a second from Commissioner Hunter.

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

Commissioner Hunter requested a motion that the Board instruct the County Engineer to begin to look at Eissler Rd. and acquisition of Right-of-Way and whatever would need to be done and develop a plan that will widen the road as need be over the next two to three years.

Motion to this effect made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered. Commissioner Borries that while the Board can't indicate any commitments to a dollar figure, he strongly agrees that we have to get firm commitments on the right-of-way acquisition and then improvements can proceed at that point. If we don't get the right-of-way, then we obviously don't get any improvements.

There being no further business to be conducted by the Board, President Borries declared the meeting adjourned at 7:40 p.m.

PRESENT:

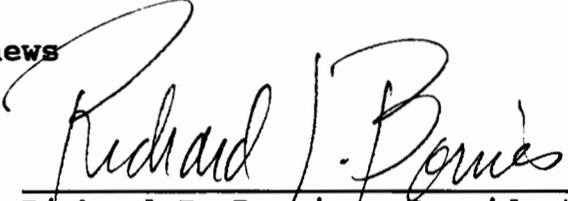
Richard J. Borries, President  
Patrick Tuley, Vice President  
Don Hunter, Member  
Sam Humphrey, County Auditor  
Alan M. Kissinger, County Attorney  
Mark Abell/Commission Office  
B.J. Farrell/Commission Office  
Eric Williams/Public Attendance Officer  
John Stoll/County Engineer

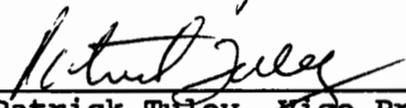
COMMISSION MEETING  
August 16, 1993

18

Bill Morphey/County Highway Supt.  
Barbara Cunningham/Area Plan Commission  
James Morley/Morley & Associates  
Calvin Dentino  
Riley Winders, Jr./Eissler Rd.  
Monica Winders/Eissler Rd.  
Stan Buckley/Eissler Rd.  
Others (Unidentified)  
News Media

SECRETARY: Joanne A. Matthews

  
Richard J. Borries, President

  
Patrick Tuley, Vice President

  
Don Hunter, Member

Y

**MINUTES  
COUNTY COMMISSIONERS MEETING  
AUGUST 23, 1993**

**I N D E X**

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Meeting Agenda Correction .....	1
Authorization to Open Bids/Installation of Rubber Roof System/County Highway Garage .....	1
Data Processing/Agreement Between Book Publishing Company and City of Evansville/Vanderburgh County for Codemaster Application Software .....	1
County Attorney/Alan Kissinger .....	2
Waiver/Emergency Management Agency Request for Settlement Authority/Vanderburgh County vs. The Pantry Stores, Inc. Dedication of Right-of-Way/Sater Enterprises Reading of Bids/Installation of Rubber Roof System for County Highway Garage	
Superintendent/County Buildings - Mark Abell .....	3
Approval of Transfer of Copy Machine from Surplus to Solid Waste	
ADA Compliance/Interpreter Services for Deaf Employees & Statement by Commissioner Borries that it is the County's Intent to Comply with All ADA Regulations As Set Forth	
County Highway Garage - Bill Morphey .....	4
Weekly Progress Report Cypress-Dale Rd. Project County Line Rd. West (Work will commence by 9/1/93)	
County Engineer - John Stoll .....	4
*Re-Acceptance of Streets (Blue Grass Farm, Ivy Hills and Oak View Place Subdivision) Change Order/West Schmitt Lane Franklin Street Bridge Over Pigeon Creek Clims re Lynch Rd. Extension Seib Rd. Koester Claim	
Consent Agenda .....	6
Travel Request for County Coroner to be Re-Submitted next week	
Old Business (None) .....	7
New Business (None) .....	7
Drainage Board Meeting .....	7
Meeting Adjourned @ 6:15 p.m. ....	7

\*Streets were initially accepted by the Board of Commissioners on December 3, 1990

MINUTES  
COMMISSIONERS MEETING  
AUGUST 23, 1993

The Vanderburgh County Board of Commissioners met in session at 5:30 p.m. on Monday, August 23, 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, Attorney Kissinger, Commissioner Tuley, himself, Commissioner Hunter, Deputy Auditor Cindy Mayo, and Joanne Matthews). Mr. Borries subsequently asked the group to stand for the Pledge of Allegiance.

Mr. Borries asked if there are any groups/individuals 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: MEETING AGENDA CORRECTION

President Borries said the Board has a printed agenda and he would make one correction on the second page. It says **Rezonings** at 7:00 p.m. and that is incorrect. We did that last week. Today there is a Drainage Board Meeting immediately following the Commission Meeting. We will not wait until 7:00 p.m.

RE: AUTHORIZATION TO OPEN BIDS/INSTALLATION OF RUBBER ROOF SYSTEM/COUNTY HIGHWAY GARAGE

Commissioner Borries entertained a motion to authorize Attorney Kissinger to open the subject bids.

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

RE: DATA PROCESSING/AGREEMENT BETWEEN BOOK PUBLISHING COMPANY AND CITY OF EVANSVILLE/VANDERBURGH COUNTY FOR CODEMASTER APPLICATION SOFTWARE

Mr. Borries recognized Mr. Roger Elliott of the Data Processing Department.

Mr. Elliott said there have been conversations going on for the past year about a software application that will reside on a P/C to be utilized for storage of City and County ordinances, utilized for storage of meeting minutes and it will allow key word searches among other things. We're starting with three installations of this; one in the City Clerk's office, two in the County Auditor's office, and the contract in front of you tonight is for a cost of \$3,995.00. It will be split approximately \$900 to the city and the other \$3,000 to the County. It will be utilized for this application.

Commissioner Borries entertained questions. There were none.

Commissioner Borries said he knows that the Auditor and the City Clerk have been very interested in doing this because essentially it allows us to make changes in ordinances and do so in a much easier fashion than having to reprint extra pages and publications. Is that correct?

Mr. Elliott stated that this is true.

Mr. Borries entertained a motion to approve the agreement.

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

RE: COUNTY ATTORNEY - ALAN KISSINGER

Waiver/Emergency Management Agency: Attorney Kissinger said he has reviewed the Draft of the Waiver provided by the Emergency Management Agency. They have provided a waiver relieving the County of any liability of EMA's participation in the upcoming full scale earthquake exercise on October 23rd. The draft is all inclusive. The form of waiver contained in this draft is certainly more than adequate to relieve the County of any liability and to indemnify the County if any liability should be found. He has approved the draft as to its form and recommends the Commissioners approve the draft, as well.

Commissioner Borries said he doesn't know exactly what they mean by full scale; he quipped that he hopes that doesn't mean the earthquake itself -- but just the exercise.

Attorney Kissinger said he thinks that means it is going to be done on a State-wide scale.

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

Request for Settlement Authority/Vanderburgh County vs. The Pantry Stores: Attorney Kissinger said he is requesting settlement authority for the case of Vanderburgh County vs. The Pantry Stores for various violations based on the discussions held during the Executive Session. He would recommend the Commissioners consider approving the settlement offer previously addressed.

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

Dedication of Right-of-Way/Sater Enterprises: Mr. Kissinger said he has the Dedication of Right-of-Way from Sater Enterprises, which he is going to turn over to the County Auditor tonight and ask that the County Auditor have this document recorded. This is the document that grants the right-of-way to Vanderburgh County for that parcel that was needed to complete the Vogel Rd. Extension all the way to Green River Rd. That right-of-way is now in hand and, as he thinks the Commissioners will probably recall, about three weeks ago we also gave American Star a right-of-entry onto the opposite end of it at Burkhardt Rd. So this completes everything. That project is already ongoing and he doesn't think there are any other property disputes or problems to hold up that project.

Motion to allow the Auditor to receive and record the deed was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

RE: READING OF BIDS/INSTALLATION OF RUBBER ROOF SYSTEM FOR THE COUNTY HIGHWAY GARAGE

Attorney Kissinger noted there were two bidders, as follows:

- |                                    |          |
|------------------------------------|----------|
| 1) U. S. Industries Group, Inc.    | \$61,400 |
| 2) Preferred Construction Services | \$45,836 |

Mr. Kissinger said that Mark Abell has informed him that there is a potential that Preferred Construction did not include the price of the lumber for the decking. To that extent, he would assume this bid should be taken under advisement.

Motion to this effect made by Commissioner Hunter, with a second

from Commissioner Tuley. So ordered.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

Mr. Abell said we had an old copy machine that was part of the Assessor's office that was put into surplus property. He would like to know if it is okay to give that machine to the Solid Waste office as opposed to cleaning that up for public auction later in the year. This way it would go to use. At the auction they generally bring around \$5.00 to \$10.00. The machine is usable and Solid Waste would like to have it.

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

RE: A.D.A. COMPLIANCE

President Borries said that in going back and reading through the minutes, it must indeed have been a slow news day -- as he was looking back on the discussion on the ADA compliance that Mr. Abell is heading. Mr. Borries said he wants to make it very clear, personally -- and he will write to those persons -- that the County does intend to comply with all regulations as set forth through ADA and that certainly does include providing deaf services for any person on our staff who needs it. It has never been his intent -- he doesn't think it was the discussion when Mr. Abell brought it up at the time. Mr. Abell was asking for some direction on the budget and he couldn't give any at that point. However, to imply or to indicate that we were going to use less than trained employees and thereby try to circumvent the law with regard to the restrictions that Mr. Abell is in the process of implementing is just not true. Again, in view of probably how this transpired, he would want to assure Mr. Abell, personally, in an open meeting that that was certainly not his intent. Sam Humphrey is not here today and he might also say that, having a child who has Down's syndrome and having worked literally all his life with the E.A.R.C. (Retarded Citizens) that probably -- although he would not want to speak for him -- but certainly say that he thinks Mr. Humphrey is indeed sensitive to the needs of those who are handicapped, since he has a child in his family that certainly has a handicap. Again, he thinks it is a bit unfortunate that perhaps he has become a victim of perhaps a little zing there. Again, he thinks it is unfortunate on his part and, again, not speaking in his behalf. But he does want to set the record straight. He also would not in any way want anyone to feel that Sam Humphrey felt it was not appropriate to provide services for any kind of handicapped individual. As for himself, having worked with several of these people (and one young woman who is an outstanding interpreter whom he battled a bit in a previous position at Central High School for several years -- and the two of them have become what he would say is a mutual admiration society) he strongly does endorse what they do. So we will take whatever steps are necessary -- even if we have to mandate the money -- to get that done.

Mr. Abell thanked Mr. Borries and said that he never took Mr. Borries' statements as anything less than what we needed to do. In fact, he thought it was a good idea to search our own organization and ranks for those who might be qualified.

Mr. Borries interjected that we did have some response to that but, apparently, because he was not aware this group was in. But certainly, he guesses, they must have been queried, too, as to our insensitivity - and that was not our intent. Certainly, he again wants to state for the record, that is not his intent. He will inform the Deaf Association to that effect.

Mr. Abell said, "Okay. Subsequent to that weekly foray of events with the interpreter's convention, Shannon Green has requested that we do use the services of a Certified Interpreter for all of our

meetings which, of course, we always have tried to do and will do in the future."

Mr. Borries said that is great. This is the law and we're mandated to do it -- so we will find the money to do it. There's no question about that.

RE: COUNTY HIGHWAY GARAGE - BILL MORPHEW

Weekly Progress Report: Mr. Morphey submitted his weekly progress report for period of August 13, 1993 thru August 19, 1993.....report received and filed.

In response to query from Commissioner Borries as to whether they are still operating on their hot weather schedule, Mr. Morphey said they are back on the regular schedule.

Mr. Borries then asked where they are in terms of finishing up their projects. It looks like they were on Cypress-Dale quite a bit last week, as well as Hillsdale Rd.

Mr. Morphey said they are continuing to do some ditching on Cypress-Dale Rd. They paved Hillsdale Rd. last week, as well as Burch Drive. They have one lane of Boonville-New Harmony Rd. paved from U. S. Highway 41 to Browning Rd. today. They will probably be finished with that road by Wednesday afternoon.

Commissioner Hunter said they did a nice job on Hillsdale Rd. It is such a pleasure to drive that. It was in pretty rough shape.

Mr. Morphey said a couple of people called the County Garage today and said it is really a nice road now.

Mr. Morphey reported that Mr. Ray Schmitt came by the garage today and visited them. He assured Mr. Schmitt that we will start on County Line Rd. West by September 1st.

Mr. Borries said that he hopes it doesn't rain that day.

Mr. Morphey said he left himself a couple of days leeway. He might be able to get out there a little sooner.

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

RE: COUNTY ENGINEER - JOHN STOLL

Re-Acceptance of Streets: Mr. Stoll said the first item on his agenda concerns street acceptances. The permanent records reflect these streets were accepted by the Commissioners on December 3, 1990 in a Commission meeting, but there was no official documentation or standard forms that could be traced. What he wants to do is to re-accept all of these streets with the forms generally used for street acceptances, just as a matter of record.

Mr. Borries asked if this means these were never turned into the State -- so we haven't been getting any money for them.

Mr. Stoll said that is correct.

Mr. Hunter said, "Thank you for finding it."

Mr. Stoll said the reason it was brought to our attention was one of the developers of one of those subdivisions had assumed they were accepted (and they never were) because he had to pay all his money to bring the roads up to standards. A search of the minutes revealed that the streets were accepted on December 3, 1990 and Joanne has provided copies of these minutes.

Mr. Borries asked if, in Mr. Stoll's opinion, all of the roads are acceptable and he is recommending acceptance.

Mr. Stoll responded affirmatively.

Motion to re-accept the following streets for County maintenance was made by Commissioner Hunter, as follows:

		<u>R/W</u>	<u>Length</u>
<u>Blue Grass Farms:</u>	Calumet Road	50 ft.	490 LFT
<u>Ivy Hills:</u>	Halsey Avenue	50 ft.	607 LFT
	Halsey Avenue	40 ft.	224 LFT
	Krueger Avenue	50 ft.	<u>624 LFT</u>
	Total		1,455 LFT
<u>Oak View Place Sub:</u>			
	Oak Park Drive*	50	170 LFT
	Acorn Drive	50	<u>565 LFT</u>
	Total		735 LFT

\*Correction. The 12/3/90 minutes say **Oak Place Drive** and it should be **Oak Park Drive**.

Motion seconded by Commissioner Tuley and so ordered.

Change Order/West Schmitt Lane: Mr. Stoll said the next item concerns a Change Order in the amount of \$1,385.00 on the West Schmitt Lane project. In order to match up with some of the seeding that was already out there, we had to have a Change Order just to change the seed mixture we were going to use. In response to query from Commissioner Tuley, Mr. Stoll said this project is almost finished, but there are a couple of other things to be done.

Mr. Borries said this has been a big project. If Mr. Stoll could begin to get some totals for the Board, he'd appreciate it. He appreciates the concerns of the residents, but he thinks we've moved forward in good faith on this project and we've gone about as far as we can.

Mr. Stoll said they still have to do some dirt work in a couple of the yards and a little pavement work -- and that's about it.

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

Franklin Street Bridge Over Pigeon Creek: Mr. Stoll said the sheet he has passed out is a Project Description of the Franklin Street Bridge over Pigeon Creek. The reason he passed that out is because he's gotten all the construction engineering agreements from United Consulting Engineers on this bridge and in order for the State to begin their review we need to sign off on some forms and get the letter to the State. He has a letter stating Stuart May will be the Project Engineer for that job. He is currently working on the Columbia-Delaware Bridge and once we let the Franklin Street Bridge next year, he will move to that project.

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

Claims re Lynch Rd. Extension: Mr. Stoll said he has three (3) claims for the local match concerning the Lynch Rd. Extension. We will be using the \$800,000 loan we obtained from INDOT and also use an additional \$103,000 from the Cumulative Bridge Fund. These aren't on the Consent Agenda because he didn't know exactly how to take care of them in order to use the loan. Now that he has that

straightened out, he has the claims ready for approval and signatures.

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

Mr. Borries said he was in Indianapolis last week and he knows that Bernardin-Lochmueller, the Design & Construction Engineers on this, were interested in doing some kind of a groundbreaking, since this is going to be a long awaited and big project. He wanted to see if Commissioner Fred P'Poole from INDOT could be at that ceremony. If John Stoll can work with Bernardin-Lochmueller to set a time that we can announce to get that going. This will be an important first step and we are certainly receiving some assistance through INDOT to get this thing started. Hopefully we can get that going in the next week or so.

Mr. Stoll said from the Pre-Construction Meeting held last week, INDOT said it would be approximately a minimum of three weeks before they issue Notice to Proceed, once they receive the check -- so it will be a while yet.

Commissioner Borries entertained questions.

Seib Road: Commissioner Hunter said that on the County Engineer's Consent Agenda this evening there are two claims to Koester Engineering; one for \$11,826 and one for \$8,684. Do either of those include Seib Road? The reason he asked is because he had a call that we had done the base coat, stopped it because of the problems with the sewer going in out there. He had a call that after the base coat was down some of Koester's equipment had come through and pretty well messed it up and even if we put a final coat on it, it still would be very wavy. He'd like to have that looked at before we pay this bill. Could we defer approval of this claim until next week, after Mr. Stoll has had a chance to check this out. He doesn't like paying for things where there is a problem.

Mr. Stoll said no one told him anything about this.

Mr. Borries said the agenda just lists a Contract Number, it doesn't indicate the roads covered.

Mr. Stoll said he will check to see if Seib Rd. is a portion of the contract, etc. (Mr. Borries gave the claim to Mr. Stoll to hold until next week.)

Mr. Borries explained this Claim has been removed from the County Engineer's Consent Agenda. In response to query from Commissioner Borries, Mr. Stoll said the other claims can be approved. The other claim to Koester (Contract VC 91-10-02) in the amount of \$11,816.61 is for a 1992 contract, so it definitely is not either Boonville-New Harmony Rd. or Seib Rd. The remaining claim is to Pavement Maintenance Specialists for Project VC-93-05-02 -- the Crack Sealing Project.

Mr. Stoll said this concludes his report.

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

RE: CONSENT AGENDA

The meeting continued with President Borries entertaining questions concerning the Consent Agenda.

Travel Request/County Coroner: Mr. Tuley asked to see the Travel Request for the County Coroner.

Mr. Borries advised he cannot find anything in his meeting folder that has to do with the County Coroner. (B.J. has a dot under it on the agenda; he guesses this means a sub-point -- but he can find nothing in his meeting file.)

Mr. Abell interjected, "They wanted to go up to Indianapolis and pick up a car. Is that this one? Maybe that was a few weeks back. Does that ring a bell?"

Mr. Borries responded negatively. He asked to omit this item from the Consent Agenda since no one seems to have the information and, obviously, they cannot approve something they don't have the information on. He simply has nothing on this request and therefore it will have to be re-submitted on next week's agenda.

The other Commissioners concurred that this item should be deferred until next week.

Approval of Minutes: Commissioner Borries said that approval of the Commission Minutes for August 9, 1993 and August 16, 1993 is also on the Consent Agenda. Omitting Item #A (Travel Request) he would entertain a motion to approve the remainder of the Consent Agenda.

Motion to this effect made by Commissioner Tuley.

Commissioner Hunter said he cannot approve the minutes for August 9th, as he was on vacation.

Mr. Borries then seconded and so ordered.

RE: OLD BUSINESS

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

RE: NEW BUSINESS

President Borries then entertained matters of New Business to come before the Board. There were none.

RE: DRAINAGE BOARD MEETING

Commissioner Borries announced that the Drainage Board will convene immediately following the Commission meeting. Therefore, Mr. Tuley will convene the Drainage Board at 6:20 p.m., following a five minute recess.

There being no further business to come before the Board, President Borries declared the meeting adjourned at 6:15 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, Commission office  
John Stoll, County Engineer  
Bill Morphew, County Highway Supt.  
Roger Elliott/Data Processing  
James Morley/Morley & Associates  
Calvin Dentino/Developer  
Andy Easley/Andy Easley Engineering  
Dan Hartmann/Surveyor's Office  
Vickie McBride/C.O.L.E.  
Steve Blankenberger/Blankenberger Bros.

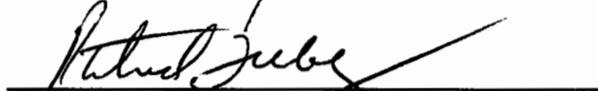
COMMISSION MEETING  
AUGUST 23, 1993

8

Darrell Rice/SCS  
Richard Howell  
Beverly Howell  
Keith Poff/Morley & Associates  
David Savage/Dave Savage Engineering  
Others (Unidentified)  
News Media

SECRETARY: Joanne A. Matthews

  
Richard J. Borries, President

  
Patrick Tuley, Vice President

  
Don Hunter, Member



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

RICHARD J. BORRIES

DON L. HUNTER

PATRICK TULEY

**AGENDA**

**VANDERBURGH COUNTY COMMISSIONERS**

**AUGUST 23, 1993**

**5:30 P.M.**

**FINAL**

1. **CALL TO ORDER** ✓
2. **INTRODUCTIONS** ✓
3. **PLEDGE OF ALLEGIANCE** ✓
4. **ACTION ITEMS**
  - A. Any group/individual wishing to address the commission *None*
  - B. Bid Opening:
    - 1) Installation of rubber roof/County Highway Garage
  - C. Roger Elliott/Data Processing
 

re: Signature of an agreement between Book Publishing Company and City of Evansville/Vanderburgh County for Codemaster Application Software
5. **DEPARTMENT HEADS**

Alan Kissinger	-----	County Attorney	✓
Mark Abell	-----	Superintendent of County Buildings	✓
Bill Morpew	-----	County Garage	✓
John Stoll	-----	County Engineer	✓

\*See attached engineer requests

**6. CONSENT ITEMS**

**A. Travel/Education Requests**

. Coroner (1)

**B. Employment Changes: see attached**

**C. County Commissioner Minutes for 8/9/93, 8/16/93  
\*acceptance/approval**

**8. OLD BUSINESS**

**9. NEW BUSINESS**

**10. MEETING ADJOURNED**

**REZONINGS AT 7:00 PM**

COUNTY ENGINEER'S

CONSENT AGENDA

AUGUST 23, 1993

1.	CHANGE ORDER - SCHMITT LANE	\$ 1,385.00	
2.	CONTRACTUAL SERVICES 216-3930		
	Pavement Maint. Spec. (VC 93-05-02)	\$ 18,419.48	
	Koester Contr. Corp. (VC 92-10-02)	\$ 11,826.61	<i>To be checked</i>
	Koester Contr. Corp. (VC 93-05-03_	\$ 8,684.90	]
	USI & SR 62 430 BOND		
	Blankenberger Brothers (VR-20697/ Inv. #2)	\$132,282.07	

**SCHEDULED MEETINGS**

Mon	Aug 23	County Commissioners Executive Session	4:30 PM	RM 307
		County Commissioners	5:30 PM	RM 307
		Drainage Board Immediately Following		
Wed	Aug 25	County Council Personnel/Finance	3:30 PM	RM 301
Mon	Aug 30	County Commissioners	5:30 PM	RM 307
Wed	Sept 1	County Council	3:30 PM	RM 301
Mon	Sept 6	HOLIDAY - BUILDING CLOSED		
Tues	Sept 7	County Commissioners Solid Waste	8:00 AM	RM 307
		County Department Head	4:00 PM	RM 303
		Executive Session	4:30 PM	RM 307
		County Commissioners	5:30 PM	RM 307
Tues	Sept 7	County Council Final Budget Hearings	Room 301 12:00 PM - 4:00 PM	
Mon	Sept 13	Co. Tax Adjustment Board	9:00 AM	RM 301
		County Commissioners	5:30 PM	RM 307
Mon	Sept 20	County Commissioners	5:30 PM	RM 307
		Rezoning	7:00 PM	RM 307
Tues	Sept 21	County Insurance Meeting	9:00 AM	RM 303
Thurs	Sept 23	County Employee Steering	9:00 AM	RM 303
Mon	Sept 27	County Commissioners	5:30 PM	RM 307
		Drainage Board Immediately Following		
Tues	Sept 28	Co. Tax Adjustment Board		RM 307
		8:30 AM til 12:30 PM		
Wed	Sept 29	County Council Personnel and Finance	3:30 PM	RM 301

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Knight Township Assessor *sl*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
2490-1130-1990	Lisa Morgan	15578 Old State Rd	Deputy	7.00 per hr	8/16/93
2490-1130-1990	David Hancock	2067 E. Gum	Deputy	7.00 per hr	8/16/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Shirley Rader* DATE 8/16/93  
*Chief Deputy Knight Twp*

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Health 213.0 *sl*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1990	Block, Frederick L.	7416 Wren Drive Evanaville, IN 47715	Vector Control Technician	\$5.00/hr.	8/18/93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *Sam Elders* DATE 8/18/93  
Director

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department CENTER ASSESSOR

*21*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
				Hour		
249011101990	DONALD L. TEMPE	307 S. ELM	PART TIME FIELD DEPUTY	7	00	8-18-93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*[Signature]*

DATE 8-18-93

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department 123.4 Health Dept. - WIC Program

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
				Hourly		
1990	Nancy Fosnaugh	6130 Twickingham Dr. Evansville, IN 47711	Reg. Dietitian	12	3165	8/23/93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY		EFFECTIVE
				Annual		
1230	Nancy Fosnaugh	6130 Twickingham Dr. Evansville, IN 47711	Reg. Dietitian	25,717	00	8/20/93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*[Signature]*

DATE 8-20-93



**EMERGENCY MANAGEMENT AGENCY  
EVANSVILLE, VANDERBURGH COUNTY**

Sherman G. Greer, Director  
Room 18, Civic Center Complex  
1 NW Martin Luther King, Jr. Boulevard  
Evansville, Indiana 47708-1839  
Telephone (812) 426-5602  
Fax (812) 426-5606  
TDD/Hearing Impaired (812) 426-5483



Jane Snelling  
Assistant Director

Lisa Patterson  
Administrative Assistant

August 16, 1993

*Mark Albel*

Mr. Alan Kisinger  
1 N.W. Martin Luther King Jr., Blvd.  
Room 305  
Evansville, IN 47708-1839

Dear Mr. Kisinger:

The Emergency Management Agency would like you to review the enclosed waiver and offer your suggestions or approval. The waiver's objective is to release the State of Indiana, the City of Evansville, Indiana and/or the County of Vanderburgh, Indiana from liability that may be incurred during an earthquake exercise. The waiver will be used for the October 23, 1993 full-scale earthquake exercise.

If you have any questions, feel free to call me at the phone number above. If I am not available my staff can assist you.

Sincerely

Sherman G. Greer,  
Director

SGG/lp

cc: file

# DRAFT

Name \_\_\_\_\_

Release executed on the 23. day of October of 1993, State of Indiana, herein referred to as releasor.

In consideration of being permitted to participate in the state Earthquake Exercise on October 23, 1993, releasor, for himself and personal representatives, heirs and next of kin, hereby releases, waives, discharges and covenants not to sue the City of Evansville, Indiana, County of Vanderburgh, Indiana, and/or the State of Indiana their officers, officials, employees, and/or members all for the purposes of herein referred to as releasees, from all liability to the releasor, his/her personal representatives, assigns, heirs and next of kin for all loss or damage, and any claim or damage, therefore, on account of injury to the person or property or resulting in death or otherwise while the releasor participates in this exercise.

Releasor hereby assumes full responsibility for the risk of bodily injury, death or property damage due to negligence of releasees or otherwise while in or upon participating in the State Emergency Management Agency, State of Indiana, Earthquake Exercise.

Releasor expressly agrees that this release, waiver and indemnity agreement is intended to be as broad and inclusive as permitted by the laws of the State of Indiana and that if any portion thereof is held invalid, it is agreed that the balance shall, notwithstanding, continue to full legal force and effect.

Releasor, being of lawful age, in consideration of being permitted to participate in the State Emergency Management Agency, State of Indiana, Earthquake Exercise, do for myself, my heirs, executors, administrators, and assigns, hereby release and forever discharge the State of Indiana, the City of Evansville, Indiana, and the County of Vanderburgh, Indiana, their officials and employees from any and every claim, demand, action arising from or by reason of any bodily injury or personal injuries known or unknown, death and/or property damage resulting or to result from any accident which may occur as a result of participating in the State Emergency Management Agency, State of Indiana, Earthquake Exercise, whether by negligence or not.

I further release all Emergency Medical Technicians, advanced EMTs and Paramedics from any claim whatsoever on account of first aid, treatment or service rendered me during participation in the State Emergency Management Agency, State of Indiana, Earthquake Exercise.

This release contains the entire agreement between the parties hereto and the terms of the release are contractual and not a mere recital.

Releasor further states that he/she has carefully read the foregoing release and knows the contents thereof and signs this release as his own free act.

In witness whereof, releasor has executed the release at the Exercise Training Area, City of Evansville, Indiana, County of Vanderburgh, Indiana, State of Indiana.

\_\_\_\_\_  
Name Signature/Releasor

\_\_\_\_\_  
Name Print/Releasor

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

**DRAFT**

**DRAFT**

*Approved as to form*  
*[Signature]*  
8-23-93

**PROPOSAL FOR CODEMASTER SOFTWARE AND SUPPORT FOR BOTH VANDERBURGH COUNTY, INDIANA, AND THE CITY OF EVANSVILLE, INDIANA.**

**1 PARTIES.**

The parties to this contract are Vanderburgh County and Evansville Indiana, and Book Publishing Company (hereinafter Company or BPC).

**2 CODEMASTER SOFTWARE PACKAGE.**

**2.1 A software package to include:**

- CodeMaster Plus software license and manual
- On-site technical training
- Hot-line telephone support
- Modem support
- Database storage and maintenance
- Enhancements and modifications

Charge.....\$3995.00

**2.2 Duration of Support.**

Telephone and modem support will be provided for one full year from the date of issue of the software license. Support renewal is available at an annual rate of \$500.00.

**2.3 Training.**

As part of the software package, BPC will provide up to two days of on-site technical training to one person. An intermediate MS\_DOS and WordPerfect background is a prerequisite. Additional training is available at a rate of \$250.00 per day per person, plus reasonable costs of transportation and meals and lodging costs not to exceed One Hundred dollars (\$100.00) per day.

**2.4 Enhancements/Modifications.**

Updates and revisions to the software will be provided at no charge when issued during the first support year. New version releases are not included.

**3 ADDITIONAL LICENSES.**

Network or stand-alone software licenses, as follows:

- \$250.00@ for 1 - 10 copies
- \$225.00@ for 11 - 20 copies
- \$200.00@ for 21 or more copies

**4 ASSIGNATION, INTEGRATION AND MODIFICATION.**

When executed by both the Company and the City and County, this agreement constitutes the entire agreement between the parties. There are no other agreements or representations not set forth in this agreement. This agreement incorporates all prior negotiations, agreements and representations. This agreement shall be binding upon and inure to the benefit of the parties and their respective successors and assigns. This agreement may not be modified except in writing, signed by the Company and the City and County.

**5 LAWS OF INDIANA TO GOVERN.**

This agreement shall be governed by and construed in accordance with the laws of the State of Indiana.

**6 WAIVER.**

The waiver by any party of a breach of any provision of this agreement or the failure by any party to claim a breach of any provision of this agreement shall not constitute a waiver of any subsequent breach, or change the effect of or make that provision thereafter unenforceable in any way.

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, President  
Evansville Board of Public Works

By \_\_\_\_\_  
Jack Corn, Jr., Vice President  
Evansville Board of Public Works

By \_\_\_\_\_  
Valerie McKinney, Member  
Evansville Board of Public Works

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

for Vanderburgh County

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

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

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

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

for Book Publishing Company

By \_\_\_\_\_  
Vice President & General Manager

By \_\_\_\_\_  
Secretary

Effective Date \_\_\_\_\_

BID RECAP SHEET

PROJECT:       INSTALLATION OF RUBBER ROOF SYSTEM AT  
                  COUNTY HIGHWAY GARAGE

BID OPENING DATE:   August 23, 1993

\* \* \* \* \*

<u>Bidder Name</u>	<u>Amount</u>
<u>U.S. Industries Group, Inc.</u>	<u>\$61,400<sup>00</sup></u>
<u>Preferred Construction Services, Inc.</u>	<u>\$45,836<sup>00</sup></u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

COMMENTS:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ACTION TAKEN:  
\_\_\_\_\_

sater enterprises

p. o. box 2509  
evansville, indiana 47728-0509  
tel. (812) 477-1529  
fax (812) 477-2851

August 12, 1993

Mr. Alan Kissinger  
Vanderburgh County Attorney  
2313 W. Franklin  
Evansville, IN 47712

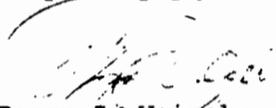
RE: Right-of-Way Grant for Virginia Street Extension

Dear Mr. Kissinger:

I am enclosing the Right-of-Way Grant, which has been approved by you in form, and executed by Mrs. Alvrone Sater, landowner.

Please send us a copy of the recorded document when it becomes available. Thank you for your cooperation and assistance in this matter.

Very truly yours,



Peggy J. Weigele

Enc.

cc: Mr. Howard Trockman  
Mr. Jim Morley, Morley & Associates  
Mr. Chip Slagle, American Star Properties

RIGHT-OF-WAY GRANT

THIS INDENTURE WITNESSETH, That ALVRONE SATER, Grantor, of Vanderburgh County and State of Indiana, CONVEYS, QUITCLAIMS AND DEDICATES the following described Right-of-Way for roadway and utility purposes to VANDERBURGH COUNTY, INDIANA for the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, to-wit:

Right-of-Way for Parcel I

A part of the East half of the Southeast Quarter of Section 24, Township 6 South, Range 10 West in Vanderburgh County, Indiana, and being more particularly described by metes and bounds as follows:

Commencing at a stone marking the northwest corner of the Southeast Quarter of Section 24-6-10; thence along the north line thereof (assumed bearing) south 89 degrees 48 minutes 12 seconds east 1348.38 feet to the northwest corner of the East Half of the Southeast Quarter of Section 24-6-10; thence continue along the north line of said quarter section South 89 degrees 48 minutes 12 seconds east 386.56 feet; thence south 00 degrees 13 minutes 17 seconds east 906.35 feet to the true point of beginning; thence continue south 00 degrees 13 minutes 17 seconds east 60.59 feet; thence south 81 degrees 46 minutes 47 seconds west 0.45 feet; thence north 89 degrees 47 minutes 46 seconds west 380.82 feet to the west line of said half quarter section, also being the northeast corner of Lot 6 in the plat of Metro Centre East, Section 1, as per plat thereof recorded in Plat Book O, page 65 in the office of the Recorder of Vanderburgh County, Indiana; thence along the west line of said half quarter section north 00 degrees 32 minutes 07 seconds west 60.66 feet to the southwest corner of the Gayle and Inez Taylor property as per deed recorded in deed Record 404, page 547 in the office of the Recorder of Vanderburgh County, Indiana; thence along the south line thereof south 89 degrees 47 minutes 46 seconds east 381.59 feet to the true point of beginning, containing 0.53 acres (23,134.83 square feet).

Subject to existing 15 foot right-of-way for Kimber Lane off the east side thereof.

Subject to easements, rights-of-way, building and use restrictions of record.

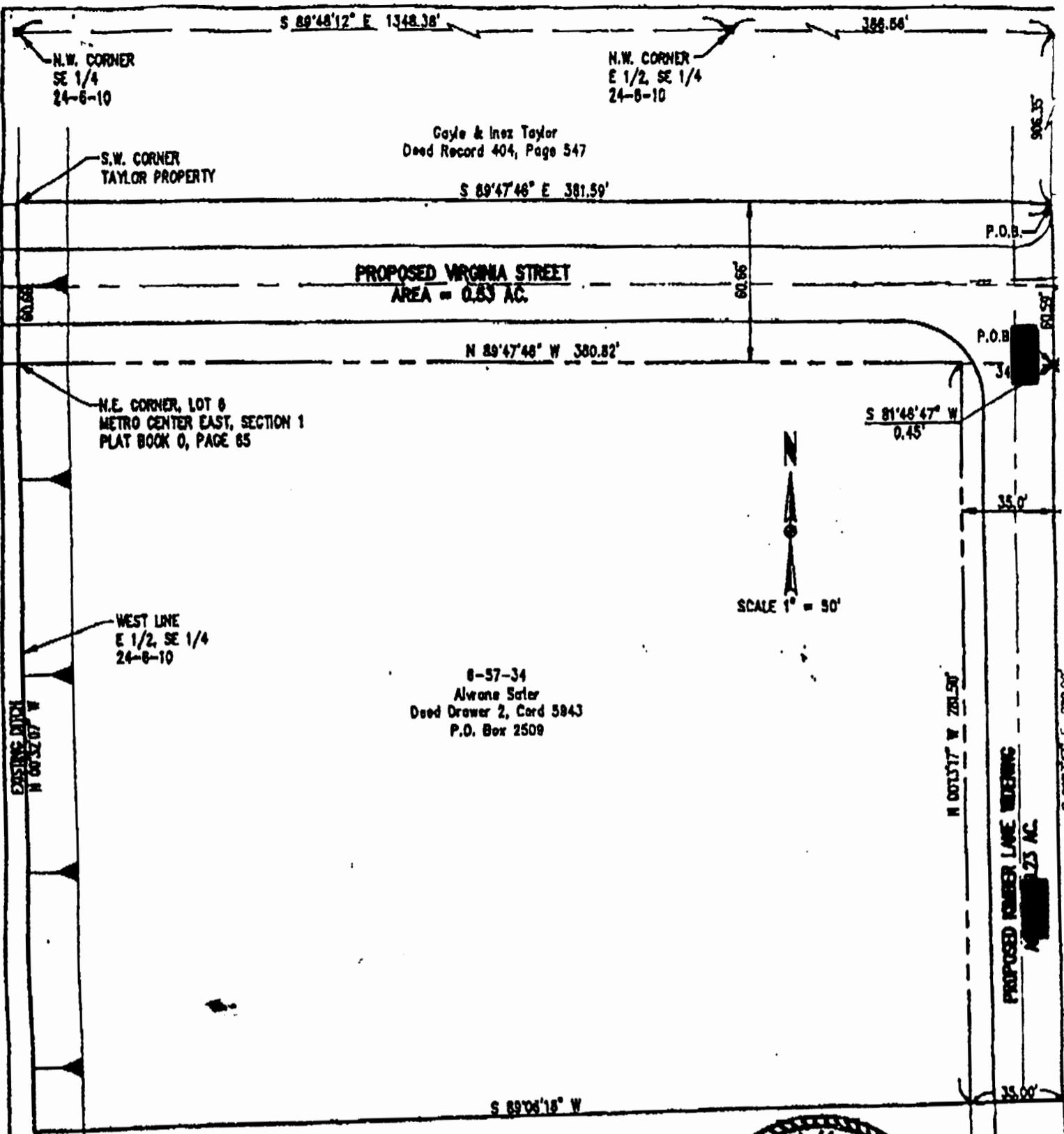
Subject, further, to all taxes on the aforescribed right-of-way which the Grantee herein assumes and agrees to pay or discharge.

Right-of-Way for Parcel II

A part of the East Half of the Southeast Quarter of Section 24, Township 6, Range 10 West in Vanderburgh County, Indiana, and being more particularly described by metes and bounds as follows:

Commencing at a stone marking the northwest corner of the Southeast Quarter of Section 24-6-10; thence along the north line thereof (assumed bearing) south 89 degrees 48 minutes 12 seconds east 1348.38 feet to the northwest corner of the East Half of the Southeast Quarter of Section 24-6-10; thence continue along the





Gayle & Inez Taylor  
Deed Record 404, Page 547

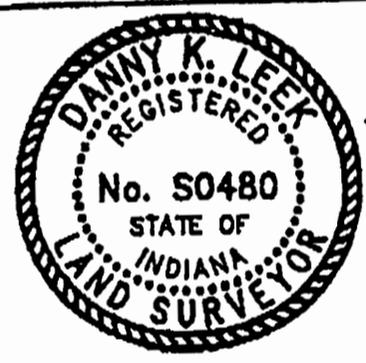
**PROPOSED VIRGINIA STREET**  
AREA = 0.83 AC.

N.E. CORNER, LOT 6  
METRO CENTER EAST, SECTION 1  
PLAT BOOK 0, PAGE 85

8-57-34  
Alvona Sater  
Deed Drawer 2, Card 5943  
P.O. Box 2509



A. H. Harding Jr.  
Trustee, Executive Manor Co. Trust  
Deed Drawer 1, Card 8701



**Morley and Associates, INC.**  
Consulting Engineers/Surveyors/Architects  
605 S.E. Martin Luther King Jr. Blvd.  
Evansville, Indiana 47713  
(812) 484-9585

EXHIBIT A

*as* 5/11/92

EO  
4/1  
95-25  
Sedg. 1

N.W. CORNER  
E 1/2  
24-8-10

S 89°48'12" E

Coble & Inez Jager  
Deed Record 404, Page 547

386.56'  
906.35'  
S 00°37' E

6-57-31  
Alvora Sater  
Deed Drawer 1, Card 18978  
P.O. Box 2509

SCALE 1" = 60'

P.O.B.

N 81°48'47" E 378.45'

PROPOSED VIRGINIA STREET  
AREA = 0.52 AC.

S 81°48'47" W 377.85'

6-57-31  
Alvora Sater  
Deed Drawer 1, Card 18978  
P.O. Box 2509

Alvora Sater  
Deed Drawer 2, Card 5943

PROPOSED KIMBER LANE WIDENING

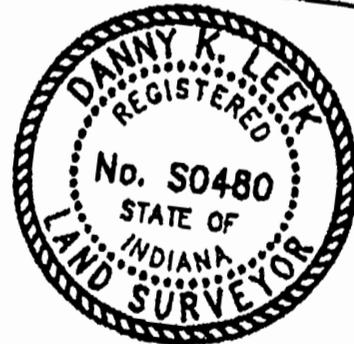
15' EXISTING  
B/W

EXISTING  
KIMBER LANE

S 00°37'36" W

Alvora Sater  
Deed Drawer 1, Card 18859

Ray Sater, Trustee  
Deed Drawer 7, Card 4214



William Frazee  
Deed Record 358, Page 321

**Morley and Associates, Inc.**  
Consulting Engineers/Surveyors/Architects  
805 S.E. Martin Luther King Jr. Blvd.  
Evansville, Indiana 47713  
(812) 464-8585

EXHIBIT B

CS 5/11/43

EQ  
4/1  
83-25  
Scale: 1"



## VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

### Vanderburgh County Engineering Department

Agenda for August 23, 1993

**1. Street Acceptances**

Calumet Road in Blue Grass Farms 490 feet  
Halsey Avenue in Ivy Hills 607 feet  
Halsey Avenue in Ivy Hills 224 feet  
Krueger Avenue in Ivy Hills 624 feet  
Oak Park Drive in Oak View Place 170 feet  
Acorn Drive in Oak View Place 565 feet

**2. Change order for West Schmitt Lane for \$1,385**

**3. Franklin Street bridge construction engineering agreement with United Consulting**

**4. INDOT claims for the local match for the Lynch Road extension using \$800,000 loan from INDOT and \$102,979.99 from Cumulative Bridge Fund**

VANDERBURGH COUNTY ENGINEERING DEPARTMENT  
 Old Courthouse, Suite 307  
 201 N.W. Fourth Street  
 Evansville, IN 47708

DATE: August 20, 1993

Tel. (812) 424-9603

(Accepted Comm. minutes December 3, 1990)  
 Vanderburgh County Board of Commissioners  
 Rm. 305 Civic Center Complex  
 Evansville, IN 47708

RE: Acceptance of Street Improvements in  
Blue Grass Farms

Dear Commissioners:

The undersigned have made an inspection of the subject Street and Storm Drainage (included within the street right-of-way) Improvements on \_\_\_\_\_ . These Improvements were constructed/finished on/by \_\_\_\_\_ . All streets were constructed with concrete in accordance with the approved plans.

The following is a summary of the length of the completed 29' to back curb feet wide streets in the subject Subdivision:

	R/W	Length	
<u>Calumet Road</u>	<u>50</u>	<u>490</u>	<u>LFT</u>
_____	_____	_____	<u>LFT</u>
_____	_____	_____	<u>LFT</u>
_____	_____	_____	<u>LFT</u>
_____	_____	_____	<u>LFT</u>
_____	_____	_____	<u>LFT</u>
	<b>TOTAL:</b>	<u>490</u>	<u>LFT</u>

It is recommended that these Street and Storm Drainage (included within the street right-of-ways) improvements be accepted for maintenance:

If you have any questions please call the County Engineering Department.

Respectfully,

*[Signature]*  
 County Engineer

\_\_\_\_\_  
 Assistant County Engineer

Accepted for Maintenance by the  
 Board of County Commissioners

*[Signature]* 8/23/93  
 President

*[Signature]*  
 Vice-President

*[Signature]*  
 Member

CC: Developer  
 Design Engineer  
 APC  
 Co. Highway Dept.  
 Road File

07/93

VANDERBURGH COUNTY ENGINEERING DEPARTMENT  
 Old Courthouse, Suite 307  
 201 N.W. Fourth Street  
 Evansville, IN 47708

DATE: August 20, 1993

Tel. (812) 424-9603

(Accepted Comm. minutes Dec. 3, 1990)  
 Vanderburgh County Board of Commissioners  
 Rm. 305 Civic Center Complex  
 Evansville, IN 47708

RE: Acceptance of Street Improvements in  
Ivy Hills

Dear Commissioners:

The undersigned have made an inspection of the subject Street and Storm Drainage (included within the street right-of-way) Improvements on \_\_\_\_\_ . These Improvements were constructed/finished on/by \_\_\_\_\_ . All streets were constructed with HAC in accordance with the approved plans.

The following is a summary of the length of the completed 20' feet wide streets in the subject Subdivision:

	R/W	Length	
<u>Halsey Avenue</u>	<u>50</u>	<u>607</u>	<u>LFT</u>
<u>Halsey Avenue</u>	<u>40</u>	<u>224</u>	<u>LFT</u>
<u>Krueger Avenue</u>	<u>50</u>	<u>624</u>	<u>LFT</u>
_____	_____	_____	<u>LFT</u>
_____	_____	_____	<u>LFT</u>
_____	_____	_____	<u>LFT</u>
<b>TOTAL:</b>	_____	<u>1455</u>	<u>LFT</u>

It is recommended that these Street and Storm Drainage (included within the street right-of-ways) improvements be accepted for maintenance:

If you have any questions please call the County Engineering Department.

Respectfully,

*John Stoll*  
 County Engineer

\_\_\_\_\_  
 Assistant County Engineer

CC: Developer  
 Design Engineer  
 APC  
 Co. Highway Dept.  
 Road File

07/93

Accepted for Maintenance by the Board of County Commissioners

*Richard J. Bonis* 8/23/93  
 President

*Peter J. Jolly*  
 Vice-President

*[Signature]*  
 Member

VANDERBURGH COUNTY ENGINEERING DEPARTMENT  
Old Courthouse, Suite 307  
201 N.W. Fourth Street  
Evansville, IN 47708

DATE: August 20, 1993

Tel. (812) 424-9603

(Refer Comm. minutes Dec. 3, 1990)

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

RE: Acceptance of Street Improvements in  
Oak View Place Subdivision

Dear Commissioners:

The undersigned have made an inspection of the subject Street and Storm Drainage (included within the street right-of-way) Improvements on \_\_\_\_\_. These Improvements were constructed/finished on/by \_\_\_\_\_. All streets were constructed with \_\_\_\_\_ concrete in accordance with the approved plans.

The following is a summary of the length of the completed 29' to back curb feet wide streets in the subject Subdivision:

	R/W	Length	LFT
<u>CORRECTION: 12-3-90 minutes say: OAK PLACE DRIVE</u>			LFT
<u>Should be OAK PARK DRIVE (continuation)</u>	50	170	LFT
<u>Acorn Drive</u>	50	565	LFT
<b>TOTAL:</b>		735	LFT

It is recommended that these Street and Storm Drainage (included within the street right-of-ways) improvements be accepted for maintenance:

If you have any questions please call the County Engineering Department.

Respectfully,

John Stoll  
County Engineer

Assistant County Engineer

CC: Developer  
Design Engineer  
APC  
Co. Highway Dept.  
Road File

07/93

Accepted for Maintenance by the  
Board of County Commissioners

Richard I. Bonnis  
President

Victor Julez  
Vice-President

Bob Huns  
Member

funds, with the understanding that the terms need to be changed to not only reflect that we will not pay in advance but that we will need to retain some funds until the job is satisfactory completed and inspected and was seconded by Commissioner Borries. So ordered.

★ Street Acceptances: (Oak View Place, Blue Grass Farms, & Ivy Hills)  
Greg Curtis submitted street acceptance for three sub-divisions. The first is in Oak View Place Section B: Acorn Court 565 LFT & Oak Place Drive at 170 LFT for a total of 735 LFT. He is recommending those be accepted for maintenance.

Commissioner McClintock made a motion to accept the above names streets for maintenance and was seconded by Commissioner Borries. So ordered.

Blue Grass Farms: Blue Grass Road at 1060 LFT and Calumet Road at 490 LFT for a total of 1550 LFT and he recommended those be accepted for maintenance.

Commissioner McClintock made a motion to accept the above names streets for maintenance and was seconded by Commissioner Borries. So ordered.

Ivy Hills Section A: Halsey Avenue with 50' right-of-way 607 LFT, Kruger Avenue with 50' right-of-way 624 LFT and Halsey Avenue with 40' right-of-way 224 LFT. He recommends the above streets be accepted for maintenance.

Commissioner McClintock made a motion to accept the above names streets for maintenance and was seconded by Commissioner Borries. So ordered.

Greg Curtis said he has the originals that need to be signed.

Agreements on Bridge #90 - VNG Associates:

Greg Curtis said he has two copies of a proposed agreement for design services with Veach, Nicholson and Griggs & Associates for Bridge #90 on Old Petersburg Road. He would like to forward that to the Attorney for his review for legal form.

Overtime Request:

Mr. Curtis said with the departure of a gentleman from his office on military leave, since he was activated in the reserves. He has an employee who, over the period of the summer, had accrued enough compensatory time that he basically needs to be off for the rest of the year. He makes exactly the same amount of money as Scot Davis who, earlier in the year, left employment and he is requesting the Commission's approval to transfer those funds remaining in Scot Davis' salary for this year into overtime so that he can keep an inspector in the field for the remainder of the year. Mr. Pinkston works on sub-divisions and so forth and if the weather remains as it appears it will, there will be inspection work needed to be done throughout the remainder of the year.

Commissioner Owen made a motion for approve for the Engineer to ask the Council to transfer the money out of Scot's account line into the overtime account and authorize the Engineer to utilize Mr. Pinkston to work overtime at the County's rate for the remainder of the year and was seconded by Commissioner McClintock. So ordered.

Right-of-Way - Union Township Access Project:

Mr. Curtis submitted a revised proposal for authorization to purchase on Union Township Access Project. The appraised amount is what they had originally authorized. In parcel #5, we went from \$500,00 on the authorized amount that was requested be authorized, due to an administrative settlement. Some legal fees that are going to have to be incurred by the property owner due to the way the property is held and so forth. Parcel #8, a value finding was done and he spoke with United Consulting Engineers, Inc. while he was in Indianapolis and it was their feelings that should we go through the detailed appraisals, that we would likely be closer to the \$10,000 that they have counter offered than we would be to our \$6400.00 on a value find. On parcel #9, which is a short



## **PROJECT DESCRIPTION**

This project provides for the rehabilitation of Vanderburgh County Bridge No. 4 which carries Franklin Street over Pigeon Creek in Evansville, Indiana. A map showing the structure location is attached. The existing bridge was built in 1932. It is a 3 span steel deck truss bridge, with a total structure length of 308 feet. The existing 82 feet wide bridge deck has 66 feet of clear roadway and has two 8 feet wide sidewalks. The existing structure is in fairly poor condition.

The rehabilitation for this structure is to include the following construction work elements:

1. Deck replacement including new joint seals.
2. Structural steel repair, cleaning and painting.
3. Substructure upgrading.
4. New concrete bridge railing and lighting.
5. New concrete approach slabs.
6. Slope regarding under bridge.
7. Bituminous wedges at approaches.
8. Maintaining traffic during the construction.

The estimated construction cost for this bridge rehabilitation project at the anticipated time of letting (early 1994) is approximately \$1,815,000.

Appendix "A" of the Agreement for construction engineering describes the services to be performed by the consultant during the project. United Consulting Engineers, Inc., (UCEI) will provide the personnel necessary to insure that the construction is completed according to the contract documents, and that the construction records are submitted in a timely and acceptable manner.

UCEI will act as Vanderburgh County's liaison with the contractor during the construction of this project, and will keep the county informed as the work progresses. UCEI will conduct on-site inspection to determine that the work is proceeding in accordance with the plans and specifications. UCEI will provide on-site acceptance testing of materials that will be incorporated into the construction as prescribed by the Indiana Department of Transportation. UCEI will maintain orderly files at the job site to adequately document the amount and the quality of the work performed. UCEI is to prepare progress estimates showing that payments to the contractor are based on the value of the work accomplished and materials complete in place in accordance with the contract documents. UCEI will provide the necessary construction engineering services to see this project through to a successful completion.

DATE \_\_\_\_\_

Indiana Department of Transportation  
1101 State Office Building  
100 North Senate Avenue  
Indianapolis, Indiana 46204

Attention: Chief, Division of Local Transportation  
Room N601, State Office Building

Gentlemen:

██████████ Stuart May who is an employee of United Consulting Engineers, Inc. is hereby designated fulltime Resident Project Representative for the construction of project(s) BHM-E290 - Vanderburgh County Bridge No. 4. It is understood that in this capacity he will be in full time direct control of the project, and will follow the established procedures of the Indiana Department of Highways in the discharge of his duties. It is also understood that in this capacity he will be working under the supervision of the IDOH District Area Engineer and will look to that office for advice and instruction.

Mr. Stuart May will utilize the services of the following personnel:

1. Lynn Fox Assistant Project Representative
2. Mark Berry Inspector
3. Chris Coffey Inspector
4. \_\_\_\_\_ Inspector
5. \_\_\_\_\_ Inspector

who are employed by United Consulting Engineers, Inc. in accomplishing the overall supervision of this project. The testing equipment as listed on attached sheet will be supplied for this project by INDOT.

The engineering staff of United Consulting Engineers, Inc. shall maintain all books, documents, paper, accounting records and other evidence pertaining to the cost incurred and shall make such materials available at their respective offices at all reasonable times during the contract period and for three (3) years from the date of final payment. The Federal Highway Administration, the State of Indiana, or other authorized representative of any unit providing money for the project shall be furnished copies thereof, if requested.

Very truly yours,

Richard J. Borries  
(Member) Richard J. Borries

Vanderburgh County  
(Board of County Commissioners)

Patrick Tuley  
(Member) Patrick Tuley

Don L. Hunter  
(Member) Don L. Hunter



AUG 13 1993

1245-----

Form Prescribed by the  
State Board of Accounts

Revised County  
Form No. 17

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

VANDERBURGH COUNTY, INDIANA

VENDOR NAME PAVEMENT MAINTENANCE SPEC # 3819

On Account of Appropriation for 203-3930 CONTRACTUAL SUCC

Invoice No.	Itemized Claim	Amount
<u>#5</u>	<u>Crack Sealing - VC 93-05-02</u>	
	<u>12 ROADS @ 56,152.8 LFT</u>	
	<u>COST @ 29.9/LFT</u>	<u>16,939 19</u>
	<u>Weed Control: 15,714/LFT @ .02</u>	<u>314 28</u>
	<u>(Add'l) DIFFERENCE: CONCRETE PATCHING</u>	<u>158 77</u>
	<u>DIFFERENCE: CONCRETE PATCHING</u>	<u>1007 28</u>
		<u>18,419 48</u>

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

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

Sharon M. Null  
Name

Secretary  
Title

Date 8-12, 1993



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

Vanderburgh

County, Indiana Invoice #IC9400081  
Provider # 10202

To INDIANA DEPARTMENT OF TRANSPORTATION

On Account of Appropriation for Project STP-E185(004); Contract R-20843

19__	ORDER NUMBER	ITEMIZED CLAIM	DOLLARS	CTS.
		Initial payment for Project <sup>Pigeon Creek</sup> STP-E185(004), Contract R-20843 in accordance with the agreement between the State of Indiana and the County of Vanderburgh, computed as follows:		
		Location: Lynch Road Ext. from Oak Hill Rd. to Burkhart Rd.		
		Total Bid Price of Construction	1,837,743.17	
		Less: Federal Participation @ 80%	1,470,194.54	
		County's Participating Portion	367,548.63	
		County's Total Amount Due	367,548.63	
		Total Amount Due the Indiana Dept. of Transportation	367,548.63	

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

400-816-901; Phase 50; N

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

*[Signature]*  
Controller, Indiana Department of Transportation

Date August 5, 19 93

Wiese

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 #IC9400080  
Provider # 10202

To INDIANA DEPARTMENT OF TRANSPORTATION

On Account of Appropriation for Project STP-E185(005); Contract R-20843

19__	ORDER NUMBER	ITEMIZED CLAIM	DOLLARS	CTS.
		<i>CRAWFORD / BRANDTS</i> Initial payment for Project STP-E185(005), Contract R-20843 in accordance with the agreement between the State of Indiana and the County of Vanderburgh, computed as follows:		
		Location: Lynch Road Ext. from Oak Hill Rd. to Burkhardt Rd.		
		Total Bid Price of Construction	555,499.16	
		Less: Federal Participation @ 80%	444,399.33	
		County's Participating Portion	111,099.83	
		County's Total Amount Due	111,099.83	
		Total Amount Due the Indiana Dept. of Transportation	111,099.83	

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

400-816-901; Phase 50; N

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

*[Signature]*  
Controller, Indiana Department of Transportation

*[Signature]*

Date August 5, 1992

Wiese

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 #IC9400082

Provider # 10202

To INDIANA DEPARTMENT OF TRANSPORTATION

On Account of Appropriation for Project STP-E185(001); Contract R-20843

19__	ORDER NUMBER	ITEMIZED CLAIM	DOLLARS	CTS.
		Initial payment for Project STP-E185(001), <sup>GRAD, No</sup> Contract R-20843 in accordance with the agreement between the State of Indiana and the County of Vanderburgh, computed as follows:		
		Location: Lynch Road Ext. from Oak Hill Rd. to Burkhart Rd.		
		Total Bid Price of Construction	2,121,657.67	
		Less: Federal Participation @ 80%	1,697,326.14	
		County's Participating Portion	424,331.53	
		County's Total Amount Due	424,331.53	
		Total Amount Due the Indiana Dept. of Transportation	424,331.53	

Pursuant to the provisions and penalties of Chapter 155, Acts of 1953, 400-816-901; Phase 50; N

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

*[Signature]*  
Controller, Indiana Department of Transportation

Date August 5, 1993  
Wiese

*[Signature]*

**MINUTES  
COUNTY COMMISSIONERS MEETING  
AUGUST 30, 1993**

**I N D E X**

<b>Subject</b>	<b>Page No.</b>
Meeting Opened @ 5:40 p.m. ....	1
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Willard Library/Storage - County Clerk .....	1
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Weekly Progress Report	
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Street & Storm Sewer Acceptances	
Brookview Heights/Section VI-A	
Copperfield Subdivision/Section II, Phase II	
Eickhoff Rd. Closure	
Supplemental Agreement/Lynch Rd. Phase II w/	
Bernardin-Lochmueller (\$2,800)	
Supplemental Agreement/Eickhoff-Koressel Rd., Phase II;	
Bernardin-Lochmueller (\$7,500)	
Vogel Rd. Bridge/Awarding of Contract to Concrete	
Pavers, Inc. in amount of \$103,715	
Copperfield Subdivision, Section II, Phase II -	
Request for Sidewalk Waiver (Deferred for one week	
to allow County Engineer to confirm exact distance	
from Corporate City Limits	
Repair to County Highway Garage Roof (Board decided	
to reject bids received and re-bid this project)	
Consent Agenda .....	11
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Claims	
Darnstadt Rd. Bridge (Road scheduled to re-open on	
September 6th)	
New Business .....	12
Executive Session scheduled at 4:30 p.m. on	
September 20th (To Be Advertised)	
Sheriff/Volunteer Appreciation Picnic (Board approved	
waiving rental fee for Shelter #18 at Burdette)	
Drainage Board (to convene following brief recess	
after the Commission Meeting)	
Meeting Adjourned @ 6:55 p.m. ....	12

MINUTES  
COMMISSION MEETING  
AUGUST 30, 1993

The Vanderburgh County Board of Commissioners met in session at 5:40 p.m. on Monday, August 30, 1993 in the Commissioners Hearing room with President Richard J. "Rick" Borries presiding.

RE: INTRODUCTIONS & PLEDGE OF ALLEGIANCE

President Borries called the meeting to order, welcomed the attendees, introduced members of the County Staff (B. J. Ferrell, Attorney Alan Kissinger, Commissioner Tuley, himself, Commissioner Hunter, Auditor Sam Humphrey, Deputy Auditor Cindy Mayo, and Joanne Matthews). He then asked the group to stand for the Pledge of Allegiance.

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

RE: MEETING AGENDA CHANGE

It was noted by Mr. Borries that there is a meeting agenda change. Item D concerning Hunter's Ridge (under Action Items) is a Drainage Board item and will be discussed at the Drainage Board Meeting, which will be held immediately following today's Commission Meeting.

RE: WILLARD LIBRARY - STORAGE

Mr. Borries said County Clerk Betty Knight-Smith is present today with regard to storage at Willard Library.

Ms. Smith said President Borries had asked the County Attorney to search the proposed contract regarding storage of documents at Willard Library. She talked with Attorney Kissinger the other day re the proposal on making Willard Library the Archives for the County. She is here today to learn what conclusion was reached and which direction she should take.

Commissioner Borries said he will defer to Attorney Kissinger in a few moments, but would just say the Commission did include the request for additional funds at Council but were not successful in getting what they needed in relation to funding. That means we're going to have to go back to a different method, which means also -- as she knows -- the Commission will have to either go back on a monthly basis or wait until after the first of the year to request funds.

Ms. Smith said she thinks Willard Library needs to know, because if they lease the other part of that building they need to know something. That was their question and in talking to Alan, he suggested she get on today's agenda.

Commissioner Borries said he wants to defer to Alan at this point in relation to what he sees as some alternatives here and also with regard to his opinion concerning the contract.

Ms. Smith said at this point the Board will probably want to direct their questions to Bill Goodrich, Director of Willard Library.

Attorney Kissinger said he has talked with the primary parties involved. The Willard Library contract has been reviewed and the part of the contract that met, he thinks, with some concern on the

part of the Commissioners was the Waiver provision in the contract -- or the no liability provision for Willard. He has researched that. He has talked to the County's Insurance Agent of Record, who indicated that facility could be insured the same way as our County facilities are, even though it is not a connected building -- in consideration of the fact we are storing there. He understands Willard's situation as far as not being able to accept liability. As far as the Waiver of Liability clause is concerned, in consideration of the fact that we can insure that just as though it were a government building and in consideration of the fact that we must have the storage space and the ability to index those files and to retrieve those files, he would recommend the Commission consider approving the contract in spite of the Waiver of Liability because of the County's ability to insure those records just the same as we would have had they been in the basement of our own building. He doesn't see any problem there and he has no questions for Mr. Goodrich.

Mr. Borries asked if Mr. Goodrich has questions of the Commissioners.

Mr. Goodrich said he is not sure he knows exactly where we stand. The Library, in order to hold onto the records they have now and to double the responsibility they are taking on for the County (which is what this proposal would do) has to be party to an official agreement which goes to the State Supreme Court and the State Archives which does designate Willard to take on the Archive responsibilities for whatever records we agree together for that to be. The Library is not able to go forward without some assurance that this is a long term agreement. In other words, they have to make long term arrangements - that is the reality out there when it comes to finding space and hiring personnel. He doesn't mean a fifty (50) year arrangement -- but a five (5) year arrangement or something like that. If the County wants to do that -- and they are more than willing to do it, because what they have already done during the past three or four years has proved to be more popular than expected and he thinks it is a strong service. So they are willing to do it and want to do it as far as they are concerned. If the County wants to do it, then what they need is an agreement saying Willard and the County are on board together to do this for whatever is a mutually agreeable situation.

Mr. Borries asked, "How long is long term, Bill?"

Mr. Goodrich responded, "Five years is what we essentially talked to the people at the Garvin Industrial Site about. That is what we have, in fact, is a five year agreement. We are now in the middle of our first year -- but it is a five year agreement. And that is what is proposed here. There are other places much more expensive and less desirable in other ways -- but they still wanted an agreement for three to five years."

Ms. Smith interjected, "Mr. Chairman, after this came out in the newspaper I had a call from Frank Richardson. They had a building down on Riverside and wanted to rent it to us for \$2,500 per month. I had several calls saying they had storage -- but that wouldn't solve our problems. I had another good guy who wanted to build a building. Well, I don't think we want to go into that."

Commissioner Tuley said it is his understanding that the problem is that we're not just taking these records and putting them in boxes and continue to store them. These are records that are accessed and need to be found and brought back for Court reasons at times. So it is not just a simple case of storing these records.

Mr. Goodrich said that according to the directions they have from the State through Betty Knight-Smith's office is that these records have to be catalogued, etc., for access. Taking them and keeping them in boxes in storage does not meet the requirements of the law.

Ms. Smith said that sometimes David Cosby has to go over two or three times a week if the Judge wants the records. Alan Kissinger knows how that works. If the Judge wants a file, you go get it. So there are a lot of times they Fax things -- but on some things they won't accept a Fax copy, you have to have the originals. So it is more than just a storage space. If we don't do something and Willard doesn't keep them, then we'd have to bring them back and we have no place to keep them. So it's a problem we're all going to have to face. After twenty years in this building we've just grown out of it. Many of their records have to be kept from now on, so they don't have any choice.

Commissioner Borries entertained questions.

Commissioner Hunter said he met with Bill Goodrich twice. He thinks the thing that impressed him the most was the fact that these records as they are catalogued and made available to the public are being used by the public. He doesn't remember the numbers -- but they were very, very impressive. For that one reason, he thinks it is tax dollars well spent. You know, every year we seem to fund enough money for the Bovine vaccine and he wonders how many bovines there are out there that get the vaccines. But when you see the public is actually using records made available to them -- and the numbers were far in excess of what they had projected -- he thinks it is tax dollars well spent if we can come up with some way of providing those tax dollars.

Ms. Smith said these are public records and sometimes they have twenty or thirty people from the different abstract companies or whatever -- so they have to have their records available. This is their problem -- and she knows the County has a money problem.

Commissioner Borries confirmed this is correct and said that he, personally, would have no problem in designating the Willard Library as the Archivist of the County. He is well aware of their extensive collections and records of the history of this County. This Board can propose -- but they do not dispose -- and they don't have the veto power to do anything about the budget. The County Council has the final say with regard to the budget.

Ms. Smith said they did not go to Council, they thought the Board of Commissioners was the place to start.

Mr. Borries said he thinks Ms. Smith has absolutely done this in the correct way. He thinks this Board can take action to move this forward to go on Council Call. She will need to again provide information regarding what money she is going to need and be careful of what percentages she uses there, because the County Council approved budget increases for most employees of 3% and ...

Ms. Smith said she thinks they go by what the City does.

Mr. Borries continued, "I guess what I am saying is you need to do a very fine point kind of thing. The other thing where we always run into problems -- which he thinks he'd have to defer to the other Commissioners and the County Attorney about -- is what she calls "long term". Unfortunately, to the Commissioners "long term" is a year -- because we limp along year to year on an annual budget. We can make this commitment. I am not sure if the Council has to honor it or obligate it in terms of a contract. The Commissioners, by law, have to sign the contract. Alan has had the unique position of being Council's Attorney, too -- but I don't know sometimes how that works out."

Attorney Kissinger said he thinks the Commission can enter into an agreement to indicate their intent on the record that we intend to be committed for a period of at least five years or more -- but, obviously, that requires the approval of County Council. The obvious problem that we run into here is coming at logger heads

under the branch of government -- because he is sure that if the Clerk's records aren't properly stored and aren't properly accessible to the public, that those funds may be mandated and he is sure the County Council would be aware of that situation, as well. He thinks we can offer a resolution in good faith as far as extending the contract, but we are allowed the contract for a year at a time.

Mr. Goodrich said that as it states in the proposal, they did propose it to the County Clerk and to the Commissioners, and would propose it to the County Council to see what could be worked out.

Mr. Borries said the Commission went through the budget with Council and weren't successful on a wide variety of items -- so it's a very tight budget. But he doesn't have any problem if the Commission wants to support the Clerk's request to go before Council one more time. He can wear his magic tie, but that won't guarantee what we'll see when we get to that County Council. Again, if they can fine tune the proposal and get it to the Commission office, it will be very helpful.

Ms. Smith said that on some of the costs contained in the proposal, the County has desks and other things in the basement that could probably be used. She told Mr. Goodrich that with permission from the Commissioners Willard could probably check the basement to determine if there were desks/chairs which could be used, so they wouldn't have to go out to purchase same. That won't be a great savings -- but it would help.

In response to query from Commissioners, Ms. Farrell confirmed the Commission requested the same amount in the budget this year for Willard as they did for last year (\$40,000). So far, Council has approved this.

Mr. Goodrich said what they are seeking this year -- most of that would be for the equipment which Ms. Smith just spoke to. The amount for the remainder of the year (September thru December) was \$33,306 and of that, \$21,000 was for equipment. But this amount would set them up, pay the rent, buy equipment, etc. Essentially they are talking about doubling their responsibility. Doubling the cost, size of the archives, the number of records and everything -- so essentially that doubles the cost.

Ms. Smith said the total amount for 1994 is \$83,509.

Mr. Borries said for 1994 we've got \$42,000.

Mr. Hunter asked if there are any State funds available; he knows every County must have the same set of rules.

Mr. Goodrich said it is his understanding that State funds are not available, since this is a County obligation -- or at least that is what they are told. He understands that other counties are having similar problems.

Mr. Hunter said there has to be a way this is being solved. There are 92 counties and they all have the same problems we're grappling with.

Mr. Borries said what is happening is that they are not solving it -- they are just letting the records sit somewhere.

Attorney Kissinger said there are some counties with records sitting literally in the first two or three rows of spectator seating.

Mr. Borries said Vanderburgh County is attempting to solve the problem but, frankly, some of the counties couldn't begin to do it.

In response to query from Commissioner Borries, Mr. Goodrich said the Archivist salary we're talking about a person with a Master's degree and education -- in 1997, we're asking for that position for \$29,794 salary.

Mr. Tuley said Mr. Goodrich explains that salaries for those at Willard are quite a bit less than the national average and that even by 1997, at \$29,794 they'll still way below what they are in 1993. The national average is even a bit higher than even the branch library system pays their employees. Willard's salaries are considerably less than those paid by the public libraries locally.

Mr. Tuley asked if the Commission can approve the contract with Willard, subject to a line item-by-line item approval by County Council. The Commission can't control what Council is going to set for salaries or anything else. If the Commission can approve the contract, subject to funding by Council, then they're going to grapple with what they are going to give them.

Mr. Borries said he thinks the Commission can do that.

Mr. Tuley made a motion to this effect, with a second from Commissioner Hunter. So ordered.

Auditor Humphrey said if we're talking about this year, he doesn't think it is going to happen.

Mr. Borries said we're talking about October Council Call; we can't get on September Council Call. The Commission can go ahead and designate Willard as the Archivist for Vanderburgh County. Mr. Goodrich has the unanimous support of the Commission in this regard -- for whatever that is worth.

Ms. Smith asked if we have to file with the State Archives to get them to certify Willard as an Archives Division for the County.

Attorney Kissinger responded affirmatively, saying a Local Government Archives.

Ms. Smith asked if we have to get that approval from the State.

Attorney Kissinger said he does not know.

Mr. Goodrich said they were told they couldn't do this without a letter from the Commission designating Willard as the Archivist -- and that is what the proposal addresses, in addition to the funding.

Mr. Borries asked what Stage agency approves this and Ms. Smith said it would be the State Archives, Mr. Newman. She has the address information in her office.

Motion was made by Commissioner Tuley that a letter be directed to the State Archives asking them to make Willard a County Government Archives Division, with a second from Commissioner Hunter. So ordered.

Mr. Tuley asked if the Commission presents this request to Council, will Ms. Smith and Mr. Goodrich be present to support the figures, etc.?

Mr. Goodrich responded positively and Mr. Tuley said they will let him know when this is going to be, etc.

RE: VANDERBURGH AUDITORIUM - TASK FORCE

The meeting continued with President Borries stating that over the past few months (and probably since its existence) the Vanderburgh Auditorium has certainly served this community very well, in his

opinion. But, in view of the many unknowns that we're seeing with other projects that have been talked about in the community and, frankly, going through the budget hearings and not seeing much of a resolution or commitment to what the mission of the county facility should be -- and also because he believes the County Council, as well as this Board -- like it or not, we are responsible for that building. It is a community asset. It is owned by the public. Last week he called for -- and, again, this will be at the approval of the Board of Commissioners -- the creating of an Auditorium Task Force to focus in on what should be the mission of this particular building over the next generation. That takes us into probably the 21st century. It does take us into the 21st century if we're looking at a generation since 1967, when this facility was built. It was built at the time, he thinks, as a statement of progress; a statement of cooperation; a statement of participation in downtown renovation. Downtown, at the time this particular building was built, was in the state of great change. Old buildings such as the Community Center and the Assumption Cathedral, the old Cook's Brewery, and others were being torn down. New buildings were being put up and the Auditorium was among these. At that particular time and probably because of the commitment the County had as an integral part of downtown redevelopment, the County issued bonds and the Vanderburgh Auditorium and Convention Center was built. It has now been there and served the public for 27 years -- a generation of people in concerts, dinners, trade shows, dances, speeches and all those things. But things get old and most of us don't still have a car that we had 27 years ago and we don't still have the same T-V that we had 27 years ago -- and it's time to move on. Last week he called for this Board to consider tonight the creation of an Auditorium Task Force, with the idea that it should focus in on what should be done, what should be the mission of the Vanderburgh Auditorium -- and focus just on that. As a starting point, he would also like for this Board to consider perhaps having a Task Force that would include a minimum of maybe fifteen (15) members; a broad-based group -- citizens, major users, interested people. County Commissioners and County Council could certainly serve ad hoc as resource persons to this Citizens Advisory Committee -- and the committee could sub-divide as needed, to look at just the auditorium side -- to examine plans -- and to look at just the Gold Room side (we haven't heard a lot about just the Gold Room side) -- and look at the plans and alternatives for that portion of the facility. Maybe have a committee that would look at the grounds and the building, maybe look at the parking lot; look at painting and other structural aspects that, again, involve the whole building. And there may be other sub-committees that the Task Force may want to form. And he would see that this Task Force could work for the remainder of this year, which tends to go by quickly in these busy times -- and consider by the 1995 budget requests that will begin all too soon around June of next year -- a list of recommendations that this Board can consider, that the County Council could consider, and that would allow us to get some direction as to where we are headed. He believes the citizens of this community having paid for this building, and the Commission having direct responsibility -- and he might add the Commissioners are not the only ones. As stewards of that building, the Vanderburgh County Council also has a responsibility. He won't say he is surprised or offended -- he doesn't get too surprised or offended at the things he hears -- but he doesn't see much leadership when people are saying it is a loser, it is a white elephant and all these kinds of negativisms which, frankly, to him shirk the responsibility of what that building is all about. The building is a reality. It has been here and is going to be there for a while and it is time for us, in his opinion, to consider what should be done. That concludes his comments. He will now open up the floor to any comments the Board feels need to be made.

Commissioner Tuley said, "First off, Mr. President, I would agree with the idea of forming a Vanderburgh Auditorium/Gold Room Task

Force. I'd like to see implemented what you've lined out here, with the only minor exception or thought being that we look at it from two perspectives. First, where are we going with it if, in fact, the Theater District and the Old Theater down town does go as the plans are right now? How can these two facilities work side by side and hand in hand? Because, first, there is nobody in this room who believes that this community can support two world class facilities. So I'd like to see if there is a way to do it in terms of working with the Theater District -- if that continues. Secondly, in view of the recent announcement that that building is now for sale and it appears no restrictions on what it can be used for, then we need to look at it in terms of what our goals are, what the plans are for the Gold Room -- in case this theater does not come forth like it has been planned at this time. So that is the only thing I would like to see. Let's look at it from both avenues: What it can be in conjunction with the Theater District; Or, what we can do with it if, in fact, the Theater District doesn't come about?"

Commissioner Hunter said, "Mr. President, I agree somewhat that the Vanderburgh County Auditorium is 27 years old; the technology in the building is also 27 years old -- as you have already alluded too -- and I think during this 27 years it has in many respects been a white elephant, because it has not been properly managed. As a minority member I would point my finger at both political parties. I think in many respects the Vanderburgh County Auditorium has not been given a fair chance because it has been a political football used by whomever happened to be in power at that time. It is for that reason that I supported private management last year and I supported Spindler-Given-Aiken because it was a local firm, as opposed to a firm somewhere else in the United States who, when we called with a problem, would say 'Oh, Evansville, Indiana! You're up next to Chicago somewhere!' So I think we've made a step in the right direction. I understand that about 60% of our income comes from the Gold Room and I think we need to address that particular issue. Most of what I have read and heard has been based on the Philharmonic -- and there are a lot of other groups in Evansville who have an interest in the Vanderburgh County Auditorium besides the Philharmonic. We host the Annual Board Meeting of Old National Bank and several other large groups. They have outgrown our facilities -- and I think there are a lot of people in this community who have some feelings and very positive input on both the Auditorium and the Gold Room. So, based on that, I think it is an excellent idea. In fact, I have some names that I want to give to you."

Mr. Borries said he appreciates those remarks. He feels the same way. He feels it is time to look at some different configuration. That is why he also supported the private management firm that is over there. Again, he thinks he has to say it is the role of government to operate things -- public facilities -- when there is a public need, as efficiently as possible. But to always get hooked up on saying this is automatically "going to make money" puts it into an entirely different thing. If Government was interested in making money, we might only have one post office in the United States and all of us would have to go to New York to mail our letters. Government provides services to the rich and to the poor. It is supposed to do things for people in all walks of life. It is not, frankly, a nut to crack in terms of "profit margin". It is a public service. The building is to service the needs of the community. So he is not as hung up with the quote sometimes when he hears where it is a loser -- it is losing money. It has always lost money. He doesn't think it has ever been said that any other project or any other government building is going to make money. It is there to provide a service and to be operated as efficiently as possible. So he would agree that this Task Force is a different way of looking to see if we can provide those services more efficiently. Mr. Borries then entertained a motion to form the Auditorium/Gold Room Task Force and to begin to compile a list

of names within the next week or so.

Motion was made by Commissioner Tuley to form the Task Force, submit a list of names on Tuesday, September 7th, as discussed, with the intention of working within the perimeters discussed here today, with a second from Commissioner Hunter. So ordered.

Mr. Borries said that, again, he thinks the goal of the Board of Commissioners is to make it a better place to be for the future.

Mr. Tuley asked if Mr. Borries would want to state that interested persons (and he would think the media would be covering this particular story) can certainly call the Commissioners' office or any of the Commissioners to express their interest in serving on this Task Force, which will have a very open agenda and all kinds of creative thinking. He thinks it has taken some leadership to get us to this point. The Commissioners have taken strides, but it is time to hear what is on the public's mind about this and get this Task Force rolling.

RE: COUNTY ATTORNEY - ALAN M. KISSINGER

In response to query from President Borries, Attorney Kissinger said he has nothing to report.

RE: SUPERINTENDENT OF COUNTY BUILDINGS - MARK ABELL

It was noted by Mr. Borries that Mr. Abell has nothing to report because he is down south on vacation.

RE: COUNTY HIGHWAY SUPERINTENDENT - BILL MORPHEW

Weekly Progress Report: Mr. Morphey submitted his written report for the period of August 20, 1993 thru August 26, 1993 .....report received and filed.

County Line Rd. West: It was noted by Mr. Morphey that they started paving County Line Rd. West today. They got one lane paved from St. Wendel to the Vanderburgh County line. That will be completed tomorrow. They will also start at Baseline and go north to the tracks tomorrow.

Mr. Borries said that road is way out there -- but as much grief as we've had on that, perhaps we should have a ribbon cutting on that before it is all over.

Mr. Morphey said it should be finished by the end of this week.

Mr. Borries entertained questions of Mr. Morphey.

Boonville-New Harmony Rd. Mr. Hunter said he hates to ask this questions, but they've done such a good job on paving Boonville-New Harmony Rd. from Highway 41 to Browning Rd. that he's had phone calls from people who live between Browning Rd. and east of it wanting to know why they haven't received their paving yet.

Mr. Morphey said he can't answer that questions. That one will have to be addressed to John Stoll. He knows that portion of the road is on the list. Actually, there is a little more repair work to do on one of the culverts that was installed. That work was started today and should be completed tomorrow. He would say that within the next 30 days that portion of the road should be paved.

Mr. Hunter said he will now have some happy constituents when they call.

Grass Cutting: Mr. Borries said he also had good comments concerning grass cutting in a particular location (he can't recall the exact location at the moment). However, there are apparently

some trees in the right-of-way at that location that could also be a site hazard. We may need to look at cutting some of those. He will get the exact location to Mr. Morphew. Nonetheless, the referral on the weed cutting was taken care of and he appreciates that.

RE: COUNTY ENGINEER - JOHN STOLL

Street & Storm Sewer Acceptances: Mr. Stoll said the first item on his agenda is some street and storm sewer acceptances, as follows>:

Brookview Heights, Section VI-A and Copperfield Subdivision/Section II, Phase II: In both of those subdivisions the developer is requesting that we accept the storm sewer for maintenance for the 50 cents per foot as stated in the ordinance and the length of the storm sewers is listed (105 ft. in Brookview and 173 ft. in Copperfield).

Mr. Borries asked if Mr. Stoll has examined them and everything is in order.

Mr. Stoll said everything was constructed as planned.

Mr. Borries entertained a motion.

Motion was made by Commissioner Hunter and seconded by Commissioner Tuley, that the streets and storm sewers in Brookview Heights, Section VI-A and Copperfield Subdivision/Section II, Phase II be accepted, as submitted by the County Engineer. (Copy of acceptance forms attached hereto as part of the formal minutes.)

Eickhoff Rd./Closure: Mr. Stoll said he had a request today for the closure of Eickhoff Rd. in regard to the USI Interchange construction. Initially what was approved a few weeks ago was permission to cross the road with construction equipment to haul the fill dirt from Mr. Pfeiffer's property down to the construction site. Since last Friday he talked to the contractors and they are proposing to cross the road at the road grade. What they have done today is to put a couple of feet of fill across the road to prevent damage to the road and they are hauling their equipment across there now. They proposed several options -- stop signs and a traffic cross -- but we felt the best way would be just to close the road for a period of up to two months. They said they might be able to get all the dirt hauled as quickly as a month -- but said the road would need to be closed for two months. Mr. Stoll said this closure would in no way impact the traffic into or out of USI. It is his recommendation that the road be closed, as requested.

Motion to approve the closure of Eickhoff Rd. was made by Commissioner Hunter, with a second from Commissioner Tuley. So ordered.

Supplemental Agreement/Lynch Rd. Phase II: Mr. Stoll said a field check was held on this a few weeks ago and in order to accommodate some requests from INDOT for additional soils tests we have to have a Supplemental Agreement to accommodate additional testing that wasn't projected when the project was first started and for which the need could not be determined until such time as the project was further along. The increase in cost is around \$22,000. Part of the increase in cost is the increase in fees that INDOT allows to be charged. Back when the initial geotechnical portion of the agreement was prepared they provided estimates. That was back in 1990. Now INDOT has revised the fees that the soils engineers are allowed to charge. For the Lynch Rd. Supplemental Agreement it will result in an additional \$2,800 in cost because of the additional fees that INDOT allows to be charged.

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

Supplement Agreement/Eickhoff-Koressel Rd., Phase I: Mr. Stoll said the second agreement is the same thing, except that it is for Phase I of Eickhoff-Koressel Rd. More tests are also required as a result of the field testing. The increase in cost is \$43,000. Of that amount, \$7,500 is a result of increased fees that INDOT allows to be charged.

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

Vogel Rd. Bridge/Awarding of Contract: Mr. Stoll said that it is his recommendation the Board award the contract on the Vogel Rd. Bridge to Concrete Pavers in the amount of \$103,715. The way it looked, we had the possibility of switching that to a culvert -- but when we got into it the skew of the ditch resulted in such a long length that there was only about a \$10,000 to \$15,000 difference in cost and this will accommodate a 100 year flow rather than a 25 year flow, so this is the best way to go with it.

Motion to award the contract as recommended by the County Engineer was made by Commissioner Tuley, with a second from Commissioner Hunter. So ordered.

Attorney Kissinger asked if they are going to be able to start on this project within the deadline. He had a phone call in reference to that today. We're still in the ballpark, but he wanted to make certain -- because he has to talk about that with some people tomorrow. The agreement calls for 120 days, which is somewhere around the 7th or 8th of September.

Mr. Stoll said he will let them know that we are on a tight time frame. All they have to do is get their insurance papers in and they can begin. (Secretary's Note: Insurance papers were submitted to the Auditor's office on Tuesday, August 31st.)

Copperfield Subdivision, Section II, Phase II/Request for Sidewalk Waiver: Mr. Stoll said they are proposing to waive sidewalks. They plan sidewalks on one side of the street on Northfield Drive and one side of the street on Beringer Drive and all the cul-de-sac streets will have no sidewalks.

It was the consensus of the Board that this matter be deferred for one week to allow the County Engineer sufficient time to confirm the exact distance of this subdivision from the corporate city limits. The APC ordinance does indicate there are no waivers for sidewalks in subdivisions located within one mile of the incorporated city limits.

RE: REPAIR TO COUNTY HIGHWAY GARAGE ROOF

President Borries said there is one item to be discussed which is not listed on tonight's agenda and that is the new roof for the County Highway Garage. The bids were taken under advisement following last week's meeting. Concerns have arisen that there was a big variation between the high and low bids on this particular bid. As indicated in the specifications, the decking on this garage -- we have not been able to confirm, but are pretty sure that the deck in that roof is probably some of the original wood -- which means it has been there a while. After reviewing those specs and looking at the variations in the bids, it appears the low bid did not follow the specs as far as addressing the decking that was going to be either identified or replaced at that particular point. Based on what the County Attorney would indicate, it would be his opinion that the Board should reject these bids and start over. The other aspect of particular concern in this particular bid is the fact that the bid called for a certain amount of square feet rather than unit price (he doesn't think this was caught until it got going) and it is his understanding that basically we would not be able to determine whether or not all of that square footage was

going to be used or not used and that probably a unit price for decking per square yard would be a much clearer form of bidding on this particular project. Due to the variation in the bid, his concern is also about putting a roof on decking that could or could not be in pretty unstable, rotted condition and, at some point in the near future you'd be throwing away some good money for bad, in his opinion. He is just not satisfied with how this whole situation has turned out. If the Attorney would agree and this Board agrees, he would prefer we start over and re-bid this project.

Attorney Kissinger said he thinks it would be appropriate at this point to reject both bids, make the bid specifications clearer for the prospective bidders next time, and then that way we will be sure of accomplishing our goal of getting not only a waterproof roof but a stable roof, as well.

Mr. Borries asked Mr. Hunter his opinion.

Mr. Hunter said he agrees. In fact, he is prepared to move that we reject both bids received on re-roofing the Vanderburgh County Highway Garage and that the specs be drawn up on per unit bids and that we re-advertise for new bids. Seconded by Mr. Tuley and so ordered by President Borries.

Mr. Borries said he might add that we need to identify what needs to be replaced before we put the new roof on. If that is some of the original wood in there -- then some of that decking is old.

Mr. Morphew said it was put on in 1949 (other comments were inaudible).

Mr. Borries said he strongly feels we need to do some deck replacement here if we're going to install a new roof.

RE: CONSENT AGENDA

Travel Request/Coroner: Mr. Hunter said he noted the Coroner's office is sending someone to the A.I.C. meeting -- and whoever typed up the request is sending Mr. Buickel to Indianapolis instead of Merrillville.

Mr. Borries said he did correct it on the travel form -- but that was probably an honest mistake, because we do get so much out of Indianapolis...some people call it the State of Marion.

There being no further comment on the Consent Agenda, a motion was entertained.

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

RE: OLD BUSINESS

Claims: Mr. Borries said these claims have been approved, but we had to go to Council for money for C.A.P.E. (Transportation Services) and Legal Services. There is also a claim to Francis Miller for his services on the purchase of the Virginia Street Extension.

Ms. Farrell asked if she could get some clarification as to what account we're going to pay Francis Miller out of. There seems to be some question about paying him out of the Virginia Street Extension. There are no funds. Could it be paid out of Judgments & Refunds, or how do we go about it.

Mr. Borries said Attorney Kissinger has addressed this previously.

We could probably pay it out of Judgments & Refunds. But if we send the claim to American Star Properties, won't they reimburse us?

Attorney Kissinger said they certainly will. Sam had previously indicated that there was a shortfall of \$600 when the money was supposed to be paid to the property owner for acquiring the real estate. That was transferred from one account into this account. Mr. Humphrey said money could be transferred from that same account into this account for the purpose of paying Francis Miller. As soon as we get both claims paid, American Star can be notified and they will then reimburse us. That can then be paid back into the account from which the transfers were made.

Mr. Borries entertained further matters of Old Business. There were none.

RE: DARMSTADT RD. BRIDGE

Ms. Farrell asked when the Darmstadt Rd. Bridge is going to be finished. Her neighbors have all been calling her.

Mr. Stoll said Darmstadt Rd. is scheduled to be re-opened on September 6th.

RE: NEW BUSINESS

Executive Sessions: Mr. Tuley stated there is an Executive Session scheduled on Tuesday, September 7th. He is requesting an Executive Session at 4:30 p.m. on Monday, September 20th, for purposes of discussing Personnel Matters and Pending Litigation.

Sheriff/Volunteer Appreciation Picnic: Mr. Borries said he has a letter from the Sheriff concerning a picnic in Shelter House #18 at Burdette Park on Sunday, September 12th, specifically to show appreciation to the volunteer Reserves. They are requesting a waiver on the rental fee.

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

Drainage Board: President Borries reminded the group that the Drainage Board will convene for a meeting at 7:00 p.m. -- following a five minute recess.

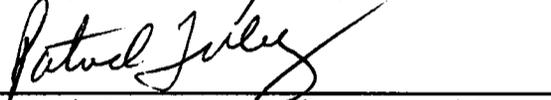
There being no further business to come before the Board at this time, President Borries declared the meeting adjourned at 6:55 p.m.

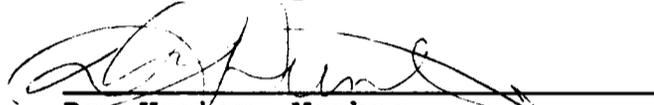
PRESENT:

Richard J. Borries, President  
Patrick Tuley, Vice President  
Don Hunter, Member  
Sam Humphrey, County Auditor  
Cindy Mayo, Chief Deputy Auditor  
Alan M. Kissinger, County Attorney  
John Stoll, County Engineer  
Bill Morphew, County Highway Supt.  
B. J. Farrell, Commission Office  
Sandy Toten/Vanderburgh Auditorium  
Eric Williams, Deputy Sheriff  
Betty Knight-Smith, County Clerk  
Bill Goodrich/Willard Library  
Jim Fuquay/Developer/Hunter's Ridge  
Marco Delucio, Attorney  
Others (Unidentified)  
News Media

SECRETARY: Joanne A. Matthews

  
Richard J. Borries, President

  
Patrick Tuley, Vice President

  
Don Hunter, Member



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

RICHARD J. BORRIES  
DON L. HUNTER  
PATRICK TULEY

**AGENDA**

**VANDERBURGH COUNTY COMMISSIONERS**

**AUGUST 30, 1993**

**5:30 P.M.**

**FINAL**

1. **CALL TO ORDER**
2. **INTRODUCTIONS**
3. **PLEDGE OF ALLEGIANCE**
4. **ACTION ITEMS**
  - A. Any group/individual wishing to address the commission
  - B. Betty Knight-Smith/County Clerk  
re: Storage at Willard Library
  - C. Auditorium Task Force  
re: Discussion
  - D. Jim Fuquay/Darrell Rice/Marco Delucio  
re: Hunters Ridge
5. **DEPARTMENT HEADS**

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

**6. CONSENT ITEMS**

**A. Travel/Education Requests**

. Coroner (1) County Clerk (1) Health (3)

**B. Employment Changes: see attached**

**C. County Commissioner Minutes for 8/23/93  
\*acceptance/approval**

**D. Check # 4095/Linda Stokes, Quietus # 9890 \$ 60.00  
re: Weed cutting reimbursement**

**E. Treasurer's Report for July 1993  
re: Acceptance**

**F. Burdette Park/Pine Haven Nursing Home  
re: Letter requesting for a discount on the use of  
the lakeside building for four area nursing homes.**

**G. Claims for payment:**

1) Bowers Harrison Kent Miller	1,451.57
*Legal Fees	
2) Given & Spindler	508.00
*Expense reimbursement per contract	
3) Given & Spindler	10,304.76
*Expense reimbursement per contract	

**8. OLD BUSINESS**

**9. NEW BUSINESS**

**10. MEETING ADJOURNED**

**DRAINAGE BOARD IMMEDIATELY FOLLOWING**

### SCHEDULED MEETINGS

Mon	Aug 30	County Commissioners Executive Session	4:30 PM	RM 307
		County Commissioners	5:30 PM	RM 307
		Drainage Board	Immediately Following	
Wed	Sept 1	County Council	3:30 PM	RM 301
Mon	Sept 6	HOLIDAY - BUILDING CLOSED		
Tues	Sept 7	County Commissioners		
		Solid Waste	8:00 AM	RM 307
		County Department Head	4:00 PM	RM 303
		Executive Session	4:30 PM	RM 307
		County Commissioners	5:30 PM	RM 307
Tues	Sept 7	County Council	Room 301	
		Final Budget Hearings	12:00 PM	- 4:00 PM
Mon	Sept 13	Co. Tax Adjustment Board	9:00 AM	RM 301
		County Commissioners	5:30 PM	RM 307
Thurs	Sept 16	Pigeon Creek	5:00 PM	RM 307
Mon	Sept 20	County Commissioners	5:30 PM	RM 307
		Rezoning	7:00 PM	RM 307
Tues	Sept 21	County Insurance Meeting	9:00 AM	RM 303
Thurs	Sept 23	County Employee Steering	9:00 AM	RM 303
Mon	Sept 27	County Commissioners	5:30 PM	RM 307
		Drainage Board	Immediately Following	
Tues	Sept 28	Co. Tax Adjustment Board		RM 307
			8:30 AM til 12:30 PM	
Wed	Sept 29	County Council		
		Personnel and Finance	3:30 PM	RM 301

# COUNTY ENGINEER'S

## CONSENT AGENDA

AUGUST 30, 1993

1. CLAIMS:

VOGEL RD BRIDGE #2115 203-4396 Hansen Testing (Inv. #118401)	\$ 500.00
OHIO ST. BRIDGE #3C 203-4345 Bernardin Lochaueller (Inv. #91-068-1(14))	\$ 2,437.44
CONTRACTUAL SERVICES 216-3930 Koester Contracting VC 93-05-03	\$ 8,674.90
EICKHOFF-KORESSEL 216-4741 Bernardin Lochaueller (Inv. #90-040-1(26))	\$34,427.85
LYNCH ROAD EXTENSION 216-4827 Bernardin Lochaueller (Inv. #90-038-1(19))	\$14,191.40
GREEN RIVER ROAD NORTH 216-4910 US Regulatory Commission (Inv. AM)4914-93)	\$ 2,120.00

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department 1300-County Commissioners *sl*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1300-1310	Ann Michel		Intern	5 00/Hr	8/19/93

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*Richard J. Bouie* 8/24/93

*mb*

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department Vanderburgh County Assessor/Board of Review *sl*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
13001180 1300	Angela Meyers	3715 E. Mulberry	Secretary Bd of Rev.	Per hour 5 00	8-13-93
		<i>Still on 9/21/93</i>			

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*James L. Angerman* 8/27/93

*30*

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT *sl*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136-1990	HOLLY K. HARL		INTERN	\$5.00 HR	8-7-93 ✓

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

JUDGE, CIRCUIT COURT

DATE 8/24/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CIRCUIT COURT *sl*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136.1-1990	MARVIN D. BRYANT		PART-TIME CORRECTION OFFICER	\$7.00 HR ✓	8-8-93
505.1362-1990	VICTORIANO BERGONIA		PART-TIME CORRECTION OFFICER	\$5.00 HR	8-17-93 ✓
505.1362-1990	CEDRIC D. REED		PART-TIME CORRECTION OFFICER	\$5.00 HR	8-9-93 ✓
505.1362-1990	PATRICIA A. RHOADES		PART-TIME CORRECTION OFFICER	\$5.00 HR	8-10-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
136.1-1980	MELISSA A. HAMILTON		INTERN	\$5.00 HR	8-4-93 ✓
136.1-1990	MELODY O. KEBORTZ		PART-TIME CORRECTION OFFICER	\$7.00 HR	7-27-93 ✓
136.1-1990	MARVIN D. BRYANT		PART-TIME CORRECTION OFFICER	\$5.00 HR ✓	8-7-93
136-1990	DARLLA HOLT		TYPIST	\$5.00 HR	8-3-93 ✓

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *[Signature]*

JUDGE, CIRCUIT COURT

DATE 8/24/93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department VANDERBURGH COUNTY HWY. DEPT. 20101990 EXTRA HELP *el*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
20101990	DAVID J. HANCOCK	2067 E. GUM STREET HARMONY RD.	EXTRA HELP	HR. 5 00	8-14-93
20101990	CHAD E. JORDAN	3615 E. BOONVILLE-NEW	EXTRA HELP	HR. 5 00	8-20-93
20101990	DAVID J. HUDSON	12330 N. ST. JOSEPH AVE.	EXTRA HELP	HR. 5 00	8-19-93
		<i>Still on 9/3/93 PL.</i>			

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *William F. Maghey* DATE 8-26-93

# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department CENTER ASSESSOR *sl*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
249011101990	SUSAN L. GRAY	2024 W. ILLINOIS	PT. TIME R.E.	HOUR 7 00 ✓	8-27-93 ✓
249011101990	DELORES E. FEAGLEY	916 N. KELSEY	PT. TIME R.E.	HOUR 7 00	8-27-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
11101990	SUSAN L. GRAY	2024 W. ILLINOIS -	PT. TIME DEP	HOUR 5 00	8-27-93 ✓

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY *William F. Maghey* DATE 8-27-93  
*NB*



# VANDERBURGH COUNTY EMPLOYMENT CHANGES

Department

BURDETTE PARK

RELEASES APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	BROOKE RANES		GUARD	4 60	8-11-93
1180	RYAN SHERLOCK		GUARD	4 60	8-11-93
1180	KEVIN REIS		GUARD	4 60	8-11-93
1180	BRANDI ROCCA		GUARD	4 50	8-11-93
1180	CHASIDY SPINDLER		GUARD	4 75	8-11-93
1180	PATRICK JOHN JR.		GUARD	4 95	8-11-93
1180	JEFF CRIFTON		GUARD	4 95	8-11-93
1180	ROBERT PARSON		GUARD	5 00	8-11-93
1180	ANNE BECKER		PLANTSTAR	4 25	8-11-93
1180	JENNIFER FREEMAN		GUARD	4 50	8-11-93
1180	AMY LITTLE		GUARD	4 65	8-11-93
1180	AMY KINGMAN		GUARD	4 50	8-11-93
1180	CHRIS BENOYK		GUARD	4 95	8-11-93
1180	ROBIN GIOIA		COUNSELOR	10 00	8-11-93
1180	TEDD THOMPSON		GUARD	7 00	8-11-93
1180	MIKE MOSE		GUARD	4 90	8-11-93
1180	NICHOLE HENNING		GUARD	4 95	8-11-93
1180	JASON HENNING		PLANTSTAR	4 25	8-11-93
1180	TIFFANY HENNING		PLANTSTAR	4 25	8-11-93
1180	KIM BECHTEL		GIFT SHOP	4 25	8-11-93
1180	LYNN FERGUSON		COUNSELOR	4 40	8-11-93
1180	JASON HEIN		GUARD	4 25	8-11-93
1180	TONY FERRECHER		GUARD	4 25	8-11-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Mark Tully (SE) DATE 8-27-93



# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff - Misdemeanor

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
278013802780	Victor Heath		Corr. Officer	9 4918 19819 00	9-2-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
278013802780	Victor Heath		Probationary Corr. Officer	9 2523 19319 00	9-1-93 ✓

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Ray Hornum

DATE 8/27/93

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Sheriff

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105011300207	Jennifer Wright		Clerk Typist	7 1599 14950 00	8-2-93 ✓

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
105011300207	Jennifer Wright		Prob. Clerk Typist	6 8309 14263 00	8-2-93 ✓

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY Ray Hornum

DATE 8/27/93

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department

BURDETTE PARK

*al*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
1180	RODNEY TUCK		GRND. CREW	4 25	8-11-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*Mark Tuley (DE)*

DATE

*8-30-93*

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department

COOPERATIVE EXTENSION SERVICE --- 1230

*g*

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
	Gary R. Brown	1125 Laubscher Rd Evansville 47710	Youth Agt.	7.8831 hr	12-18-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

## RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
	Gary R. Brown	1125 Laubscher Rd. Evansville 47710	Youth Agt.	7.8831 hr	8-25-93
	LWP---Attending school from August 25 thru December 17, 1993. Dropping Health Policy and maintaining the Life Insurance and paying the full premium..				

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY

*Alex K. Harrison*

DATE

8-30-93

# 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	JAMES MUNSSELL		GUARD	4 25	8-11-93

RECORDER Wink Luten (S.E.) DATE 8-27-93

# VANDEBURGH COUNTY EMPLOYMENT CHANGES

Department Vanderburgh Auditorium

## APPOINTMENTS MADE

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE
PAT-3.	Laura Collier-Holmes	1112 Parrett St	Assistant Mgr <del>Security Coordinator</del>	18,428 <sup>21</sup> / <sub>00</sub> yr	8-30-93

ATTACH WITHHOLDING EXEMPTION CERTIFICATE WITH THIS FORM

RELEASED

	NAME	ADDRESS	POSITION	SALARY	EFFECTIVE

Richard J. Bonies P.J.

RECORDER  
COMMISSIONER'S RECORD

SIGNED BY [Signature] DATE Aug 30, 1993

## LOCAL GOVERNMENT ARCHIVES SERVICE AGREEMENT

Willard Library provides the services subject to the following local government funding.

<u>Operating Costs</u>	BUDGET				
	<u>1993</u> Sep-Dec	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>
Rent	2,340	15,000	15,500	15,500	16,000
square/feet	1.5	1.5	1.55	1.55	1.6
Personnel -1 Archivist, 1 FTE & 1 PT assistant	4,343	56,059	60,482	65,298	70,530
Supplies & Training	916	2,860	2,975	3,090	3,220
Maintenance	900	2,835	2,980	3,125	3,285
Utilities	2,000	6,240	6,490	6,750	7,020
Telephone	100	315	330	340	355
Liability Insurance	67	200	200	200	200
<b>TOTALS:</b>	<b>10,666</b>	<b>83,509</b>	<b>88,957</b>	<b>94,303</b>	<b>100,610</b>
<u>Moving Expenses</u>					16,000
<u>Office</u>	1,950				
<u>Permanent Equipment</u>					
			<u>Retail Cost</u>		
Supply Cabinet			100		
Desk			150		
2 Desk Chairs			100		
Kick Stool			40		
Photocopier			5,000		
Facsimile Machine			500		
Telephone			50		
Typewriter			150		
Computer Table			200		
Computer/Monitor/Printer			2,000		
3 Work Tables			150		
9 Work Chairs			450		
Movable Industrial Ladder			800		
Microform Cabinet			1,000		
Microform reader/printer			5,000		
Shelving			5,000		
<b>TOTAL:</b>			<b>\$20,690</b>		



## VANDERBURGH COUNTY ENGINEERING DEPARTMENT

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

### Vanderburgh County Engineering Department

Agenda for August 30, 1993

1. Street and Storm Sewer Acceptances: *App'd.*  
  
Brookview Heights Section VI-A  
Streets: Belmont Drive - 50 foot R/W, 572 lft  
Storm Sewers: 105 lineal feet of 18 inch RCP  
  
Copperfield Subdivision Section II Phase II  
Streets: Beringer Drive - 50 foot R/W, 878.1 lft  
Northfield Drive - 50 foot R/W, 190.0 lft  
Storm Sewers: 70 lineal feet of 12 inch RCP  
103 lineal feet of 15 inch RCP
2. Eickhoff Road closure for the USI interchange *App'd.*  
construction
3. Lynch Road Phase II supplemental agreement for soils *App'd.*  
investigation (*\$23,000 increase*)
4. Eickhoff-Koressel Road Phase I supplemental agreement  
for soils investigation (*\$43,000 increase*)
5. Awarding of the Vogel Road bridge construction to *App'd.*  
Concrete Pavers for \$103,715
6. Sidewalk waiver request for Copperfield Subdivision — *Postponed  
1 wk.*

BERNARDIN · LOCHMUELLER & ASSOCIATES, INC.

PLANNERS · ENGINEERS · SURVEYORS

SUITE 606 HULMAN BLDG. · EVANSVILLE, IN 47708

TEL. (812) 426-1737

August 20, 1993

Vanderburgh County Engineer  
Old Court House, Suite 307  
201 NW Fourth Street  
Evansville, Indiana 47708

Attn: Mr. John Stoll, P.E.

Re: Lynch Road-Phase 2  
Project Nos: RS-6882( ) and RS-6887( )  
Supplemental Agreement No. 3  
BLA Project No.: 90-38-1

Dear John:

Please find enclosed two (2) original Supplemental Agreements No. 3 for preliminary engineering services on the Lynch Road-Phase 2 project. This charge reflects increased quantities for Geotechnical work as a result of the recent field check with INDOT. The original quote from H.C. Nutting Company was obtained in 1990. It was based on INDOT approved unit costs at that time. It has been three years since that quote and INDOT has increased the allowable rates for Geotechnical Services. This supplemental reflects both the increased quantities, as well as modification to the rates to match the current INDOT approved rates.

The breakdown of the proposed fee for the Geotechnical Services is as follows:

Geotechnical Services	\$ 54,000.00
Less Original Agreement Geotechnical Services	<u>32,000.00</u>
<b>TOTAL ADDITIONAL SUPPLEMENTAL NO. 3 FEE</b>	<b>\$22,000.00</b>
Plus Original Agreement Amount	<u>587,328.00</u>
<b>New Agreement Amount</b>	<b><u>\$609,328.00</u></b>

Should you have any questions in regard this matter, please do not hesitate to contact me.

Sincerely,

BERNARDIN, LOCHMUELLER & ASSOCIATES, INC.



Thomas G. Bernardin, P.E., L.S.  
Director of Engineering

TGB/cle

Enclosures: 2

**BERNARDIN · LOCHMUELLER & ASSOCIATES, INC.**

PLANNERS · ENGINEERS · SURVEYORS  
SUITE 606 HULMAN BLDG. · EVANSVILLE, IN 47708  
TEL. (812) 426-1737

August 12, 1993

Vanderburgh County Engineer  
Old Court House, Suite 307  
201 NW Fourth Street  
Evansville, Indiana 47708

Attn: Mr. John Stoll, P.E.

Re: University Parkway (Eickhoff-Koressel Road Design)  
Supplemental Agreement No. 3  
BLA Project No.: 90-40-1

Dear John:

Please find enclosed two (2) original Supplemental Agreements No. 3 for preliminary engineering services on University Parkway project. This charge reflects increased quantities for Geotechnical work as a result of the recent field check with INDOT. The original quote from H.C. Nutting Company was obtained in 1990. It was based on INDOT approved unit costs at that time. It has been three years since that quote and INDOT has increased the allowable rates for Geotechnical Services. This supplemental reflects both the increased quantities, as well as modification to the rates to match the current INDOT approved rates.

The breakdown of the proposed fee for the Geotechnical Services is as follows:

Geotechnical Services	\$105,000.00
Less Original Agreement Geotechnical Services	<u>62,000.00</u>
<b>TOTAL ADDITIONAL SUPPLEMENTAL NO. 3 FEE</b>	<b>\$43,000.00</b>
Plus Original Agreement Amount	<u>804,784.00</u>
<b>New Agreement Amount</b>	<b><u>\$847,784.00</u></b>

Should you have any questions in regard this matter, please do not hesitate to contact me.

Sincerely,

**BERNARDIN, LOCHMUELLER & ASSOCIATES, INC.**



Thomas G. Bernardin, P.E., L.S.  
Director of Engineering

TGB/cle

Enclosures: 2



ASSOCIATES  
James Q. Morley, P.E., L.S.  
Lee A. McClellan, P.E.  
Danny K. Leek, L.S.

August 16, 1993

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

RE: BROOKVIEW HEIGHTS VI-A  
STREET AND STORM SEWER ACCEPTANCE  
OUR PROJECT #93-2549-4

Dear Commission Members:

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

The streets were constructed in accordance with the plans approved by the Board of County Commissioners on June 1, 1993. The storm sewer improvements were constructed in accordance with the plans approved by the Vanderburgh County Drainage Board on July 27, 1987 and again on February 24, 1992.

All streets were paved with six inches (6") of Portland cement concrete.

Following is a summary of the completed streets:

NAME	WIDTH B/C TO B/C	LENGTH
Belmont Drive (w/cul-de-sac)	29'	572.0 LF (0.10 mi.)

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

In addition, 105 lineal feet of 18 inch R.C.P. was installed outside of the street right-of-way. This pipe lies within a platted public drainage easement. The developer is prepared to pay the required fee of \$0.50 per lineal foot in order to have maintenance acceptance.

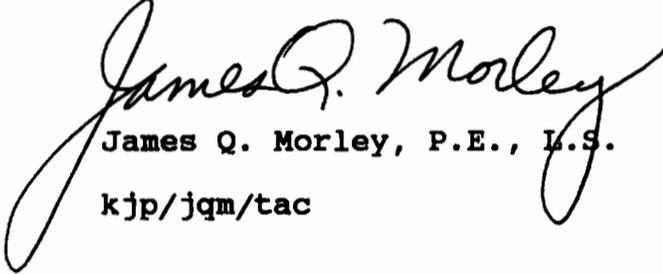
Vanderburgh County Commissioners  
Attn: Mr. Richard Borries, President  
Re: Brookview Heights VI-A-Proj. #93-2549-4  
August 16, 1993

Page Two

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

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

Yours truly,



James Q. Morley, P.E., I.S.  
kjp/jqm/tac

Encls: as stated

cc: W. C. Bussing, Jr.  
John Stoll-Vanderburgh Co. Engr.  
File

tcnisc11 2849kjp



ASSOCIATES

James Q. Morley, P.E., L.S.  
Lee A. McClellan, P.E.  
Danny K. Leek, L.S.

August 17, 1993

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

RE: COPPERFIELD SUBDIVISION-SECTION II, PH. II  
STREET AND STORM SEWER ACCEPTANCE  
OUR PROJECT #93-2500-4

Dear Commission Members:

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

The streets were constructed in accordance with the plans approved by the Board of County Commissioners on June 28, 1993. The storm sewer improvements were constructed in accordance with the plans approved by the Vanderburgh County Drainage Board on July 27, 1987 and again on February 24, 1992.

All streets were paved with six inches (6") of Portland cement concrete.

Following is a summary of the completed streets:

NAME	WIDTH B/C TO B/C	LENGTH
Beringer Drive	29'	878.1 LF (0.17 mi.)
Northfield Drive	29'	190.0 LF (0.04 mi.)

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

In addition, 70 lineal feet of 12 inch R.C.P. and 103 lineal feet of 15 inch R.C.P. were installed outside of the street right-of-way. This pipe lies within platted public drainage easements. The developer is prepared to pay the required fee of \$0.50 per lineal foot in order to have maintenance acceptance.

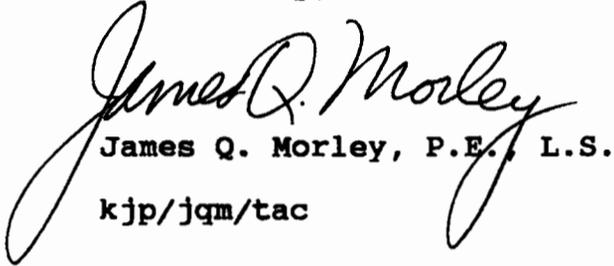
Vanderburgh County Commissioners  
Attn: Mr. Richard Borries, President  
Re: Copperfield Sub.-Sec. II, Ph. II 93-2500-4  
August 17, 1993

Page Two

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

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

Yours truly,



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

kjp/jqm/tac

Encls: as stated

cc: John Elpers, Jr.  
John Stoll-Vanderburgh Co. Engr.  
File

tcmisc11 2500

kjp



ASSOCIATES

James Q. Morley, P.E., L.S.  
Lee A. McClellan, P.E.  
Danny K. Leek, L.S.

August 30, 1993

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

RE: COPPERFIELD SUBDIVISION-SECTION II, PHASES II & III  
SIDEWALK WAIVER REQUEST  
OUR PROJECT #93-2500-4 & #93-2639-4

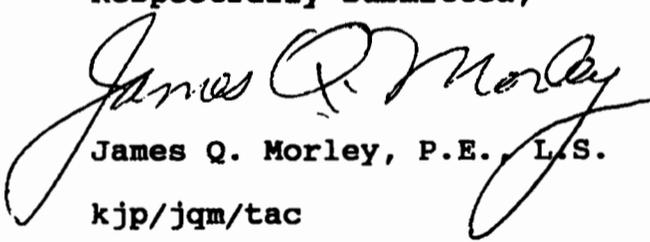
Dear Commission Members:

On behalf of our client, Elpers Bros. Construction Co., this petition is being presented to request a waiver of construction for a portion of the sidewalks in said subdivision.

In accordance with the decision of the Board of Commissioners on January 21, 1992, sidewalks in the abutting Copperfield Subdivision-Section II were constructed along the west side of Northfield Drive and the south side of Benningfield Drive. In keeping with the intent of providing sidewalks along the main streets in the subdivision, the developer is petitioning for a waiver of sidewalk construction along both sides of Southport Drive, Copperfield Drive, and Greendale Drive and a waiver of sidewalk construction along the east side of Northfield Drive and the north side of Beringer Drive.

A sketch of the proposed and existing sidewalks is enclosed.

Respectfully submitted,



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

kjp/jqm/tac

cc: John Elpers  
File

VANDERBURGH COUNTY ENGINEERING DEPARTMENT  
 Old Courthouse, Suite 307  
 201 N.W. Fourth Street  
 Evansville, IN 47708

DATE: August 30, 1993

Tel. (812) 424-9603

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

RE: Acceptance of Street Improvements in  
BROOKVIEW HEIGHTS SECTION VZ-A

Dear Commissioners:

The undersigned have made an inspection of the subject Street and Storm Drainage (included within the street right-of-way) Improvements on AUGUST 18, 1993. These Improvements were constructed/finished on/by JULY 20, 1993. All streets were constructed with CONCRETE in accordance with the approved plans.

The following is a summary of the length of the completed 29.0' feet wide streets in the subject Subdivision:

	R/W	Length	
<u>Belmont Drive (with cul-de-sac)</u>	<u>(50')</u>	<u>572.0</u>	LFT
_____	_____	_____	LFT
_____	_____	_____	LFT
_____	_____	_____	LFT
_____	_____	_____	LFT
_____	_____	_____	LFT
<b>TOTAL:</b>		<u>572</u>	LFT

It is recommended that these Street and Storm Drainage (included within the street right-of-ways) improvements be accepted for maintenance:

If you have any questions please call the County Engineering Department.

Respectfully,

[Signature]  
 County Engineer  
[Signature]  
 Assistant County Engineer

CC: Developer  
 Design Engineer  
 APC  
 Co. Highway Dept.  
 Road File

Accepted for Maintenance by the  
 Board of County Commissioners

[Signature]  
 President  
[Signature]  
 Vice-President  
[Signature]  
 Member

VANDERBURGH COUNTY ENGINEERING DEPARTMENT  
 Old Courthouse, Suite 307  
 201 N.W. Fourth Street  
 Evansville, IN 47708

DATE: August 30, 1993

Tel. (812) 424-9603

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

RE: Acceptance of Street Improvements in  
COPPERFIELD SUBDIVISION  
SECTION II PART II

Dear Commissioners:

The undersigned have made an inspection of the subject Street and Storm Drainage (included within the street right-of-way) Improvements on August 18, 1993. These Improvements were constructed/finished on/by August 30, 1993. All streets were constructed with CONCRETE in accordance with the approved plans.

The following is a summary of the length of the completed 290' feet wide streets in the subject Subdivision:

	R/W	Length	
<u>Beringer Drive</u>	<u>50'</u>	<u>878.1</u>	LFT
<u>Northfield Drive</u>	<u>50</u>	<u>190.0</u>	LFT
_____	_____	_____	LFT
_____	_____	_____	LFT
_____	_____	_____	LFT
_____	_____	_____	LFT
<b>TOTAL:</b>		<u>1068.1</u>	LFT

It is recommended that these Street and Storm Drainage (included within the street right-of-ways) improvements be accepted for maintenance:

If you have any questions please call the County Engineering Department.

Respectfully,

[Signature]  
 County Engineer  
[Signature]  
 Assistant County Engineer

CC: Developer  
 Design Engineer  
 APC  
 Co. Highway Dept.  
 Road File

07/93

Accepted for Maintenance by the  
 Board of County Commissioners  
[Signature]  
 President  
[Signature]  
 Vice-President  
[Signature]  
 Member

SUPPLEMENTAL AGREEMENT NO. 3

This Supplemental Agreement is made and entered into August 30, 1993, by and between the County Commissioners of Vanderburgh County, Indiana, hereinafter referred to as the "COUNTY," and Bernardin, Lochmueller & Associates, Inc., hereinafter referred to as the "CONSULTANT."

WITNESSETH

WHEREAS, the "COUNTY" and the "CONSULTANT" did on August 6, 1990, enter into an Agreement providing for the "CONSULTANT" to prepare all preliminary engineering activities for Lynch Road-Phase 2 from 100 feet east of Burkhardt Road in Vanderburgh County to the intersection of S.R. 62 and Telephone Road in Warrick County, Indiana, Project Nos.: RS-6882( ) and RS-6887( ).

WHEREAS, due to the field check held on July 14 and 15, 1993, quantities, and number of items for the geotechnical testing have increased, and

WHEREAS, the approved Indiana Department of Transportation rates for said items has increased since the original agreement, and

WHEREAS, in order to provide for completion of the work, it is necessary to amend and supplement said agreement.

1. The first paragraph of Section A. - Appendix "D" is changed to read as follows:

1. The CONSULTANT shall receive as payment for the work performed under this Agreement the total fee not to exceed \$ 609,328.00, unless a modification of the Agreement is approved in writing by the COUNTY.

2. Appendix "D", Section A.3.a. has been revised as follows:

a. Geotechnical boring and sampling, as set out herein, will be paid for each of the following items:

	<u>Quantity</u>		<u>Unit Price</u>	<u>Total</u>
1. Mobilization				
a. Lump Sum	<u>1</u>	LS @	\$ <u>220.00</u>	\$ <u>220.00</u>
b. Mileage	<u>500</u>	Mile @	\$ <u>1.65</u>	\$ <u>825.00</u>
2. Truck mounted borings with 2' auger head	<u>0</u>	1ft @	<u>9.35</u>	\$ <u>0.00</u>
3. Truck mounted borings with Split-Spoon sampling	<u>0</u>	1ft @	<u>12.65</u>	\$ <u>0.00</u>
4. Truck mounted borings using drilling fluid	<u>0</u>	1ft @	<u>12.10</u>	\$ <u>0.00</u>
5. Truck mounted core drilling	<u>0</u>	1ft @	<u>23.65</u>	\$ <u>0.00</u>
6. Truck mounted borings through bedrock or boulders	<u>0</u>	1ft @	<u>23.10</u>	\$ <u>0.00</u>
7. Hand or truck soundings	<u>20</u>	1ft @	<u>8.00</u>	\$ <u>160.00</u>
8. Hand auger drilling	<u>0</u>	1ft @	<u>9.35</u>	\$ <u>0.00</u>
9. Skid mounted borings with 2' auger head	<u>0</u>	1ft @	<u>12.65</u>	\$ <u>0.00</u>
10. Skid mounted borings with split-spoon samplings	<u>780</u>	1ft @	<u>19.25</u>	\$ <u>15,015.00</u>
11. Skid mounted borings using drilling fluid	<u>0</u>	1ft @	<u>19.25</u>	\$ <u>0.00</u>
12. Skid mounted core drilling	<u>55</u>	1ft @	<u>30.80</u>	\$ <u>1,694.00</u>
13. Skid mounted borings using bedrock or boulders	<u>0</u>	1ft @	<u>29.70</u>	\$ <u>0.00</u>
14. Skid mounted sounding	<u>240</u>	1ft @	<u>11.70</u>	\$ <u>2,808.00</u>
15. Furnishings of Boat for hand auger soundings	<u>0</u>	ea @	<u>200.00</u>	\$ <u>0.00</u>

	<u>Quantity</u>		<u>Unit Price</u>	<u>Total</u>
16. Barge set-up expense				
a. Navigable Water				
1. Barge set-up each	<u>0</u>	LS	@ <u>3,300.00</u>	\$ <u>0.00</u>
2. Rental of support equipment				
3. Drill rig down time	<u>Cost + 10%</u>		@ <u>Cost + 10%</u>	\$ <u>0.00</u>
	<u>per hr</u>		<u>74.00</u>	\$ <u>0.00</u>
b. Non-navigable water barge set-up	<u>0</u>	ea	@ <u>2,600.00</u>	\$ <u>0.00</u>
17. Additional disassembly and reassembly				
a. Navigable water	<u>0</u>	ea	@ <u>1,210.00</u>	\$ <u>0.00</u>
b. Non-navigable water	<u>0</u>	ea	@ <u>1,100.00</u>	\$ <u>0.00</u>
18. Barge mounted borings with 2' auger head	<u>0</u>	1ft	@ <u>12.65</u>	\$ <u>0.00</u>
19. Barge mounted borings with split-spoon sampling	<u>0</u>	1ft	@ <u>20.60</u>	\$ <u>0.00</u>
20. Barge mounted core drilling	<u>0</u>	1ft	@ <u>29.60</u>	\$ <u>0.00</u>
21. Barge mounted borings using bedrock or boulders	<u>0</u>	1ft	@ <u>32.00</u>	\$ <u>0.00</u>
22. Barge mounted soundings	<u>0</u>	1ft	@ <u>12.10</u>	\$ <u>0.00</u>
23. Casing through water*	<u>0</u>	1ft	@ <u>5.40</u>	\$ <u>0.00</u>
24. Uncased sounding through water	<u>0</u>	1ft	@ <u>2.80</u>	\$ <u>0.00</u>
25. Set up for rock core boring	<u>5</u>	1ft	@ <u>77.00</u>	\$ <u>385.00</u>
26. Additional 2-inch split-spoon sampling	<u>10</u>	1ft	@ <u>12.70</u>	\$ <u>127.00</u>
27. 3-inch split-spoon samples	<u>0</u>	ea	@ <u>14.00</u>	\$ <u>0.00</u>
28. 2-inch Shelby tube samples	<u>10</u>	ea	@ <u>44.00</u>	\$ <u>440.00</u>
29. 2-inch Shelby tube samples	<u>0</u>	ea	@ <u>38.00</u>	\$ <u>0.00</u>

\*Also applicable if thru air and noted on log.

	<u>Quantity</u>		<u>Unit Price</u>	<u>Total</u>
30. 3-inch stationary piston samples	<u>0</u>	ea @	<u>90.00</u>	\$ <u>0.00</u>
31. Bag Samples	<u>2</u>	ea @	<u>71.50</u>	\$ <u>143.00</u>
32. Field vane shear test	<u>0</u>	ea @	<u>61.00</u>	\$ <u>0.00</u>
33. Denison type core sample	<u>0</u>	ea @	<u>101.20</u>	\$ <u>0.00</u>
34. 2½ inch (63.5 mm) cased hole	<u>0</u>	1ft @	<u>6.30</u>	\$ <u>0.00</u>
35. 3½ inch (88.9 mm) cased hole	<u>0</u>	1ft @	<u>6.60</u>	\$ <u>0.00</u>
36. 4½ inch (114.3 mm) cased hole	<u>0</u>	1ft @	<u>8.80</u>	\$ <u>0.00</u>
37. Special field services	<u>0</u>	pr hr@	<u>93.00</u>	\$ <u>0.00</u>
38. Resident field geotechnical engineer	<u>40</u>	pr hr@	<u>62.00</u>	\$ <u>2,480.00</u>
39. Railroad expenses	Cost + 10%		Cost + 10%	\$ <u>0.00</u>
40. Twenty-four hr. water levels				
a. Field Measurements	<u>38</u>	LS @	<u>25.00</u>	\$ <u>950.00</u>
		per borehole		
b. PVC slotted Pipe	<u>0</u>	1ft @	<u>2.70</u>	\$ <u>0.00</u>
41. Special backfilling of boreholes				
a. 10 to 30 ft. (3.05 to 9.1 meters) deep	<u>25</u>	LS @	<u>71.50</u>	\$ <u>1,787.50</u>
b. More than 30ft. (9.1 m)	<u>650</u>	1ft @	<u>4.40</u>	\$ <u>2,860.00</u>
42. Dozer rental	<u>12 hours</u>	@	Cost + 10%	\$ <u>0.00</u>
43. Skid rig moving time in excess of ½ hours (or ATV)	<u>35</u>	pr hr@	<u>93.00</u>	\$ <u>3,255.00</u>
44. Traffic control				
a. Worksite set up 1 or 6	<u>1</u>	per day @	<u>100.00</u>	\$ <u>100.00</u>
b. Worksite set up 4	<u>0</u>	per day @	<u>400.00</u>	\$ <u>0.00</u>
c. Worksite set up 9	<u>0</u>	per day @	<u>350.00</u>	\$ <u>0.00</u>
d. Worksite set up 11	<u>0</u>	per day @	<u>400.00</u>	\$ <u>0.00</u>
45. Centerline Surveying	Cost + 10%			

	<u>Quantity</u>		<u>Unit Price</u>	<u>Total</u>
46. Field permittivity test				
a. 1.5 tests per authorization	<u>0</u>	ea	@ <u>400.00</u>	\$ <u>0.00</u>
b. More than 5 tests per authorization	<u>0</u>	ea	@ <u>355.00</u>	\$ <u>0.00</u>
47. Moisture Content Test	<u>150</u>	ea	@ <u>4.50</u>	\$ <u>675.00</u>
48. Liquid Limit	<u>12</u>	ea	@ <u>20.35</u>	\$ <u>244.20</u>
49. Plastic Limit & Plasticity Index	<u>12</u>	ea	@ <u>13.75</u>	\$ <u>165.00</u>
50. Sieve Analysis	<u>12</u>	ea	@ <u>27.50</u>	\$ <u>330.00</u>
51. Hydrometer Analysis	<u>12</u>	ea	@ <u>33.00</u>	\$ <u>396.00</u>
52. Unconfined Compression Test	<u>10</u>	ea	@ <u>33.00</u>	\$ <u>330.00</u>
53. Specific Gravity Test	<u>0</u>	ea	@ <u>25.00</u>	\$ <u>0.00</u>
54. Unit Weight Determination	<u>0</u>	ea	@ <u>12.10</u>	\$ <u>0.00</u>
55. Consolidation Test	<u>4</u>	ea	@ <u>270.00</u>	\$ <u>1,080.00</u>
56. Triaxial test				
a. Unconsolidated-Undrained	<u>0</u>	ea	@ <u>248.00</u>	\$ <u>0.00</u>
b. Consolidated-Undrained	<u>3</u>	ea	@ <u>358.00</u>	\$ <u>1,074.00</u>
c. Consolidated-drained	<u>0</u>	ea	@ <u>468.00</u>	\$ <u>0.00</u>
d. Pore Pressure Measurement with a. or b. and use of back pressure for saturation	<u>2</u>	ea	@ <u>193.00</u>	\$ <u>579.00</u>
57. California Bearing Ratio Test	<u>2</u>	ea	@ <u>385.00</u>	\$ <u>770.00</u>
58. Standard Moisture-Density Relationship Test	<u>2</u>	ea	@ <u>94.00</u>	\$ <u>188.00</u>
59. Loss on Ignition Test	<u>5</u>	ea	@ <u>16.50</u>	\$ <u>82.50</u>
60. pH Test	<u>12</u>	ea	@ <u>10.00</u>	\$ <u>120.00</u>
61. Geotechnical Profile & Related Work				
a. Without Soil Subgrade Drawings	<u>2.9</u>	per mile	@ <u>880.00</u>	\$ <u>2,552.00</u>

	<u>Quantity</u>		<u>Unit Price</u>	<u>Total</u>
b. With Soil Subgrade Drawings	<u>0</u>	per mile @	<u>1,100.00</u>	\$ <u>0.00</u>
c. Soil Subgrade Drawings (only)	<u>0</u>	per mile @	<u>220.00</u>	\$ <u>0.00</u>
<b>62. Geotechnical Report</b>				
a. Without Soil Subgrade Investigation	<u>2.9</u>	per mile @	<u>990.00</u>	\$ <u>2,871.00</u>
b. With Soil Subgrade Investigation	<u>0</u>	per @	<u>1,350.00</u>	\$ <u>0.00</u>
c. Soil Subgrade Investigation (Only)	<u>0</u>	per mile @	<u>330.00</u>	\$ <u>0.00</u>
<b>63. Settlement Analysis &amp; Recommendation for Embankment</b>				
a. Proposed Embankment	<u>2</u>	ea @	<u>687.50</u>	\$ <u>1,375.00</u>
b. Proposed & Existing Embankment	<u>0</u>	ea @	<u>852.50</u>	\$ <u>0.00</u>
<b>64. Sand Drain System Design</b>	<u>0</u>	ea @	<u>1,100.00</u>	\$ <u>0.00</u>
<b>65. Sliding Block Slope Stability Analysis</b>				
a. C/Ø or C or Ø analysis	<u>0</u>	ea @	<u>605.00</u>	\$ <u>0.00</u>
b. Corrective Measures	<u>0</u>	ea @	<u>770.00</u>	\$ <u>0.00</u>
c. Stage Construction Corrective Method	<u>0</u>	ea @	<u>1,139.00</u>	\$ <u>0.00</u>
<b>66. Rotational Slope Stability Analysis</b>				
a. C/Ø or C or Ø Analysis	<u>3</u>	ea @	<u>605.00</u>	\$ <u>1,815.00</u>
b. Corrective Measures	<u>1</u>	ea @	<u>770.00</u>	\$ <u>770.00</u>
c. Stage Construction Corrective Method	<u>0</u>	ea @	<u>1,139.00</u>	\$ <u>0.00</u>
<b>67. Bridge Foundation Analysis and Recommendations</b>				
a. Shallow Foundation	<u>0</u>	ea @	<u>440.00</u>	\$ <u>0.00</u>
b. Deep Foundation	<u>1</u>	ea @	<u>700.00</u>	\$ <u>700.00</u>
c. Settlement Analysis for Bridge Pier Foundation				
(1) Bridge Pier	<u>0</u>	ea @	<u>460.00</u>	\$ <u>0.00</u>
(2) Embankment plus Pier	<u>0</u>	ea @	<u>715.00</u>	\$ <u>0.00</u>

	<u>Quantity</u>			<u>Unit Price</u>	<u>Total</u>
(3) Embankment plus pier Plus all other Loads	<u>0</u>	ea	@	<u>825.00</u>	<u>\$ 0.00</u>
68. Retaining Structure Analysis Recommendations					
a. Conventional Retaining Structure					
(1) Shallow Foundation	<u>0</u>	ea	@	<u>550.00</u>	<u>\$ 0.00</u>
(2) Deep Foundation	<u>0</u>	ea	@	<u>770.00</u>	<u>\$ 0.00</u>
(3) Settlement Analysis for Retaining Wall Foundation	<u>0</u>	ea	@	<u>460.00</u>	<u>\$ 0.00</u>
b. Pile Retaining Structure Analysis & Recommendations					
(1) Free Standing Structure	<u>0</u>	ea	@	<u>825.00</u>	<u>\$ 0.00</u>
(2) Retaining Structure with Tie-Back System	<u>0</u>	ea	@	<u>1,100.00</u>	<u>\$ 0.00</u>
c. Drilled-in-Pier Retaining Structure Analysis					
(1) Free Standing Structure	<u>0</u>	ea	@	<u>825.00</u>	<u>\$ 0.00</u>
(2) Retaining Structure with Tie-Back System	<u>0</u>	ea	@	<u>1,100.00</u>	<u>\$ 0.00</u>
69. Dynamic Pile Analysis	<u>0</u>	ea	@	<u>825.00</u>	<u>\$ 0.00</u>
70. Deep Dynamic Compaction Analysis	<u>0</u>	ea	@	<u>1,100.00</u>	<u>\$ 0.00</u>
71. Seepage Analysis	<u>0</u>	ea	@	<u>1,320.00</u>	<u>\$ 0.00</u>

**PAVEMENT INVESTIGATION**

1. Mobilization of Coring Equipment	<u>0</u>	LS	@	<u>220.00</u>	<u>\$ 0.00</u>
2. Mobilization Mileage for Coring Equipment	<u>0</u>	per mile	@	<u>1.10</u>	<u>\$ 0.00</u>
3. Pavement Core (Partial Depth)	<u>0</u>	ea	@	<u>90.00</u>	<u>\$ 0.00</u>
4. Pavement Core (Full Depth)	<u>0</u>	ea	@	<u>138.00</u>	<u>\$ 0.00</u>
5. Subbase Sample	<u>0</u>	ea	@	<u>40.00</u>	<u>\$ 0.00</u>

6. Cement Concrete Pavement Core Density Determination	<u>0</u>	ea	@	<u>24.20</u>	\$ <u>0.00</u>
7. Cement Concrete Core Compressive Strength Test	<u>0</u>	ea	@	<u>24.20</u>	\$ <u>0.00</u>
8. Bituminous Extraction Test	<u>0</u>	ea	@	<u>60.50</u>	\$ <u>0.00</u>
9. Sieve Analysis of Extracted Aggregate Test	<u>0</u>	ea	@	<u>38.50</u>	\$ <u>0.00</u>
10. Recovery of Asphalt from Solution of Abson Method	<u>0</u>	ea	@	<u>380.00</u>	\$ <u>0.00</u>
11. Theoretical Maximum Specific Gravity Test	<u>0</u>	ea	@	<u>60.50</u>	\$ <u>0.00</u>
12. Bulk Specific Gravity Test	<u>0</u>	ea	@	<u>24.50</u>	\$ <u>0.00</u>
13. Air Voids Calculation	<u>0</u>	ea	@	<u>15.00</u>	\$ <u>0.00</u>
14. Core Report for Partial Depth Core	<u>0</u>	ea	@	<u>20.00</u>	\$ <u>0.00</u>
15. Core Report for Full Depth Core	<u>0</u>	ea	@	<u>30.00</u>	\$ <u>0.00</u>
16. Pavement Analysis and Report	<u>0</u>	ea	@	<u>550.00</u>	\$ <u>0.00</u>
				ESTIMATED TOTAL COST	\$ <u>49,366.20</u>

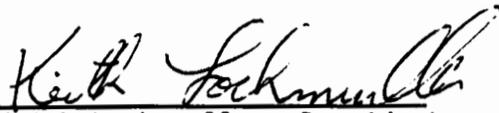
The final amount of \$49,366.20 is an estimate of the cost which the CONSULTANT will incur in fulfilling the requirements of Section G., of Appendix "A". The final amount will be adjusted according to the actual units of work performed; however, the final amount shall not exceed \$ 54,000.00 unless and until a supplemental agreement is executed.

3. Except as herein modified, changed and supplemented, all terms of the original Agreement dated August 6, 1990, shall continue in full force and effect. The previous "not to exceed" total was \$587,328.00. This Supplemental increases this value by \$22,000.00, to a new "not to exceed" value of \$609,328.00.

IN TESTIMONY WHEREOF, the parties hereto have executed this Supplemental Agreement.

CONSULTANT

Bernardin, Lochmueller & Associates, Inc.

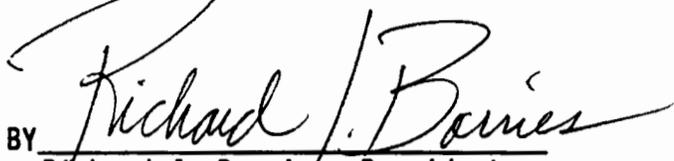
BY   
Keith Lochmueller, President

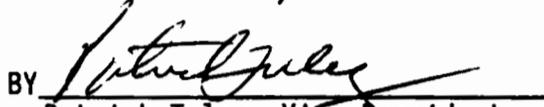
Attest:

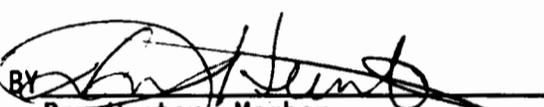
  
Thomas G. Bernardin, Secretary

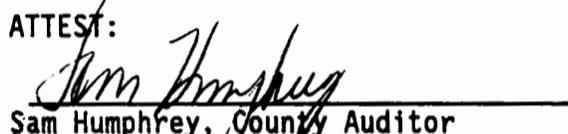
LOCAL PUBLIC AGENCY

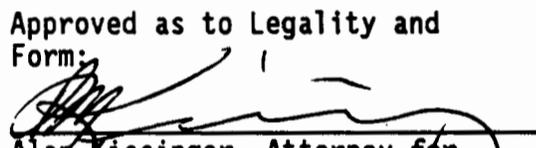
Board of County Commissioners  
Vanderburgh County

BY   
Richard J. Borries, President

BY   
Patrick Tuley, Vice President

BY   
Don Hunter, Member

ATTEST:  
  
Sam Humphrey, County Auditor

Approved as to Legality and Form:  
  
Alan Kissinger, Attorney for Vanderburgh County

A C K N O W L E D G M E N T

State of Indiana County of Vanderburgh SS:

Before me, the undersigned Notary Public in and for said County personally appeared Keith Lochmueller, President; Thomas G. Bernardin,  
(Name of signers, their official capacity and Agency Name)

Secretary, Bernardin, Lochmueller & Associates, Inc.  
(Firm Name)

and each acknowledged the execution of the foregoing agreement on this 20th  
day of August, 1993 and each acknowledged and stated that he is the party  
authorized by the said firm to execute the foregoing agreement.

Witness my hand and seal the said last named date.

My Commission Expires:

September 22, 1995

Cynthia L. Evans  
Notary Public

Cynthia L. Evans  
Print or type name

A C K N O W L E D G M E N T

State of Indiana, County of Vanderburgh, SS:

Before me, the undersigned Notary Public in and for said County, personally  
appeared Richard J. Borries, President; Patrick Tuley, Vice President; Don  
(Name of signers, their official capacity and Agency Name)

Hunter, Member; Vanderburgh County Board of Commissioners

and acknowledged the execution of the foregoing agreement on this 30<sup>th</sup> day  
of August, 1993.

Witness my hand and seal this said last named date.

My Commission Expires:

JOHN R. MATTHEWS  
NOTARY PUBLIC STATE OF INDIANA  
My County of Residence:  
MY COMMISSION EXPIRES: JUNE 12, 1996

Joanne A. Matthews  
Notary Public

(Form approved by the Attorney General)

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA                    )  
  )  
COUNTY OF   Vanderburgh    )

The undersigned, being duly sworn on oath says, that he is the contract  
ing  
party, or, that he is the representative, agent, member, or officer of the  
contracting party, that he has not, nor has any other member, representative, agent,  
or officer of the firm, company, corporation or partnership represented by him,  
directly or indirectly, entered into or offered to enter into any combination,  
collusion or agreement to receive or pay, and that he has not received or paid, any  
sum of money or other consideration for the execution of the annexed agreement  
other than that which appears upon the fact of the agreement.

BERNARDIN, LOCHMUELLER & ASSOC., INC.

*Keith Lochmueller*

Keith Lochmueller  
(Print or type name)

Subscribed and sworn to before me this   20th   day of   August  , 1993.

*Cynthia L. Gans*  
Notary Public

My Commission Expires:

September 22, 1995

SUPPLEMENTAL AGREEMENT NO. 3

This Supplemental Agreement is made and entered into August 30, 1993, by and between the County Commissioners of Vanderburgh County, Indiana, hereinafter referred to as the "COUNTY," and Bernardin, Lochmueller & Associates, Inc., hereinafter referred to as the "CONSULTANT."

WITNESSETH

WHEREAS, the "COUNTY" and the "CONSULTANT" did on September 17, 1990, enter into an Agreement providing for the "CONSULTANT" to provide the services and documents, hereinbefore and hereinafter described, in relation to the following described project or projects:

Eickhoff-Koressel Road, Project No.: STP-E 180(1) & STP-6582 (1)

Design and furnish contract plans for the realignment of Eickhoff-Koressel Road from S.R. 62 to S.R. 66 in the western part of Vanderburgh County, Indiana.

WHEREAS, due to the field check held on July 14 and 15, 1993, quantities, and number of items for the geotechnical testing have increased, and

WHEREAS, the approved Indiana Department of Transportation rates for said items has increased since the original agreement and,

WHEREAS, in order to provide for completion of the work, it is necessary to amend and supplement said agreement.

1. The first paragraph of Section A. - Appendix "D" is changed to read as follows:

1: The CONSULTANT shall receive as payment for the work performed under this Agreement the total fee not to exceed \$ 847,784.00, unless a modifica-

tion of the Agreement is approved in writing by the COUNTY.

2. Appendix "D", Section A.3.a. has been revised as follows:

a. Geotechnical boring and sampling, as set out herein, will be paid for each of the following items:

	<u>Quantity</u>		<u>Unit Price</u>	<u>Total</u>
1. Mobilization				
a. Lump Sum	<u>1</u>	LS @	\$ <u>220.00</u>	\$ <u>220.00</u>
b. Mileage	<u>500</u>	Mile @	\$ <u>1.65</u>	\$ <u>825.00</u>
2. Truck mounted borings with 2' auger head	<u>0</u>	1ft @	<u>9.35</u>	\$ <u>0.00</u>
3. Truck mounted borings with Split-Spoon sampling	<u>0</u>	1ft @	<u>12.65</u>	\$ <u>0.00</u>
4. Truck mounted borings using drilling fluid	<u>0</u>	1ft @	<u>12.10</u>	\$ <u>0.00</u>
5. Truck mounted core drilling	<u>0</u>	1ft @	<u>23.65</u>	\$ <u>0.00</u>
6. Truck mounted borings through bedrock or boulders	<u>0</u>	1ft @	<u>23.10</u>	\$ <u>0.00</u>
7. Hand or truck soundings	<u>50</u>	1ft @	<u>8.00</u>	\$ <u>400.00</u>
8. Hand auger drilling	<u>0</u>	1ft @	<u>9.35</u>	\$ <u>0.00</u>
9. Skid mounted borings with 2' auger head	<u>0</u>	1ft @	<u>12.65</u>	\$ <u>0.00</u>
10. Skid mounted borings with split-spoon samplings	<u>1,850</u>	1ft @	<u>19.25</u>	\$ <u>35,612.50</u>
11. Skid mounted borings using drilling fluid	<u>0</u>	1ft @	<u>19.25</u>	\$ <u>0.00</u>
12. Skid mounted core drilling	<u>95</u>	1ft @	<u>30.80</u>	\$ <u>2,926.00</u>
13. Skid mounted borings using bedrock or boulders	<u>0</u>	1ft @	<u>29.70</u>	\$ <u>0.00</u>
14. Skid mounted sounding	<u>1,250</u>	1ft @	<u>11.70</u>	\$ <u>14,625.00</u>
15. Furnishings of Boat for hand auger soundings	<u>0</u>	ea @	<u>200.00</u>	\$ <u>0.00</u>

	<u>Quantity</u>		<u>Unit Price</u>	<u>Total</u>
16. Barge set-up expense				
a. Navigable Water				
1. Barge set-up each	<u>0</u>	LS	@ <u>3,300.00</u>	\$ <u>0.00</u>
2. Rental of support equipment				
3. Drill rig down time	<u>0</u>	Cost + 10% per hr	@ <u>74.00</u>	\$ <u>0.00</u>
b. Non-navigable water barge set-up	<u>0</u>	ea	@ <u>2,600.00</u>	\$ <u>0.00</u>
17. Additional disassembly and reassembly				
a. Navigable water	<u>0</u>	ea	@ <u>1,210.00</u>	\$ <u>0.00</u>
b. Non-navigable water	<u>0</u>	ea	@ <u>1,100.00</u>	\$ <u>0.00</u>
18. Barge mounted borings with 2' auger head	<u>0</u>	1ft	@ <u>12.65</u>	\$ <u>0.00</u>
19. Barge mounted borings with split-spoon sampling	<u>0</u>	1ft	@ <u>20.60</u>	\$ <u>0.00</u>
20. Barge mounted core drilling	<u>0</u>	1ft	@ <u>29.60</u>	\$ <u>0.00</u>
21. Barge mounted borings using bedrock or boulders	<u>0</u>	1ft	@ <u>32.00</u>	\$ <u>0.00</u>
22. Barge mounted soundings	<u>0</u>	1ft	@ <u>12.10</u>	\$ <u>0.00</u>
23. Casing through water*	<u>0</u>	1ft	@ <u>5.40</u>	\$ <u>0.00</u>
24. Uncased sounding through water	<u>0</u>	1ft	@ <u>2.80</u>	\$ <u>0.00</u>
25. Set up for rock core boring	<u>15</u>	1ft	@ <u>77.00</u>	\$ <u>1,155.00</u>
26. Additional 2-inch split-spoon sampling	<u>20</u>	1ft	@ <u>12.70</u>	\$ <u>254.00</u>
27. 3-inch split-spoon samples	<u>0</u>	ea	@ <u>14.00</u>	\$ <u>0.00</u>
28. 2-inch Shelby tube samples	<u>15</u>	ea	@ <u>44.00</u>	\$ <u>660.00</u>
29. 2-inch Shelby tube samples	<u>0</u>	ea	@ <u>38.00</u>	\$ <u>0.00</u>

\*Also applicable if thru air and noted on log.

	<u>Quantity</u>		<u>Unit Price</u>	<u>Total</u>
30. 3-inch stationary piston samples	<u>0</u>	ea @	<u>90.00</u>	\$ <u>0.00</u>
31. Bag Samples	<u>5</u>	ea @	<u>71.50</u>	\$ <u>357.50</u>
32. Field vane shear test	<u>0</u>	ea @	<u>61.00</u>	\$ <u>0.00</u>
33. Denison type core sample	<u>0</u>	ea @	<u>101.20</u>	\$ <u>0.00</u>
34. 2½ inch (63.5 mm) cased hole	<u>0</u>	1ft @	<u>6.30</u>	\$ <u>0.00</u>
35. 3½ inch (88.9 mm) cased hole	<u>0</u>	1ft @	<u>6.60</u>	\$ <u>0.00</u>
36. 4½ inch (114.3 mm) cased hole	<u>0</u>	1ft @	<u>8.80</u>	\$ <u>0.00</u>
37. Special field services	<u>0</u>	pr hr@	<u>93.00</u>	\$ <u>0.00</u>
38. Resident field geotechnical engineer	<u>80</u>	pr hr@	<u>62.00</u>	\$ <u>4,960.00</u>
39. Railroad expenses	Cost + 10%		Cost + 10%	\$ <u>0.00</u>
40. Twenty-four hr. water levels				
a. Field Measurements	<u>86</u>	LS @	<u>25.00</u>	\$ <u>2,150.00</u>
	per borehole			
b. PVC slotted Pipe	<u>0</u>	1ft @	<u>2.70</u>	\$ <u>0.00</u>
41. Special backfilling of boreholes				
a. 10 to 30 ft. (3.05 to 9.1 meters) deep	<u>50</u>	LS @	<u>71.50</u>	\$ <u>3,575.00</u>
b. More than 30ft. (9.1 m)	<u>835</u>	1ft @	<u>4.40</u>	\$ <u>3,674.00</u>
42. Dozer rental	<u>12 hours</u>	@	Cost + 10%	\$ <u>0.00</u>
43. Skid rig moving time in excess of ½ hours (or ATV)	<u>48</u>	pr hr@	<u>93.00</u>	\$ <u>4,464.00</u>
44. Traffic control				
a. Worksite set up 1 or 6	<u>0</u> per day	@	<u>100.00</u>	\$ <u>0.00</u>
b. Worksite set up 4	<u>1</u> per day	@	<u>400.00</u>	\$ <u>400.00</u>
c. Worksite set up 9	<u>0</u> per day	@	<u>350.00</u>	\$ <u>0.00</u>
d. Worksite set up 11	<u>0</u> per day	@	<u>400.00</u>	\$ <u>0.00</u>
45. Centerline Surveying	Cost + 10%			

	<u>Quantity</u>		<u>Unit Price</u>	<u>Total</u>
46. Field permittivity test				
a. 1.5 tests per authorization	<u>0</u>	ea @	<u>400.00</u>	\$ <u>0.00</u>
b. More than 5 tests per authorization	<u>0</u>	ea @	<u>355.00</u>	\$ <u>0.00</u>
47. Moisture Content Test	<u>250</u>	ea @	<u>4.50</u>	\$ <u>1,125.00</u>
48. Liquid Limit	<u>20</u>	ea @	<u>20.35</u>	\$ <u>407.00</u>
49. Plastic Limit & Plasticity Index	<u>20</u>	ea @	<u>13.75</u>	\$ <u>275.00</u>
50. Sieve Analysis	<u>20</u>	ea @	<u>27.50</u>	\$ <u>550.00</u>
51. Hydrometer Analysis	<u>20</u>	ea @	<u>33.00</u>	\$ <u>660.00</u>
52. Unconfined Compression Test	<u>20</u>	ea @	<u>33.00</u>	\$ <u>660.00</u>
53. Specific Gravity Test	<u>0</u>	ea @	<u>25.00</u>	\$ <u>0.00</u>
54. Unit Weight Determination	<u>15</u>	ea @	<u>12.10</u>	\$ <u>181.50</u>
55. Consolidation Test	<u>0</u>	ea @	<u>270.00</u>	\$ <u>0.00</u>
56. Triaxial test				
a. Unconsolidated-Undrained	<u>0</u>	ea @	<u>248.00</u>	\$ <u>0.00</u>
b. Consolidated-Undrained	<u>2</u>	ea @	<u>358.00</u>	\$ <u>716.00</u>
c. Consolidated-drained	<u>0</u>	ea @	<u>468.00</u>	\$ <u>0.00</u>
d. Pore Pressure Measurement with a. or b. and use of back pressure for saturation	<u>2</u>	ea @	<u>193.00</u>	\$ <u>386.00</u>
57. California Bearing Ratio Test	<u>3</u>	ea @	<u>385.00</u>	\$ <u>1,155.00</u>
58. Standard Moisture-Density Relationship Test	<u>3</u>	ea @	<u>94.00</u>	\$ <u>282.00</u>
59. Loss on Ignition Test	<u>5</u>	ea @	<u>16.50</u>	\$ <u>82.50</u>
60. pH Test	<u>20</u>	ea @	<u>10.00</u>	\$ <u>200.00</u>
61. Geotechnical Profile & Related Work				
a. Without Soil Subgrade Drawings	<u>5</u>	per mile @	<u>880.00</u>	\$ <u>4,400.00</u>

	<u>Quantity</u>		<u>Unit Price</u>	<u>Total</u>
b. With Soil Subgrade Drawings	<u>0</u>	per mile @	<u>1,100.00</u>	\$ <u>0.00</u>
c. Soil Subgrade Drawings (only)	<u>0</u>	per mile @	<u>220.00</u>	\$ <u>0.00</u>
<b>62. Geotechnical Report</b>				
a. Without Soil Subgrade Investigation	<u>5</u>	per mile @	<u>990.00</u>	\$ <u>4,950.00</u>
b. With Soil Subgrade Investigation	<u>0</u>	per @	<u>1,350.00</u>	\$ <u>0.00</u>
c. Soil Subgrade Investigation (Only)	<u>0</u>	per mile @	<u>330.00</u>	\$ <u>0.00</u>
<b>63. Settlement Analysis &amp; Recommendation for Embankment</b>				
a. Proposed Embankment	<u>3</u>	ea @	<u>687.50</u>	\$ <u>2,062.50</u>
b. Proposed & Existing Embankment	<u>0</u>	ea @	<u>852.50</u>	\$ <u>0.00</u>
<b>64. Sand Drain System Design</b>	<u>0</u>	ea @	<u>1,100.00</u>	\$ <u>0.00</u>
<b>65. Sliding Block Slope Stability Analysis</b>				
a. C/Ø or C or Ø analysis	<u>1</u>	ea @	<u>605.00</u>	\$ <u>605.00</u>
b. Corrective Measures	<u>0</u>	ea @	<u>770.00</u>	\$ <u>0.00</u>
c. Stage Construction Corrective Method	<u>0</u>	ea @	<u>1,139.00</u>	\$ <u>0.00</u>
<b>66. Rotational Slope Stability Analysis</b>				
a. C/Ø or C or Ø Analysis	<u>4</u>	ea @	<u>605.00</u>	\$ <u>2,420.00</u>
b. Corrective Measures	<u>1</u>	ea @	<u>770.00</u>	\$ <u>770.00</u>
c. Stage Construction Corrective Method	<u>0</u>	ea @	<u>1,139.00</u>	\$ <u>0.00</u>
<b>67. Bridge Foundation Analysis and Recommendations</b>				
a. Shallow Foundation	<u>0</u>	ea @	<u>440.00</u>	\$ <u>0.00</u>
b. Deep Foundation	<u>2</u>	ea @	<u>700.00</u>	\$ <u>1,400.00</u>
c. Settlement Analysis for Bridge Pier Foundation				
(1) Bridge Pier	<u>0</u>	ea @	<u>460.00</u>	\$ <u>0.00</u>
(2) Embankment plus Pier	<u>0</u>	ea @	<u>715.00</u>	\$ <u>0.00</u>

	<u>Quantity</u>		<u>Unit Price</u>	<u>Total</u>
(3) Embankment plus pier Plus all other Loads	<u>0</u>	ea	@ <u>825.00</u>	\$ <u>0.00</u>
<b>68. Retaining Structure Analysis Recommendations</b>				
<b>a. Conventional Retaining Structure</b>				
(1) Shallow Foundation	<u>0</u>	ea	@ <u>550.00</u>	\$ <u>0.00</u>
(2) Deep Foundation	<u>0</u>	ea	@ <u>770.00</u>	\$ <u>0.00</u>
(3) Settlement Analysis for Retaining Wall Foundation	<u>0</u>	ea	@ <u>460.00</u>	\$ <u>0.00</u>
<b>b. Pile Retaining Structure Analysis &amp; Recommendations</b>				
(1) Free Standing Structure	<u>0</u>	ea	@ <u>825.00</u>	\$ <u>0.00</u>
(2) Retaining Structure with Tie-Back System	<u>0</u>	ea	@ <u>1,100.00</u>	\$ <u>0.00</u>
<b>c. Drilled-in-Pier Retaining Structure Analysis</b>				
(1) Free Standing Structure	<u>0</u>	ea	@ <u>825.00</u>	\$ <u>0.00</u>
(2) Retaining Structure with Tie-Back System	<u>0</u>	ea	@ <u>1,100.00</u>	\$ <u>0.00</u>
<b>69. Dynamic Pile Analysis</b>	<u>0</u>	ea	@ <u>825.00</u>	\$ <u>0.00</u>
<b>70. Deep Dynamic Compaction Analysis</b>	<u>0</u>	ea	@ <u>1,100.00</u>	\$ <u>0.00</u>
<b>71. Seepage Analysis</b>	<u>0</u>	ea	@ <u>1,320.00</u>	\$ <u>0.00</u>

**PAVEMENT INVESTIGATION**

<b>1. Mobilization of Coring Equipment</b>	<u>0</u>	LS	@ <u>220.00</u>	\$ <u>0.00</u>
<b>2. Mobilization Mileage for Coring Equipment</b>	<u>    </u>	per mile	@ <u>1.10</u>	\$ <u>0.00</u>
<b>3. Pavement Core (Partial Depth)</b>	<u>0</u>	ea	@ <u>90.00</u>	\$ <u>0.00</u>
<b>4. Pavement Core (Full Depth)</b>	<u>0</u>	ea	@ <u>138.00</u>	\$ <u>0.00</u>
<b>5. Subbase Sample</b>	<u>0</u>	ea	@ <u>40.00</u>	\$ <u>0.00</u>

6. Cement Concrete Pavement Core Density Determination	<u>0</u>	ea	@	<u>24.20</u>	\$ <u>0.00</u>
7. Cement Concrete Core Compressive Strength Test	<u>0</u>	ea	@	<u>24.20</u>	\$ <u>0.00</u>
8. Bituminous Extraction Test	<u>0</u>	ea	@	<u>60.50</u>	\$ <u>0.00</u>
9. Sieve Analysis of Extracted Aggregate Test	<u>0</u>	ea	@	<u>38.50</u>	\$ <u>0.00</u>
10. Recovery of Asphalt from Solution of Abson Method	<u>0</u>	ea	@	<u>380.00</u>	\$ <u>0.00</u>
11. Theoretical Maximum Specific Gravity Test	<u>0</u>	ea	@	<u>60.50</u>	\$ <u>0.00</u>
12. Bulk Specific Gravity Test	<u>0</u>	ea	@	<u>24.50</u>	\$ <u>0.00</u>
13. Air Voids Calculation	<u>0</u>	ea	@	<u>15.00</u>	\$ <u>0.00</u>
14. Core Report for Partial Depth Core	<u>0</u>	ea	@	<u>20.00</u>	\$ <u>0.00</u>
15. Core Report for Full Depth Core	<u>0</u>	ea	@	<u>30.00</u>	\$ <u>0.00</u>
16. Pavement Analysis and Report	<u>0</u>	ea	@	<u>550.00</u>	\$ <u>0.00</u>
ESTIMATED TOTAL COST					\$ <u>99,545.50</u>

The final amount of \$99,545.50 is an estimate of the cost which the CONSULTANT will incur in fulfilling the requirements of Section G., of Appendix "A". The final amount will be adjusted according to the actual units of work performed; however, the final amount shall not exceed \$ 105,000.00 unless and until a supplemental agreement is executed.

3. Except as herein modified, changed and supplemented, all terms of the original Agreement dated September 17, 1990, shall continue in full force and effect.

The previous "not to exceed" total was \$804,784.00. This Supplemental increases this value by \$43,000.00, to a new "not to exceed" value of \$847,784.00.

IN TESTIMONY WHEREOF, the parties hereto have executed this Supplemental Agreement.

CONSULTANT

Bernardin, Lochmueller & Associates, Inc.

BY *Keith Lochmueller*  
Keith Lochmueller, President

Attest:

*T.G. Bernardin*  
Thomas G. Bernardin, Secretary

LOCAL PUBLIC AGENCY

Board of County Commissioners  
Vanderburgh County

BY *Richard J. Borries*  
Richard J. Borries, President

BY *Patrick Tuley*  
Patrick Tuley, Vice President

BY *Don Hunter*  
Don Hunter, Member

ATTEST:  
*Sam Humphrey*  
Sam Humphrey, County Auditor

Approved as to Legality and Form:  
*Alan Kissinger*  
Alan Kissinger, Attorney for Vanderburgh County

ACKNOWLEDGMENT

State of Indiana County of Vanderburgh SS:

Before me, the undersigned Notary Public in and for said County personally appeared Keith Lochmueller, President; Thomas G. Bernardin,  
(Name of signers, their official capacity and Agency Name)

Secretary, Bernardin, Lochmueller & Associates, Inc.  
(Firm Name)

and each acknowledged the execution of the foregoing agreement on this 20th day of August, 1993 and each acknowledged and stated that he is the party authorized by the said firm to execute the foregoing agreement.

Witness my hand and seal the said last named date.

My Commission Expires:

September 22, 1995

Cynthia L. Evans  
Notary Public

Cynthia L. Evans  
Print or type name

ACKNOWLEDGMENT

State of Indiana, County of \_\_\_\_\_, SS:

Before me, the undersigned Notary Public in and for said County, personally appeared Richard J. Borries, President; Patrick Tuley, Vice President; Don  
(Name of signers, their official capacity and Agency Name)

Hunter, Member; Vanderburgh County Board of Commissioners

and acknowledged the execution of the foregoing agreement on this 30<sup>th</sup> day of August, 1993.

Witness my hand and seal this said last named date.

My Commission Expires:

JOANNE A MATTHEWS  
NOTARY PUBLIC STATE OF INDIANA  
My County of Residence:  
MY COMMISSION EXP. JUNE 12, 1996

Joanne A. Matthews  
Notary Public

(Form approved by the Attorney General)

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA )  
COUNTY OF Vanderburgh )

The undersigned, being duly sworn on oath says, that he is the contract  
party, or, that he is the representative, agent, member, or officer of the <sup>ing</sup>  
contracting party, that he has not, nor has any other member, representative, agent,  
or officer of the firm, company, corporation or partnership represented by him,  
directly or indirectly, entered into or offered to enter into any combination,  
collusion or agreement to receive or pay, and that he has not received or paid, any  
sum of money or other consideration for the execution of the annexed agreement  
other than that which appears upon the fact of the agreement.

BERNARDIN, LOCHMUELLER & ASSOC., INC.

*Keith Lochmueller*

Keith Lochmueller  
(Print or type name)

Subscribed and sworn to before me this 20th day of August, 1993.

*Cynthia L. Giers*  
Notary Public

My Commission Expires:

September 22, 1995



VANDERBURGH COUNTY COMMISSION  
STATE OF INDIANA

RICHARD J. "RICK" BORRIES  
7517 TAYLOR CIRCLE  
EVANSVILLE, INDIANA 47715  
812-477-4514

COMMISSIONER

The Vanderburgh Auditorium and Gold Room have served our community very well for a generation. After 27 years of concerts, proms, dinners, trade shows, convocations, dances, speeches--a myriad of community activities--it is time now to plan for its future. Most of us don't have the same car or TV that we had 27 years ago and if we do, substantial repairs have been made to ensure its workability. The same applies to the current condition of the Vanderburgh Auditorium and Gold Room.

I believe that this public asset's future should involve its owners--the taxpayers of this county. Accordingly, I will ask the Board of County Commissioners to form a broad-based community task force to focus on the future mission of the Vanderburgh Auditorium. This task force should be made up of citizens and groups which include major users as well as those who have an interest in its preservation. They should have an open agenda for examining what should be done with this facility. They should feel empowered to make bold recommendations which will last for another generation. We will ask for interested people and groups to contact the Commissioner's Offices 426-5241 as we begin to identify who will serve on this community task force. I am excited about the formation of this group because I strongly believe that it will lead to an exciting future for the Vanderburgh Auditorium and Gold Room.

The Vanderburgh Auditorium/Gold Room Task Force should have a minimum of 15 members who represent a broad-based group of citizens, major users and interested persons. County Commissioners and County Council members should serve "ad-hoc" --as resource persons to this citizen's advisory committee.

This committee could sub-divide, as needed, into:

1. an Auditorium subcommittee which would examine plans and alternatives for this portion of the facility.
2. a Gold-Room subcommittee which would examine plans and alternatives for this portion of the facility.
3. Grounds and Building subcommittee which would examine the parking lot, landscaping, painting and other structural aspects.
4. other sub-committees as called for by the task force.

The work of this task force could contain some recommendations for the Commission and Council to consider in the 1995 budget requests which begin in June, 1994.

The Commissioner's office staff and Auditorium management staff will serve as research and support persons for the task force. The long-range goal will be to develop a consensus for the mission of the Vanderburgh Auditorium and Gold Room in the 21st century.

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

PROGRESS REPORT

FRIDAY, AUGUST 13, 1993 THRU THURSDAY, AUGUST 19, 1993

FRIDAY, AUGUST 13, 1993

Paver, Roller, and nine crews paved Hillsdale Road.  
Gradall and one crew ditched at 1717 Mill and replaced culvert  
on Gayne Ave.  
Summer crews worked on work orders.  
Tiger mower worked on the eastside of the county.

MONDAY, AUGUST 16, 1993

Paver, Roller, and nine crews paved Hillsdale.  
Summer crews worked on work orders.  
Gradall and one crew worked with the City.  
Patch crews worked on work orders.  
Gradall and two crews worked on Cypress Dale.  
Tiger Mower worked on work orders.

TUESDAY, AUGUST 17, 1993

Paver, roller and nine crews paved Hillsdale.  
Gradall and two crews ditched on Cypress Dale.  
Gradall and one crew worked with the City.  
Patch crews worked on work orders.  
Summer crew worked at garage.  
Tiger mower worked on Schmuck and Korressel.

WEDNESDAY, AUGUST 18, 1993

Gradall and two crews ditched Cypress Dale.  
Gradall and one crew worked with the City.  
Paver, Roller and eight trucks paved Hillsdale.  
Summer crew worked at the Garage.  
Patch crews worked on work orders.  
Tiger mower worked on St. Joe and Little Schmuck.

THURSDAY, AUGUST 19, 1993

Two Gradalls and two crews worked on Cypress Dale.  
Summer crews worked on work orders.  
Tiger Mower worked on work orders.  
Paver, roller and 9 crews paved Hillsdale.

VANDEBURGH COUNTY BRIDGE CREW  
PROGRESS REPORT  
FRIDAY, AUGUST 13, 1993 THRU THURSDAY, AUGUST 19, 1993

FRIDAY, AUGUST 13, 1993

Crew #1 - replace culvert on Gayne Ave.  
Crew #2 - built drop box at 3725 Detroy Road.

MONDAY, AUGUST 16, 1993

Crew #1 & Backhoe - finish drop box in Detroy, start work on drains on 12th Ave.  
Crew #2 - cut weeds on St. Joe and Wimberg Road bridges.

TUESDAY, AUGUST 17, 1993

Crew #1 - work on 12th Ave. drains.  
Crew #2 & Backhoe - haul dirt to Detroy and work on 12th Ave.  
Crew #3 - cut weeds.

WEDNESDAY, AUGUST 18, 1993

Crew #1, #2 & backhoe - work on drains on 12th Ave.  
Crew #3 - cut weeds.

THURSDAY, AUGUST 19, 1993

Crew #1, #2 & backhoe - repair 12th Avenue drains.  
Crew #3 - cut weeds and paint guardrails.Gayne.

*New Business*



OFFICE OF  
**SHERIFF OF VANDERBURGH COUNTY**

101 Civic Center Complex  
1 NW Martin Luther King Boulevard  
Evansville, IN 47708

Administration : 426-5303  
Command Post : 467-1420

**RAY HAMNER**  
SHERIFF

**ROBERT BECKHAM**  
CHIEF DEPUTY SHERIFF

**STEPHEN WOODALL**  
CHIEF DEPUTY SHERIFF

*approved*

August 26, 1993

Vanderburgh County Commissioners  
Rick Borries, President  
Room 305 Administration Building  
Evansville, In 47708

Dear Mr. Rick Borries,

The Vanderburgh County Sheriff's Department shall be hosting a "Volunteer Appreciation Picnic" on Sunday September 12, 1993 at Burdette Park's Shelter House 18. This picnic is specifically to show our appreciation to the volunteer reserve deputies and the suburban fire departments. Since these volunteers provide an invaluable service to the community, the Department is requesting that the rental fee be waived. If I can answer any questions regarding my request, do not hesitate to contact me.

Sincerely,

*Ray*  
Ray Hamner, Sheriff

Warrant No. \_\_\_\_\_

Claim No. \_\_\_\_\_

Date \_\_\_\_\_

IN FAVOR OF

Vendor Name US Nuclear Co.

Vendor No. 3972

\$ 2120.00

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name Ca. Rivers

Account No. 216-4910

Allowed \_\_\_\_\_ 19\_\_\_\_

In the sum of \$

Richard J. Bonis  
Natant Sully  
[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

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>AM0491493</u>	<u>-</u>	<u>8/21/93</u>	<u>216-4910</u>	<u>2120.00</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 2120.00





CLAIM No. .... WARRANT No. ....

IN FAVOR OF

CAPE

# 1937

\$ 30,437.75

ON ACCOUNT OF APPROPRIATION

For Cape

130-4231

Allowed ..... 19 .....

*Richard J. Bonies*  
By the sup of S  
*Richard J. Bonies*

Commissioners ..... County .....

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

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon contract.

That it is based upon statutory authority.

That it is apparently correct.

That it is apparently incorrect.

..... Auditor

*John,*  
*Please send check to*

*Mr. Sharke!*  
*B.G.*

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

and was in accordance with contract, except .....

8/30

19 .....

*Richard J. Bonies*

8





CLAIM No. .... WARRANT No. ....

IN FAVOR OF  
NAME AND ADDRESS

Bowers Harrison  
Kent & Miller

• 1451.57

ON ACCOUNT OF APPROPRIATION

ACCOUNT NO. 130-3610

PURCHASE ORDER NO. ....

INVOICE NO. 14

PURPOSE .....

Allowed ..... 19

In the sum of \$

Richard J. Bowers  
Patricia J. Bowers

Commissioners ..... County

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

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon contract.  
statutory authority.

That it is apparently correct.  
incorrect.

Auditor

07/26/93  
O: 5721-001M  
TEMENT NO: 14

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

8/20 19 93  
Richard J. Bowers

URS  
.00  
.00  
.50  
.50  
.20  
.30  
.50

Warrant No. \_\_\_\_\_

Claim No. \_\_\_\_\_

Date \_\_\_\_\_

IN FAVOR OF

Vendor Name Hansen Testing

Vendor No. 022

\$ 500.00

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name Vogel B. #2115

Account No. 203-4396

Allowed \_\_\_\_\_ 19 \_\_\_\_\_

In the sum of \$

Richard J. Davis  
Richard J. Davis  
Richard J. Davis

Board of Commissioners

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Office Holder

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

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

\_\_\_\_\_  
Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>#118101</u>	<u>-</u>	<u>8/2/93</u>	<u>203-4396</u>	<u>500.00</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 500.00

Warrant No. \_\_\_\_\_

Claim No. \_\_\_\_\_

Date \_\_\_\_\_

IN FAVOR OF

Vendor Name Bernardin Lochmayer

Vendor No. 985

\$ 2,437.44

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name Ohio S. B. # 30

Account No. 203-4345

Allowed \_\_\_\_\_ 19 \_\_\_\_\_

In the sum of \$  
Richard J. Brown  
Naturel Jules  
[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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Office Holder

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

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

\_\_\_\_\_  
Auditor

COST DISTRIBUTION — TO BE COMPLETED BY DEPARTMENT

INVOICE NO.	PURCHASE ORDER NO.	INVOICE DATE	ACCOUNT NO.	AMOUNT PAID
<u>91-068-1(14)</u>	<u>-</u>	<u>8/18/93</u>	<u>203-4345</u>	<u>2437.44</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 2437.44

Warrant No. \_\_\_\_\_

Claim No. \_\_\_\_\_

Date \_\_\_\_\_

IN FAVOR OF

Vendor Name BERNARDIN LOCHMEYER

Vendor No. 985

\$ 34,427.85

ON ACCOUNT OF APPROPRIATION

Dept. Fund Name EICKHOFF-KRESSER

Account No. 216-4741

Allowed \_\_\_\_\_ 19\_\_\_\_

In the sum of \$ Richard J. Bonis  
Robert J. Jones  
[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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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>90-0101(24)</u>	_____	<u>8/15/93</u>	<u>216-4741</u>	<u>34,427.85</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL 34,427.85



