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294 Work started on Log Jam over Pigeon Creek
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359 Cumulative Bridge funds to be returned on Ky Ave, Mohr Rd, St Joe & Boon - N.H.
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210 opening of bids on Heating Boilers & water chiller at Auditorium
213 Invitational Bids for surplus items from Auctioneers
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223 Bid received from Feigel Constr. Co. on Auditorium Parking lot.
230 Bids opened for photocopy machine & Floor Scrubber.
231 Bids opened for Parking Lot at Auditorium
241 Bids opened on dump truck for Burdette
252 Another bid to be requested on Auditorium Parking lot.
258 Bids on dump truck for Burdette rejected
264 Bids received on Roesner Rd Bridge - to be continued.
265 Specifications for Boehne & Pleasantview discussed
272 Specifications approved on St. George & Oak Hill to advertise
277 Bids opened on Log Jam over Pigeon Creek
279 opening of bid on St. George & Oak Hill Rd. intersection
288 Specifications on boiler for Auditorium discussed
292 Bids opened on dump truck for Burdette Park
294 authorized to advertise for bids on 4 bridges - Ohio, Maryland, Columbia & 1st Ave.
305 authorized to bid for boiler at Auditorium.
313 Bids opened for repair of bridges on Ohio, Columbia, Maryland & 1st Ave.
356 Bids on auditorium parking lot discussed
359 authorized to advertise for bids on St Joe, Boon - N.H. Nurrenbern etc.
367 authorized to advertise for bids on Princeton Rd. Bridge
378 opening of bids on Bridge #48 old Princeton Road
390 Specs submitted for auction at Pleasantview
395 Specs being written on surface treatment of Allens Lane
407 Authorized to advertise - Resurfacing of Allens Lane etc.
418 Specs for resurfacing roads to be signed
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C

C

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98 Union contract signed on Auditorium Employees
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177 Contract awarded - emergency - Roesner Rd - Bridge
215 Contract signed with D.W. Engineering - Roesner Rd Bridge
217 Contract awarded for air conditioning - computer room in Cts.
237 Contract awarded on photocopy machine for Co. Clerk.
240 Contract awarded to Bridepail for floor scrubber for Burdette Cook
280 Contract awarded on Log Jam over Pigeon Creek to Gill General Constr.
284 Contract awarded on St. George & Oak Hill Rd. intersection to Feigel.
292 Contract awarded on dump truck for Burdette to Kenny Kent Chev. Co.
305 Striping contract Review Requested
314 Paving Contract with Jerry David for five bridges approved
317 Contracts awarded for repair of 4 bridges.
330 Contract signed for Bovine Brucellosis
341 Contract signed - Freedom Festival Foundation
352 Contract signed on Merit Longevity Study with Hagen + Huff
379 Contract awarded to Goedde for Auditorium boiler.
382 Contract awarded to Barnett Bros. for Bridge #48. old Princeton Rd
405 Contract awarded for new alarm system at Hillcrest - Washington 405
438 Contract on boiler at Auditorium rescinded.
495 Contract on boiler awarded to Evansville Wtr Heat
506 Contract awarded to Feigel Constr. Co. for repair of Auditorium Parking Lot.
542 Contract approved for Insurance Study with Consulting Firm
546 Contract awarded to Barnett Bros for Baseline Rd Structure #49
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613- Contract on Professional Consulting Services approved.
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76	from Pepper Constr. Co. balance of Contract-Comfort Station	
76	from Pepper Constr. Co. for remainder retainage - Camp pads	
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98	from Sheriff De Groote for travel - seminar.	
98	Claims from Torian Agency for Hwy, General Fund, Fire + credit.	
115	from Brinks for services to Clerk of Circuit Court	
115	from Co. Attorney Carl Wendel - office allowance - Feb. 1977	
115	from Torian Ins. Agcy for Boehne property Ins.	
115	from S & S Sheet Metal for refund on permit.	
128	from American Life Ins Co on Sheriff De Groote	
129	from Hunnicutt + Assc. for Knight Twp Reassessment	
138	from Fink, Roberts + Petrie for engineering plans on St Joe.	
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161	from Louis Stephen in attending Road School	
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166	from G. H. Allen for work on Mary Rd. bridge #64	
173	from Dr. Hippensteel from hospital in Vincennes for James Hamilton	
173	from Jack Siebeking for travel expenses	
173	from Charles Koenig for refund - duplicate permit.	
173	from Midwest Roofing + Insulation Co - Roof repairs at Washington Home	
173	from Co. Att. Carl Wendel for March, 1977, office allowance	
198	from Brinks for service to Co. Clerks office	
198	from Pitney Bowes for equipment Maintenance agreement - Postage Mach	
198	from Pennington Constr. Co. for locating sewer lines at Boehne.	
198	from Bauer Bros. General Contractors for repair of Roemer Rd. Bridge	
198	from Hunnicutt + assc. for Knight Twp. Reassessment.	
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342 Claim from Hunnicutt & assc. on acct - Contract Knight Reassessment
344 Claim from S.W. Engineering - Final on Roesner Rd.
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366 Claim from Brinks Inc for services to Co treasurers
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366 Claim from Att Jeff Frank of Election Bral for legal services
373 Claim from Co Att. Paul Wendel for July 1977 office allowance
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373 Claim from Co Att. Ed Smith for July 1977 office allowance
374 Claim from Marguerite Richardt - assessors instruction & Louie
382 Claim from Evansville Crushed Stone & claims from Szabo Foods for prisoners meals
383 From Karen Wagner, Evelyn & Robt Bernard & Gary Wagner for travel
383 From Mark Mabrey for food, travel & lodging - to Atlanta
383 From P&H Construction - equipment rental & operator
383 From Jeffrey Frank for legal services
383 From Freedom Festival Foundation & Auditorium - Queen contest
383 From Brinks for Co Clerk & Co treasurer services
390 From Torian Ins. agency for Burdette & also for employees there
390 From Evansville Materials for sand on Marx Road
398 From Michael Huff for work on Merit & Longevity Study.
403 From Building Authority for electrical outlet etc - small claims office
403 From Fred Dewes for attending Convention & Visitors Bureau meeting
403, From Gas Co. for emergency gas at Auditorium
403 From Marlin Beck of Sheriffs Dept - expenses on trip - Conference also Gary Risky
404 From Torian Ins. Co. for insurance on sculpture at Auditorium.
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482	Hunnicutt for assessment work - Knight Twp.
488	Mr Curran Miller for sale of Boehne & Pleasantview property.
504	from Evansville Crushed Stone Co. - culvert on #3 School Rd.
504	from Szabo Food Service for meals served deputies 9/16/77 & 9/30/77
505	from James Mocas from Sheriffs Dept for travel.
505	from Sheriff Dr Goode for reimbursement for travel.
505	from Bob Moran, Vet. Service officer, for mileage.
505	from Barnett Bros. for work on Old Princeton Road
505	from Engineer Assc. for Vand. Co. Traffic Study.
506	from Vand. Co. Bldg. Auth for one phone & one electrical outlet
520	from Feigel Constr. Co. for resurfacing four roads.
520	Claims from Xerox Corp for rental of Xerox machine.
530	from County Clerk for travel expenses
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534	from Feigel Constr. Co. on Repair of St Marys & Rock Hill Rd.
541	from water Dept for service to Pleasantview
541	from Gas Co for Pleasantview
541	from French Bros. Excavating Co. - culvert under Marys Rd.
557	from Tolson Ins. for Burdette Park
557	from Ray Trapp - Recreation asst. leader Cerry Hgts. School
557	from Mrs. Gayla Given - Recreation Asst Leader - Cerry Hgts School
558	from Charles Given - Recreation Leader, Cerry Hgts School.
558	from both Co. attorneys - office allowances for Sept & Oct, 1977
558	from Szabo Foods for deputies meals for October
558	from Kopkies Catering Service for Black Expo as per contract.
558	from Auditorium for Black Expo, as per contract.
567	from M Lewis, Auditorium Manager for $100 to start Petty cash acct.
577	from Indiana University for Scholarship - Black Expo.
577	from Feigel Constr. Co. for repairs to Auditorium parking lot.
577	from Bldg. Authority for labor & material - tape deck & cable - Computer Room
577	from Jane Griffith, Court Reporter - Transcript - Anna Jaeckel vs Co.
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580	from Feigel Constr. Co. for resurfacing Allens Lane.
589	from Comaire Service Inc. for police security at Pleasantview
590	from Brinks for services to Clerks & Treasurers office.
590	from Evansville Wet Heat & Piping Co. - installation of oil tanks.
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Checks

Check received by Sheriff's Dept from State Farm for car damage.	29
Check received for damages done to County car	113
Check received from Hartford Steam Boiler Insp. Ins Co.	158
Check received from Szabo Food Service Inc for sale of Jail Inventory	198
Check received from E.C.A. on Brehm Sewer	228
Check received from Tolan Ins. Agcy. for stolen goods	228
Check received from State-Engineering St Joe widening	266
Check received from Black Eppo 76, Inc.	268
Check received for Support Program Reimbursement	279
Check for $1.00 received from School Corp - Rent on West Hgts. School	353
Check received for Support Division - reimbursement of rent.	353
Check received for settlement Co damaged mail box - Kuesters	365
Check received from E.C.A. - grant on sewer at Brehm	365
Check received from Hartford Ins. Co. & Kuesters for mail box	365
Check received by Commissioners from treasurer - Support Program	389
Check received from Greg Kemp for work done by County	425
Check received from Ins Co for radio system of Co. Hwy.	425

Comments

34	Comments by Mr. Siebesing about severe weather here
48	Comments on Standards for Road cuts
71	Comments on County Gravel Roads
129	Comments on Blue Cross - Blue Shield Ins.
215	Comment on sale of Pleasantview + Boehne property
223	Comment on Striping roads in County
238	Comments on Bridges + culverts
239	Comments on road repairs
243	Comments on auctioneer for Boehne + Pleasantview
303	Comment on Auction of Boehne + Pleasantview to be held next week.
339	Comments on road cuts
339	Comments on bids for boiler at Auditorium
384	Comments by Mr. Hotz on hospital beds at Boehne + storage tank
417	Commissioners to be excluded from class action suit.
458	Comment on clothes washer in Jail. 4459
474	Comment on specs for boiler at Auditorium
538	Comment on Insurance Consultant for revaluating Co. Ins.
538	Comment on possible Reimbursement of Federal Programs
573	Comment on Road Stripping by Commissioner Williams.
619	Comment on County Pavement Marking Program - SIECO

Complaints

Complaint by M. Wortman on Orchard Rd at St Joe.	180-181
Complaints received on road ditches being blocked	192
Complaint on Murrenbern Ditch by M. Stahl	256
Complaint on drainage on ward Road	319
Complaint on drainage problem - Wagner - Oak Hill Rd.	323
Complaint on East side Drainage	P.460
Complaint by Miss Mitz on damage to her trucks.	538
Complaint on truck traffic - Smith Diamond Rd.	544
Complaint on parking at Civic Center by Surveyors office	560

224	Change order on Mary Rd. Bridge Structure #64	
268	Change order on St. Joe over Penn Central No BC-3-76	
332	Court Order on Commissioners Recount.	
507	Change Order needed on 4 paving projects of Feigel.	
534	Change Order on Feigel for St Gerget Oak Hill Rd.	
583	Computer Voting by Sam Blankenships.	

Cuts In

Discussion of new forms for cuts - Brenner	25
water Co. - 2 shoulder cuts on Dogwood + Evergreen Hgts	26.45
Request for cut in on Douglas Dr - sent back for bond.	71
Cut not filled on Broadway - to be looped into.	93
Request for cut from Kratz + Smith Constr. - Bergdoll Rd	102
Discussion of problems on road cuts	178
Request for access of curb cuts - M Seibert + M. Saletta	181
Report on Road cuts + permits by Siebering	189
two cuts from sewer Dept on Old State + Eisele Rd	214
waterworks Dept. at 531 west Mt. Pleasant Rd	224
waterworks Dept at 6700 Upper Mt Vernon Rd.	224
from Lloyd Staub to cut Oak Grove Rd + water Co for Bob Cat	236
s Peerless Rd, Oak Hill, Radio, Old State, Arrowhead, Heckel, April, etc	236
water cuts on 1600 Allens Lane + Ada Jane Dr.	238
water cuts - Barbara Dr, Huckelberry La, Strawberry Hill, Bradley Dr. etc	252
water cuts - Red Bank, Stacey Court, old State Rd.	263
Letter sent to all contractors + utilities on policy of road cuts	271
Illegal Road cut made on Lynch Road	271
water cut on north woods ave - Telephone Co - on Lynch Rd	294
Comment on cut made on Mt. Pleasant Rd.	294
water Co. cuts on Little Schafer, Kings Hill Dr, Nurrenbern + Cynthiana Rd.	304
water Co - cuts on Baumgart, Holly Hill, Old Boonville, Mattingly etc	314
water Co - Oak Hill, Fleener Rd, St Joe, west Mill + oak Terrace	323
water Co - Aspen Drive, Green R. Rd. + Mt Pleasant Rd + Ky Ave	337
water Co - Boonville - New Harmony + Oak Hill Rd.	344
Indiana Bell - Boonville - New Harmony Rd + Wilhaims Road	357
Water Co - Mt. Pleasant Rd., Green River Rd, Meadow View	357
Cuts will no longer go through Comm. meeting	375
Progress Report on Curb Cut Ordinance - M. Lochmueller	398
Road cut problem - Man has no permit	407
Water cuts - Petersburg, Boehne, Rechtin, Felstead, Helfrich, Dogwood	450
water cuts - S. Bosse, Saddlebrook, Saratoga + Agmoor	450
Cut by water Co on upper Mt Vernon Rd. not repaired	462
Comment on ordinance for road cuts	485
by Water Co. at 617 Vanness Ave.	594

	76	Certificate of Inspection on comfort Station at Brudette	
	85	County owned Surplus Property to be advertised	
	295	Conrad Baker Foundation - alexander Leich	

C

County owned Surplus Property

		6.87
32-41-25 - M Basham to pay back taxes to get property back.		
28-21-23 - bought by Dolly Ann Johnson Wagner on 3/21/77 -		147
22-64-12 - bought by Hattie Wilson on 3/28/77 - 50.00		170
29-69-1 & 29-69-2 purchased by Robert Hertsen - both 50.00		184
Items from Beehive & Pleasantview declared surplus		231
Request that duplicating machine be declared surplus		247
21-74-12 - 822 Linn - sold to M. Victor Jackson for 35.00		257
29-93-22 - 1119-1121 W. Iowa - sold to M Victor Jackson for 50.00		257
24-42-16 - 502 S. Evans - sold to Francis Smith for $400.00		257
Explanation made on Co. owned Surplus property - 24-42-16		266
22-76-9 purchased by Constance Robinson		317
21-28-1 - purchased by Charles Swope of 331 W. Maryland		350
21-66-20	"	"
21-70-15	"	"
22-68-19	"	"
22-68-20	"	"
22-73-7	"	"
24-31-11	"	"
24-34-46	"	"
24-41-9	"	"
24-64-14	"	"
27-67-16	"	"
31-116-30	"	"
County owned bus declared surplus to be sold		580
County owned items discussed.		580

D

87 Delinquent Tax Matter discussed
133 Discussion of solar energy
161 Discussion on coal Trucks using County roads.
199 Discussion of proposal on ~~Interstate~~ I-164, 203
220 Discussion of auctioneer for surplus goods at Pleasantview
221 Discussion of auctioneer for sale of surplus goods.
— and properties of Boehne & Pleasantview.
235 Discussion of fuel problem at Auditorium
241 Discussion of specifications to be approved by Council on Boehne & Pleasantview
324 Discussion of signs not meeting new co. ordinance
339 Discussion on road work needed to be done.
353 Discussion on Revenue Sharing Budget.
367 Drainage problem on Little Pigeon Creek
419 Drainage problems Old State, Sunrise & Bujey
460 Drainage problem with East side drain -472
472 Report on Cleaning Pigeon creek
514 Discussion of Incorporation of McCutchanville - Public Hearing set.
548 Drainage Problem on Garrison Ave
569 Delinquent tax problem (McFarland) by Co. treasurer
576 Drainage Problem by Ms Georgia Bebles on Kirkwood Dr.
583 Delinquent tax matter of C.M. Schue.
590 Drainage problem on Drepel Drive.

Deed submitted for Charles Swope 2169-30	248
Decision of Council on Bids for auctioneer Boehne + Pleasantview	253
Deed on Surplus property to Victor Jackson signed	302
Deed submitted on parcel 24-42-16 to Francis Smith	310
Deed signed for surplus property purchased by Charles Swope	382
Driveway Permit application submitted	534

D

E

Employment Changes

County Commissioners

297	Jan Cavanaugh - appt - Rel. C. 310
297	Oliver Lawson - Rel.
363	Helen Franks appt.
543,552	Marsha Smith - LOA

Elections of President & Vice President of Comm. for 1977 — 1

RE: Auditorium

110	Earl Schoenbachler	appt - Released C 110	Patricia Conner	appt.	Rel 258-279
"	Jessie Byers	" " "	Josephine Van Dyke		Rel C. 258
"	Dwight Taylor	" " "	Paul Bronaugh	appt.	C. 279
279	Scott Stubb	appt.	Henry Overby		Rel. P. 363
439	Greg Lewes -	appt	Veronica Bryant	- appt	C. 439
469	Keith Grossman	appt - Rel. P. 510	Katherine Applehans -	Leave	C. 469
588	Darrell Lawrence	appt	Judith E Sumner	appt.	P. 510

RE: Employment Changes

Auditor's Office

C. 56	Margaret Trickey -	appt	Mary Lou Conley	appt	C. 156 Releases C. 157
P. 110	Mary L. Conley -	appt Rel C. 197	Rhonda McClarney		C. 156 C 157
"	Rhonda McClarney -	appt - " "	Flora Rose		" C 157
"	Flora Rose	" - " "	Viola Schmahlenberger		" C 157
"	Viola Schmahlenberger	" - " "	Esther Shrote		" C 157
"	Esther Shrote	" - " "	Mabel Winkler		" C. 157
"	Mabel Winkler	" - " "	Edna Castrup		" C 157
"	Edna Castrup	"	Dorothy Rogers		" C 157
"	Dorothy Rogers	"	Delores O'Ricky -	appt.	C 435
317	Jennifer Elbrink	" + Rel C. 389	Margaret Trickey -	Rel.	P. 435
317+439	Teresa Riney	" + C. 440	Brenda Hempfling	appt -	P. 439
C. 440	Beverly Nance	LOA - Rel.	Cindy Decker	appt	C. 453
P 453	Cindy Decker	Rel	Janet Zeller	appt	C 540 - Rel. 540
"	Martha Schenk	"	Willetta Freehand		C 54 Rel.
583	Vanessa Adams -	appt	Mabel Winkler	appt	588
	Mildred Jaquay	(L.O.A.)			

Employment Changes

Area Plan Commission

19 Lucille Fowler - appointed - James Craig - appt. P.351
278 Bruce Lothamer - appt. - Rel. P.413 - Brenda Goldbach appt P.439
279 Elizabeth Anderson - Rel. Brenda Goldbach Rel P.440
317 Sherilyn Brandenstein appt. - Rel. P.341 Lucille Fowler - Rel. P.440
453 John Clifford "
453 Robert Tick " James Craig - Rel. P.440
453 Kathie Gehlhausen " Jeff Wilson Rel P.453
468 Deborah Beard - appt Mary Keown Rel P.453

Burdette Park

6 Michael Maier - Co. Park Brd. appt. John Vorhees appt P.126
" Emily Ann Fowler - Released Spencer Evans appt 126
31 John Crow - appt. Carol Hewig - appt. P.197
32 Kenneth Mitz - Released - appt P.126 Released P.126
44 Kimberly Babbs - appt. Melissa Schenk appt. 197
74 James Render appt - also P.126 Released P 126
74 Ray Wolf " Released P.74 Gerald Pea appt P.208
74 Harold Babbs " Released P.74 Patricia Altman appt P.208
74 Robert Hertzberger Released Patrick Martin - Rel. P.208
85 Scott Maley - appt Betsy Detroy appt P.227
85 Dave Waltz " Michael Head - Rel - P 227
85 James Hagedorn " J. Griffin, D. Hart, J. Oberhausen, J. Hudson,
85 Michael Head " M. Ginger, S. Gourley, A. Ensner, R. Winstead,
85 Barbara Hertzberger Released D. Erwin, D. Schuler, K. Milling, B. Kolessel,
297 Cheryl Gentry - Rel. S. Buthod, J. Oberhausen, J. Lawson, J. Hudson,
M. Riffle, K. Knapp, S. Tuholski, C. Peter, C. Hewig,
D. Waltz, S. Maley, S. Evans, J. Vorhees, D. Hunter A. Glover -
all appt - 278

Circuit Court

31 George C. Barnett - appt + Released P 32
32 John C Behme - Released - Melanie Heltsley P.157 Released
44 Thomas Norton - Released Jeffrey Johnson appt P.453
Harry Gray " "
157 Beverly Corn - appt Daniel Casper " "
Beverly Leavell " "
Harris Howerton " "
Roosevelt Brant " "

County Clerk

6 Etta Mae Mueller - appt P.6 Jacqueline Baker - Released
" June Cosgrove - " P.6 (Leave) Kathy Stonestreet - Leave of Absence
" Lee Crow - " P.56 - Debra Schmitt - appt - Rel P.126
" Betty Dosier - " " - Sally Kaster - Released
" Doretta Fairchild "

Burdette Cards - Con't.

310	Martha Riffle	appt.	Paul Werkmeister	Rel.	C. 369
"	James Guntel	"	Anita Glover	"	"
"	Charles Lawrence	"	David Hunter	"	"
"	Corey Brunck	"	David Garrett	"	"
318	Janet Ulrey	"	Charlie Lawrence	"	"
341	Gail Fleming	"	Pam Doig	appt.	C. 369
351	James Stuart	"	Mark Head	"	"
378	Sean Waltz	"	all part time released		C. 497
566	Patricia Altman - Rel.		Kim A. Betz - appt.		C. 588
602	Sherry Brooks - appt.				

Coroners

613*	552	Kathleen Taylor - appt.

Circuit Court - Con'd.

C 184	Joyce Giannini - appt.	John Hall Jr. - Rel -	C 184	
"	Karen Bitz - "	Kenneth Hood - " -	184	
C 208	Joe Adams - " Rel. C. 208	Melanie Buchanan	Rel - 227	
227	Melanie Buchanan appt	Brenda Boyd - "	"	
227	Brenda Boyd appt	Karen Stewart - "	"	
227	Karen Stewart appt	David Jones - appt	C. 240 Rel 240	
258	Louise LeVoy Rel.	David Elmeier - Rel -	279	
278	Harris Howerton appt	Marguerite Harding " -	"	
278	David Hatfield " - Rel - P. 279	Harris Howerton	Rel 297	
291	Loren Gabe, Don Fuchs, Dave Gehlhausen, Shelia Corcoran		appt	
296	Ortega Irwin - appt	Harris Howerton	appt 341 Rel. 341	
351	Betty Burton - appt.	Edward Marske	" " " "	
351	Charlene Appman Rel.	David Robinson	appt - C. 363	
369	Deborah Mottley - Rel	Stephen Scott	appt 378	
406	Norman Hooe - appt.	Terry Golding	appt 378	
"	Dave Jones - Rel	Kenneth Henson	appt 413	
"	David Hatfield Rel	Joyce Giannini	appt 413	
"	Norman Hooe Rel	Mike Mattingly	appt 423 Rel 423	
435	Susan Kirk - appt	Beverly Colm -	appt. C. 439	
435	Lucille Becking - appt.	Richard Reed - "	C. 439	
440	Richard Reed - Rel.	Kathy Kelly "	P. 439	
468	Arthur Stippler - appt	Patricia Becker	Rel P. 469	
"	Roger Kiefer "	Steve Scott	appt P. 497 - Rel. P. 498	
Rel. 552 - 497	Ruthetta Graves appt - Rel C. 498	David Robinson	" " Rel C. 498	

Armstrong Township Assessor

		Circuit Ct Con'd	
		Norman Hooe appt	623
P. 208	Clarence Seib - appt.	Don Fuchs	" "
"	James Fehrenbacher "	David Hatfield	" "
"	Louise Suigs "	Harris Howerton	" "
"	Frances Martin "		
"	Herbert Weasman "		

Circuit Court Con'd

Bail Bond Cases				
477	Jerry Brandenberger appt	Lucille Becking -	appt 540 - Rel 540	
"	Charles Smith Jr. "	Harris Howerton -	appt 552 - Rel. 552	
			583 Rel 583	
"	Robin Kinney "	John Hall Jr.	appt 552 " "	
"	Dan Williams "	Norman Hooe -	appt 552 " "	
583	Michael Bonnell appt	Patricia Stitzer	appt 552 " "	
		Richard Reed Rel	583	

Board of Review

278	Lisa Deering	appt		
"	Nancee Schieble	"		

Budette Park

279	Carol Hewig, David Waltz, Scott Maley, Spencer Evans, John Vorhees				- Rel
290	Jill Dike	appt.	Melissa Schenk	-Rel- P. 291	
"	Roger Rice	"	Donna Bowers	appt	C. 297
"	David Garrett	"	Kim Lilly	"	"
"	Dan Waltz	"	Robert Myer	"	"
"	George Hollander	"	Ted Creech	"	"
"	Jean Browning	"	Dan Kamman	"	"
363	John Gildersleeve	"	Patricia Altman	"	"
"	Julie Horner	"	Mike Klusch	appt.	378 + 413
378	Dan Waltz	Rel	Bobby Drake	appt.	P. 435

County Clerk - Con't.

P.126	Cathy Stoddestreet appt	L.D.A.E. Imogene Honey - Rel.	291
P.208	Lasry McDowell appt	June Cosgrove "	"
P.208	Mike Mattingly appt	Jennifer Wagemann "	"
"	Mark Mattingly appt	Elizabeth Kaesier appt	P.369
"	Andrew Wade	Stephen Scott Rel	P.378
217	Deborah Mottley - temp appt.	Ortega Irwin Rel	378
217	Elizabeth Kaesier Rel.	Shelia Corcoran Rel	378
290	(Temp) Sharon Yunker appt	Terry Golding Rel	378
"	Debra Schmitt "	Loren Gabe Rel	378
"	Charlene Appman "	Donald Fuchs Rel	378
439 - RESCUE - Arthur Stippler - appt.		David Gehlhausen Rel	378

County Surveyor

32	David Brown - Released		
44	Robert Kautzman appt.	- Al Paul appt.	
"	Danny Kaes "	- Charles Davis "	
"	Gary Gulledge "		
44	Robert Kautzman Released	- Charles Davis Released	
"	Danny Kaes "	- Gary Gulledge "	
"	Al Paul "	Marvin Kauch "	P.56
170	Albert Holtz - appt		
"	Robert Kautzman appt		
"	Wayne Pasco - appt		
"	Randy Key - appt		

Cumulative Bridge Fund

44	Dave Williams - appt.	- Released C44	
"	Marvin Karch - "	- Released C.44	
56	David Williams - appt		
74	Glen Hartman appt. P. 74		

Co operative Extension Service

44	Debbie Etienne - appt.	Cathy Ann Curtzer appt C	
"	Anna J. Krack - Released	Dennis Brazelton appt - 318	
"	Debbie Etienne - "	Catherine Stott "	C. 318
85	Betty Kompost - appt.	Florence Watkins "	C. 363
157	Janice Breiner - Released	Kimberley Weatherholt "	363
227	Sondra Hester - appt Rel. P. 363	Glenna Hanks appt	C 497
278	Julie A. Schmidt appt	Michael Thomas - appt.	C 602

Corrections Coodinator

Edward Maske Rel. C. 369

Lemon Township Assessor

C. 19	Danny Nip - appointed - Released C. 85 - appt. P. 257
85	Evelyn Lennert " - Released C. 85
170	Marion Wagner appt Dan Nip - Rel. P. 369
453	Evelyn Lennert - Rel

Knight Township Assessor

C. 66	Jerome Zeller - appt also P. 110 Rel P 111
"	Ramona Barrett - Released
110	Mary Esparza - appt - Released P 111
258	Linda Gehlhausen - appt C. 258 - also P 278
296	Elizabeth Crowe - appt P 296
296	Elizabeth Sapp - appt P 296
400	Mary Esparza Rel. Delores Hall - appt. C. 439
477	Delores Hall - appt
602	Mona Barrett - appt.
602	Naomi Kreisle - appt.

Joint Dept of Legal Services

19	Donald F. Connor - Released	
"	Wm. W. Deems - Released - appt.	
"	James Rode - appt - Released 6/11	
"	Thomas H. Barefoot - appt - Released 9/11	
110	Marta L. Provenzale appt	

Pigeon Township Assessor

6	June Hallenberger - Released - Alvin Walther appt. P. 351	
31	Imogene Evans - appt (Reassessment)	
"	Emily Head " "	
"	June Hallenberger " " - appt. P. 184	
44	Paula Hardenbrook - Released	
184	Jo Ann Greer - appt. also P. 227 - Rel P. 228 - appt. P 279	
267	Arthur Miller - appt. Nova Scales - appt - P. 390 Rel 552	
297	Ruth Calhoun - Rel P. 297 - appt. P. 318 Mary Esparza appt P 389	
389	June Hallenberger Rel Arthur Miller - Rel. P. 389	
423	Linda Stroud - appt Emily Head - Rel. P. 423	
423	Donna Jones - appt June Hallenberger - appt. P. 602	
423	Susan Hirsch - appt - Rel P 552 Vida Schmalenberger " 602	

Prosecutors Office

31	Mike Hayden - appt. Mabel Winkler - Released	
"	Connie Spinner " Mike Hayden "	
"	David Shaw " Connie Spinner "	
"	Gloria Stinson " Robert Goss Sr. "	
"	Sylvia Reutter " David Zengler "	
"	Louis Steve " David Shaw "	
"	Mary Grossman " Gloria Stinson Dorathea Mac Gregor "	
"	Teri Wallace " R Steven Barron Mary Saugel "	
44	Mark Owen - Released P 31 - La Tosha Pitt "	
"	Patricia Yates " Robert Heitzberger appt P. 85	

Prosecutors office Con't

P.66	Scott Bowers - appt.	Scott Bowers - Released 66	
110	Robert Carithers - appt	Mary Jo Kirgan - appt. P. 157	
"	Robert Pigman appt.	Melanie Heltsley - appt. P. 157	
P. 208	Scott Bowers - appt. Rel P. 209	Carl Heldt, Doug Knight	291 appt
"	Louis Shaw - appt - Rel P. 209	M. Hayden, D. Shaw	"
"	Melanie Heltsley appt Rel P 209	- R. carithers, S. McCray, R. Pigman	291
291	Carl Heldt - Rel	Mary Jo Kirgan appt. P. 351	
"	Douglas Knight - Rel	Scott R. Bowers " "	
"	Mike Hayden "	Dana Schuler appt.	378
"	David Shaw "	Sarah McCray Rel	400
"	Robert Carithers "	Sylvia Reutter appt.	423
"	Robert Pigman "	Carl Heldt Rel. P.	423
423	Sylvia Reutter Rel	David Shaw - Rel P.	435
510	Sylvia Reutter - appt - Rel P. 510	Robert Hertzberger Rel	510
552	Scott Bowers - appt - Rel. P. 552	Melanie Heltsley "	510
552	Charlie Andrus - appt	Bettye Smith appt. P. 566	
		Edward Anderson " "	
		Terry Wallace - Rel. P. 613	

Highway Dept

74	Louis Stephen appt. P 74	Urban Kahre - Rel. P. 197	
74	Dan Hartman Released	Joseph Folz - "	"
363 - 96	Philip Adcock appt Rel. P. 363	Robert White "	"
111	James Caldwell - Released	Mark Montgomery Rel P. 208	
157	Walter Swope - Released	Andrew Wade "	"
197	Cecil Sills - appt	William Korff - "	227
"	Tony Harvey - " - appt. 267	Jane Sheets appt.	257
"	Larry Babbs - " Rel P. 197	Tony Harvey Rel - P. 267	
"	Clayton Jenkins " Rel "	Robert Hallman appt	296
"	Thomas Schmitz " Rel "	Stephen Burch "	"
291	Robert Eberhart appt	Mark Stocker "	"
"	Richard Lehr. "	Catherine Fricke "	"
318	Mark Tuley - appt	Mark Tuley "	341 Rel 341
"	Larry Rebstock "	Clarence Ruegen Rel P. 341	
351	Henry Willingham appt	Larry Rebstock Rel. P. 351	
363	Gerald Fuchs appt	Henry Willingham Rel. P. 369	
390	Philip Adcock - Rel.	Robert Eberhart "	"
400	Richard Lehr - Rel	Gerald Fuchs "	400
400	Stephen Burch Rel	Mark Stocker "	"

Center township Assessor

85	David Gulledge - appt - Reasons. Rel. 267	
170	Linda Anne Westfall - appt " also C. 290	
267	Julie L. Kloke appt.	Barbara Stevens appt C. 297
291	Mark Bradley - Rel	Julie L. Kloke Rel 378
291	Linda Westfall - Rel	Barbara A. Stephens Rel 378

County Assessor

C. 157	Wm. H. Olivier - Released
170	Dorothy Joest - appt
439	Evelyn Lannert - appt.
439	Donald Ray Smith - appt.

C. 6	Sheriff's Department			C. 6
"	Stephen Bequette - appt			"
"	Rick Chambers	"	Wm. Speicher - Rel -	185
"	Donald Harris	"	Sara Klein - appt	296
"	Thomas Wallace	"	Dennis Daniel "	"
"	Floyd Kassel	"	Mark Holsapple	"
"	Jess Julian	"	Ronald McDonald	"
110	Larry Barchet	" - Rel. P. 111	Larry Goddock - appt	400
157	Donald Hamston	" Rel. P. 157	Edward Rhoades appt	"
184	Danny Armstrong	"	Floyd Kassel Rel	400
			Donald Harris Rel	400
	Superior Court			
31	Donald Scott - appt		Marlon Lowe - appt	
"	Sharon Boardman	"	JoAnn Stevens "	
"	Mary Webb	"	Allen Kissinger "	
"	John Rapp	"	Ronald S. Barron " - Rel. C. 552	
"	Mildred Morgan	"	Wm. J. Bruna "	
"	Mary Langel	"	Nadine Brady appt C. 258	
32	Francis Carr	Released	Teri L. Wallace	Released
"	Marlon Lowe	"	John Rawlings "	
"	JoAnn Stevens	"	William Stephens "	
"	Donald Scott	"	Mary T Webb "	
"	Sharon Boardman	"	Aaron Pippin appt	C. 351
56	Mark Owen	appt -	Wm. M. Campbell appt	
"	Patricia A. Yates	" -	Carl A. Miller "	
540	Sue Terry - appt			

Surveyors Office

56	Joseph a. Chittenden Sr. - appt	also appt C. 96 - Released C. 96	
"	Marvin Karch -	" Randy Key - Rel - C. 185	
66	Albert Holtz -	" - Rel - C. 176	
96	Paul Mindrup -	" Claude Young appt. C. 197 C. 228	
170	Gary Gulledge - Released	Lloyd Pittenger appt C. - 227	
"	Alvin Paul - "	Claude Young appt C. 227	
"	Robert Kautzman - Rel	John Singer - Rel - C. 228.	
227	Marvin Karch appt - Rel. C. 228	John Koch appt C. 240	
"	Robert Kautzman appt - Rel C 228	John West appt. C. 351	
"	Paul Mindrup - appt - Rel C. 228	Charles Davis - Rel. C. 351	
369	Joseph Chittenden Rel. C. 369	John west appt C. 423 + Rel	

Scott Assessor

C 110	Harley Seybold Sr. appt - Rel C 111	Norma Miller appt	C. 291
"	W. Marvin Lundy " " "	Leona Hudson appt	291
"	Leona Hudson " " "	W. Marvin Lundy appt	291
"	Norma Miller " " "	Harley Seybold Sr. appt 291	
"	Marguerite Richardt "		
291	Norma Miller, Leona Hudson, W. Marvin Lundy, Harvey Seybold Rel.		

Superior Court, Con't

389	Alvis C. Herrenbruck - appt. C. 389	Bail Bond Harris Howerton - Rel.	C 469
389	Susan Metz Rel	Cpt Ross Joy Brinkmeyer Rel	"
"	Aaron Cippers "	Edith Rosenblum Rel	"
"	Margaret Burt "	Ronald Barron - appt	552
"	Jay H. Pickering "		

Superior Court - Con't.

C.56	Patricia Yates - Released	also C. 66 — Rep Dendinger	Rel. C. 197
C.66	Sally Lyn Kaster - appt.	Dennis Avery + Greg Sever not approved	291
"	Debra J. Below - "	Edith Rosenblum appt	C. 310
291	Jay Pickering - "	Aaron Pippin "	"
"	Susan Metz - "	Margaret Burt appt	341
341	Ronald Barron - appt	Ronald Barron	Rel. C. 341
"	Marlon H. Lowe " Rel-341	Aaron Pippin -	Rel. C. 351
"	JoAnne Stevens " Rel-341	Nadine Brady -	Rel. C 440
497	Michele Schmitt appt.	Ronald Goebel -	Rel. C. 498
"	Rebecca Roth "	John MacCauley - "	"
"	Arletta Turpin "	Janet Kavcar "	"
524	Joseph Lutz III appt	Rebecca Roth "	"
"	Merle Melton "	Edith Rosenblum	Rel 524
		Joseph Lutz III "	"
		John MacCauley "	"
		Merle Melton "	"

Union Township Assessor

C. 66	Evelyn Bernard - appt -	Released - C. 66
318	Evelyn Bernard - appt. -	Rel. C. 318

Treasurer

110	Sherry Boardman appt	Cathy Crowe appt	P. 453
111	Betty Burton Released P. 111	Sally Hicks "	"
170	Norma Jarvis - appt.	Sharon McIntyre "	"
170	Barbara Hedges - Rel.	Doris O'mellow Rel	P. 453
		Kathy Crowe "	"
227	Carol Frank appt - Rel-P. 297	Sally Hicks "	"
"	Yvonne Cresley " - Rel. P. 258	Juanita Jones appt	477
"	Viola Schmalenberger " Rel P 297	Edna Cooper appt	540
240	Ilora Rose appt. - Rel P. 297	Norma Jarvis Rel	P. 540
267	Ruth Calhoun appt. - Rel. P 297	Viola Schmalenberger	Rel. P. 602
423	Brenda Carney - Rel.		
439	Pam Hopson - appt - Rel. P. 439		
439	Melody Ellsperman - appt		

Superintendent of County Bldgs.

126	Alvin Jones Rel. P 126	
126	James Shaffer Rel	
296	Bennie Gossar appt - Rel. P. 297	
296	Oliver Lawson "	
297	Edward Zenthofer Rel	
453	Olivier Lawson Rel.	

Vand Superior Court Drug + alcohol Deferral

C.171	Wm M. Campbell Released
"	Mark Owen — "
"	Carl Miller — "
"	Debra Below — "

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

184	John Hall Jr. — appt.
184	Kenneth D. Hood — "
184	Patricia Becker "
439	Arthur Stippler appt

Pleasantview Rest Home

228 Lois Vanway - Rel
378 Jimmie Hatfield - appt.

Recorder

257 Yvonne Gresley appt
258 Marie Evans - Rel.

Veterans Service

258 Susan J. Rohrer appt.

Pigeon Township Trustee

P. 469	Robert Olsen - temp leave	Mary Lockett (Back from L.O.A.	P. 524
"	Louise Lockett - " "	Gloria Scales appt.	552
"	Judy Eichhoff - quit	Helen Eichhoff appt.	602

E

Perry Township Trustee

296 Betty J. Hempsling - appt Rel P297
Betty Boyd — Rel-297 - Norma Smith appt. P. 330

Pigeon twp Trustee

310 Jacquelene Brown appt.

E

Highway Dept - Con'd.

423 Michael O'Brien - Rel. William Martin - Rel. P. 440
439 Dennie L. Campbell - appt. Wallace Clunkett - Rel. P. 440
469 Dennis Merideth - appt Paul Liggett - Rel. P. 440
" Thomas W. Jameson - appt. Dennis Merideth Rel P. 469
524 Danny Campbell appt. - Rel. P. 524

Law Library

552 Marilyn Merchant - appt

F

320	Flood Insurance Study submitted to Bldg. Comm.	
522	Federal Aid Funds - Received word from state on R+S Funds.	
608	Funds requested to operate Pleasantview building	

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Emergency snow routes approved		608

F

G

320	German township water lines to be inspected by F.H.A.		335
	Garnishment Order against deputy sheriff - Ac Tilley Co.		586

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H

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554	Indiana Assn. of Counties - Recouping Expenses	

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Cert. of Insurance - Schultheis Ins. - Feigel Constr. Co.	21
Cert. of Insurance by Deig Bros. on Ky. Ave. Bridge 116-A	45
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Cert of Insurance from Hartford Steam Boiler Insp. on Aud. boiler	158
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Cert of Ins - Rev. Robert Schomburg - lease of Auditorium	477
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Cert of Ins from Greene & Green on Keller Cresent - use of Auditorium	553
Cert of Ins. from Lukens & Sons on Swanson Numn - use of Auditorium	553
Cert of Ins. by Torian Agency on Mr & Mrs Hatfield - use of Auditorium	566
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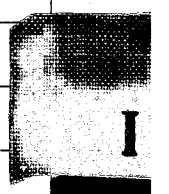
Cert of Ins. from Torian Agency - Oriel Woods - Auditorium	589
Cert of Ins. from Southwestern Agency Inc. on Larry Aiken	602
Cert of Ins from Lukens & Sons on Swanson Electric Co.	613

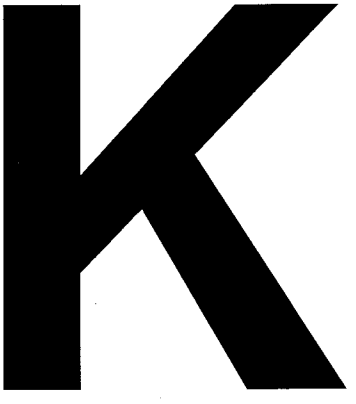




J

	536	Junks at County Garage to be sold.	

J



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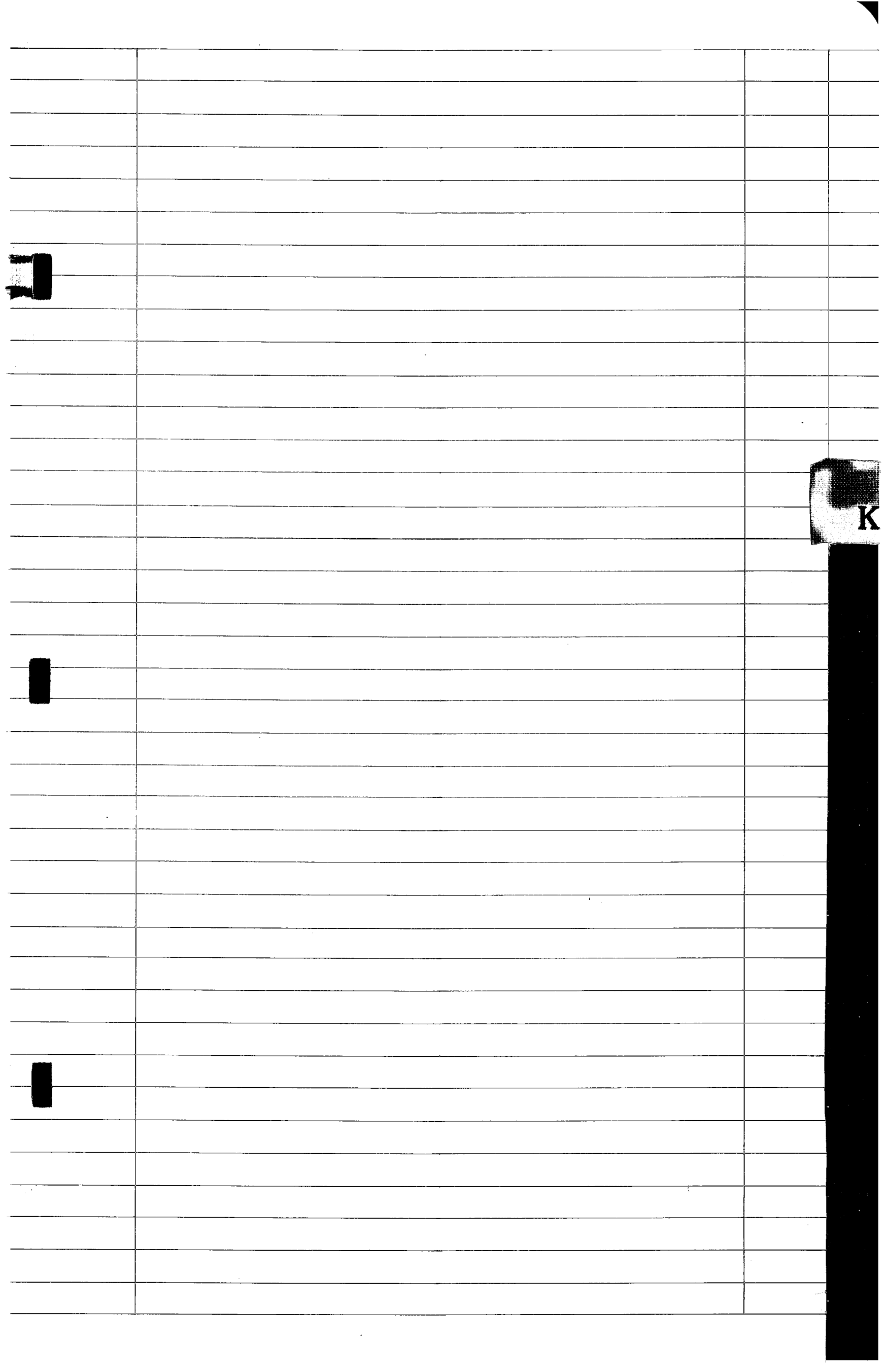

L

L

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526	Letter from County Clerk - requesting job change status of employee	
549	Letter to Comm. from Mr. Skinner - Engineer - Ill. Central Railroad	
584	Letter from Ind. Employment Security Division - Emp. Security Act.	
586	Letter sent to Purchasing Dept on bid procedure.	
603	Letter from Civil Defense on Nuclear protections.	
613	Letter from Red Cross Blood Center	
619	Letter from Ulrich Chemical Co. as to coverage on fence	
626	Letter sent to Jebco Inc. on cuts not being repaired on Upper Mt Vernon Rd.	

L

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M

318	Money ($4,000) willed to County by Walter Clarke.	
593	Money to be encumbered for easement on Lincoln Ave	

M

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98 Meeting date of March 2, 1977 set on Pleasantview + Brehm
105 Special Meeting on March 2nd - Discussion of Pleasantview + Brehm
141 Special Meeting on March 16th - " " "
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384 Meeting of Administrative Building Council to be held
465 Special Meeting Sept 28, 1977 - Auction of Pleasantview property.
558 Meeting set for Nov. 28, 1977 on Discussion of better controlled elections

Monthly Reports

454 Report from Evansville Assn for Retarded Citizens for Aug. 1977
470 Bureau of traffic Engineering for August, 1977.
505 Building Commissioners Report for Sept. of 1977.
510 Traffic Engineering for Sept. 1977
524 County Treasurer for Sept. of 1977
583 Metropolitan Evansville Convention & Visitors Bureau for Oct. 1977.
589 Traffic Engineer's Report for Nov. 1977
589 County Treasurer for October, 1977.
623 Evansville Assn for Retarded Citizens

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Building Commissioners Report for November 1977	609
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Mc

McCutchanville

514 Discussion of Incorporation of McCutchanville - Public Hearing Set

Mc

N

N

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Notice of claim against County (Steve Erwin)	54
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Notice of Claim against County - on Keith & Debra Baker	515
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520) Notice of Claim against County on behalf of William Flowers	517
Notice of claim against by Mrs Treva Fortune & Son	527
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Notice of claim against County - Map & Antimonia Lingo	568
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N

O

185	183	Ordinance on trucks & speed limits in county discussed
	186	Ordinance on trucks signed & approved - Apr 4, 1977
	270	Comprehensive Zoning Ordinance - Refused & area Plan
	276	Ordinance for C.I.C. account to be set up.
	297	Ordinance approved by Council to sell Co. owned property.
	379	Ordinance adopted by Co. Council - approve selling property over $1,000
	382	Ordinance on Cumulative Capital Improvement Fund approved
	386	Ordinance discussed for control of Vehicular access on private land
	389	Ordinance regarding parking of trailers approved + P. 443
	409	Ordinance on Intersections grades approved
	410	Ordinance on access drives & cuts approved
	419	Ordinance approved on 3rd reading - Intersection grades & on Public R/w
458+		Ordinances on weeds, noxious plants & other obstructions
	474	Ordinance - Mr Cooks thinks changes should be made in Co. ordinance
	511	Ordinances on Abandoned Refrigerators & Abandoned Vehicles approved
	519	Ordinance on weeds & on Obstruction to Vision approved
	602	Ordinance to be prepared for Health Dept. on fees charged.

Order of Garnishment

On Behalf of Alles Bros. vs Bob Coleman - Sheriffs Dept. 45
5 00
order by Comm & that all Monies & quietus go to auditors office

O

P

P

Pleasantview Rest Home

	Surplus Items at Pleasantview discussed	9,23,
	appraisal figures by Center Twp. assessor	11
	Public Hearing on Pleasantview Rest Home	13
	Survey submitted for Pleasantview property	25
	Appraisals to be made on surplus items	9
	Request for property to be surveyed of Center & Co. assessor	10,36,
	Discussion of law suit over closing Pleasantview	38
	Comments on appraisal of Home	58
	Comments on Gas & Electric bill for the Home	64
	Discussion on Pleasantview Rest home & Brehne	94
	Surplus goods - notice to be sent to Co. officeholders	114
	Pictures found at Pleasantview	129
	Storage units to be moved from Pleasantview	130
	Report by Mr Hotz on used clothing - & surplus desks	165
	Mr Hotz asked to check phone removal.	165
	Vehicles from Pleasantview distributed	168
201	Report by Mr. Hotz on surplus property at Pleasantview	174
	Comment on abstracts for Pleasantview & Boehne	183
	Problem of trash being dumped at Pleasantview	201
	Gas tanks, Pump & gasoline to be moved from Pleasantview	224
313	Comment by Mr. Hotz on removing all surplus from the home	226
321	need for night watchman.	313
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	Pleasantview bids & plans discussed as to acceptance	377
	New specs discussed for sale of Pleasantview Rest Home	381
	Discussion of night watchman at Pleasantview	385
Bond	Pleasantview employee decision on claim of former employee	390
	Specs submitted for auction of Pleasantview.	390
	approval of specs for auction by Commissioners	401
	Security at Pleasantview discussed	404
	Laundry Equipment to be included in specs for sale of prop.	412
Bond	Pleasantview Employee Decision on Emberger	416
	Floor plans submitted on Pleasantview Rest Home	450
	Notice of sale or lease purchase on Sept. 26, 1977	453
	Special Meeting of Auction at Pleasantview	465
478-485	Comments on sale or lease purchase of Pleasantview	474
	Comment on Inactive Storage Records of County	475
	Comment on personal property at Pleasantview	483

Poor Relief

11,28.		Ronald E. Fark - 1302 Harriet St - Pigeon twp.	11,28.
54		Mable D. Nichols - 15 E. Iowa - Pigeon twp.	
83		Robert Ellis - 914 E. Blackford - Pigeon twp	
84		tony Williams - 445 S. 13th. St. Pigeon twp - didn't show	
103		Margaret Yates - 106½ S. Governor - Pigeon twp	
104		Pearl Money - 1301 W. Eichel - Pigeon twp.	
123		Ruth E. Weir - 811 E Powell - Pigeon twp	
158		Leslie Snodgrass - 101 Mary St - Pigeon twp.	
195		Lawrence Hall - 1913 W. Ill. St - Pigeon twp.	
224		Mary Cop - 952 Ravenswood - Pigeon twp	
253		Wm Charles Tenwick - 521 Barfield - Pigeon twp.	
254		Georgia Rowan - 205 E. Chandler - Pigeon twp.	
305		Georgia Mae Hobby - 734 Bayard Pk. Dr. Church helped her	316
340		Patricia Undershill - 113 E. Eichel - Pigeon twp.	
387		Willie Madison 307 N 6th Ave - Pigeon twp.	
412		Oney Langley 803 E Chandler Pigeon twp.	
421		Nathan Bigham 202 W. Indiana - Pigeon twp.	
422		Paul Ray Jarvis - 905 SE third St. - Didn't show	
422		Frances Harp - 1178 N. 3rd Avenue - Didn't show	
433		Vickie Marie Smith - 2214 W. Iowa St. - Pigeon twp	
462		Georgia Hobby - Pigeon twp	
475		Eugene Edward Sipson - 303 Waggoner Pigeon twp	
523		Richard Bertram - Pigeon twp - failed to appear	
539, 550		Hollis Johnson - 921 Linc St. Pigeon	
594		Wanda Sue Joyce - 903 Judson St. Pigeon	
610		Janice Wilson - 434 S. 13th. St. Pigeon	
612		Larry Wayne Cardwell - Civic Plaza Hotel Pigeon	P. 612 - didn't show
622		Bobby Earl McCorkle - 1314 Powell St. - Pigeon	

Pleasantview - Cont

	Review of happenings on sale of Pleasantview	490
506 -	Other surplus items to be added to list for surplus equip.	495
	Discussion on Pleasantview postponed	500
	Sale of Pleasantview to be re advertised for bids	609

Public Hearings - Con't. & Problems.

548, 563, 570	Problem on Garrison Avenue
582	Problem on pay to Mrs Joeckel for R/w - now wants more money for trees
582	Problem with bills from Ceylonnian Constr. Co.
592	Proposal submitted for school bus snow routes.
597	Public Hearing on Incorporation of McCutchanville
603	Position open for assistant to County Council.

P

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	Problem of trucks tearing up roads to be discussed	93
	Petition to clean Pigeon Creek submitted	99
	Pigeon Creek Log Jam discussed	120
	Pictures found at Pleasantview Rest Home	129
	Postal matter discussed by Co. Treasurer	157
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	Petition to vacate Haleck Ln. deferred - no report as yet	188
	Proposal on speed limits forthcoming C-201	
	Public Hearing requirements of Revenue Sharing from State	261
	Public Hearing set on best use of Boehne property	266
	Proposal from Warrick County to reconstruct road	285
	Border Road to be repaired	285
	Public Hearing on Revenue Sharing Funds - guidelines	286
	Public Hearing on use of Boehne	287
	Petition submitted requesting street speed limit on Hillsdale	297
	Personal property found in clerks office	298
	Petition submitted requesting discontinuance of any new roads	318
	Public Hearing on Revenue Sharing Funds	324
	Predictions of Tax levies submitted - from Purdue Univ.	330
	Problem of East Side Drainage - Lochmueller	345
	Plans for subdivisions now go before Commissioners	345
	Plans for installation of culvert on East Side signed	345
	Petition to vacate Happel Road - Jack Van Stone	351
	Petition to accept Miller Road	363
	Public Hearing on budgets in Revenue Sharing	377
569	Property Tax matter - Co Treasurer	400
	Pavement marking - engineering approved	410
	Problem of concrete sinking in front of Auditorium	417
	Problem at Auditorium - walk collapsing	429
	Problem of weeds at Walnut Lane + Martin La	430
	Petition to vacate Caranza Drive C. 436	
	Petition to incorporate Town of McCutchanville	478
	Programming for federal monies - Lynch Road	487
	Performance Bond - Evansville Wet Heat - Boiler replaced - Auditorium	524
	Petition on Hillsdale Drain	535
	Problem on County right of way on Browning Road	536
565	Public Hearing on St. Joe Ave. set for Dec 15, 1977	549
	Public Hearing on Incorp. of McCutchanville set	553

Q

	63	Question on heat regulation in Bldg.	
	131	Question on moving surplus items to Budette Park	
187 –	173	Question of ownership on 2 parcels of property - 34-164-20 & 21-69-30	
	177	Question on Backhoe at Bohne prop.	
	232	Question on zoning of Bohne & Clearantview	
	545	Question of pay while on Jury duty. – also P. 559	
	580	Question of R/W being purchased for Lincoln Ave & Bonneville – New Harmony	

Q

R

223	Railroad crossing on Green R. Rd. at Daylight discussed	
454	Rate Increases proposed for Auditorium - approved	

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Resignation of C. K. Arden from Airport Auth. Dist. Brd.	20
Resignation of Wm. Karff Jr. - Co. Hwy. Foreman	249

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	19	Breakdown on Money allowed for German Twp: Reassessment	

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Request for leave of absence - Kathy Stonestreet	6
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Request to travel - Gary Wagner - German Twp. trustee	22
Request to travel - Alvin Stucki - Center twp. trustee	22
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Request from Mr. Ryan to accept Tennis Lane	56
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Request from Judge Dietsch for "call waiting" phone service	67
Request from School Corp to remove walls at West Heights School	97
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Request for travel from Co. assessor in Chicago	127
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Request for access of curb cuts by Mr Seibert & Mr. Saletta	181
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Request from Mr. Peters to clean a branch of Sontag Stevens Ditch	196
Request for additional phone line from Judge Kissinger	209
Request from Mr. Siebeking to use Co. trucks to haul Auditorium gravel to Petersburg plant	213
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Requests - Con't

269 Request of reimbursement of 209.70 by National City Bank on prisoner
282 Request to travel from Gigeon & Knight twp assessors
282 Request for telephone for Superior Court.
288 Request from Bldg. Commissioner to move a house.
290 Request for leave of absence of E. Imogene Haney - Superior Ct. Clerk.
293 Request to travel - M Wagner - Jerman Twp. assessor
300 Request for telephone from Area Plan.
302 Request by M. Hotz to take truck from Alcoholic Help Inc.
315 Request for Code a phone from Cooperative Extension Service
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330 Request for bulk mailing permit - Extension Agent
331 Request for street name changes - M Bussing
333 Request from Fred Dewes to travel to confuena in San Francisco
333 Request from Sheriff De Groote to send Sgt Beck to conference
334 Request of Area Plan by Comm. to change bi laws.
345 Request for meeting on Revenue Sharing for next year.
358 Request for appropriation of funds (Bridge) to go before Council
359 Request to return funds to Cumulative Bridge Acct.
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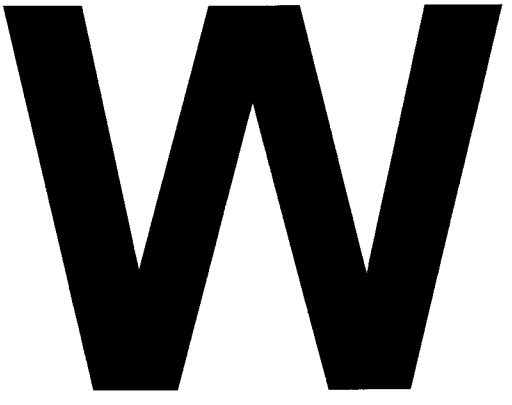

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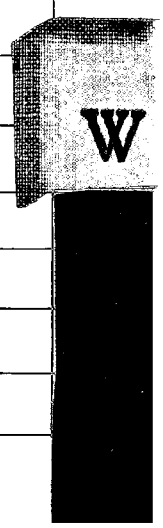
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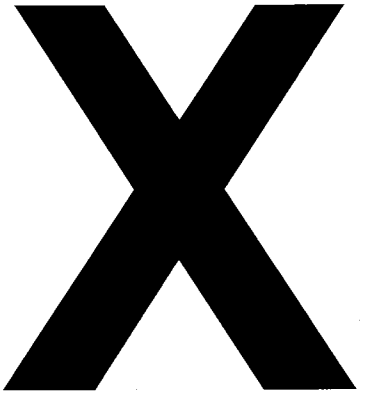

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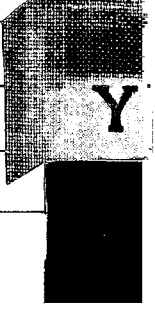
	370	Youth Emergency Service - Request financial help	
	381	Youth attention Home - "Sharon Thee" discussed - Money requested	



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COUNTY COMMISSIONERS MEETING
JANUARY 3, 1977

The meeting of the County Commissioners was held on Monday, January 3rd. 1977, at 9:30 a.m. in the Commissioners Hearing Room.

The meeting was opened by Deputy Sheriff Terry Hayes, this being the first meeting of the month.

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

At this time, Commissioner Schaad stepped down as President and for the re-organizational meeting, he asked that Commissioner Willner take over the meeting for the election of officers.

RE: ELECTION OF PRESIDENT

Mr. Schaad nominated Mr. Ossenberg as President of the County Commissioners for the year of 1977. Mr. Ossenberg seconded the nomination. So ordered by consent.

RE: ELECTION OF VICE PRESIDENT

Mr. Ossenberg nominated Mr. Schaad as Vice President of the County Commissioners for the year of 1977. Mr. Schaad seconded the nomination. So ordered by consent.

RE: LETTER OF RESIGNATION

The following letter was received from Ms. Emily Fowler who was president of the County Park Board, dated December 28th. 1976:

Dear Tom:

Please accept my resignation from the County Park Board, effective December 31, 1976. Thank you very much for allowing me to serve on the Board these past years. It was a new experience and perhaps some day I might be able to serve our community and party again. Thanks again.

Sincerely, Emily Fowler

Commissioner Ossenberg said he would like to commend Emily since she did an outstanding job out there and was at every meeting.
He said that she has served as president for the past two years.

Commissioner Schaad said he thought a letter should be sent her by the Commissioners, to acknowledge her service to the County Park Board and Commissioner Ossenberg agreed.

RE: APPOINTMENTS FOR 1977

COUNTY COMMISSIONERS

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

EXECUTIVE ASSISTANT TO COUNTY COMMISSIONERS

Marsha Smith

SECRETARY TO COUNTY COMMISSIONERS

M. Doris Wolf

COUNTY ATTORNEYS

Paul Wendel
Edwin R. Smith, Jr.

AREA PLAN COMMISSION

Not filled as yet

VANDERBURGH AUDITORIUM

Fred Dewes, Manager
Katheryn Appuhn, Ass't. Mgr. & Secretary

BUILDING SUPERINTENDENT

Herman Hotz

COUNTY PARK BOARD

Tom Ossenberg - Term of Office
Don Henry - 12-31-79
Michael Maier - 12-31-78

COUNTY JAIL PHYSICIAN

Quentin Emerson, M.D.

COUNTY HIGHWAY DEPARTMENT

Jack Siebeking, Superintendent
Clarence Rueger, Road Inspector

2

APPOINTMENTS FOR 1977....CON'T.

INSURANCE

Hahn & Becker) .... Health Insurance
Paul Torian) .... Agent of Record
Gerald Dauble .... Life Ins. Agent of Record

LICENSE EXAMINERS BOARD

Tom Ossenberg

VETERANS SERVICE OFFICER

Robert Moran

COUNTY COUNCILMEN

Daniel C. Kollker
Robert Lutz
Paul Ahrens
William Taylor
Harold Buck
Irene Mooney
Otto Niethammer

RE: EMPLOYEES FOR 1977

AUDITOR

Curt John
Georgia Benson
Martha Calkin
Bette Carrigan
Cindy Decker
Janice Decker
Marian Ellsperman
Gloria Evans
Willetta Freihaut
Mildred Fuquay
Sherry Grant
Dolores Gugin
Janice Jackson
Lily LeBlanc
Alice McBride
Margaret Meeks
Lucille Musgrave
Beverly Nance
Ann O'Risky
Peggy Powless
Martha Schenk
Jean Wilkey
Sylvia Williams
Dorothy Wilson
Terry Woodward
Janet Zeller

COUNTY RECORDER

Estella M. Moss
Lucille Elliott
Virginia Landers
Beverly Kempf
Lillian N. Young
Susan Hites
Aline Payne
Marie C. Evans

AUDITORIUM

Fred C. Dewes
Katherine Appuhn
Earl Schoenbachler
Jessie Byers
Dwight Taylor
Ruby Norris
Henry Overby
Josephine Van Dyke
Mike Genet
Anita Glover

CLERK OF THE CIRCUIT COURT

Shirley Jean Cox
Helen L. Kuebler
Linda M. Delano
Nancy Kleiman
Florence Hess
Joyce Fields
Imogene Haney
Jane Steber
Barbara Bruner
Doris Cato
Jean Schaefer
Rose Smith
Velma Knight
Grace Wohlhueter
Frances Gates
Sharon Taylor
Debbie Hunter
Beatrice Phillips
Jennifer Wagemann
Carol Nyhuise
Sylvia Schnerr
Jacqueline Trail
Susie Smiley
Sally Kaster
Janet Edwards
June Cosgrove
Sue Kyte
Donna Dugan
Jean Ritter
Etta Mae Mueller
Dorotha Buente
Lorraine Dean
Sharon Owen
Bertha Greubel
Ruth Porter
Lee Crow
Betty Dosier
Doretta Fairchild
Susan Merrick

AREA PLAN COMMISSION

Charles G. Osterholt
Ann R. Schmidt
Jeffrey L. Wilson
Elizabeth Anderson
Mary E. Keown
Brenda Goldbach
(other monies)
Clifton Sebree
Paul Partington
Frank Seib

TREASURER

Lewis F. Volpe
Gilbert C. Schiff
Doris Whobrey
Helene Sprinkles
Roberta Burkhart
Doris J. Dimellow
Beatrice Freeman
Kathy Crow
Betty Burton
Barbara Hedges
Carmen McAtee
Juanita Jones
Pam Hopson
Martha Green
Sally Jo Franklin
Louise Gunther
Emma Hood
Brenda Carney

BURDETTE PARK

Bob Hertzberger
Raymond J. Wolf
Cheryl Gentry
Kenneth Mitz
Chuck Hertzberger
Gregory Smith
Barbara Hertzberger
Joyce London
Maria Huffman
Robert Euhl
Michael Higdon
Larry Jones
Branson Hart, Jr.
Harold Babbs
James Evans
Charles Newton
Michael Maier
Don Henry
Daryl Blackburn

COUNTY ASSESSOR

James L. Angermeier
Mary L. Garrison
Zreeta Hardin
Monica E. Mindrup
Madge Bunker
Meraloyd Stansberry
Cheryl Lawrence
Wm. H. Oliver, Jr.

SHERIFF'S DEPARTMENT

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

SHERIFF'S DEPARTMENT - CON'T.

William J. Speicher
Philip Strange
Michael R. Taylor
Anne K. Therber
Robert Trible
Joseph Winfield
Larry Barchet
Thomas Rademacher
Sandra Shuler
Linda Greet
Barbara Williams
Stephen L. Bequette
Rick E. Chambers
Donald G. Harris
Thomas L. Wallis
Floyd E. Kassel
Jess Julian

PROSECUTOR

Jeffrey Lantz
Robert E. Zoss, Sr.
J. Douglas Knight
Carl A. Heldt
Jerry Atkinson
Roy A. Tyler
Ronald Freson
J. Robert Kinkle
Steven L. Bohleber
Michael Hayden
David Zengler
David Shaw
Mabel Winkler
Sue Vance
Connie Skinner
Steve Barron
Faye Stinson
Patty Yates
Mark Owen
Jack Miller
Louis Grewe
Jack Miller
Scott Bowers

COUNTY CORONER

David Wilson M.D.
A. J. Venables M.D.
Earl K. Cox
Mary F. Westfall

CO-OP EXTENSION SERVICE

Jack D. Wade
Allen E. Boger
Joe A. Milner
Janice G. Breiner
Jane E. Heramb
Betty M. Bumb
Anna J. Krack
Debra E. Etienne
Rosemary Coley
Rosalie Mesker
Marilyn Statz

VETERANS SERVICE

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

COUNCIL OF GOVERNMENTS

Robert Y. Bowman
Mary Reno Brown
Andrew L. Furedy
Duane Mann
William Mills
Patsy J. Lester

SUPT. OF CO. BUILDINGS

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

LEGAL AID

Donald F. Connor
William Woods Deems
Margaret S. Ruedlinger
Brenda Heck

DEPT. OF PUBLIC WELFARE

Mary L. Ahles
Maury Anthony
John F. Appuhn
Gary C. Barnett
Alayne H. Bartelt
George M. Barton
Norman W. Baumgartner
Ruth A. Baumgartner
James E. Baxter
Mildred J. Beeler
Jeannette E. Bey
Aaron M. Biggerstaff
Judith K. Boettger
Debra A. Boger
Glenda F. Bott
Leanne Branch
Roberta L. Brewer
Barbara L. Bridwell
Nan E. Britton
Alma M. Buecher
Joseph L. Burch
Norman C. Butler
Mary N. Carroll
Susan E. Carson
Veronica J. Chittenden
Thomas N. Coe
Virginia L. Combs
Lawrence L. Congleton
Helen M. Cook
Marcia A. Coomes
Virginia C. Cox
Mary L. Daniels
Wanna D. Dean
Deborah J. Denton
Lindy L. Deusner
Elizabeth M. Dick
Phyllis A. Donahue
Ethel A. Elkins
Denise A. Elvestrom
Terry S. Fehd
Sydney L. Finney
Frank Fish
Gerald L. Flick
Irene M. Frakes
Dionna L. Garrison
Jane H. Gerard
Diana L. Gorman

DEPT. OF PUBLIC WELFARE - CON'T.

Patrick J. Graham
Bonnie S. Greenfield
Armitta C. Hahn
Fred A. Haton, Jr.
Doris A. Havens
Robert A. Hay
Michael R. Hazen
Phyllis A. Heise
Connie K. Hendrix
Alan D. Hert
Beverly A. Hester
Clifford E. Higgason
J. Kathleen Hirsch
George R. Holmes
Shirley S. Hopple
Susan J. Hudson
Mary L. Hudspeth
Vernita L. Hufnagle
Devin L. Hunsucker
Frances Hyatt
William M. Igleheart
Walter M. Julian
Lynda S. Kendall
Phillip L. Kiely
Judith A. Koby
Lionel L. Koehler
Wilma J. Korff
Jennifer L. Lamb
Joan K. Lang
Marsha K. Leistner
Barbara E. Lipper
Catherine M. Lovelace
Rubylee Lowe
Elbert A. Lynch
Marilyn S. McClain
Diane S. McCool
Betty L. McGlone
Karen S. Markham
Ruth A. Metz
Janet G. Miller
Jennifer C. Miller
Wanda P. Miller
Robert C. Mills
Anna G. Mueller
Mary E. Nelson
Jean Newman
Jean M. O'Daniel
Jan E. Oliver
Deegee Painter
Louisa F. Paris
Carol S. Parmenter
Mary L. Pearce
Wilhelmina M. Perkins
Stephen M. Pitt
Patricia A. Rager
Barbara J. Reherman
Mary A. Reitz
Janice F. Reutter
Patricia Rhiver
Nancy C. Rhoades
Daniel L. Riordan
Theresa M. Rizen
Donald R. Roberts
Stephen Robbins
Susan E. Rogers
Mildred C. Ross
Emily W. Sanderson
Hilda M. Schatz
Janis L. Schlimmer
Gertrude M. Schnacke
Donald A. Schuldt
Jane E. Scott
Dorothy L. Sells
Thomas W. Sergesketter
Anna M. Skelton
Vickie M. Small
Bernitta R. Smith
Jeffrey W. Smith
Joyce E. Spayd
Patsy A. Sproatt
Frank L. Staton
Diana L. Steurer
Paul M. Stofleth
Elizabeth A. Sutton
Courtney L. Thomas
Dorothy J. Thomas
Trent C. Tucker
Shirley S. Tyree
Jean R. Van Hoy
Vickie L. Vincent
Mary E. Welch
James A. White
Marine L. Will
Thelma M. Williams
Faye A. Wilson
Janella L. Wirth
Timothy B. Wirtz
Alberta M. Wolf
Willie M. Word
Robert D. Work
Gary W. Wortman
Robert E. Young

HILLCREST WASHINGTON

Denzil E. Reed
Bernice L. Roedel
Laverna M. Reiter
Mary J. Alvis
Versie Burgdorf
Thelma I. Byers
Mable Carroll
Sylvia Edwards
Iva B. Fowler
Raphael A. Gingrich
Velma L. Gignrich
Rena H. Green
Annie E. Hawkins
Edith Irene Kopernik
Dorothy Reed
Verlie E. Rupp
Lois Sanders
Robert M. Thomas
Gertrude Thomason
Elizabeth Williams
Myrtis Williams
Nettie Whitaker
Mary Jane Dubuque
Carrie Hanshaw
Mildred Smallwood
Mary K. Voyles
Nancy Woolsey
Austin F. Dubuque
Irene Baldwin
Edna DeTalente
Virginia Sutton
Margaret Winiger
Michael Stacey

VOTERS REGISTRATION

Mabel Lurker
Beulah M. Evans
Dorothy Block
Travis F. Rayburn
Jo Evelyn Gaffney
Amelia L. Tornatta
Wandalee Cain
Virginia Massey

HIGHWAY DEPARTMENT

Jack Siebeking
Jerry Linzy
William C. Korff
Gilbert D. Harris
Ella Mae Sheets
Virginia K. Hobbs
Clarence Rueger

TRASH

Robert White
Thomas Schmitz

DOG CATCHERS

Larry J. Phillips
William Bayne

TRUCK DRIVERS

Eugene Follis
Donald Gartner
Joseph Geiser
Kirk Humphrey
Harry Woods
Dennis U. Merideth
Larry Babbs
Charles Kelsie
Russell Schroeder

HEAVY EQUIP. OPERATORS

James Bell Albert Gartner
Mark Krueger
Roger Kissel
Harold Steckler
David Liggett

LABORERS

Andrew Wade
Allen Brigham
James E. Caldwell
James Howell
Clayton Jenkins
Sam Robinson
Mark Montgomery
Michael O'Brien
Charles Gee

LEAD MAN

George Cummings

MECHANIC'S

Walter Swope
Wallace Plunkett
William Martin

HIGHWAY DEPARTMENT...CON'T.

NIGHTWATCHMEN....GREASE MAN
JANITORS

Charles E. Smith
Albert Knarian
Homer Ray
Arthur Kibby
Delbert Deig
Joseph Folz

GAS MAN & TOOL CRIB MAN

Victor Bryant
Urban Kahre

KNIGHT TOWNSHIP ASSESSOR

Roman F. Gehlhausen
Maxine F. Ginger
James L. Kornblum
Patricia DeVault
Ramona Barrett
Portia Miller

ARMSTRONG TOWNSHIP ASSESSOR

William C. Hepler
Marian L. Hepler
Louise Luigs
Francis Martin

SCOTT TOWNSHIP ASSESSOR

Gladys B. Martin
Barbara Ann Wilson
Leona M. Hudson
Norma M. Miller
Paul Kallenbach
Maryin Lundy
Harley Seybold Sr.
Marguerite Richardt
Buford Williams
William D. Killian
Robert Southwood
Louis B. Richardt

CENTER TOWNSHIP ASSESSOR

Alvin E. Stucki
Betty Ann Bawel
Sherry Culp
Ramona Rueger
Wanda L. Johnson

CENTER REASSESSMENT

Shirley E. Stucki
Virginia Parrish
Joyce A. Fields
Mark Bradley
Evelyn Meyer
J. Ervin S. Stucki
Deborah I. Harrison
Judy L. Stucki
Ora E. Dorsey
Gregory W. Denton

PIGEON TOWNSHIP ASSESSOR

Robert T. Dorsey
Dorothea M. MacGregor
Mary Dee Williamson
Judy Stricker
Paula Hardenbrook

PIGEON REASSESSMENT

Ruth L. Calhoun

BUILDING COMMISSIONER

Jesse C. Crooks
Ray Broerman
Charles Legeman
Virgil Admire
Thomas Mackay
Eldon Robinson
Jesse Brown
Paul May
Joe Freeman
Bill Mitchener
Steve Bush
Harriett Hartig

CETA EMPLOYEE

Carolyn Clements

SURVEYOR'S OFFICE

Robert Brenner
Dan G. Hartman
Rosemary Carr
Dave Guillaum
David A. Brown
Marvin G. Karch
Gary Gulledge
Alvin Paul
Danny Kares
Lloyd Rittenour
John Singer
Gene Kautzman
Charles Davis

CIRCUIT COURT

William H. Miller
Ruthetta Graves
Louise DeVoy
Brenda Boyd
John G. Bunner
Berry L. Standley
Mildred Harp
Willard L. Walls
John Harl
Maxine Buchanan
Robert L. Saunders
Margueritte Harding
Kenneth Don Hood
Thomas Norton
Melanie Heltsley
Terri Golding
Steven Scott
David Hatfield
Richard Reed
Joe Adams
Dan Williams
Harry Elmeier
Jerry Brandenberger
Robin Kinney
Charles Smith

Commissioner Schaad moved that all employees for 1977 be approved as presented. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR LEAVE OF ABSENCE

The following letter was received from the County Clerk:

Dear Sirs:

I would like to submit for your consideration and approval a request for a Leave of Absence for Kathy Stonestreet, an employee of the Vanderburgh County Clerk of the Circuit Court Office.

She was hospitalized on December 14, 1976 and is still confined at this time and has informed me that following her release she will need several weeks before full recovery and I am uncertain at this time when she will be able to return to her job.

I have assured her that her insurance benefits will be carried by the County for ninety (90) days provided she pays the premium directly to the Auditors Office that is normally withheld from her pay.

She has proven to be a good employee and I sincerely hope the request for a Leave of Absence will be granted effective January 1, 1977.

Most Sincerely, Shirley Jean Cox, Clerk

Commissioner Schaad moved that this request for a leave of absence be approved. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY CLERK

Etta Mae Mueller	1508 S. Red Bank	Dep. Clk. Bkkpr.	$254.88 Pay	Eff: 1/1/77
June Cosgrove	205 W. Buena Vista	Temp. Dep.Clk.M&T	$243.11 Pay	Eff: 1/1/77
Lee Crow	R.#5 Box 183	Dep. Clk. Bond & Fine	$243.11 Pay	Eff: 1/1/77
Betty Dosier	615 S. Craig	Dep. Clk. Bond & Fine	$243.11 Pay	Eff: 1/1/77
Doretta Fairchild	801 E. Chandler	Dep.Clk.Bond & Fine	$243.11 Pay	Eff: 1/1/77
Susan Merrick	509 Oriole Dr.	Dep. Clk.Bond & Fine	$243.11 Pay	Eff: 1/1/77

BURDETTE PARK...COUNTY PARK BOARD

Michael Maier	611 S.E. First St.	Co. Park Brd. Member	$25.00 Mo.	Eff: 1/1/77

SHERIFF'S DEPARTMENT

Stephen L. Bequette	600	Marigold	Civilian Jailer	$6,480.00 Yr.	Eff: 1/1/77
Rick E. Chambers	900	Cullen	Civilian Jailer	$6,480.00 Yr.	Eff: 1/1/77
Donald G. Harris	15	N. Kelsey	Civilian Jailer	$6,480.00 Yr.	Eff: 1/1/77
Thomas L. Wallis	1531	N. Roosevelt	Civilian Jailer	$6,480.00 Yr.	Eff: 1/1/77
Floyd E. Kassel	1600	Uhlhorn	Process Server	$2,500.00 Yr.	Eff: 1/1/77
Jess Julian	1116	Lodge Ave.	Process Server	$2,500.00 Yr.	Eff: 1/1/77

RE: EMPLOYMENT CHANGES.....RELEASES

BURDETTE PARK.....COUNTY PARK BOARD

Emily Ann Fowler	918 Lombard	Co. Park Brd. Member	$25.00 Mo.	Eff: 12/31/76

COUNTY CLERK

Jacqueline Baker	3305 Oak Hill Rd.	Dep. Clk. Bkkpr.	$254.88 Pay	Eff: 12/31/76
LOA for Kathy Stonestreet	206 E. Delaware	Dep.Clk.M&T	$243.11 Pay	Eff: 1/1/77

PIGEON TOWNSHIP ASSESSOR

June Hallenberger	1409 Fountain Ave.	Clerk	$16.10 Day	Eff: 12/17/76

RE: HOLIDAYS FOR 1977

(New Years Day...Friday, Dec. 31, 1976)

Lincoln's Birthday.....Monday, February 14, 1977
Washington's Birthday.....Monday, February 21, 1977
Good Friday.....Friday, April 8, 1977
Memorial Day.....Monday, May 30, 1977
Independence Day.....Monday, July 4, 1977
Labor Day.....Monday, September 5, 1977
Veterans' Day.....Friday, November 11, 1977
*Thanksgiving.....Thursday, November 24 & Friday, November 25, 1977
Christmas.....Monday, December 26, 1977

*Due to many requests we have substituted the day after Thanksgiving in lieu of Columbus day.

RE: COMMENTS BY COMMISSIONER WILLNER

Commissioner Willner said that he saw, on the Agenda of the County Council for this afternoon at 1:00 p.m., that the Commissioners have requested for an additional secretary for the Commissioners office and said that it wasn't brought before this body and therefore the minutes do not speak to this and he doesn't think it is legal for the Commissioners to go before the Council without first going through the Commissioners meeting.
He said they are asking for $7,000.00 which is a raise over last year's budget of $3,800.00 and he believed this was wrong, also that before the election, there was a statement read by Commissioner Ossenberg, at that time, that the Commissioners were not going to take a salary increase for 1977 and now, just three days after the salaries are to take affect, they have asked for a $3,800.00 raise of new monies that comes from the taxpayers of Vanderburgh County and he wants to go on record as being violently opposed to this.

Commissioner Schaad said this isn't a new employee to begin with, that it is to make Doris Wolf full time, that she was put in the budget for 1977 as full time and the Council didn't allow it so it isn't anything new, that they are just asking for what was requested in the budget, also that it isn't political in any way, that it was a fact before, although Commissioner Willner is trying to make something of it in that way.
He said that if Commissioner Willner will remember, it was put in the budget last year for 1977 and that was long before election.

Commissioner Willner said it is still new money.,

Commissioner Ossenberg said in the interest of his statement, it was totally for the Commissioners and for the four years he has been in this office, he has refused a pay raise, since he knew what the pay was when he ran for office and that is exactly what he intends to stay with, so he isn't accepting any raises, but as far as the secretary, it is as Commissioner Schaad had said, that it was in the budget for 1977 and at no one time did he feel that it was something held as a political deal or anything, that he just stated a fact about the County Commissioners per se.

Commissioner Willner said it will cost the taxpayers $2,480.00 above what was appropriated to befin with, to run the Commissioners office.

Commissioner Schaad told Commissioner Willner that when they did put it in the budget for 1977, he could have looked over the budget at that time and that he didn't voice any objection on putting the secretary in at full time, that it seemed to him that would have been the time to voice any objection.
He said he and Commissioner Ossenberg feel that the full time secretary is needed since the work load in the office has increased greatly.
He agreed that this is new money but asked Commissioner Willner why he didn't mention it when this money was put in the budget, if he was opposed to it.

Commissioner Willner said had he known it, he would have objected.
He asked the other Commissioners if they agreed, that before they go before Council, a request should first be cleared by the Commissioners or do they just walk in off the street and go before the Council.

Commissioner Schaad said he would have to ask that of the Council, to which Commissioner Willner said he would attend the Council meeting this afternoon, that he believed this was wrong and he believed the Commissioners were trying to hide something and he thought it should come before the Commissioners before it goes before Council and he is positive that it is required by law, to go through the Commissioners minutes, since every County Attorney they have had in the past eight years has said that the County Commissioner's speak only through their minutes and the minutes do not reflect that it was agreed upon.

Commissioner Schaad repeated that when their budget for 1977 was prepared, Commissioner Willner had the opportunity to examine the budget and if he had any objection, thoughts or suggestions about it, he should have said so before it went to Council for approval.
He said they had budget hearings and met with department heads to go over the budgets.

Commissioner Ossenberg asked Commissioner Willner if he is then suggesting that any department head, officeholder or anyone who has anything to do with government, should come before the Commissioners before going before Council.

Commissioner Willner said "no", that he was speaking of only those that come under the County Commissioners budget.

Commissioner Schaad and Commissioner Ossenberg agreed that they have no objection to this practice but Commissioner Schaad said as far as that is concerned, it is a question as to how much time they want to spend in the office to know what is going on, that if he doesn't show up and not be there, he can't know what is going on. They also agreed that there was no intention of hiding anything since this was brought out in the open and if it should go through the Commissioner's meeting, this is something else.

Commissioner Willner said that another part of the statement he heard was that the Council took a sharp knife to the republican office holders and he finds that the Sheriff, the Clerk, Burdette Park and the Courts got 90% of all new monies and three of them are republican officeholders so this statement was also untrue.

Commissioner Schaad told Commissioner Willner that he was getting off the subject and if he wants to make a political speech, he didn't think this was the proper place for it.

Commissioner Ossenberg assured Commissioner Willner that in the future, that when anything comes up, it will first come before this body.

Commissioner Schaad listed the meetings that were held on budget hearings and said there were thirteen meetings held that Commissioner Willner was invited to attend and he didn't show up.

RE: REQUEST FROM NEW HOPE BAPTIST CHURCH

A letter was received from the New Hope Baptist Church which reads as follows:

Dear Sirs:

The Inter-racial Ministerial group of Evansville and vicinity is requesting the use of the Gold Room for the evening of January 16, 1977, for the purpose of celebrating the birthday of Dr. Martin Luther King Jr., an outstanding american.

Your support in helping us to secure the service of this building will be greatly appreciated by our group.

Respectfully yours,

Rev. Jack Bonds...East Side Christian Church
Rev. M.H. Austin..Independence Baptist Church
Rev. James Franklin..Masadonia Baptist Church
Rev. W.R. Brown..New Hope Baptist Church
Father Loline...St. John Catholic Church

Commissioner Ossenberg said that the Ministerial Alliance is under the Commissioners budget and goes over to Council and he thought the procedure to be, if they see fit, the Council grants the money and then pays it back to the County,

Mr. John said this request is on the Council Call for today's meeting of the Council and the request is for $300.00.

Commissioner Schaad said he supposed they would do what they have done in the past, that the Commissioners don't give them free rent but if Council gives them money and puts it back, the only thing they can do is to put it before Council and get their decision on it, also that if they do approve the money, he would suggest that the monies they get, before the check is written to them, that it be endorsed back over to the Auditorium before it gets away.

Mr. John said that the Auditorium would have to collect the fee though, since it couldn't come through the Auditor's office.

Commissioner Schaad said they would request that Mr. John hold up the check since they have had a bad experience in the past.

Mr. John said they would have to have a contract drawn up also.

Commissioner Ossenberg asked if thecheck could be made out to this group and jointly with the Board of County Commissioners and Mr. John said this could be done.

Commissioner Ossenberg said he sent this group up to Mr. John, that this matter was discussed last week at the end of the meeting, since he had just received a telephone call on it.

Commissioner Schaad moved that this matter be placed on the agenda of the County Council for this afternoon. Commissioner Ossenberg seconded the motion. So ordered.

RE: MR. HOTZ ... SURPLUS ITEMS AT PLEASANTVIEW

Mr. Hotz submitted a list of mens and womens clothes from Pleasantview Rest Home and said that he would like these items to be declared as surplus so it can be offered to the various township trustees.
He said that Mr. Morrison, the Pigeon Township Trustee, has indicated interest in them and said he could use them.

Commissioner Schaad said he has sort of been handling this and he agreed to go ahead and see it through but that there are other things out there they may want to take action on at the same time, that there are towels, bed linens, etc., some with the old Boehne Hospital insignia on them and said that perhaps if the trustees could use it in some manner, that they should be offered to them along with the clothing.

Mr. Hotz said he thought Mr. Reed should have had a letter in this morning for the towels.

Commissioner Schaad said maybe they would be of benefit or more value to the County of the taxpayers if they could be used in some way that poor people could use them instead of leaving them with the inventory at the Pleasantview Rest Home.

The other Commissioners agreed that if the trustees could use these things, that they be permitted to do so.

Commissioner Schaad moved that the Commissioners declare all the mens and womens new and used clothing as well as all the bed linens and towels as surplus and let the township trustees have it.
He said they will have to make up lists for all of them to give them equal opportunity so they can get what they want, also that the list should be given to the State Board of Accounts so it is on inventory so they will know what happened to that portion of inventory.

Mr. Hotz said that Hillcrest-Washington Home and Pleasantview Rest Home had made use of these towels and bed linens and Hillcrest-Washington is to the point now where they are going to have to purchase some if they don't receive these.

Commissioner Schaad then amended his motion to read that the Hillcrest-Washington Home receive the towels, wash clothes and bed lines and that the clothing go to the trustees.
He said that separate itemized lists should be made and signed by authorized person at Hillcrest or Trustee receiving the items, for the State Board of Accounts.
Commissioner Willner seconded the motion. So ordered.

RE: APPRAISALS TO BE MADE ON SURPLUS ITEMS

Mr. Hotz said that he received three informal estimates on appraising all items at the Pleasantview Rest Home, which are as follows:

Curran Miller.....$15.00 per hour with no clerical help and estimated time for appraisals to be 20 hours and additional charges would be made for professionals on certain specialized items and he anticipated starting the job on December 30, 1976.

A-1 Auction.....Fee of $100.00 and for those things that would be sold at a later date, a charge of 7% commission of gross sales which includes all forms, pre-sale appraisal and listing of the services sale date of two auctioneers, also a clerk and cashier will be furnished for each date of the sale at $15.00 each. Labor for pre-sale preparation and grouping the sale items plus labor on sale date other than auctioneers, will be furnished at a charge of $3.25 per hour, advertising to be paid by seller.

Kirsch Auction Co.....$165.00 Fee.....10% of gross sale income or $400.00 which-ever is larger.

Commissioner Schaad suggested they get appraisals from two of these men so they can be compared, regardless of what the purpose for the property may be.

Commissioner Schaad then moved that A-1 Auction Co. and Kirsch Auction Co. both make appraisals, independent of each other.

Commissioner Willner said there is no way anyone can appraise personal property for $100.00, that it is ridiculous.

Mr. Hotz explained that an inventory has been made and that they have established the value of the beds, matresses, chairs and night stands and they are comparable and of about the same value.

Commissioner Ossenberg seconded the motion. So ordered.

Mr. Hotz said he will contact the appraisers and see if they can't get started immediately and that he will contact Commissioner Schaad on any details, since he has agreed to continue working on it.

RE: SIGNS INSTALLED ON ASPEN DRIVE

Commissioner Ossenberg thanked Mr. Judd for installing signs on Aspen Drive. He said they have had a lot of calls on it.

RE: ABSENTEE REPORTS

Mr. Siebeking submitted absentee reports of the County Highway Employees for the past two weeks.
Reports received and filed.

RE: REPORT ON HWY. 65 & BOONVILLE-NEW HARMONY ROAD

Mr. Siebeking reported last week that he had an appointment with Mr. Helfrich from the Indiana Bell Telephone Co. since there are a lot of telephone wires at Hwy. 65 and Boonville-New Harmony Road and Mr. Helfrich was going to show him what they could do, but it snowed that night so with weather permitting, he will meet with Mr. Helfrich tomorrow morning at 9:00 a.m.
He said he has had his crews on the road since 2:00 a.m. so the roads are in pretty good shape.

RE: RESOLUTION ON STRAWBERRY HILL DRIVE SIGNED

Strawberry Hill Drive was accepted by the County for maintenance last week and the Resolution on the acceptance of this street is now presented to the Commissioners for their signatures after being held up for Mr. Nussmeyer's signature. This is Amendment #32.

Commissioner Schaad moved that this Resolution be signed after having been approved. Commissioner Willner seconded the motion. So ordered.

RE: COUNTY SECTION CORNER BOOK MISSING

Mr. Brenner, the County Surveyor, appeared and stated that, legally, he is the custodian of the County Section Corner Book which identifies the location of each section corner and he is supposed to update it 5% per year and the book is not available in the County Surveyor's office. He said he has no idea as to where the book is.

Commissioner Ossenberg asked the Commissioners secretary to call Mr. Nussmeyer and ask him if he knows where the book is.

RE: REQUEST FOR PROPERTY TO BE SURVEYED

Commissioner Schaad said that the entire property that was the Pleasantview Rest Home and before that, the County Home property, encompassed so many acres and back when the former County Commissioners were in office, they leased part of it to Bob Hamilton for the golf course and he would like for Mr. Brenner to survey this property and see what part of it is still Pleasantview Rest Home, that he would like for it to be staked off, since whatever they do with it, he thinks it is important that they know exactly what is still county property that is not under the Bob Hamilton lease.

Commissioner Schaad then moved that Mr. Brenner be given the assignment of surveying this property. Commissioner Willner seconded the motion. So ordered.

Mr. Brenner said he will prepare a map and stake the property off, as well as notate the locations and sizes of the buildings so the Commissioners can see what they have.

Commissioner Schaad explained that as it reads in past minutes of the Commissioners meetings, that both Mr. Angermeier and Mr. Stucki have been requested to appraise the land as well as the buildings on this property so they will have these appraisals. He said it has been a little bit hairy trying to find out just exactly how many acres are still with the Pleasantview Rest Home.

RE: APPRAISAL FIGURES BY CENTER TOWNSHIP ASSESSOR

Mr. Stucki submitted the following letter in regard to the appraisal of the property at the Pleasantview Rest Home:

To the Honorable Board of Commissioners:

I am giving you appraisal figures for Pleasantview Rest Home at the rate during 1968 Reassessment. Current figures are not available at this time.
Mr. Schaad gave me an amount of 22 acres to be included with the buildings.
The assessment breakdown is as follows:

22 acres @ $750 per acre = $ 16,500 divided by 1/3 = $ 5,500
Buildings = 782,850 divided by 1/3 = 260,950

Total True Cash Value $799,350

Total Assessment $266,450

These are the only figures I can give you at this time, not knowing the exact amount of acres that will be included in your lease.

Sincerely yours,
Alvin E. Stucki, Center Assessor

Commissioner Schaad said this is what he was talking about, that someone has always told him that it was around 22 acres and it couldn't be documented so he thought they could still use his appraisal and he based it on $750.00 per acre so if they come up with exactly the number of acres, they can figure it.

County Attorney Smith gave Mr. Brenner a copy of the lease that the County has with Bob Hamilton for the golf course.

RE: MR. BRENNER...QUESTION ON SALARIES

Mr. Brenner said there appears to be a discrepancy in some of the salaries in the Surveyor's office.
He asked if it is possible that someone is paid less than what is budgeted for a particular job.

Mr. John said it is possible that someone is paid less than what is budgeted since the salary ordinance just sets a maximum they can pay.

RE: POOR RELIEF

Ronald Edward Fark....1302 Harriet St...Pigeon Township...Ms. Walters, Investigator

Mr. Fark had requested that the Trustee pay his rent and the Relief Action by the Trustee shows that he was denied for the reason that other resident is available at less expense.

Mr. Fark said he wanted his rent paid and he went to the Pigeon Township Trustee's office and talked to Ms. Walters and she said he should first get food stamps so he did and then went back and Ms. Walters said something about him moving into a housing project so he talked to his wife and she said she didn't want to move, that she wanted to stay where they were.
He said he didn't have any way to move them anyway and they had previously lived in a housing project and didn't have anything but trouble when they lived there

and he would just like to get his rent paid. He said his parents don't have any place for them to stay, also that he did work at the Tri State Fabricators but was laid off in November. He said he was trying to get his unemployment and he has to go before the Board to appeal his case on January 13th. at 9:30 a.m. He said his rent is $98.00 per month on a three room apartment, upstairs and he is a month behind.

Commissioner Willner asked Mr. Fark why he was laid off from Tri State Fabricators.

Mr. Fark said he got a three-day lay off and when he went back they told him he was fired.

Commissioner Willner asked Mr. Fark if they dismissed others or just him.

Mr. Fark said they got rid of everyone on the second shift.

Commissioner Ossenberg asked Mr. Fark if his wife worked and if he had any children.

Mr. Fark said his wife didn't work and they have no children.

Commissioner Willner asked Mr. Fark if he had any health problems as the reason he can't work and if his wife is willing to work.

Mr. Fark said he has no health problems, that he just can't find a job and that his wife is willing to work.
He said he isn't getting any unemployment now and that it usually takes two weeks after he appeals his case and if he gets it, he will get all his back pay and his unemployment will be $39.00 per week.

Ms. Walters said Mr. Fark came in on December 28th and wanted his rent paid and she asked for his last rent receipt and the last one shows that his rent was paid from November 20 to December 20, 1976.
She said she advised him to get certified for food stamps and she gave him a form to take to the employment office to have filled out and he returned the next day but didn't bring the form back and he didn't say anything about being certified for food stamps and she advised him to go to the Housing Authority to fill out an application for an apartment since she had called Ms. Summerfield at the Housing Authority and they had an apartment available.
She said the Trustee was going to pay the $40.00 security deposit and the $52.00 rent which would be $92.00 for the first month and they would pay $52.00 per month thereafter, which would be cheaper than their present rent but he didn't go to the housing authority.
She said that the Trustee had paid their rent to the Housing Authority from February until May, also, she called Robert Hart at Tri State Fabricators and he said that Mr. Fark worked there for thirteen weeks and out of this time, he worked 40 hours in 2 weeks and he said that more or less, they were working for him instead of him working for them, since he never worked a full week and they got tired of this so they fired him.

Mr. Fark said he could prove his work record by his check stubs and if he knew this was coming up, he would have brought them, also that that he told Ms. Walters to call his landlady and she would verify his rent being past due but she wouldn't do it.

Ms. Walters said that when Mr. Fark came in on December 30th. he had a different rent receipt that was written on a plain piece of paper for $49.00 but on the the receipt he brought in the day before, it was the regular rent receipt and it wasn't in the same handwriting.

Mr. Fark said it was the same receipt and was in the same handwriting.

Ms. Walters said the Trustee was willing to pay his rent at a cheaper place and that she also called the old court house to see if they still helped people to move that didn't have any way to do it.

Mr. Fark asked why a person has to move when he doesn't want to move and he wants to stay right where he is.

Ms. Walters said she also has affidavits to the effect that Mrs. Fark has never worked and she has one dated February 6, 1975, where he was going to the Area Industrial Training School and he stayed out of school so much that he was terminated.
She said if they were willing to pay the rent at the Housing Authority and it is much cheaper, she thought they should move there, as well as he should have told her he was certified for food stamps and he should have brought the form back from

the employment office since they have to have this to know when he will be eligible to draw unemployment.

Mr. Fark said he came back to the Trustee's office the day he got his food stamps and he told Ms. Walters he had gotten them, also that he wasn't terminated from the school, that he graduated from the Area Industrial School and he can prove that too and that his wife has worked.

Commissioner Schaad said there seems to be discrepancies here between what Mr. Fark says and the information that Ms. Walters has, so it will have to be clarified before the Commissioners can take any action on this case.
He suggested the case be deferred until next week when Mr. Fark can show proof of what he has said.

Mr. Fark said he still didn't see why he should have to move.

Commissioner Willner said it is because he is spending someone else's money and he should move to where the rent is more reasonable.

Commissioner Ossenberg said that Mr. Fark has a different outlook on things than he has, that if he is asking the County to pay his rent, he is supposed to go where the County tells him to go.

Mr. Fark said he can't see any sense in a person just giving up his rights and being told to move instead of his staying right where he is.
He said he has prospects of a job and his father is down stairs waiting for him now so he can go see about it, that he will probably have a job before the week is over.

There was discussion as to when the rent was due and Mr. Fark said it was supposed to have been paid up to December 20th. but his landlady said it was a month behind, but the Commissioners agreed that his rent wasn't a month past due, so they couldn't pay it anyway.

Commissioner Willner moved that this case be referred back to the Pigeon Township Trustee so they can get the facts worked out and Mr. Fark can bring back his check stubs and any other information that will help get this thing cleared up and this case will again be taken up next week. Commissioner Schaad seconded the motion.
So ordered.

RE: PUBLIC HEARING....PLEASANTVIEW REST HOME

Commissioner Schaad said he was asked to take over regarding the Pleasantview Rest Home situation, since from what he understands, before they can do anything as far as the Pleasantview Rest Home is concerned, they must have a Public Hearing as to what is the best use for the facility.

County Attorney Wendel said the statute provides that on the discontinuance of a rest home, a Public Hearing needs to be held, giving ten days notice which has been done and today is the hearing date for the citizens, if they want to give their ideas on what would be the best use of the facility, so this will be the purpose of this hearing.

Commissioner Schaad said this being the case he would like to hold the hearing down to speak to the point and not bring in other things because this is a hearing as to the best use of the facility.

Mr. Ahrens said that he, as Councilman at Large, represents the Council, the petition that was turned in with 1600 names to keep the facility open and also the people of Vanderburgh County and they, with their good will and pleasure, have checked different items and the law of the Pleasantview Rest Home and he would, at the present time, like to read the statute to the Commissioners.
He read in part as follows:

Burns Statute...12-4-1-5...Public Welfare - County Homes and Farms
Discontinuance and sale of all or part of poor asylum - Contracts for care of poor. - Any asylum or farm provided by the Board of County Commissioners for the poor, may be discontinued in whole or in part by such board, subject to the approval of the County Council of such County and the property, real and personal, relating thereto, which belongs to the County, may be sold, leased or otherwise disposed of, in whole or in part, as lands of the County are now sold or may be applied in such manner as may be best for the interest of the County as may be approved by the County Council.

Mr. Ahrens thanked everyone, including the news media of radio and TV, who has went along with him on this program.
He said he is representing the full Council and the Taxpayers of Vanderburgh County and he is asking that the sale of the facility be held up until a future meeting, that he was elected to this office and he has the right the same as the County Commissioners and this facility can not be sold without the approval of the County Council.

Commissioner Schaad said it is hardly a poor farm, that it hasn't been one for a long time.

Ms. Brenda Limberger, who handled Social Services and was Activities Director at the Pleasantview Rest Home, said the change in name, technically, was so it had a better image, that it had nothing to do with the basic situation and the circumstances under which it was set up and in which it was intended by everything they read in the law books and they weren't told, throughout these meetings, that the County Council was even allowed to vote on whether the facility was to be closed or not, that the Board of County Commissioners said so.
She said they have been here time and time again, asking that the Commissioners listen to public opinion and as far as they can tell, they get a deaf ear.

County Attorney Wendel said this has nothing to do with the hearing.

Ms. Limberger said that nothing has to do with anything, except for the fact that they, as the public, have not had a chance to have their say except when it didn't have anything to do with it and when it did have something to do with it, no one has known about it and she respectfully requests that the Commissioners leave Pleasantview Rest Home as it is, vacant, until the State Audit Board and the County Council and everyone can get together and decide if what the Commissioners have done is actually in the best interest of the County.

Commissioner Schaad said this is after the fact, that he appeared before the Council and asked that certain federal revenue sharing monies that was given to the Pleasantview Rest Home, be transferred to Burdette Park since they were going to close the home, that they agreed and this was done and nothing came up at that time about them not having any right to close Pleasantview Rest Home.

Mr. Ahrens said the facility can't be legally closed without the approval of the full council.

County Attorney Wendel asked Mr. Ahrens, if in his research, if he was also aware that there was a separate set of statutes governing the Vanderburgh County Home.

Mr. Taylor, a member of the County Council, said that when the Commissioners asked for the transfer of funds, they had already closed the facility and since it was the end of the year there was no reason why they shouldn't, but Commissioner Schaad stated that he went to Council and told them they were going to close the facility and this was false because they had already closed it and there were two members that were against it then, so they exceeded their power as Commissioners when they closed it according to this particular statute, but there may be another statute.
He said what he thought they needed to do was for the full Council, the Commissioners and the County Attorney's to get together and work it out.

Commissioner Schaad said the majority of the Council went along with it, that his point was that no one, at that time, said the Commissioners didn't have the authority.
Mr. Taylor said they went along with the transfer of funds strictly because it was the end of the year, the funds were there and Burdette Park needed it.

Ms. Limberger said maybe the facility needs to be closed but they don't feel the Commissioners were right in doing it, that it needs some thought.

Commissioner Schaad said that when it was operated as the Pleasantview Rest Home, the County had a total cost of about $100,581.85 to keep the home open and now, it is perhaps true since the residents are in private facilities, that the cost is $14,613.35 more than it was when they were at Pleasantview Rest Home but as a savings to the taxpayers of Vanderburgh County, it is 100% savings, that it is a 9.3% increase but all of that is being picked up by federal and state money, so the Commissioners agreed that it was costing the taxpayers too much of a loss and the people are still being taken care of, and not put out in the street as the newspaper indicated. He said he personally feels that the Commissioners are still justified.

Mr. Ahrens said he still believes that if they had the right kind of management out there, this would never have happened and the Commissioners must the approval of the County Council to close the home.

Mr. Taylor said he didn't know how the Commissioners came up with the figure of loss to be $100,000.00, since the figures that he and Mr. John came up with showed that they were only losing around $70,000.00 per year with 50 patients, that if the home would have been at capacity, that meant that the home would either have been breaking even or making money.

County Attorney Wendel referred to Indiana Acts of 1937, Chapter 196, Section 1, Page 929, which provided for Vanderburgh County only, that the Vanderburgh County Commissioners would have exclusive control of County Farms and this is for all Counties with a population between 115,000 and 155,000 and that statute would have been in effect from the date of enactment which was 1937 until January of 1970, when the last preceding United States Census would have showed Vanderburgh County having a population exceeding 155,000.
He said that during the time this Act was in effect, the operation of the County Home had changed, that it was no longer a poor asylum if that was ever set up that way to begin with.
He said that all the statutes they were referring to, there were provisions for poor people, specifically, also there was a provision that the tax could be levied up to ¼ of all other taxes in the County for support of the home and the health records of all persons there should be reported on to the Commissioners and that work would have to be assigned to every person unless a physician's statement would say he could not work because of physical problems.
He said that all factors indicate that the statute they were talking about is an institution strictly for poor people and it doesn't mention anyone of advanced age. He said that Pleasantview Rest Home was used as a home for people such as a Nursing Home, that it wasn't for poor people.
He said they are talking about two totally different situations and before they brought this up, as County Attorney's, he and Mr. Smith both represent the Council and the Commissioners and he wished they had called it to his attention first, that they could have given some suggestions and referred them to the other statutes.

Mr. Taylor said that any taxpayer that feels they have a problem and do research, that they are well within their rights and the County Attorney's as representatives of the Council are supposed to be, at all times, respectful of the peoples rights and any time the County Attorney's feel that something the people do doesn't mean anything, then it is up to the County Attorney's to resign their position as a County Attorney.

County Attorney Wendel said that he is available at any time .

Commissioner Schaad asked for a point of order as to what they are trying to accomplish here, that all comments are well taken and any citizen does have a right to come in and be heard.

Mr. Taylor said that the Commissioners can't close the home according to one statute and the other statute was outdated because of the population change so the only other alternative is for everyone to get together and try to work this thing out.
He said that today they will find out if the rest of the Council is willing to sit down and hash it out.
He said the Commissioners took it upon themselves to close the home and now he and Mr. Ahrens are taking it on themselves to get the Commissioners to sit down with the Council and discuss it, that he thought the Commissioners made a big mistake by closing the home according to that particular statute.

Commissioner Schaad told Mr. Taylor that is why it would have been better if they had gone to the County Attorney's first.

Mr. Taylor said it would have been better if the Commissioners had come to the County Council before they closed it and that would have solved the whole thing.

Commissioner Schaad said that to their knowledge, there was no need to and there may not be yet.

County Attorney Wendel said that for the record, the research was done on this and his opinion remains the same.

Ms. Limberger said that in the Poor Relief case, the Commissioners told Ms. Walters and Mr. Fark to go back and get the facts together and work out the problem and then come back and they, as voters, feel that the Commissioners have done them wrong and this is why they are up here raising so much cain, that the Council feels that they have been done wrong and they are asking that the Commissioners get with the Council and work it out so they feel that the Commissioners are doing what is in their best interest. rather than sitting up there and doing what they want to without any concern to their feelings.

Ms. Virginia Robey who lives at Buckner Towers said that she worked for Dr. Crimm at Boehne Hospital for twelve years and after they closed, she tried to get a job at the Pleasantview Rest Home and she was told that she was over-qualified to work there so it didn't seem that the manager wanted people that were very qualified and she knew of people that weren't well qualified who worked out there because they had worked under her.
She said that she would like to see the Pleasantview Rest Home stay open for these people because she knows they are not happy at the McCurdy, that they might as well be sent up to Michigan City or somewhere.

Ms. Phyllis Butler who was Director of Nursing at the Pleasantview Rest Home, said that there is a statement in the law that states, in order for the home to be closed and legally done so, that there must be provisions made for the poor and needy and she asked if there were provisions for these people to go to the Trustees. She also said that the people knew what they were signing when they signed the petitions and if the Commissioners would take a majority vote now, she would guarantee them that no one would complain because the taxes were higher because of the county home and they were trying to prove that the home wasn't run right since August and they were shut out and it was unfair and she would like for the Commissioners to reconsider, since they are fighting for what they feel the County and Tri State needs.

Commissioner Schaad said that as County Commissioners, he thought they have an obligation to the people, instead of losing $100,000.00 to take care of a few people that don't have a place to live, that it is a terrific burden on the tax-payers and he thought a lot of the people who signed the petitions didn't actually know what it was costing the County to operate the home.

Mr. Frank Staton of the Welfare Department, said by way of clarification as to whether or not the indigent have a place to go, that all those who were at the County Home were placed in alternative facilities and all those who would need some other kind of assistance are referred to the Trustee or to the Welfare Dept. or to both and if they need personal care, they are placed in a Nursing Home under Medicaid or if they need residential care, they are placed in a Residential Facility with other assistance.

Mr. George Gears, an interested citizen, said that he has a brother in a Nursing Home in Vanderburgh County, that at the present time he is at the McCurdy and he and another man sit in an 8 by 10 room looking at each other, that he doesn't even know how to operate the elevator.
He said that everyone pays taxes to keep Pleasantview Rest Home open and they didn't know it was closed until they read it in the newspaper. He said that he came before the County Commissioners in 1968 to get his brother into the facility and at that time there was only 19 residents there and they farmed then but no longer do and this is the reason costs are so high now.
He said neither man at the McCurdy can read or write and they look at each other and if something happens to one of them, the other one is going to sit there, that everyone pays taxes and he hopes this doesn't happen to the Commissioners when they get old.

Ms. Butler said that she has had several calls from families of those who have been placed in other Nursing Homes in regard to the various problems they are having with them since they closed Pleasantview Rest Home.

Commissioner Schaad asked if anyone else would like to be heard on the best use of the facility, since after all, this is the reason for this meeting, that they have heard a lot of things and appreciate everyone being here to tell them what they have, but they still have to resolve what the best use of the premises is. He said that after this meeting, he will ask the Commissioners what action they think is necessary to take.

Mr. Hotz said that for what it is worth, he thinks that everyone keeps forgetting that $40,000 of his budget goes for maintenance of the building at Pleasantview and right now they have a boiler out there that isn't being used because it needs extensive repairs and he has been instructed to only make emergency repairs and he thought this should be kept in mind, that they may not spend $40,000 next year, they may need to spend $100,000 since this adds to the cost of running the home.

Ms. Butler asked if repairs are needed when the building has been leased or whatever, if the Commissioners would be responsible since before when repairs were made, one man would do the repairs and the others would be talking and money was wasted there.

Commissioner Schaad said that one thing they have to look at is that he has heard some comments from people that have already looked at the building, furnishings and the facilities to see if they would be interested in buying or leasing and most of them weren't even interested because the furniture and fixtures are so old and antiquated, because if people are interested in placing someone in a Nursing Home and they have a choice, they would go in a new one, so he doesn't know how much interest there is really going to be in it, for someone to take it over and run it, since the whole thing needs renovated and they may just use the building.
He said the Commissioners have been working on it and they are trying to pursue it from all aspects and all points of view to see what would be the best interest to the County and to save the taxpayers as much money as possible and still get the job done.
He said the consensus seems to be that if it is going to be leased or bought, that they would just clean out the whole thing and put in everything new to make it comparable to the other Nursing Homes.

County Attorney Wendel said that one comment he has is that there was some question as to if there was any legal research done on this matter and that this was his project and not County Attorney Smith's so if there are any complaints about the legal work, it should be his responsibility.
His position is that what the Commissioners did was right.

Commissioner Ossenberg said that he had a number of telephone calls and people's support with calls where the people asked him if he wanted them to come down and support the Commissioners on this matter.
He said in talking with some people in the Nursing Home business, he has found that some has made suggestions to him, after having gone out to look at the facility, and that is, in order for that home to make money, most of them would lease it for two years with the right to purchase it and they would then expand the facility to the eastern wing of the building and they say that only then, would they assume that they would make money, so these people who have expertise in this sort of thing, are telling him that the only way money will be made there is to expand the facility.

Commissioner Willner said that after hearing all the input he has heard, if he had his druthers, he would rather see the Pleasantview Rest Home operating at a break-even proposition since there is a definite need for it.
He said that he has been a Trustee of a township, that he has had some people at Pleasantview Rest Home, that he has good luck with it since the place was better than most but he was against the $100,000 plus that the County was losing.
He said that was bad management and he thought the other Commissioners agreed to this and that if there was a committment from the other Commissioners to re-open Pleasantview Rest Home under new management, with the stipulation that they will not lose money, he will go along with that proposal, but if there is no committment coming from them, then he will go along with the closing of Pleasantview Rest Home.
He said it is immaterial to him whether the other Commissioners like a committment like this or not but he would hate to think that these three men who are all in business could not take Pleasantview Rest Home and make it a break-even point, that he would not admit to that.
He said that he doesn't do his business that way and neither do the other two Commissioners, that if there were no other rest homes in Vanderburgh County that were showing a profit, then maybe he would say that this one can't but they don't pay any taxes on it and the ground was given to the County as well as the buildings and all the County was charged with was the management of that place and they did one poor job of it.

Commissioner Schaad said that Commissioner Willner wasn't at a meeting the other day that he was invited to, that they tried to bring in some unbiased experts that knew something about the rest home business, and he would have had more knowledge and background if he had attended the meeting.
He said that he and Commissioner Ossenberg attended this meeting and found that they have a residential, an intermediate and the ill and experts told them that to make the thing go, they really need all three of them, that one is sort of a stepping stone to the other, the ill go into the intermediate and then to the residential and they further stated that they doubted that it could be made a paying thing with the present furniture and equipment and a wing would have to be later extended to get more beds in there to make it a larger operation because they stated that across the country, the smaller homes aren't making it.
He said if the Council wants to come up with the additional money it would take to bring that building up to par, extend it, improve it and modernize it and then he wasn't sure that he would want the responsibility to guarantee to break even.

Ms. Butler said that the place could have made it with the proper management, that she worked out there and she would rather be there than any place else in town because it was clean and electric beds weren't necessary since none of the residents were bedfast and they kept it looking nice

Mr. Ahrens said that Commissioner Ossenberg had said that he received telephone calls in support of the Commissioners and he wanted Commissioner Ossenberg to know that some of his best friends called him to tell Tom to try to keep that home open.

Mr. Taylor said that his uncle manages a rest home in Madisonville and he has talked with him. They have 109 patients and it isn't a real modern building but they are making a little profit and the population there is considerably lower than it is here.
He asked why we couldn't make a profit if they can.

Commissioner Schaad said there are a lot of things to be taken into consideration such as the number of nursing homes, etc.
He then asked the other Commissioners what they wanted to do and he asked if they were willing to use the same equipment they have and just to hire a new manager and new personnel and start all over again.

Commissioner Willner said this is correct, that he hears about new and old boilers and antiquated equipment, that he isn't a boiler expert but he understands that the old ones are much more efficient and better than new ones and as far as the money to upgrade the home, they had $20,000 of revenue sharing money so they could update it so all the arguments they have against it don't hold water.

Commissioner Schaad said the number of residents was still at 50 and he couldn't see spending more money unless they got more people in there.

The Commissioners agreed that the first step to take would be for the County Attorney's then, to get together with the Council and check out the legality on it.

Commissioner Ossenberg moved that the situation be referred to the County Attorney's and they get with the County Council and review the legality and as of now do nothing. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad said the Commissioners will do nothing, that they will just leave it up to the County Attorney's, as to whether they are within their rights of doing what they are doing or not, since this needs to be determined first.
He said as far as the hearing is concerned, they still have the hearing but nothing else came out of the meeting as to a better use of the building than for what it was intended. He told Mr. Hotz not to hire the auctioneers at this time.

Commissioner Willner then moved that Mr. Stucki and Mr. Angermeier come up with an appraisal based on the 1976 manual instead of on the 1968 manual if possible. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Ossenberg asked Mr. Taylor if it was possible for them to meet in the evening and he said he was sure it would be okay. After further discussion it was decided that the meeting will be held here in the Commissioners Hearing Room at 6:30 p.m. this evening.

The meeting recessed at 11:40 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg	Curt John	Ed Smith Jr.
Bob Schaad		Paul Wendel
Robert L. Willner		

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JANUARY 11, 1977

The meeting of the County Commissioners was held on Tuesday, January 11, 1977, at 9:35 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AREA PLAN COMMISSION

Lucille Fowler 1751 Kenmore Drive Secretary $6,547.00 Yr. Eff: 1/6/77

JOINT DEPARTMENT OF LEGAL SERVICES

William Woods Deems 6830 Arcadian Hwy. Exec. Director $10,000 Yr. Eff: 1/10/77
James Rode 1803 N. Roosevelt Dr. Pt. Time Staff Att. $7,416.00 Yr. Eff: 1/10/77
Thomas H. Barefoot 1509 S. Kentucky Pt. Time Staff Att. $7,146.00 Yr. Eff: 1/10/77

GERMAN TOWNSHIP ASSESSOR

Danny Nix 7001 Happe Rd. Farm Land Assessor $20.00 Day Eff: 1/3/77

RE: EMPLOYMENT CHANGES.....RELEASES

JOINT DEPARTMENT OF LEGAL SERVICES

Donald F. Connor 101 Court St. Apt. 603 Exec. Dir. $10,000.00 Yr. Eff: 1/7/77
William Woods Deems 6830 Arcadian Hwy. Staff Att. $ 7,416.00 Yr. Eff: 1/7/77

RE: GERMAN TOWNSHIP.....BREAKDOWN OF MONIES ALLOWED

The following is a breakdown of $15,000 that the County Council allowed for the German Township Reassessment, 112.1.

Per Diem Assessor	$1,500.00
Residential Supervisor..$35.00 per day	$3,000.00
Residential Rate Setter..$25.00 per day	$2,000.00
2 Field Men.....$20.00 per day	$3,000.00
2 Farm Land Assessors....$20.00 per day	$3,000.00
Clerical Assistant...$18.00 per day	$1,500.00
Traveling Expenses	$ 500.00
Telephone & Telegraph	$ 400.00
Office Supplies	$ 100.00
Total	$15,000.00

This breakdown is received and filed.

RE: EMPLOYEES FOR 1977...(Continued from last week.)

SUPERIOR COURT

Alan M. Kissinger
Christy M. Reiter
Katherine Flittner
Dorothy E. Leitz
Ronald Steven Barron
Robert S. Matthews
Marlon H. Lowe
Ronald R. Goebel
Joseph Lutz III
Deborah Ransom
Robert W. Terry
Thomas Lockyear
William J. Brune
Mary Laugel
JoAnn Stevens
John Rapp
Mary Lee Hahn
Susan Muensterman
Clare Riordan

Leah Graham
Robert W. Lensing
Karen Flittner
Patricia A. Ross
Rebecca Roth
Janet R. Tavcar
Merle C. Melton
Donald R. Scott
Bart F. O'Connor
Elvera Riggs
Virginia N. Lomax
Joycelin Brinkmeyer
Gregory W. Combs
John S. MacCauley
Charles R. Kratz
Theodore Kinder Gore
Mark Russler
Mildred Morgan
Thomas M. Swain

Georgia Williams
Jane L. Schmitt
Rex Dendinger
Claude B. Lynn
Alice Hillenbrand
Rosemary Norbury
Ed Davine
Terry D. Dietsch
Jane Griffith
Nina Horstketter
Sharon J. Boardman
Morton W. Newman
Gayle Spalding
Sarah L. Cook
Bert Conway
Fred O. Vetter
Stephen C. Hass
Erma E. Haas
H. Wayne Turpin
Mary T. Webb

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RE: LETTER OF RESIGNATION FROM AIRPORT AUTHORITY BOARD

The following letter was received from C. K. Arden, dated January 3, 1977:

Dear Mr. Ossenberg:

This is to notify you of my resignation from the Evansville-Vanderburgh Airport Board of Audhority effective from receipt of this notice.

Sincerely, C.K. Arden, President and
Business Manager of Teamsters Local 215

Commissioner Ossenberg answered Mr. Arden's Letter of Resignation as follows:

Dear Mr. Arden: Letter dated January 5, 1977

I have received your letter of resignation dated January 3, 1977.
The Board of Commissioners sincerely regret your leaving the Evansville-Vanderburgh Airport Board. We appreciate your dedicated service to the community and the Airport Board.

Sincerely, Thomas L. Ossenberg, President
Board of Commissioners

Commissioner Schaad moved that Mr. Bud Bussing Jr. be appointed to the Board of the Evansville-Vanderburgh Airport Authority to replace Mr. Arden. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Ossenberg explained that the appointment requires a Democrat to replace Mr. Arden and that Mr. Bussing is a Democrat and will serve the term of Mr. Arden which will expire on June 30, 1978.

RE: NOTICE OF BOARD OF FINANCE MEETING

Commissioner Ossenberg announced that the Board of Finance Meeting will be held on January 17th. 1977, in Room 307 at 9:00 a.m. which is when the Commissioners of Vanderburgh County meet to agree to disagree on the finances of the County.

RE: OFFICIAL BONDS

The Indiana Insurance Company submitted a surety bond with Shirley Jean Cox, the Clerk of the Circuit Court as principal, in the penal sum of $25,000.00.

Commissioner Schaad moved that this bond be signed and approved. Commissioner Willner seconded the motion. So ordered.

The Continental Insurance Company of New York, N. Y. submitted a surety bond with Harriett Hartig, Clerk of the Building Commissioner's office as principal, in the penal sum of $1,000.00.

Commissioner Schaad moved that this bond be signed and approved. Commissioner Willner seconded the motion. So ordered.

The Continental Insurance Company of New York, N. Y. submitted a surety bond with Jesse C. Crooks, the Building Commissioner as principal, in the penal sum of $5,000.00.

Commissioner Schaad moved that this bond be signed and approved. Commissioner Willner seconded the motion. So ordered.

The Continental Insurance Company of New York, N. Y. submitted a surety bond with Charles R. Legeman, the Electrical Inspector as principal, in the penal sum of $1,000.00.

Commissioner Schaad moved that this bond be signed and approved. Commissioner Willner seconded the motion. So ordered.

The Continental Insurance Company of New York, N. Y. submitted a surety bond with Ray F. Broerman, the Asst. Building Commissioner as principal, in the penal sum of $1,000.00.

Commissioner Schaad moved that this bond be signed and approved. Commissioner Willner seconded the motion. So ordered.

The Continental Insurance Company of New York, N. Y. submitted a surety bond with Thomas Mackay, Chief Heating and Plumbing Inspector as principal, in the penal sum of $1,000.00.

Commissioner Schaad moved that this bond be signed and approved. Commissioner Willner seconded the motion. So ordered.

The Continental Insurance Company of New York, N. Y. submitted a surety bond with Paul May, Chief Building Inspector as principal, in the penal sum of $1,000.00.

Commissioner Schaad moved that this bond be signed and approved. Commissioner Willner seconded the motion. So ordered.

RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was submitted by The Hartford Insurance Croup with Schultheis Insurance Co. as agent on Liability covering J. H. Rudolph & Co. Inc. Certificate of Insurance received and filed.

A Certificate of Insurance was submitted by the Hartford Insurance Group with Schultheis Insurance Co. as agent on Liability covering Feigel Construction Corp. Certificate of Insurance received and filed.

RE: TRAVEL REQUEST....BOB MORAN

The following letter of request was received by the Commissioners from Bob Moran, the Veteran Service Officer:

Sirs:

I request permission to travel to Indianapolis, Indiana January 15, 1977 to attend the quarterly meeting of the County Veterans Service Officers Association.

This will include over night lodging for one night.

Thank you, Robert J. Moran
Veteran Service Officer

Commissioner Schaad moved that the request of Bob Moran be approved. Commissioner Willner seconded the motion. So ordered.

RE: TRAVEL REQUEST.....BOB MORAN

The following letter of request was received by the Commissioners from Bob Moran, the Veteran Service Officer:

Sirs:

I request permission to travel to Indianapolis to appear as a witness on behalf of Mr. John Buxton, a veteran that our office has been attempting to help.

Find attached a copy of a letter received by Mr. Buxton as explanation.

Thank you, Robert J. Moran
Veteran Service Officer

The attached letter to Mr. Buxton from George A. Brumbach, Chairman of the State Employees Appeals Commission reads as follows:

Dear Mr. Buxton:

May this letter serve as notification of the hearing on the appeal of John A. Buxton versus the Evansville State Hospital, before the State Employees' Appeals Commission.

Mr. Buxton appeals his suspension and dismissal.

Said hearing will be held on January 12, 1977, at 11:00 A. M. Indianapolis local time, in Room 602 of the State Office Building, 100 North Senate Avenue, Indianapolis, Indiana. Both parties are advised of their right to have legal counsel present at said hearing if they so wish.

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The Commission will issue such subpoenas as are necessary for the presentation of evidence if the parties request the subpoenas from the Hearing Officer at least five (5) days before the hearing. Upon the showing that a witness is necessary to testify at the hearing or upon the showing that the document requests are relevant, the Commission will issue subpoenas.

Confirmation of appearance is requested to be forwarded to this office within five (5) days of the receipt of this letter.

Sincerely, George A. Brumbach, Chairman
State Employees Appeals Commission

Mr. Moran said this is the same trip he had requested permission to make previously, in order to testify on Mr. Buxton's behalf, but it was called off and has been rescheduled for January 12th. 1977.
He said he hasn't been able to get in touch with them so if the weather permits, he will go if he is permitted to do so.

Commissioner Schaad moved that the request of Bob Moran be approved. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO TRAVEL.....GARY W. WAGNER

The following letter of request was received by the County Commissioners from Gary Wagner, the German Township Assessor, dated January 5, 1977:

County Commissioners:

The German Township Assessor and deputy are addressing this letter to you, asking permission to attend the conference in Indianapolis, Indiana on January 17, 18, & 19, 1977.

Sincerely, Gary W. Wagner
German Township Assessor

Commissioner Schaad moved that the request of Gary Wagner be approved. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO TRAVEL.....ALVIN E. STUCKI

The following letter of request was received by the Commissioners from Alvin E. Stucki, the Center Township Assessor, dated January 7, 1977:

Honorable Vanderburgh County Commissioners.
Sirs:
I am requesting mileage and per diem to and from Indianapolis for myself and one deputy so we may attend the Annual Assessor's Conference. This is a State Tax Board of Commissioner's requirement. It will be held on January 17, 18, and 19.

Respectfully, Alvin E. Stucki
Center Assessor

Commissioner Schaad moved that the request of Alvin Stucki be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Monarch Insurance, Inc. for a Public Official Bond of $25,000.00 to cover the Clerk of the Vanderburgh Cirucit Court, in the amount of $88.00, for the period of January 1, 1977 to December 31, 1977.

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

A claim was submitted by Monarch Insurance, Inc. for a Public Employees Blanket Bond for the Clerk of the Vanderburgh County Circuit Court, in the amount of $50,000.00, 1st year of 3-year bond, in the amount of $528.00.

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

A Claim was submitted by Southwestern Indiana and Kentucky Regional Council of Governments for the operation of same, ½ year appropriation - Vanderburgh County

share - local match - $12,013.50, less ½ year rental for office space/utilities and furniture - $5,250.00, in the amount of $6,763.50. This claim has been approved by Robert Bowman.

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

A claim was submitted by the Waterworks Department for the Pleasantview Rest Home in the amount of $38.25, for the period of 11/3/76 to 12/3/76.

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

A claim was submitted by Brink's Incorporated for services rendered to the Clerk of the Circuit Court, by contract, in the amount of $94.80.

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

A claim was submitted by Torian Agency, Inc. for Public Official Bonds of the following:
Continental Bond BND2078326 - Jesse C. Crooks, Building Commissioner -$20.00
Continental Bond BND2078327 - Ray F. Broerman, Asst. Bldg. Commissioner - $20.00
Continental Bond BND2078328 - Harriet Hartig, Clerk-Bldg. Commissioner - $20.00
Continental Bond BND2078329 - Paul May, Chief Bldg. Inspector..... - $20.00
Continental Bond BND2078330 - Thomas Mackay, Chief Heating & Plumbing - $20.00
Continental Bond BND2078331 - Charles R. Legeman, Electrical Inspector -$20.00
The total amount of the claim is $120.00.

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

A claim was submitted by Hanson Testing and Engineering for six concrete compression tests @ $4.00 each, on the Baseline Road Bridge, the total amount of the claim being $24.00, which has been approved by Bob Brenner.

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

Two claims were submitted to the Commissioners, one from Monarch Insurance Co. for a Public Official Bond for David Wilson as Coroner and one from Torian Insurance Agency on David Wilson as Coroner and on Earl Cox, Deputy Coroner, but they were held up at the present time until they could be checked.

RE: DISCUSSION ON PLEASANTVIEW REST HOME

Commissioner Schaad said that at the last meeting of the County Commissioners, two members of the County Council appeared before the Commissioners regarding Pleasantview Rest Home and they indicated, according to an old statute, that the Commissioners had not legally closed the Pleasantview Rest Home because it required County Council's approval, which they didn't have.
He said the County Attorney's had stated that the Commissioners did it correctly but they took action last week, in that they would do nothing further with the Pleasantview Rest Home until it could be resolved as to whether they did or didn't close the home legally.
He said, at that time, he had asked the Council members that were present, if they represented the entire Council and Mr. Ahrens said they did and he thought this was why the Commissioners took the action they did and as soon as the meeting was over, he learned that they weren't representing the entire Council because none of the other Council members knew they were even going to be at the meeting, so he thought the Commissioners, in good faith, wanted to cooperate with the Council if this was their feeling, so they held off doing anything further.
He said the Commissioners have work to do, regardless of what happens and he thought the Council President should advise the Commissioners of what their intentions are, but as yet, they have heard nothing.
He said he had a call from an attorney, Doug Knight, last night that apparently is representing some of the Council members and he talked to him about the situation but at this point, the Commissioners have heard nothing officially and the only thing they have heard was from two Council members that apparently weren't representing the whole Council and they were speaking for themselves, so he didn't know if the action taken by the Commissioners last week should stay in effect, but on the other hand, if the other Commissioners feel that they should leave things as they are and do nothing until they hear something officially from the Council President, maybe they should but he thought this matter needs to be cleared up.

Commissioner Willner said he read in the newspaper that the Council has appointed an outside attorney and he asked if this was done officially.

Commissioner Schaad said it wasn't done in an open meeting and he hasn't heard anything from anyone officially and the other Commissioners said they hadn't either. He said in talking to Mr. Knight, he told him as much as he knew about the operation and he asked Mr. Knight how soon this thing could be resolved and if he was representing the Council, to which he answered that he didn't know but he thought it could be resolved by this morning.
He said he told Mr. Knight that it was important to get on it since there are persons interested in leasing or buying Pleasantview for a privately-operated nursing home. He said the Commissioners can't wait indefinitely for the council to decide on the legal issue, that they have to get with it and they don't know what to do until this thing can be resolved.
He said he asked Mr. Knight if he was going to call Dan Kollker, the President of the County Council, but he said "no", that Mr. Kollker hadn't called him, that he was called by Anika Juras to check into the matter.
He said he thought Mr. Knight would refer it back to Ms. Juras, the Executive Asst. of the County Council, and the Commissioners would hear something this morning, but no one is here. Some time later, Ms. Juras said she was unable to contact Mr. Knight.
He said the money for the County Attorney's is in the Commissioners budget as well as money for other attorney's that are needed from time to time, that they talk about lack of communication and he thought they should be getting an answer from the President of the County Council as to if they are going to back up the two Council members or what they are going to do, that he has had some people down from Indianapolis to look at the home and at this point, he doesn't know what to tell them.
He said the reason he has gotten into this thing, he supposed, was because he told Commissioner Ossenberg that this whole thing got started during his presidency and he was as close to it as anyone and if he wanted him to continue on it, he would be willing to do so, also that he thought they needed to get with it.

Commissioner Ossenberg asked if Mr. Knight has been in contact with either County Attorney.

County Attorney Wendel said that when he noticed, in the newspaper, that Mr. Knight had been hired, he made an appointment with him last Thursday and gave Mr. Knight all the information he had on the matter.

Commissioner Ossenberg said, in view of the facts, he didn't want to be rough-shod on it, that as one Commissioner, he would like to give Mr. Kollker a chance to answer and he also thought the Commissioners should be entitled to an answer by at least tomorrow.

Commissioner Schaad agreed and said that the action taken by the Commissioners was taken because they thought this was the Council's feeling on it, in that they may have closed the home illegally, so they backed off and did nothing, but since it wasn't the official action of the entire County Council, but was stated that it was, he thought they wanted to go along with their feelings and he thought they were entitled to an official response from the President of the County Council.

Commissioner Ossenberg said that the only contact he has had with Mr. Kollker was when he had called him to discuss something else and at that time, Mr. Kollker stated that the two members of the Council weren't speaking for him, but this is the only contact he has had with him.

Commissioner Willner said that surely the Council agreed by majority, if they hired an attorney.

Commissioner Schaad said if something isn't done soon, the matter could possibly drag on and on and something needs to be done, that the Commissioners want to be fair and they want to listen, that last week, the two members of the Council did say they would set up a meeting for that evening but apparently the other members couldn't attend the meeting so it wasn't held with the Commissioners to discuss the matter and he has been notified of nothing more.

County Attorney Wendel said that this matter wasn't discussed at the County Council meeting of last week but they do have a meeting set for next Tuesday.
He said that any action the Commissioners would take before their meeting would be unofficial anyway and they should know how the other members feel about it.

Ms. Smith, the Commissioners secretary, said that the Council recessed their last meeting, rather than adjourn it and they are holding another meeting this Thursday.

Commissioner Schaad moved that the Commissioners then ask Mr. Kollker to give them an opinion on what his intentions are, after the meeting on Thursday, so the Commissioners will know what to do, and until that time, they will do nothing, also to ask Mr. Kollker to have the attorney's opinion at that time.
Commissioner Willner seconded the motion. So ordered.

County Attorney Smith said that at the last Council meeting, or any other time, he didn't recall the Council ever asking his opinion on this matter and he didn't think they asked Mr. Wendel's opinion either, that they are the attorney's for the Council as well as for the County Commissioners and it seems as though, before they pursue it, they should at least ask their opinion and if they did, he would be glad to give them an opinion.

Commissioner Willner said he thought the Council already knew what the County Attorney's have already said and they aren't willing to take that advise, since they have already said that they agree that the action taken by the Commissioners in closing the home was within their jurisdiction.
He asked if the controversy was over the population of Vanderburgh County.

County Attorney Smith said he wasn't really sure what the controversy was over, that it was a specific piece of legislation in 1937 that was referred to last week, which specifically applied to Vanderburgh County but he isn't sure that it fits anymore, since when this specific legislation was enacted, there has since been a repeal on it, so according to the 1970 census, Vanderburgh County is no longer in that classification and he agrees with County Attorney Wendel, in that the County Commissioners had the authority to act.

RE: BUILDING COMMISSIONERS REPORT

Mr. Crooks submitted the report of the Building Commissioner for the month of December and said he doesn't have the yearly report put together yet but he would like to point out that they have set an all-time high building record for Vanderburgh County, that in 1976, his office issued building permits for projects totaling $41,889,982, a 27.6% increase over the $32,825,913 value of permits issued in 1975. He said that the 1976 total also surpassed the previous record high of $35.3 million in 1973, also that permits were issued last year for a record number of single-family residences and 498 single-family residence permits were issued compared with 339 in 1975 and the previous high of 438 in 1973.
Report received and filed.

RE: BOONVILLE-NEW HARMONY ROAD

Commissioner Schaad said that he had a call yesterday regarding the speed limit on Boonville-New Harmony Road, that he said it didn't make much sense in the speed limit out there being 35 miles per hour and then as he comes in closer to the City, the speed limit is 40 miles per hour and he asked Mr. Judd to contact Mr. Lochmueller so they could check this out to see what the situation is and the reason for the jump in the speed limit.

RE: SURVEY SUBMITTED FOR PLEASANTVIEW REST HOME PROPERTY

Mr. Brenner submitted the survey he had been requested to prepare on the Pleasantview Rest Home property.
He said the acreage isn't 22 acres, that it is 20.004, but that they haven't physically surveyed it because there is too much snow at the present time.

Commissioner Schaad said that a set of the blueprints on the Pleasantview Rest Home is now in Jesse Crooks hands since he thought Mr. Crooks had a file cabinet with a lot of the public buildings in Evansville posted and he thought this would be a good central place for them to be located.

Mr. Brenner said that he has records on just about everything else, except for Pleasantview but it was later learned that a set of blueprints for Pleasantview were taken to the County Surveyor's office.

RE: CUTS IN

Mr. Brenner said he has four requests for road cuts, that he has been looking at the request forms and he has talked with the Inspector, also that at times, they get requests for road cuts that are not emergencies that have already been done, and the only approval on these requests is that the Inspector has initially inspected it and with the approval of the Commissioners, he proposes that they

put another inspection place on the form for the Inspector, that he does go and see it and they put in there that in 30 days, they will make a final inspection, before they will finally accept it, since at the present time, the roads are never in the same condition after cuts are made, than they were before the work was done. He also said that there is a provision where it askes for a surety bond and he asked if they asked for a surety bond from any of the utilities.

County Attorney Smith said he thought they only required a surety bond from the Contractors and asked why they couldn't just have a blanket surety bond for the utilities.

Mr. Brenner said they certainly could but there should be something, since he has a great deal of trouble with one of the organizations, in getting them to fix the road back and there should be some one with outside push to get them to fix the roads like they are supposed to.
He said that the state does give them authority, that if anyone does any work on the roads, that if they build a road, they have to be good for a year and there is no reason he shouldn't ask the same requirement when they make a cut.
He said that he can find every cut that has been made in Vanderburgh County during the last five years, unless the road has been resurfaced.

Commissioner Willner moved that the County Commissioners instruct the County Engineer to require a bond on all road cuts in Vanderburgh County in the future. Commissioner Ossenberg seconded the motion. So ordered.

Mr. Brenner said that all these cuts have been inspected by the Road Inspector. He also said that he tried to have a form ready by today to submit to the Commissioners for approval but didn't quite make it, that it is a complete separate form where he is going to lay out specifications as to precisely what they have to do when making a cut as to the amount of fill and rock and the County Road Inspector will inspect it to see that they do this.

Indiana Bell Telephone Co. requests permission to push under Old State Road.

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

The Waterworks Co. requests to make shoulder cuts into Rosenberger, from Hogue Road to Pennsylvania to provide better water service, into Locust Tree Lane for a water main to provide water service to Locust Wood Subdivision, and into 4703 O'Hara Drive to install water service.

Commissioner Schaad moved that these cuts be approved. Commissioner Willner seconded the motion. So ordered.

RE: DISCUSSION ON ST. JOE ROAD FILL

Mr. Brenner said that County Attorney Wendel has had contact with Priest Hazelwood on the St. Joe road fill and they want an answer.
He said he would like to study it when it comes back to his office because he would like to see just what does happen there.
He also said he heard a rumor when he first came in, that they did not have the right of way, signed by Penn Central in order to put the dirt across the Railroad's right of way so as near as he can tell, they don't have the right of way, that the correspondence was back and forth, that the Commissioners signed it but they have never received the copy that was to be signed by the Railroad Co.
Mr. Brenner said that Penn Central has since sold the right of way to Southern Railroad on that line.

Commissioner Willner said as he remembered, the Penn Central sent a letter to the Commissioners that was signed, giving them permission to fill it.

Mr. Brenner said that what they should do if it was sold and if Southern has intentions of using it, the Commissioners must prepare their right of way acquisition.

Commissioner Ossenberg asked that the Auditors files be checked for the letter that was received from the Penn Central Railroad Co.

Commissioner Willner said that he understands that within two years, a notice from Penn Central, with their intention to re-open that route, that the County was to remove the fill and he asked who would be responsible for building a bridge over that.

Commissioner Schaad said as he remembered, the state ran into this same problem with Penn Central and they said if the state wanted to fill it, it was up to them to do it but if they wanted to use it again in that period of time, that the state would have to open it up and replace it with a bridge so the Railroad Co. could operate underneath it and the Commissioners were back and forth for a long time trying to get an answer but it seemed to him that a letter came through stating they were abandoning it completely so this alleviated all the other problems.

Commissioner Willner said this was the way he remembered what happened with the exception that the Commissioners would have to build a bridge.

Commissioner Schaad said after that though, was when the Commissioners received the letter stating that they were going to abandon it completely which means they will never use it again and if it is looked into, it should be in the Commissioners minutes.

Commissioner Ossenberg said he is curious to know if the Southern Railroad took over the tracks of the Penn Central, would they assume the liability of back taxes they owe Vanderburgh County.

County Attorney Wendel said the back taxes were involved with the Penn Central bankruptcy and some of the land was sold and part of the proceeds were held to pay off the taxes.

Mr. Brenner said the County is also very vague on standards for the acceptance of roads and he asked, if he drew up a set of plans on precisely what they want, what would it take to enforce it.

Commissioner Ossenberg said that there are certain codes as far as subdivisions, etc. and he thought if Mr. Brenner drew up a set of plans, it would be fine.

Commissioner Schaad said he thought there were standards for the acceptance of new roads in subdivisions because they were always referred back to Mr. Nussmeyer's office and he said if they met the standards or not.
He also said there were many roads that were maintained by the County through the years that have never been accepted county roads but the Commissioners felt that if they maintained these roads, they might as well get the gas mileage on them so they more or less went ahead and accepted them after the fact, that they accepted a lot of roads that don't come up to the new standards but on new constructions, they must come up to these standards.

Mr. Brenner said that the present standards are very general and it is sort of up to the Engineer's discretion and he proposes that they come up with specific standards, that he couldn't enforce the present ones since there isn't enough detail.

Commissioner Schaad asked what about curbs and gutters, when he talks about specifics.

Mr. Brenner said he is also talking about them but they aren't on what he has now.

RE: COUNTY SECTION CORNER BOOK MISSING

Commissioner Ossenberg said that last week, Mr. Brenner brought up the fact that the County Section Corner Book was missing from his office and he had the County Attorney write to Mr. Nussmeyer and he received a letter back from stating that he didn't have the book and was unable to find it.

Commissioner Ossenberg said the only thing they can do now is to ask the question again and write a letter to Mr. Biggerstaff, the County Surveyor before Mr. Nussmeyer, so he asked County Attorney Smith to write the letter to him asking about the whereabouts of the Section Corner Book.

RE: SIGNS ON OAK HILL ROAD

Commissioner Ossenberg said the Sheriff called him and said he had found a statute of the 1937 or 1939 Ordinance whereby road signs could be put up on Oak Hill Road and there were a number of complaints that trucks are using that road and the Sheriff falls back on this Ordinance and apparently in 1971, the Commissioners, at that time, adopted road signs on Oak Hill Road from that Ordinance.
He said Sheriff DeGroote is asking for no truck traffic at Hwy. 57 and Oak Hill Road and on Oak Hill Road from outside the City limits, that signs be placed there and that a "No Through Traffic" sign be placed on Lynch Road and he is wanting some type of answer from the Commissioners to maintain the Ordinance as valid.

County Attorney Wendel said the Ordinance is valid as far as he can tell and that there are three requirements for controlling truck traffic and they are as follows:

1. That the signs must be posted before it can be enforced.
2. That there must be convenient alternate routes provided with signs indicating this route.
3. That the Commissioners can't control the roads that is part of the State Highway System.

He said if all of these requirements are met, there is no problem.

Commissioner Schaad said they have had so many problems on many County roads and if the other Commissioners remember, they asked Keith Lochmueller, last year, to study the entire situation so they could have a uniform plan as to what they were going to do and he thought Mr. Lochmueller was working on it, that when he talked to Keith, he had said he has been in touch with the State Police, the Sheriff's Dept. and others to try to work it out so he thought, rather than to do this piece-meal, he thought maybe they should push him to hurry up and get it done so they can do it all at one time so it will be uniform.
He said it would be a good idea for Mr. Lochmueller to attend the Commissioners meetings since so many times something comes up that falls into his catagory and he doesn't know about it.

Commissioner Ossenberg said he has been in contact with Mr. Lochmuellers office several times since this was brought to his attention and they were not familiar with this Ordinance and in the meantime, they talked with the Sheriff, that Keith is snowbound in Indianapolis, but Mike Kent of that office, reported back to him after reading the Ordinance and said that it is perfectly okay with them.

Mr. Brenner said they are running a road survey, trying to pick up hazards and Oak Hill Road happened to be one of the first roads they picked to do and one of the items they picked up was the truck traffic coming out of Lynch road and what they are doing is going around the scales.
He said he called the Highway Patrol and that this road just isn't wide enough to take a semi, that is where this came from and his office agrees with them wholeheartedly, also that the Sheriff is getting a fantastic number of complaints from the residents so they should do something.

Commissioner Ossenberg said it is also agreeable with him and he is sure that the other Commissioners agree with it.

Commissioner Schaad said as long as the study that Mr. Brenner is making conforms with what Keith is doing and they are together, he is 100% in favor of doing whatever they have to do to get the show on the road.

Commissioner Ossenberg suggested to Mr. Brenner that after the meeting, they go down to Mr. Lochmuellers office to talk about the Oak Hill problem and Commissioner Schaad said while they are there, they also need to discuss the federal funds with Mr. Brenner since he is now the County Surveyor.

RE: REPORT ON MASSAGE PARLOR

County Attorney Smith stated there has been no action taken on the Massage Parlor Bill, that they have a new judge on it and that he will continue to pursue the matter.

RE: POOR RELIEF ... (Continued from last week.)

Ronald Edward Fark....1302 Harriet St...Pigeon Township...Ms. Walters, Investigator

Mr. Fark had appeared before the Commissioners last week and the case was deferred until today since there were discrepancies, so they could get the facts worked out.

Ms. Walters said there were no new developments since Mr. Hart was supposed to come up with her yesterday because he wanted to discuss what had happened on the job but the County offices were closed due to the weather, and he had also said that they never had a second shift at Tri State Fabricators.

She also said that Mr. Chester was supposed to give her a photostat copy of Mr. Fark's record but the machine was broke down so she called him this morning and they are closed today, also that Mr. Fark also worked at Shane's for a short time from 11/30/70 to 1/4/71 and he quit and then he called in on 1/12/71 and said he was sick and was rehired on 2/8/71 and on 2/9/71 he left at noon and the supervisor called him at home and he said he had blood tests made and no one was going to tell him what to do.

She also said that on 2/10/71, Shane's wrote in his history, "no rehire."

Commissioner Schaad asked if it has been verified whether Mr. Fark has a diploma from the Area Industrial Training School or not.

Ms. Walters said that Mr. Chester was supposed to check that out because what she had learned was that Mr. Fark was terminated and she asked Mr. Chester to send her a copy of Mr. Fark's record and he was supposed to contact her but the County offices were closed as well as the school so she tried to call him today but the school is also closed today.
She said she still doesn't have a verification from the employment office.

Commissioner Ossenberg said there was also a question of the receipts on the rent having different hand writing on each of them.

Ms. Walters said that Mr. Fark was to bring in the receipts today.

Mr. Fark said he didn't have the receipts but he had his check stubs which he presented to the Commissioners but he said he couldn't find his diploma and he talked to the secretary at the school and she said she would make a copy of it.

Ms. Walters said that Mr. Hart wanted to be here so he could tell the Commissioners about some of the things Mr. Fark did while he was working at Tri State Fabricators and how many chances they had given him as well as Mr. Fark wouldn't do what they wanted him to do and according to Mr. Hart, out of the fourteen weeks that Mr. Fark worked there, he only worked forty hours.

Mr. Fark said he has been looking for a job and has his name at the unemployment office.

It had been determined that Mr. Fark's rent is $98.00 per month, in advance, so the Trustee can't pay his rent anyway since his rent must be one month behind so Commissioner Schaad said the Trustee can't help him until January 20th. when it will be one month behind.

Commissioner Willner said this is correct and then they can only pay so much and they can ask him to seek housing with lower rent.

Commissioner Schaad said as far as the other things are concerned, he didn't think Mr. Fark should be penalized because the people that wanted to be here aren't here or because Mr. Chester didn't supply information but since they can't help him anyway, there is nothing they can do and in the meantime, Mr. Chester should supply his information and these two people should be notified as to when the meeting will be and if they are willing to come in, he didn't feel they should sit through the whole meeting.

Commissioner Schaad moved that the meeting be set up for Mr. Fark on January 24th. at 9:30 a.m. and asked that all concerned be notified of the time and date of the meeting. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad said he is sure that Mr. Fark wants to find employment and if he does, he can pay his own rent and he is sure Mr. Fark would rather do it that way, but if not, the Commissioners aren't closing the door, that Mr. Fark can come back with the other facts and the Commissioners will then see what can be done.

Mabel D. Nichols.....15 E. Iowa St.....Pigeon Township.

Ms. Nichols was to have appeared before the Commissioners today to appeal her case but she failed to appear so no action can be taken at this time.

RE: CHECK RECEIVED

A check was submitted to the Commissioners that the Sheriff's Department had received from the State Farm Mutual Automobile Insurance Company in the amount of $561.20 for damages to Deputy Sheriff Gary Kassel's car. This check will be deposited to their Garage & Motors Account #105-323.

Commissioner Schaad moved that this check be accepted and deposited in account as stated. Commissioner Willner seconded the motion. So ordered.

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The meeting recessed at 11:15 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Bob Schaad Robert L. Willner	Curt John	Ed Smith Jr. Paul Wendel

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JANUARY 17, 1977

The meeting of the County Commissioners was held on Monday, January 17, 1977, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor, with one correction, in that on page 6 under the Discussion of Pleasantview Rest Home, it read that any action the Commissioners would take before their meeting would ho unofficial anyway but it should have read that any action the Council would take before their meeting would be unofficial, as stated by County Attorney Wendel.

The reading of the minutes of the previous meeting were dispensed with.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

PROSECUTOR'S OFFICE

Michael J. Hayden	6519 Whetstone	Misdemeanor & Traffic	$8,000 Yr.	Eff: 1/2/77
Connie Shinner	602 Drexel Dr.	Secretary	$8,500 Yr.	Eff: 1/2/77
David Shaw	1112 W. Mill Rd.	Referee Court	$7,000 Yr.	Eff: 1/2/77
Gloria F. Stinson	1033 Covert Ave.	Investigator	$8,741 Yr.	Eff: 1/3/77
Sylvia Y. Reutter	3035 Claremont	Secretary	$6,000 Yr.	Eff: 1/3/77
Louis Grewe	1100 Erie	Investigator	$9,592 Yr.	Eff: 1/3/77
Mary Grossman	R.7 Bromm Rd.	Secretary	$6,500 Yr.	Eff: 1/3/77
Teri Wallace	1307 Savannah Dr.	Secretary	$7,185 Yr.	Eff: 1/3/77

BURDETTE PARK

John Crow	3410 Marion	Rink Guard	$3.00 Hr.	Eff: 1/9/77
Kenneth Mitz	1204 S. Parker	Head Custodian	$7,148 Yr.	Eff: 1/10/77

CIRCUIT COURT

George C. Barnett	2511 E. Gum St.	Probation Counselor	$3.00 Hr.	Eff: 12/20/76

SUPERIOR COURT

Donald Scott	Intake Information Officer	$6,400 Yr.	Eff: 1/3/77
Sharon Boardman	Bailiff	$7,686 Yr.	Eff: 1/3/77
Mary T. Webb	Secretary to Court Administration	$6,547 Yr.	Eff: 1/3/77
John Rapp	Bailiff	$7,686 Yr.	Eff: 1/3/77
Mildred Morgan	Mental Clerical Assistant	$3,000 Yr.	Eff: 1/3/77
Marlon Lowe	Part time Bailiff	$3,254 Yr.	Eff: 1/3/77
JoAnn Stevens	Riding Bailiff	$8,223 Yr.	Eff: 1/3/77
Alan M. Kissinger	Judge	$9,975 Yr.	Eff: 1/3/77
Ronald Steven Barron	Bailiff	$7,686 Yr.	Eff: 1/3/77
William J. Brune	Judge	$9,975 Yr.	Eff: 1/3/77
Mary Laugel	Court Reporter	$10,603 Yr.	Eff: 1/3/77

PIGEON TOWNSHIP ASSESSOR'S REASSESSMENT

Imogene Evans	1804 S. New York	Clerk	$20.00 Day	Eff: 1/12/77
Emily Head	901 W. Indiana	Clerk	$20.00 Day	Eff: 1/13/77
June Hallenberger	1409 Fountain Ave.	Ex. Clerk	$16.10 Day	Eff: 1/12/77

RE: EMPLOYMENT CHANGES.....RELEASES

PROSECUTOR'S OFFICE

Mabel Winkler	7608 E. Chandler	Sec./Rec.	$5,874.00 Yr.	Eff: 12/31/76
Michael J. Hayden	6519 Whetstone	Misdemeanor & Traffic	$7,500 Yr.	Eff: 12/31/76
Connie Skinner	602 Drexel Dr.	Secretary	$6,800.00 Yr.	Eff: 12/31/76
Robert E. Zoss Sr.	773 S. Lombard	Felony Deputy	$18,000.00 Yr.	Eff: 12/31/76
David Zengler	Hwy. 261	Misdemeanor Court	$7,000.00 Yr.	Eff: 12/31/76
David Shaw	1112 W. Mill Rd.	Misdemeanor Court	$6,000.00 Yr.	Eff: 12/31/76
Gloria F. Stinson	1033 Covert Ave.	Investigator	$7,350.00 Yr.	Eff: 12/31/76
Dorathea MacGregor	641 Jefferson	Investigator	$8,400.00 Yr.	Eff: 12/31/76
R. Stephen Barron	2515 W. Indiana	Investigator	$8,100.00 Yr.	Eff: 12/31/76
Mary Laugel	2122 W. Michigan	Secretary	$8,500.00 Yr.	Eff: 12/31/76
LaTosha Pitt	1119 E. Blackford	Secretary	$6,500.00 Yr.	Eff: 12/31/76

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RELEASES, CON'T.

BURDETTE PARK

Kenneth Mitz	1204 S. Parker	Rink Manager	$27.00 Day	Eff: 1/10/77

COUNTY SURVEYOR

David W. Brown	1015 W. Iowa St.	Chain Man	$6,300.00 Yr.	Eff: 1/10/77

CIRCUIT COURT

George C. Barnett	2511 E. Gum St.	Probation Counselor	$3.00 Hr.	Eff: 12/30/76
John C. Behme	500 Greenleaf Dr.	Chief Probation Officer	$13,700 Yr.	Eff: 12/31/76

SUPERIOR COURT

Francis E. Carr	Bailiff	$7,615.00 Yr.	Eff: 12/31/76
Marlon Lowe	Bailiff	$5,307.50 Yr.	Eff: 12/31/76
JoAnn Stevens	Court Reporter	$9,552.00 Yr.	Eff: 12/31/76
Donald Scott	Bailiff	$5,307.50 Yr.	Eff: 12/31/76
Sharon Boardman	Riding Bailiff	$7,615.00 Yr.	Eff: 12/31/76
Teri L. Wallace	Secretary to Court Adm.	$6,100.00 Yr.	Eff: 12/31/76
John D. Rawlings	Judge	$9,500.00 Yr.	Eff: 12/31/76
William D. Stephens	Judge	$9,500.00 Yr.	Eff: 12/31/76
Mary T. Webb	Clerical Assistant	$6,020.00 Yr.	Eff: 12/21/76

RE: MONTHLY REPORT

The Report of the Traffic Engineer was submitted for the month of December, 1976. Report received and filed.

RE: YEARLY REPORT

The Annual Report of the Bureau of Traffic Engineering was submitted for the year of 1976.
Report received and filed.

RE: MONTHLY REPORT

The Report of the Pleasantview Rest Home was submitted for the Month of January, 1977.

Commissioner Schaad moved that the Commissioners approve and sign this report. Commissioner Ossenberg seconded the motion. So ordered.

RE: CETA AGREEMENT TO BE SIGNED

The CETA Agreement was submitted to the Commissioners for the approval of their Authorization for Program Operation of PSE Title VI for Vanderburgh County for the period of operation from 2/4/77 through 9/30/77.

Commissioner Schaad moved that this agreement be signed and approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was addressed to Mr. Roman Gehlhausen from Hunnicutt & Associates, Inc. on Account of Contract for Knight Township Reassessment, for work completed December 1 thru Dec. 31, 1976, in the amount of $12,093.75. This has been approved by Mr. Gehlhausen.

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

A claim was submitted by Torian Insurance Agency Inc. on Insurance - General Fund - Hartford Workmen's Compensation Policy #36WE850578, in the amount of $10,083.00.

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

A claim was submitted by Torian Agency Inc, for Insurance - County Highway Department, for Hartford Workmen's Compensation #36WE850578, in the amount of $6,313.00.

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

A claim was submitted by the Evansville Urban Transportation Study for the Vanderburgh County share of operating expenses for 1977, in the amount of $15,000.00.

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

A claim was submitted by Engineer Associates, Inc. for the Lynch Road Project, in planning survey, field survey and laboratory testing in the amount of $10,860.40. This was approved by Keith Lochmueller.

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

A claim was submitted by Engineer Associates, Inc. for partial billing of the Lynch Road Project in the amount of $3,950.30.
This was approved by Keith Lochmueller.

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

A claim was submitted by Engineer Associates, Inc. for the billing on the Lynch Road Project in the amount of $26,191.35 and if was approved by Mr. Lochmueller.

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

RE: REFUND REQUESTED

A claim for refund was submitted by Corbett Electric Co. for duplicate permit received. Permit number used was #8039 and Permit number for refund #7806, with amount of refund requested to be $22.00.

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

RE: CLAIMS

A claim was submitted by Jack Siebeking of the Vanderburgh County Highway Department for gasoline expenses to and from Lafayette, Indiana, for Traffic Engineering Classes on 12/5/76 through 12/9/76, #201-1213, in the amount of $25.63.

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

A claim was submitted by Bob Moran, the Veteran Service Officer for mileage to and from Indianapolis plus meals in the amount of $115.26.
Commissioner Schaad noted that no meal tickets were attached and Mr. John said he would check into the matter.

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

RE: REZONING PETITION.....VC-54-77.....FIRST READING

Petitioner and Owner of Record.....William F. & Noral J. Shirley of 1168 Wedeking Ave.

Premises affected are situated on the North side of Hogue Road, a distance of 100 feet East of the corner formed by the intersection of Vaness and Hogue Road, the address commonly known as 3921 Hogue Road.

The requested change is from R-1 to M-2.

The premises is presently vacant and the proposed land use is for a steel drum reconditioning firm.

There was no one present to speak for or against this petition.

Commissioner Schaad moved that this petition be referred to the Area Plan Commission on First Reading. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....VC-55-77.....FIRST READING

Petitioners are Gary R. & Barbara A. Lehr. Owner of Record is Oliver G. Schmidt of 9504 Darmstadt Road.

Premises affected are situated on the West side of Darmstadt Road, a distance of 300 feet North of Schenk Road which intersects from the West, the address commonly known as 9600 Darmstadt Road.

The requested change is from A to C-1.

The premises is presently a Green House and Florist and the proposed land use is for a small retail shop.

There was no one present to speak for or against this petition.

Commissioner Willner moved that this petition be referred to the Area Plan Commission on First Reading. Commissioner Schaad seconded the motion. So ordered.

RE: REZONING PETITION.....VC-56-77

Petitioner and Owner of Record.....Gregg Gormley, D. V. M. of R.8, Box 268

Premises affected are situated on the West side of State Road 57, a distance of 700 feet North of the corner formed by the intersection of Seven Hill Road and State Road 57, the commonly known address is R. #8, State Road 57, Evansville, Indiana.

The requested change is from A to C-1B

The premises is presently vacant and the proposed land use is for a veterinary clinic.

Mr. Joe Bitter who works for Mr. Gerling, the Attorney for the petitioner, appeared and said there is a typographical error in the petition since it read on the North Side of State Road 57 and should have read on the West side, as has been corrected above.
He said that Mr. Gormley owns 17 acres on this property but is only asking for 5 acres to be rezoned and this property faces State Road 57. He said he also has a letter from an adjoining property owner who states he owns 500 acres of property in the area and has 24 horses on his farm and he is in favor of the petition and the letter will be filed at the second reading of this petition.

There were no remonstrators present.

Commissioner Willner moved that this petition be approved on first reading and that it be referred to Area Plan on First Reading. Commissioner Schaad seconded the motion. So ordered.

RE: BOONVILLE-NEW HARMONY ROAD

Mr. Judd said he has talked to Keith Lochmueller about Boonville-New Harmony Road so as soon as the weather permits, they will go out there to install the speed limit signs as was previously discussed, so the speed will be consistant out there.

RE: ABSENTEE REPORTS

Mr. Siebeking submitted the absentee reports of the employees for the County Highway Department for the past two weeks.
Reports received and filed.

RE: COMMENTS BY MR. SIEBEKING

Mr. Siebeking said this has probably been one of the worst weeks as far as the weather is concerned, that he can remember, during the past nine years that he has been at the Highway Department.
He said he is sure that the Commissioners have received a number of phone calls from residents of the County and he assured them that he and his crews have been doing everything they could possibly do, that they have been fortunate with some of their equipment and have had some breakdowns of equipment, also that the salt situation is critical and that he did pick up some salt at Mead Johnson's that has been laying there for two or three years and he thought they could use it even though it wasn't too good.

Commissioner Schaad said he has been getting calls on the isolated cases where personal hardships were encountered.

Mr. Siebeking said it is hard to realize how much worse the Northern part of the County was hit by the bad weather than the rest of it since they have drifts that

are nine feet deep and the only way it can be moved is with the back hoe or the loader, where the snow just has to be picked up and piled over to the side.
He said he was a little concerned this morning about the article the School Corp. had released because of the schools being closed, since it implied that the majority of the reasons for closing was because of county roads, since it will be some time before they get the school lane turn-a-rounds and two-lane traffic cleared on some of these roads and that he has talked to Dr. Fisher who assured him that the city streets are also causing some problems but it seems that they don't want this put in the newspapers.
He said it won't be too easy in getting all the snow moved and that he has been in contact with the School Corporation every day as to the condition of the roads, that he realizes this is a problem but that it will just take some time.

Commissioner Schaad said he thought the crews have done an excellent job in getting out in this sub-zero weather and working for many hours and then for the news media to criticize that we should be prepared for this kind of weather and he can't understand it since how are you going to have enough salt on hand for something that will happen every ten to twenty years and if they did, they would be criticized for that and if they built a building to house it and stock that much equipment, look how much that would cost plus the storage of it and then where would they get professional people who could operate this equipment to take care of emergencies like this and he thought it takes a little common sense and said that someone should get a pat on the back when they deserve it.

Mr. Siebeking said he was real proud of his crew as far as the hours they have put in is concerned and the fact that they have never refused him when they were called back out to work after they had been working all day.

Commissioner Willner asked Mr. Siebeking if he didn't think it would be advantageous to keep one or two emergency crews around the clock instead of letting them all go home so they can get these isolated cases taken care of such as the case on Buente Road, since no one has been out there at all and these people need groceries, so as these people call in, they are going to have to be taken care of regardless of what time it is.

Mr. Siebeking said Buente Road is isolated from both ends, that the Northern part was open but they haven't gotten on the Southern part of it as yet.
He said they have had a few emergencies at night and he has called men is so they could get the people out.
He said he would try to figure a way to keep an emergency crew around the clock, since people call in that do have a problem and he assured the Commissioners that he would do everything he could for them.

RE: DISCUSSION ON ST. JOE ROAD FILL

Mr. Brenner had said last week, that County Attorney Wendel has had contact with Priest Hazelwood on the St. Joe road fill and they want an answer.
He said, today, in regard to this problem, that he has contacted local contractors and obtained prices from them on what they would charge for down time on the equipment and they have come up with a final figure after reviewing the dirt and they are prepared to pay then $2,090.00, that he was asking approximately $3,786.00 plus more for dirt which would amount to about $5,000.00.
He said he is having a letter typed up right now and he wondered if he should give it to the County Attorney's or if he should send it to Priest Hazelwood.
He said they have gone through the log books in checking the time for use of the machines, also that they want to bill us for down time on machinery that was never used.

County Attorney Wendel said that Mr. Brenner should send the letter to Priest Hazelwood and if he wants to prove any legal points, he will back up Mr. Brenner on it.

This was agreeable with the Commissioners.

Commissioner Willner said there have been some other problems on this project and he understands that two of the property owners' driveways are now on Railroad property and he would like to defer anything until he can get together with the Surveyor and these people so they can find exactly where the line is and these people would like to be heard.
He said he thinks all the problems should get straightened out at one time before anything further is done, including the mailing of the letter to Priest Hazelwood.

Commissioner Schaad moved that the Commissioners defer all action on this matter until all problems have been resolved. Commissioner Willner seconded the motion.
So ordered.

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Commissioner Willner said he would get the property owners names for Mr. Brenner and Mr. Brenner said he would furnish the County Attorney's with a copy of the letter he has written to Priest Hazelwood, as well as the County Commissioners.

RE: DISCUSSION OF THE PLEASANTVIEW REST HOME

Mr. Brenner said he will survey Pleasantview as soon as the weather permits, that he does have all three floors laid out and everything laid to scale but they don't have anything as yet on the out buildings.

Commissioner Schaad explained that he has had people in who were interested in the Pleasantview property, before they got into this technical hassle on it and they were down from Indianapolis and they wanted a lay-out of the floor plan and he asked Mr. Brenner if he would do it and he said he would.
He said the people wanted a sketch of where the out buildings were in relation to the main building, so he would call these people and explain the reason for the delay.
He said they were able to get what they wanted off of the blueprints that were out there, since they will probably need it anyway some day.

Mr. Brenner said he has given the Assessors' a copy of the lay-out to help them in their appraisals.

RE: REQUIREMENTS SUBMITTED FOR ACCEPTANCE OF NEW ROADS

Mr. Brenner said they have completed the requirements that are needed for the County acceptance of new roads, that he has had Mr. Biggerstaff and Mr. Morley in, who gave suggestions on the matter and he has a copy for each of the Commissioners, which he submitted to them at this time..
He said he would like for the Commissioners to review it and possibly next week, they could approve it.
He said the one item of particular interest is that the Ordinance requires that the Surveyor approve a road before it is accepted and there has been no hard fast criteria on what it takes to accept a road and in here, they have required that the Engineer who designed the road, certify to them that it is built according to his specifications, that this way, it puts the problem on the developers back, that the engineers' say to the Surveyor, that this is against his license if it isn't built to his specifications.
He said that since the Surveyor's office doesn't have a tremendous amount of man-power to stand there and watch them, they put it to the Engineer.

RE: COMMENT ON COUNTY SECTION CORNER BOOK

Mr. Brenner had previously brought up the fact that the County Section Corner Book was missing from his office and County Attorney Smith asked Mr. Brenner if he had heard anything about the missing book.

Mr. Brenner said he hadn't heard anything about it as yet.

County Attorney Smith said he had written a letter to Mr. Biggerstaff as to the whereabouts of the book but hasn't received an answer as yet.

Commissioner Schaad said he still thought this matter was between Mr. Brenner and the past Surveyors and not the Commissioners.

RE: FIRST AVENUE BRIDGE

Commissioner Schaad told Mr. Brenner that he might have some of his bridge inspection crew to check the First Avenue bridge, that he understands there are some big chuck-holes out there over Pigeon Creek that came rather suddenly.

Mr. Brenner said he would check it out to see what can be done about it.

RE: COMFORT STATION AT BURDETTE PARK

Commissioner Ossenberg said that the County Surveyor's office had prepared specifications for the Comfort Station at Burdette Park that Pepper Construction built and that now, it is finished, so he needs to check it out before the bill can be paid.

Mr. Brenner said that he has talked with the Building Commissioner about the final inspection and acceptance of the Comfort Station, that the Surveyor's office did the engineering but the inspection is the Building Commissioners item.

Mr. Crooks said he would have to check into the matter, since he didn't think they had a plumbing permit, so this matter was referred to Mr. Crooks.

RE: EMPLOYEES FOR CORONER'S OFFICE

Dr. David Wilson, the County Coroner, said that according to Indiana Code, he is required to have the number of his deputies fixed by the Board of Commissioners and in an effort to make a smooth transition from his predecessor, to his operation of the Coroner's office, he has already taken some liberties in this regard by making some appointments and his purpose for being here this morning is to name his deputies, which he is permitted and required to do, by law.
He said that in the interest of smooth operation in his office, he has kept the people who were previously in that office and he plans to continue to keep them, unless they prove to be unqualified.
He submitted his list of employees as follows:

Earl K. Cox..Chief Deputy Coroner
1304 S. Red Bank Road

Allen Byers..Evansville Police Dept.
& Embalmer...Deputy Coroner
5114 Chadwick Road

Mary Frances Westfall...Deputy Coroner
& Clerk....309 W. Maryland St.

Albert J. Venables, M.D...Deputy Coroner
Special Physician...611 Harriet Street

Walter Blanford, Jr...Deputy Coroner
Photographer - Snap Photo
1921 Hawthorne Ave.

Bill Phipps...Special Deputy Coroner
(until August, 1977 when he will be 21)
2840 "C" Street

Commissioner Schaad moved that the Commissioners honor the Coroner's request in approving these employees of the Coroner's office. Commissioner Ossenberg seconded the motion. So ordered.

Dr. Wilson said the Board of County Commissioners has the power to specify how many deputies the Coroner could eventually have and they should possibly think about it and that they reserve that decision for a future meeting and that he will be happy to come back at a later time.

RE: PLEASANTVIEW REST HOME DISCUSSION

Commissioner Schaad said that at the meeting the other day with the Council, Commissioner Ossenberg wasn't able to attend and Commissioner Willner wasn't there but the meeting was called by Dan Kollker and after they finished talking, it was agreed that perhaps the County Attorney and Attorney Doug Knight get together, thinking maybe there was some information that County Attorney Wendel might have that Doug didn't have that might cause one of them to change their minds.

County Attorney Wendel said neither of them changed their minds and everything remains the same.

Commissioner Schaad said that Dan Kollker did request that the Commissioners join in a joint friendly law suit, for the courts to determine whether Pleasantview is legally closed or not and he thought maybe this matter should be brought up in a public meeting. He said he had a personal feeling on the matter but that there are two other Commissioners to consider the matter and it is a decision that must be made by all three Commissioners.

Ms. Juras explained that Mr. Kollker has been delayed but will be here shortly to discuss this matter with the Commissioners.

After Mr. Kollker appeared, the discussion continued and Mr. Kollker said that what Commissioner Schaad has explained is correct and the reason the meeting was called with Bob Schaad was because he was the one that had worked with this matter as President of the County Commissioners and he actually said that all members of the County Council and of the County Commissioners were welcome to attend the meeting. He said he explained the situation to the Council and they authorized him to come with the proposal to get this settled and get a Judges ruling of judgment so they will know where to go from here and they will either have the authority to close the home or they won't have the authority to do so.
He said it is still the Council's stand to accept the judgement of the Judge without appeal and hopefully, the Commissioners will do the same, so it won't be hung up in appeals, that they would just like to know where they stand, that at least four Council members are not at all determined how they feel about whether the home should be opened or closed and it will have to be investigated, so it is no more than to find out who has the authority, since they will also have the problem with the sale or lease of the property.

He said this thing will have to be settled one way or the other.

Commissioner Ossenberg said that his only concern of this is, that he would like to know Council's true position on a pole vote, that it seems ridiculous to him that if the Council votes 4 to 3 as an example, and go on record as to keeping the home closed, why even go into a friendly suit.

Mr. Kollker said the problem of it is that it will take some time and the Council could go ahead and do it but that a friendly suit with a declaratory judgement could be given in a short period of time but the thing is a matter of time and rather than to go into a long lengthy investigation of whether the home should be opened or closed and there are a lot of facts, information and hearings, to only find out whether the home should be opened or closed and then the Commissioners could disagree with the decision and then they may want to go through a declaratory judgement and could then be appealed and it could drag on and on and if it is the decision of the Council to keep the home open, the longer it is closed, the more difficult it will be to get it back open but he isn't inferring that they do want it open, that it is just a matter of logic and matter of time that he is trying to accomplish.

Commissioner Willner said that it is agreeable with him.

Commissioner Schaad said the way he looks at it, that apparently the Council thinks the Commissioners used bad judgement in closing Pleasantview but that he hasn't changed his opinion, that he thinks, with the best interest of this community and the taxpayers of Vanderburgh County, the Commissioners did the right thing in closing the home and he didn't know if it was legally done right or not but he still thinks, regardless of the outcome, that with all the facts and figures they had, that the only logical thing they could do was to close it and as far as he is concerned, he didn't think the County should be in that business anyway and if they are going to use $140,000.00 per year in keeping the home open and being in competition with the other rest homes, when it doesn't really serve a need because the people are taken care of and there is no need for it.
He said he still thinks it should be closed and if someone else wants to prove to themselves that they agree or disagree, then let them do it.

Mr. Kollker said in clarification, that it isn't the Council, at all, that feels the home should be open or that the Commissioners used bad judgement, that there were two Councilmen that appeared before the Commissioners because they felt that the home should remain open and it was legitimate for them to be there, that he didn't know if it was their feeling or not that the Commissioners used bad judgement but he thought it was to the point, in his mind as possibly in the two Councilmen's minds, that do they have the authority or not because it just doesn't end there, that it will go on with the sale or lease of the property and it is something that must be answered, which would probably also apply to Boehne Camp.

Commissioner Schaad asked County Attorney Wendel who has the authority to lease or sell either, Pleasantview or Boehne or both.

County Attorney Wendel said that if the property is going to be sold outright, the Council would have to approve it because any sale of real estate over $1,000.00 must be approved by the Council with an ordinance.
He said as to leasing the property, there is a dispute between the same two attorney's as to whether the Council needs to be consulted on the lease or not, but as far as the friendly suit is concerned, he didn't see how it could be accomplished that fast and one of the things the court looks at, in declaratory judgement actions is to avoid what is sometimes called a friendly suit for the reason that two parties could get together and decide they want to get a court decision on what something is, when they really don't have an actual dispute or controversy and they then bind everyone else by it, so one of the rules on a declaratory judgement case is, that there actually be some dispute or controversy that must be settled.
He said he didn't think they have reached this point yet and he thought the odds to be pretty high, that if they went to the time and expense of trying to get such a suit in court, they wouldn't get a judgement anyway, either way, until the Council would say they wanted to keep the home open and they would then have a dispute.
He also said that the Council members apparently haven't all made up their minds as to whether they want the home open or closed and he would think if they looked into it and they did come to the conclusion that the home should be closed, they have no problem, but if they come to the conclusion that the home should be open, with the evidence they are going to come up with, their evidence may change the opinion of the Commissioners.
He said he thought the fastest and most economical way to do it would be for the Commissioners to hold their action in abeyance until the Council can decide and he didn't think it should take a great deal of time, maybe a month at the most, that this would be his recommendation.

Mr. Kollker said that he isn't an attorney, but Doug Knight's opinion differs somewhat from the opinion of Paul Wendel's, as it has all along, as to whether the Commissioners have the authority or whether the Council has the authority, but that it is Mr. Wendel's understanding that there isn't a controversy here and the judge would make a ruling on it and could do it within a short period of time but he didn't know if this could be accomplished by getting together with the judge who does this kind of thing or not, but it seems to him that the speediest way to expedite this would be to get a judgement, because only to find out that they have gone through all these hearings and if the decision would be that they think the home should be opened and the Commissioners say they think the home should be closed and then, a declaratory judgement, and once it is a decision that would not agree with either, the Council or the Commissioners, it would then be appealed and get hung up and there would be a lot of problems.

Commissioner Ossenberg said that the only thing he can validate here is, who has the power, that the building is closed, and if a judge comes along and says that the Council has the final say and the judge comes along and says to re-open the building and the Commissioners are mandated to open the home, it looks to him that if the Council has the say-so on that, then the Council will also have the say-so on running the place.

Mr. Kollker said that even if the Council has the say-so to keep the home open, it is still the responsibility of the Commissioners to run the home and he realizes that, then. it is a lot of problems, since if the Council feels that the home should be opened with the possibility of the Commissioners, feeling all along,that it shouldn't and there isn't the co-operation and the home would be disastrous, but he thought it the responsibility of the Commissioners to run the home, regardless of whether they wanted to keep the home opened or closed.

Commissioner Schaad said that it seems to him, in getting right down to it, that it is either going to be disastrous or the Council agree that the home be closed, since this is what Mr. Kollker has said.

Mr. Kollker said if the Commissioners agree with this stand, they are in one heck of a position and Commissioner Schaad said he was inclined to agree with him, that it would be disastrous to make somebody do something against their will, or better judgement, that won't work, that the Commissioners made this determination when they closed the home.

County Attorney Wendel said with this being a possibility, it would make a declaratory judgement action really time consuming and wasteful because if they get to a position where the court has to say they have to open the home, that couldn't be determined here, that if the Council doesn't approve the closing, then with the Commissioners saying they weren't going to open it anyway, then they would have to go into court.

Mr. Kollker said that the home has never been officially, legally, closed.

Commissioner Schaad said he could look at it any way he wanted to, but the building is closed.

Mr. Kollker said that what the Council wants is to get a judgement and solve it right there. He said what if the property is leased and then they run into a problem on the leasing of the property, that they would then have to go back for a declaratory judgement and he asked why not get it all over with and just find out.

Commissioner Schaad said if they aren't going to close it, they don't have to worry about the leasing.

Mr. Kollker said that if the Council goes ahead and agrees with the Commissioners in the closing of the home, they still have the problem of leasing it, then, and wondered if both of the problems couldn't be resolved at the same time by a declaratory judgement.

County Attorney Wendel said he didn't think any of it would be solved with the action, since he is of the opinion that it isn't ripe enough to be determined, that there is no actual controversy.

Mr. Kollker said it is the opinion of the County Attorney to keep the home closed, and the outside opinion that the Council got, was that there is enough controversy to get a declaratory judgement.

Commissioner Schaad said he wanted it included in the minutes, in that, the other day when they had the meeting, he did say, for one, that if this did get into a law suit and there had to be proceedings and court hearings, he thought this to be over and above the duties of the County Attorney's normal pay so he thought they should be reimbursed over and above their salary if the need for this extra work comes to pass..

Commissioner Willner said he would agree with this if there is a law suit but he didn't think it was necessary for a declaratory judgement.

Commissioner Schaad said that a declaratory judgement would take extra time to prepare it, just like it would for a law suit.

Mr. Kollker said he thought it all boiled down to, what are the duties and responsibilities of the County Attorney's and what is termed as above and beyond their duties. He said he knew this was a difficult thing to determine, since they had this problem with the suit against the prosecutor when former County Attorney Swain defended the Council.

Mr. Kollker said if there is an agreement of the seven Council members and an agreement of the three Commissioners, wouldn't that be good enough, that he would take the Commissioners word if the Commissioners would take the Council's word, that whatever decision they get from the judge, they will stick with it and not appeal and not drag it on for a long time.

County Attorney Wendel said that he couldn't recommend that the Commissioners do that, since if the judge looks at all the evidence and he thinks the judge is 100% wrong, they wouldn't go along with it.

Mr. Kollker asked Mister Wendel if he wouldn't be willing to take a chance at it, the same as the Council would, that they just let the judge try it and decide, that if it is a hang-up about any one particular judge, he would even be in favor of a change of venue type of thing and go that route.

Commissioner Ossenberg said that he would suspect he would favor, rather than a declaratory judgement, an opinion from the Attorney General of the State of Indiana, since as he reads these laws, they are so antiquated and so old, it is hard to determine such is the fact that the law mentions a poor farm and an overseer. He said that a poor farm and an overseer doesn't exist today in a nursing home, that it is a licensed administrator, so technically, he thinks that the law is wrong there.

Mr. Kollker said that an Attorney General's opinion is nothing more than another opinion and no more than that.

Ms. Juras said that in the closing and the operation change of Boehne Camp, the Attorney General was asked for an opinion and she found that he gave an unofficial opinion which really didn't say anything.

Commissioner Willner said he remembered this since he was sitting on the Commission at that time and in essence, the Attorney General refused to give an opinion, that he said he didn't work for the Counties, that he worked for the state.

County Attorney Smith wondered, in order to expedite the matter, if it was possible for the Council to make a determination as to whether or not they agree or disagree with the Commissioners, first, since if they come to the same conclusion that the Commissioners have come to, that is one thing, but if they don't, then they do have an actual controversy.

Mr. Kollker said, "yes" if the Council agrees on the closing of the home, it is ended, but if they do not agree with the closing, after all these hearings, then they go through the declaratory judgement, only to find out that the judgement will then be appealed and it will take too long and they won't get anywhere.

County Attorney Wendel said he has one point to make that might sort of help to expedite the Council's decision and that is, that it seems as though, before they decide on the dollars and cents issues of whether the home can break even or not, the first question that should be asked is whether they should have the home to begin with, as to whether there is a need for it and to look at the other facilities available, the decision could be made a lot faster than by getting down to the nuts and bolts to see if there is any way they could make it profitable.

Mr. Kollker said he thought the Council's decision would depend on all these things in total, as to whether they think the home should remain open or not.

Attorney Wendel said that if the Council decides that there isn't a need for the home anyway, it looks as though the rest of the decision wouldn't need to be made, profit or no profit.

Mr. Kollker asked what it would take for them to find out from the judge how long it would take him to make a decision on the matter, assuming the Commissioners would agree to accept the declaratory judgement without an appeal and the Council would do the same.

County Attorney Wendel said that one fact they should have in mind is that the residents were placed elsewhere so quickly and without any difficulty and the funds are there for them to stay elsewhere which tends to make him believe there isn't really a need for the home.

Mr. Kollker again asked what does it take to find out from a judge as to how long it would take him to make a decision on it, as to if it would take him a week or a week and a half, that if it is a decision that neither one wants to hear, there is going to be appeals and all of this stuff and that place is just going to be hanging out there, this way either they make the decision or they don't and they are going to be satisfied with that and then they make the decision.

County Attorney Wendel said they would have to find out which judge was going to hear it and they would also have to find out if he will change it on his trial calender.

Mr. Kollker asked how long it would take to do this.

County Attorney Wendel said he had thought that Doug Knight had checked into that and he thought that Doug had originally told him it would take maybe a week and then he asked him about it and Doug got it down to maybe three weeks and he didn't know if Doug has checked into it or not and Mr. Kollker can check with him on it, but he didn't think Mr. Kollker should have any difficulty in finding out if the Council agrees or disagrees with the Commissioners within a month.

Mr. Kollker said he didn't think there was anything to be concerned about as to the decision, that they should find out the opinion.

Commissioner Schaad said that if Mr. Kollker wants a legal opinion, then he should get it, by initiating the action, since he has a controversy that they don't agree.

Mr. Kollker said this only tells him that if it isn't done in a friendly suit, that if the decision they hear isn't the decision the Commissioners want to hear, then there will be appeals and everything else and that is just dragging it out.

Commissioner Schaad said they still won't know what the answer is going to be after the decision is handed down, as to whether the Council will have the home opened or closed so they still won't have anything.

Mr. Kollker said they will have something, that they will then know who has the decision to do these things.

Commissioner Ossenberg said his position remains the same and he feels there won't have to be a declaratory judgement if a pole of the Council tells him that they want to keep the home closed or open and until such a time, he will stay steadfast with his opinion, since he understands from the County Attorney that they have to have a disagreement and there is apparently no disagreement.
He said he thinks the only thing they are looking for is who has the power of decision to open or close the home and this isn't really telling him what is going to happen if the declaratory judgement is simply going to tell him that the Council or the Commissioners has the power to do this.

Mr. Kollker said if the Commissioners has the power, it is over, but if the Council does, then the Council will go through the studying of it and if the Council decides to keep the place closed, thats fine but then they run into the deal of leasing it. assuming that it is leased, so what they are doing is just running into more problems and he assumes this is true with Boehne Camp also and each time they are going to have problems when they run into something like this or will they hit it solid, so he would think they would want a declaratory judgement to determine whether or not the home should be opened or closed and if the Commissioners acted legally or not because he would think that possibly a taxpayer or someone could file suit against the Commissioners for closing it or someone that has been a patient out there and it seems like a lot of problems by going this route.

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Commissioner Schaad said he thought of something that hasn't been mentioned before, that he was just wondering, since the two attorneys here are attorneys for both, the Council and the Commissioners, since he isn't at all sure that they could represent the Commissioners in Court and he asked if this wouldn't be a conflict of interest since they do represent both, the Council and the Commissioners, that the County Attorneys made a decision and the Council doesn't agree with it so the Council then hired their own attorney and if it got down to a law suit, he didn't believe that either attorney could represent the County Commissioners because they also represent the Council and he just didn't take their word for it so the Commissioners would also have to have an attorney.

After further discussion, County Attorney Smith said to expedite this thing after hearing all that has been said, he thought the Council should give consideration as to whether the Council agrees or disagrees with the Commissioners since this seems to be what it all points to and it shouldn't take very long.

Mr. Kollker said that the only reason the Council needs to make a decision is that they are the fiscal budgetary body only and this is what they have to weigh it on and it seems to him that the Commissioners do not want to get that declaratory judgement and all he wants them to do is to get it and get the thing over with and it will finally settle matters if they accept it.

Commissioner Schaad asked what if they find that the Council has the authority and they say to keep it closed, then they will have gone to a lot of trouble and delays and they will be right back where they started from.

Commissioner Ossenberg said that apparently the Commissioners aren't going to enter into the agreement on the advise of the County Attorney's and consequently he would like to see a pole of the Council as to if there is a disagreement in the closing of the home, since the Council is meeting tomorrow.

Mr. Kollker said they can't give an answer tomorrow as to whether the home should be open or closed since there are three members that have made up their minds in that he thought Mr. Niethammer thinks it should be closed and both, Mr. Taylor and Mr. Ahrens thinks it should remain open but the other members haven't made up their minds and he didn't think they would have their minds made up by tomorrow, that he knows he can't make up his mind by then.

Commissioner Schaad said they are at a stand-still so if Council wants to file suit against the Commissioners, they can.
He said that as a Commissioner, he personally, isn't going to speak up to appeal the decision but if Dan is asking for a declaratory judgement, it looks to him like they are then going to have to have a difference and the difference is going to have to be that the Council disagrees with the Commissioners.

Mr. Kollker said this is the opinion of the County Attorney, Mr. Wendel, but again, there is a difference in that opinion.

Commissioner Ossenberg said that the Council left it up to Doug Knight and the Commissioners have to take the expertise of their legal council who are advising them of one thing and Mr. Knight is advising the Council of another.

Mr. Kollker asked if they couldn't find that out in just a matter of a couple of days, as to whether or not a judge would give a declaratory judgement on it.

County Attorney Wendel said he can't hear a case before it is filed.

Commissioner Ossenberg said what he thinks the Commissioners are saying is that they are not going to join in a friendly suti with the Council, that the Council can go ahead and file suit against the Commissioners and if a declaratory judgement comes against the Commissioners, he isn't one that is apt to appeal it and he still says that the law is very vague since he can't interpret this as being a poor farm anymore, that he still says it is a nursing home, just a technicality of an observer or a registered administrator running that particular building out there, so as far as he is concerned, the issue is right there.

Mr. Kollker said he sees the issue and that the Council is willing to go every bit of half way.

County Attorney Wendel said that a declaratory judgement suit still wouldn't bind anybody who is not a party, so lets say we would agree as he proposed, and the court says the Council has no authority and so the place is closed, and later on, someone could file suit.
He said he thought the most practical way to do it would to be see if they have a disagreement, that it would avoid a lot of hassle and expense.

Mr. Kollker asked what about if there is a disagreement if the home is leased, and will they have to go through the same thing again, that he would assume they would. He said he would give this information to the Council, as to the feelings of the Commissioners.

The meeting recessed at 11:20 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Bob Schaad Robert L. Willner	Curt John	Ed Smith Jr. Paul Wendel

Secretary: Margie Meeks

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JANUARY 24. 1977

The meeting of the County Commissioners was held on Monday, January 24, 1977, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

Kimberly Babbs	303 South Woods	Rink Cashier	$3.00 Hr.	Eff: 1/15/77

SURVEYOR

Robert E. Kautzman	7019 Hogue Rd.	Rodman	$7,093.00 Yr.	Eff: 1/17/77
Danny Kares	6220 Mesker Pk. Dr.	Party Chief	$11,779.00 Yr.	Eff: 1/17/77
Al Paul	R.R. #2 Wadesville	Party Chief	$11,779.00 Yr.	Eff: 1/17/77
Charles Davis	2182 Maxwell	Chief Draftsman	$ 9,665.00 Yr.	Eff: 1/17/77
Gary Gulledge	123 Kenmore	Instrumentman	$ 8,416.00 Yr.	Eff: 1/17/77

CUMULATIVE BRIDGE FUND

Dave Guillaum	1610 Hicks Dr.	Bridge Project Engr.	$11,900 Yr.	Eff: 1/17/77
Marvin Karch	4005 Herrmann Rd.	Bridge Inspector	$ 7,426 Yr.	Eff: 1/17/77

COOPERATIVE EXTENSION SERVICE

Debbie Etienne	1322 Parrett St.	Secretary	$ 6,243 Yr.	Eff: 1/15/77

RE: EMPLOYMENT CHANGES.....RELEASES

CIRCUIT COURT

Thomas Norton	921 Canterbury	Probation Counselor	$3.00 Hr.	Eff: 1/14/77

PIGEON TOWNSHIP ASSESSOR

Paula Hardenbrook	2809 W. Pennsylvania	Clerk	$6,635.00 Yr.	Eff: 1/17/77

PROSECUTORS OFFICE

Mark Owen	101 Court St.	Defense Prosecutor	$11,500.00 Yr.	Eff: 1/15/77
Patricia Yates	912 E. Blackford	Secretary	$ 8,500.00 Yr.	Eff: 1/15/77

SURVEYOR

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Marvin Karch	4005 Herrmann Rd.	Bridge Inspector	$ 7,200.00 Yr.	Eff: 1/15/77

COOPERATIVE EXTENSION SERVICE

Anna J. Krack	Edgewood Drive	Secretary	$ 6,243.00 Yr.	Eff: 1/14/77
Debbie Etienne	1322 Parrett St.	Secretary	$ 5,806.00 Yr.	Eff: 1/14/77

RE: MONTHLY REPORTS

The Report of the Clerk of the Circuit Court was submitted for the month of December, 1976.
Report received and filed.

The Report for the Legal Aid Society of Evansville, Inc. Joint Department of Legal Services was submitted for the month of December, 1976.
Report received and filed.

MONTHLY REPORTS.....CON'T.

The Report of the County Treasurer was submitted for the month of December, 1976. Report received and filed.

RE: ANNUAL REPORTS

The Annual Financial Report of the County Auditor was submitted for the year of 1976. Report received and filed.

The Annual Report of the Building Commission was submitted for the year of 1976. Report received and filed.

RE: ORDER OF GARNISHMENT

An Order of Garnishment was submitted on behalf of Alles Brothers vs. Bob Coleman of the Vanderburgh County Sheriff's Department.

This matter was referred to the County Auditor for proper disposition.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by Deig Brothers Lumber & Construction Co. on the Kentucky Avenue Bridge, Structure 116-A, which is now completed. Certificate received and filed.

RE: REQUEST TO TRAVEL

A letter was submitted to the Commissioners from Mr. Jeff Wilson, the Zoning Administrator, requesting that he be permitted to travel, to attend a seminar in Indianapolis on January 24th. 1977.
This seminar is the second Indiana Conference on Signs and Sign Legislation and the program will consist of new regulations on signs.
Mr. Wilson will be traveling by automobile.

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

RE: CLAIMS

A claim was submitted by Szabo Food Service for the meals of the prisoners during the period of 1/1/77 to 1/14/77, in the amount of $3,698.50.

County Attorney Wendel said that the contract hasn't been signed as yet and that it should be signed by next Monday, so the claim will be held up until that time.

Mr. John said that he has checked with the State Board of Accounts on this and they said it would be okay if Sheriff DeGroote verifies the meal count so they won't have to submit a breakdown on number of meals served to each prisoner.

A claim was submitted by Alvin Stucki, the Center Township Assessor, for mileage to and from Indianapolis in attending the Annual Conference of County and Township Assessors on January 17, 18 & 19, at 14¢ per mile for 336 miles which is $47.04 and per diem of $20.00 per day for 3 days which is $60.00. The total amount of the claim is $107.04.

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

A claim was submitted by Shirley Stucki, from the Center Township Assessor's office, for mileage to and from Indianapolis in attending the Annual Conference of County and Township Assessors on January 17, 18 & 19, at 14¢ per mile for 336 miles which is $47.04 and per diem of $20.00 per day for 3 days which is $60.00. The total amount of the claim is $107.04.

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

A claim was submitted by James Angermeier, the County Assessor, for mileage to and from Indianapolis in attending the Annual Conference of County and Township Assessors on January 17, 18 & 19, at 14¢ per mile for 324 miles which is $45.36 and per diem

of $20.00 per day for 3 days which is $60.00. The total amount of the claim is $105.36.

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

A claim was submitted by Roman F. Gehlhausen, Knight Township Assessor, for mileage to and from Indianapolis in attending the Annual Conference of County and Township Assessors on January 17, 18 & 19, at 14¢ per mile for 324 miles which is $45.36 and per diem of $20.00 per day for 3 days which is $60.00. The total amount of the claim is $105.36.

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

A claim was submitted by James L. Kornblum, the Knight Township Deputy Assessor, for mileage to and from Indianapolis in attending the Annual Conference of County and Township Assessors on January 17, 18 & 19, at 14¢ per mile for 324 miles which is $45.36 and per diem of $20.00 per day for 3 days which is $60.00. The total amount of the claim is $105.36.

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

A claim was submitted by Sheriff DeGroote for the 6385 meals that were served the prisoners at 65¢ per meal from 12/15/76 to 12/31/76 in the amount of $4,150.25 and the balance of $1,722.75 that is due the Sheriff from 1976. The total amount of the claim is $5,873.00.

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

A claim was submitted by Torian Agency Inc. for policy No. CN 9011827-01 for the period of 3/30/76 to 3/30/77, Boiler & Machinery Policy $500,000 per accident. The total amount of the claim is $3,039.00, of which approximately $490.00 is for Pleasantview Rest Home.

Commissioner Schaad moved that the claim in the amount of $3,039.00 be approved. Commissioner Ossenberg seconded the motion. So ordered.

A claim was submitted by the Indianapolis Newspapers, Inc. The Indianapolis Star, for the advertisement of an Engineer, in the amount of $21.84.

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

A claim was submitted by the Schmitt Photo Service, Inc. for photographs taken of the Pleasantview Rest Home, in the amount of $13.00. These were aerial photo's.

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

RE: ANTI-TRUST ACTION

County Attorney Wendel explained that this Anti-Trust Action was brought in the United States District Court for the Northern District of California which relates to an allegation that sugar was manipulated and this is a notice to the effect, that if Vanderburgh County purchased any refined sugar, they would possibly be entitled a refund for some of the overcharges.
He said that either he or County Attorney Smith could enter their appearance in the case, that if they don't, the Attorney General for the state, will be handling it for the County, which is what he would recommend and what it proposes, is for him to contact the Deputy Attorney General that is handling the matter and see what records we might have that they would need and then forward them to the Attorney General.

Commissioner Schaad moved that County Attorney Wendel proceed with the matter as he has recommended. Commissioner Willner seconded the motion. So ordered.

RE: ABSENTEE REPORT

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

RE: MR. SIEBEKING

Mr. Siebeking said he has nothing to report, only that he has talked to Alice Jackson of the School Corporation and Mr. Rode who is in charge of the school buses and he suggested to them that they all get together as soon as possible this week and determine some emergency snow routes for school buses.
He said he feels that if they have certain roads that he knows the buses will travel on, they will then concentrate their efforts on these roads and they feel then, that they can have school in session a lot of the days that would otherwise be closed.
He said he has proposed this plan to them, that he feels if they can get the main artery roads that lead into the City, probably two on the East side of the County, maybe two coming down the center of the County and two or three that go from east to west in the County and keep these roads open so the buses can run on them.
He said this will have to be a well publicized thing and the School Corporation feels that this will be their part in it, so that the people know the buses will be running on these particular roads and they can bring the students to these particular roads so the buses can pick them up.
He said he has been thinking about this for a long time, that the Northern part of the state has been doing this for years but this is the first time we have had such a bad winter, so he thinks it is a good plan, as did Mr. Rode, so he suggested this plan be worked out as soon as possible, that he would like to get on it right away.

Commissioner Ossenberg asked Mr. Siebeking if he would also coordinate this plan with the City garage.

Mr. Siebeking said that the School Corporation will probably want the City garage in on this too, so they can have some snow routes in the City to run their buses on.

Commissioner Willner asked Mr. Siebeking if he had any salt left.

Mr. Siebeking said they were out of salt and that the state has some but they are low enough to where they can't let the County borrow more, because some of the sub-districts are out, also they may be getting more in and he feels that if they get some, he will also get some, since he found out that the salt is on the Ohio River where everything is jammed up and he has a feeling that one of the three loads down there is his.
He said he is safe in saying that, so far this winter, he has used at least 500 tons of salt, that he has had 300 tons on order for over a month, with his supplier, that he is supposed to be on top of their list, so when they get it at Owensboro, he is supposed to get the first salt that comes out.

Commissioner Ossenberg said that on behalf of all the Commissioners, it behooves them to thank all the area farmers that did help them out last week in clearing the roads, that the Commissioners really appreciated it and he said, if they want to continue to help, the Commissioners will appreciate that too.

RE: ROAD STANDARD REQUIREMENTS APPROVED

Mr. Brenner asked the Commissioners if they are prepared to approve the Road Standards for new roads and subdivisions that he submitted to them last week, since this is his recommendation and it will give them a firm hard criteria.

Commissioner Schaad moved that the Commissioners adopt these standards for all new County roads and is effective today. Commissioner Willner seconded the motion. So ordered.

Mr. Brenner said the Building Commissioner's office and the Area Plan Commission are both aware of these standards, also that the County Engineer's office is the one that must accept the roads and now they have a viable criteria for doing that.

RE: CUTS IN

The Waterworks requests permission to make two shoulder cuts, one on Dogwood Drive for a water main extension from Hogue Road going South on Boehne Camp Road West on Dogwood Drive and the other one on Evergreen Heights No. 2 for a water main extension to provide services to Block No. 2, Lots 2,3,4,5 & 6 and Block No. 1, Lots 4,5,6,7,8,9 and 10, both to be done to provide water service.

Mr. Brenner said that a bond wouldn't be requested on these cuts, since they were received before but just hadn't been acted upon as yet.
He said he believed the Utility Companies would cooperate, also that the Southern Indiana Gas & Electric Co. has a separate agreement with the Commissioners, that they will cooperate but that they do an excellent job anyway.

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Commissioner Schaad moved that these two shoulder cuts be approved. Commissioner Willner seconded the motion. So ordered.

RE: COMMENTS ON THE STANDARDS FOR ROAD CUTS

Mr. Brenner said they have now completed the new standards for road cuts, that they took them to the Utilities' meeting last month and they had some comments which were incorporated in the standards and the one thing this would do for them is that they will require a bond to insure that a road cut is put back to it's original condition, also they have an inspection requirement during the work, since they have standards as to how they are supposed to make a road cut, shoulder cut, etc. and at the end of one year, to clear their bond, they will go out and make a final inspection to insure that the cut remained as good as the road, when they cut it.
He submitted the new application form for cuts to be made and he explained that it just sets a standard to get the Highway Inspector to approve the cut after it is done and he said that this is what they have to do and that they have agreed.
He also said there is a one-year time element.

RE: EMERGENCY DECLARED.....FIRST AVENUE BRIDGE

Mr. Brenner said there was previously a complaint on the First Avenue Bridge, as to the numerous chuck-holes, that they went out and surveyed it and found that it is in dire need or repairs right now.

Mr. Siebeking said the only thing he could think of to do would be to maybe try to dry it out some way and patch them, but he didn't know if it would hold or not.

Mr. Brenner then submitted a copy of his recommendation and said that some work needs to be done and that the bridge is in need of major repair, since there is corrosion into the decking, that it would be a repair job similar to the job they did on Franklin Street.

Commissioner Ossenberg asked Mr. Brenner if he didn't have money readily available in the bridge fund on a contractual type basis, since he thought if Mr. Siebeking couldn't get to this with the road conditions being what they are, that maybe he could get two or three invitational bids and let them do the work, since he would rather see it done this way, so Mr. Siebeking could keep his crews on the roads, also that his men have been working overtime, night and day.

Commissioner Willner then moved that the First Avenue Bridge be declared an emergency and that Mr. Brenner get some invitational bids for the repairs that are needed. Commissioner Schaad seconded the motion. So ordered.

RE: RODENBERG AVENUE BRIDGE

Mr. Brenner said he received a call from Mr. Schaad on Rodenberg Avenue so they went out to inspect it and found that the bridge is ready to fall down.
He said it is a home-made bridge and the wood is falling out of it, also that it is across a branch of Carpenter Creek and sits on concrete blocks with no grout and that it is in very sad shape.
He said that Mr. Karch didn't think the bridge belonged to the County so he went to the deeds and checked every easement against the deeds of Mr. Hatfield.
He said he would need the County Attorney's help but that as near as he can determine, the bridge doesn't belong to us even though some work has been done on it by the County.
He said he found easements to use it as a private lane but nothing deeding it to the County and he has no record in his office where it has ever been accepted, that he has records back to 1912 and the road was there before that, but the County hasn't accepted it since that time.
He also said that the average daily traffic count out there is less than 10 across the bridge and he wondered how they would justify spending $50,000 for 5 trips per day.

Mr. Siebeking said they have been maintaining it to the last house and he was going to work on it as soon as the weather breaks.

Mr. Brenner said the first thing they will have to do is to get an easement since they don't have the right of way for the road.

Commissioner Ossenberg asked if this bridge would qualify for federal funding.

Mr. Lochmueller said that it would qualify for off-system money.

Mr. Brenner said if they do nothing else today, that they must post a sign as to the people traveling that road at their own risk.
He asked if the County Attorney couldn't research the problem.

Commissioner Ossenberg said they could but if it is okay with the other Commissioners, they could resolve it this way, that they have some off-systems money that is presently on the Mohr Bridge and it will take a little time to transfer that money, since applications must be made, but they could go ahead and post the sign.

Commissioner Willner said before they do anything else, they must accept the road for maintenance.

Commissioner Schaad said this is another example of what has been happening through the many many years, where the road and bridge has been maintained by the County.

Commissioner Willner said they aren't getting any gas tax money on it either.

Mr. Brenner noted that on their road survey, they are already over 490 miles of County roads, so they will gain some mileage for gas tax money.

Commissioner Ossenberg said they will first need to get the right of way but suggested that in the meantime, they talk to Mr. Lochmueller and get applications to transfer the Mohr Road money over to the off-systems money, and to post a sign.

Mr. Brenner said the sign would have to be placed far enough back on the County road where the people can see it and can reasonably turn around and escape it, since, once they start down it, they are locked into it and there is then no place to turn around.

Commissioner Ossenberg said the paper work should be completed in the next two or three weeks and after the right of way is obtained, they can accept the road and by the time the paper work comes through, they can get started on it, but he wondered if they couldn't just put a temporary decking on there for the present time.

Mr. Brenner said they could do this since they have some salvaged decking from the other bridges that would do the job.
He said they will never put in a wide road out there so they should just ask for the right of way they will need.
He wondered if they could repair it as an act of mercy and not completely commit themselves in maintaining the bridge.

Mr. Siebeking said they have been maintaining the bridge for some time.

Commissioner Schaad then moved that Mr. Siebeking go out and repair the bridge to make it safe for cars to drive over it and in the meantime, Mr. Brenner can work with the County Attorney on the right of way and they can come back next week with a recommendation on how much right of way they want and what action to take, also that Mr. Judd be requested to post a sign out there. Commissioner Willner seconded the motion. So ordered.

RE: TRUCK TRAFFIC DISCUSSED...OAK HILL & GREEN RIVER ROAD

Mr. Brenner said he did get the ordinance from the Sheriff and that they do have the authority from the legislature to post signs as to no thru truck traffic and there was a Commissioner's directive that the signs be posted, since the ones that were there have either deteriorated or gone away and based on this, he sent a letter to Mr. Judd, recommending that he post the signs, per the legislative approval, that there be no thru truck traffic.
He said they have had numerous complaints from both areas, Oak Hill Road and on Green River Road, so he is just reporting to the Commissioners that he has sent the letter to Mr. Judd.

Commissioner Schaad said it seemed to him that they did post the signs but that it was the lack of cooperation from the Sheriff's Department to enforce it but apparently, the Sheriff's Department does now want to cooperate and enforce it.
He said that when they had no cooperation previously, the trucks went back to using the roads again and the Commissioners didn't think they could make it stick but now, the situation is different.

Mr. Brenner said he sent a letter to the Highway Patrol, informing them that the signs are being posted and requesting their cooperation.

County Attorney Wendel asked if the signs provide alternate routes and Mr. Brenner said they will put the signs up so the people can't get on these roads and they will go down Hwy. 57, to the scales and to Hwy. 41.

There was then some discussion as to the load limit of local truck traffic so the decision on posting the signs will be deferred until next week, which will give the County Attorney's time to check into the matter.

RE: COMMENTS ON COUNTY SECTION CORNER BOOK

In the matter of the County Section Corner Book missing, Mr. Brenner said he talked to Mr. Biggerstaff who stated that there was never any such book when he was County Surveyor but that he does have a great amount of information in his office which he has volunteered to let them copy and based on this, he has started on it.
He said he has talked to Professor Curtis at Purdue University and found that there is a format particular type book and he will start from scratch.
He said there are 822 corners to establish and that he only has 16 corners in his office but that Mr. Biggerstaff has several hundred which will be a big help and the nearest thing he can find in his office to the section corners is a 1809 map showing each corner, so they have enlarged it and put it together, also that the law requires that he does 5% per year so he needs 40 per year.

RE: COMMENT ON EAST SIDE DRAINAGE

Mr. Brenner said that from the Drainage Board, he has the directive to study the East side drainage problems and in doing so, one of the options they looked at was a drainage ditch diversion from Crawford Brandeis to Pigeon Creek and in doing this, he comes up with a great amount of dirt which is at a premium price now, that there is 260,000 yards of dirt to be dug from this thing if this is an option so the question comes up as to what they would do with the dirt.
He said he has priced various contractors and found that he could dig the dirt for $2.00 per yard and he could place it on a road bed within a reasonable distance and they would compact it and shape it into the road bed for $2.35 per yard, so it behooves him, if he looks at this plan, to look at a location to put the dirt, since he can put roadway dirt in for 30¢ per yard, that the going price, not transported, but in the ground, is 25¢ and something like $4.00 per yard, delivered.
He said that based on this, he has started a study and he wanted to acquaint the Commissioners with what they have done, that what they are looking at, is if this ditch turns out to be the most economical way to help alleviate the east side drainage problem, and they can find a road that makes a reasonable alternative, that they studied several roads and the closest one to us and the one that appears to be the best would be to bring Lynch Road from Oak Hill Road to Green River Road.
He said in doing this, he would need approximately 180,000 cubic yards of dirt out of his 260,000 from the drainage ditch. He said he could build a roadway from Oak Hill Road to Green River Road for $394,000.00 and the cost of blacktop over that road would make the cost to be $500,000.00.
He said they would also need a bridge across Green River Road, that there is no good route to come from the north side and the Whirlpool traffic now comes down Oak Hill Road to one of the most severe intersections which is Oak Hill Road and Morgan Ave. and attempts to make a left turn.
He said if this road were through, it would divert the traffic and it could turn at Lynch Road and go to Green River Road, also that the cost in the Steeg Report for this diversion channel was something like $600,000.00 to dig the channel across and by using the dirt, they could get the cost down to something like $184,000 for the ditch itself, but they would still have two bridges to put across there.
He said they have done a survey showing who has what right of way they would require, that they have selected routes to try and go through flood plain areas, that from the roadway, they would have eight property owners and on the ditch way they would have five.
He said as the Commissioners know, they have a plan to four-lane a section of Lynch Road from Hwy. 41 to Oak Hill Road, using federal funds, that he has an aerial photo of this and it shows that a great portion of it is in the flood plain.
He said he isn't asking for the Commissioners to take any action today but is just asking that they look at it, that he has more maps and drawings in his office.
He said what makes the difference, by putting a road in, they would be able to cut the cost of the ditch down to a third of the cost which makes it a very appealing project.
He said the figure they had that was estimated to go by way of the canal, buying the right of way, putting the new bridges in and the additional problem which was not considered, in that at Green River Road where Harper Ditch ends, that was abandoned from Green River Road to Stockfleth Ditch, all belongs to the City and before they could reasonably open the canal and divert the water that way, they would have to have the City's approval and they can't handle the water they get now so this must be a consideration.

Commissioner Schaad said what he knows about this is what he has read in the newspaper and he asked if he understood correctly, in that, if they proceed with this drainage ditch diversion from Crawford Brandeis to Pigeon Creek, would it alleviate the necessity of opening the old canal.

Mr. Brenner said he believed this to be true.

Commissioner Schaad asked Mr. Brenner if the committee agreed with him on it.

Mr. Brenner said he hadn't been to the committee, that the project looked like it would cost too much money.

Commissioner Schaad said that the Commissioners went out there some long time ago, that the extension is an old idea and they went out there to discuss the extension of Lynch Road from Oak Hill Road to Green River Road and they again spoke of the cost, but at that time, this diversion ditch wasn't discussed.

Mr. Brenner said the only thing he did was to put them together and this would cut the cost.

Commissioner Schaad said the only thing he was wondering was where they were going to get the money.

Mr. Brenner said they have $402,000 in unpledged roads and streets and he has also been looking at some of the pledged money which are on the books and found that some of it can be reverted back, so next week, he will submit a list of the monies that they can return back.
He said the bridge fund does have enough money to put the structures in since there is $1,900,000.00 in there and they would get their monies worth for the bridge.

He said they have proposed that they put the roadway up as a four-lane roadway and the bridge as a four-lane but they would only put a two-lane structure on it.
He said when the road is opened, he knows that the daily traffic count will be terrific on the first day and if there is somewhere for the road to go to the east side and miss the congested areas, he thought it would be money well spent.
He asked that the Commissioners look at it and try to put cost figures down.

Commissioner Ossenberg asked Mr. Brenner if he is asking to abandon the plan of a four-lane on Lynch Road from Hwy. 41 to Oak Hill Road.

Mr. Brenner said he would not ask the Commissioners to abandon it, but the more pressing thing, to him, is to get the traffic going through, that if they four-lane Lynch Road from Oak Hill to Hwy. 41, they are not going to increase their traffic count a great deal. He said not to abandon it, that this is why he put a four-lane and a bridge in, that he knew as soon as they open this road, then they will need the other road.

Commissioner Ossenberg said he remains on record in letting that four-lane, that if they come down and connect Hirsch Road into Burgdolt Road, they would only have one structure and asked if they couldn't basically do the same thing on a drainage ditch there.

Mr. Brenner said there is a lot of ways to go and his selection was based on the Corp of Engineers report of flood plain of 1961 and they tried to pick the areas where the flood areas were closest together.

In discussing the present plans on four-lane of Lynch Road, Mr. Hinton said this planned improvement is a part of the 1925 transportation plan which was adopted in compliance with the provision of the federal aid highway act of 1962 and with the adoption of that plan, at that time, the Lynch Road segment was to be a part of a belt-way around the northern part of the county and the improvement of Lynch Road would provide even more incentive for new industry to consider locating there.
He then explained some of the traffic data for this area and said that the vehicle demand will go up, therefore it is undeniable that the proposed four-lane is ultimately needed, that they have to look ahead and they can certainly recognize that the improvement of that road would help to spur the growth they expect out there already.

Mr. Lochmueller said as to Lynch road itself, he must agree that if the road was open today, they would get a pretty high traffic count, but he is asking, if they are to four-lane it, how does it fit in with the full plan. He said he has no question but that the I-164 will be built within ten years and if it is built, they must be able to tie a network, that Diamond Avenue is now part of the major network to be four-lane and this present Lynch Road would be fairly close when it is opened up, as the arterial.
He said they went into a very detailed study on the interchanges of I-164 and found that there are probably two good locations for an interchange, one would be between 62 and the next interchange would be at I- 64 and he said that the one between them would either be at St. George Road or at Millersburgh Road.

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He said they are now in the process of testing alternatives and that probably, within the next two months, they will be able to have tested Lynch Road as a cut-through to Green River Road.
He said if they went with this project today, he first wondered how it would be funded, that presently, they are eligible for a good deal of federal highway money but if they are going to use the road & street funds of $402,000 with $902,000 committed to projects downstairs, what problems would there be, that first, they have committed themselves to building St. Joe for which they need $450,000 and there is Lynch Road for which they need $453,000 and they also have Red Bank Road for which they need $509,000 and they have projects in which the Boonville-New Harmony bridge is federal funds of 70%, etc. that they have two proposed precedents but they need R & S monies to match this.
He said he received a letter from the Commissioners on new monies that are coming in and they are getting additional monies on F.A.S., also on the off-system and on the safety cost and he said if they use all the R & S for that project, totally 100%, then they are saying that they aren't going to use the federal monies, that at this point, he can't say whether this is a good project or a bad project and he is very concerned and he doesn't think they should end up building one spot here and one spot there unless it is absolutely necessary.

Mr. Hinton said one of the big problems is the use of total local funding for such a project costing $1,000,000 since that would deplete the local funding account to such a degree that they wouldn't have sufficient funding for any other project and whether or not they are encouraged to drop Lynch Road or any other project that they have committed themselves to, it would be necessitated by using all the local match because they wouldn't have the match to the federal funding already obligated for the Lynch Road project or the St. Joe project.

Mr. Earl Seibert of Smith & Butterfield appeared and introduced a group of people who are located on Lynch Road and said the reason they came down isn't to speak against Mr. Brenner's plan but they have been on the idea of making Lynch Road a four-lane ever since approximately 1971 and there is money appropriated for the problems they have with the trucks going in and out of Lynch Road, that everyone of the gentlemen here have semi's calling on them, making deliveries and each week they have a catastrophy out there, where someone pulls out and when they do this, they take up both lanes and likewise when they pull in, so if they first put in the extension of Lynch Road, the Commissioners could readily see there would be more traffic problems.
He said it is their recommendation to continue with the present plans.

Mr. Brenner explained that the reason he has a plan is because he is commissioned to work on the east side drainage problem and that is what he is doing.
He said we receive $30,000 from the state per month and he wondered if it was right in spending fifteen months of this money because the trucks can't turn. He said it bothers him to spend that kind of money for a four-lane when they have trouble in keeping the roads up.

Commissioner Schaad said that Darrell Veach of Engineer's Associates has an engineering contract on the four-lane of Lynch Road, that it has been approved by the federal government already and they have the contract between the State Highway Commission and Vanderburgh County to proceed on the 70-30 basis and he wondered how far along they are on the engineering and how soon will it be before they can apply for the construction grant.

Mr. Veach said they are about 80% finished on the engineering and they are waiting for the environmental impact statement.

Mr. Hinton said that they submitted an environmental impact statement a couple of months ago and all revisions have been made for that, that the final is being typed and that should go back up to the State Highway Commission this week so they should have a public hearing relatively soon and it will allow them then to go into the acquisition of right of way which could be held by spring.

Commissioner Schaad agreed with Commissioner Ossenberg in that since the four-laning plan is being developed the county should finish the project.

Commissioner Willner said that Mr. Brenner's proposal needed scrutiny, since it could result in heavy truck traffic on Green River Road.

RE: LETTER FROM UNITED WAY

A letter was received by Commissioner Ossenberg from the Chairman of the United Way on the 1976-77 Southwestern Indiana United Way Campaign, in reference to the participation of Vanderburgh County and County Township Sections.
The letter reads as follows:

Dear Commissioner Ossenberg:

Now that the United Way campaign is nearly finished for the Civic Affairs Division, I would like to report to you the magnificent performance of the County and Township Government Sections this year. I am indebted to Messrs. Bobby Moran, County Veterans Service Officer, and John Harl, Circuit Court-Bail Bond Commissioner, for their hard work and persistent follow-up efforts. I am also especially grateful to the County Commissioners and the County Councilmen for publicly calling for active support of this year's United Way effort through official resolutions and public meeting agenda discussions. Their recognition of the importance of the United Way effort to the community and the necessity for County and Twonship Government to improve their performance over years past has paid handsome dividends -- resulting in some of the largest increases within Civic Affairs Division this year.

The County is to be congratulated on a job well done. Especially noteworthy is Commissioner Schaad for his support and cooperation in assisting me in preparing for the county United Way operation. Also the enthusiastic cooperation lent by Dan Kollker of the County Council and Curt John of the County Auditor's office for acknowledging my persistent requests to initiate pay-roll deduction for County employees for the United Way effort, is appreciated.

Last year County Government had a low percentage of participation -- 46% of its employees -- with an average gift of $7.97. This year 89% of the county employees gave to the United Way an average donation of $12.85 -- a remarkable improvement. This increase resulted from the active support and heightened interest of departmental heads and county employees. It was certainly aided by our reaching more of them than ever before, and asking for their support. The convenience of payroll deduction supported individuals' desires to spread-out larger contributions over the full year.

The time allowed us this year to explain first-hand the United Way campaign to county employees through our group meetings, individual department meetings, showing of films, individual solicitations, etc., paid off. A review of this year's performance supports this conclusion, I think. In 1975 the county raised a total of $1,678.00. This figure includes a previously unreported County Welfare Department contribution of $952.00. In 1976-77 the county performance increased by 273% to a total of $6,256.95. In the county section only one of the 25 accounts -- the County Assessor's office -- refused to participate or let us make a presentation. In the Township Government section this year's performance reflected 59% of the employees participating which yielded a total of $298.00 (as compared with $21.00 in 1975) -- and a 1976-77 average donation of $11.04. The fact that 59% of the employees participated, though many of them marginally, indicates we still have great potential of increasing giving from this sector in future years.

There are many, many success stories that can be told in reviewing this year's County performance. They are too numerous to cite here, so I have attached copies of departmental performance sheets for your review. (Please excuse the handwritten notes on them.) The results are heartening.

As noted above, I cannot say enough about the work of your two solicitors this year -- Mr. Bobby Moran and Mr. John Harl. They performed magnificently and I wanted you to be aware of their work. Their performance and that of County and Township Government should serve as a benchmark for future year's expectations. Having broken the ground this year and increased the consciousness level of county employees, relative to the operation of the United Way, I think my successor should experience even better results; given the continued cooperation of the chief elected officials in County and Township Government.

Should you have questions on any of the accounts, please advise. Again, my sincere and heartfelt thanks to each of you who assisted me this year.

Sincerely,
C. Thomas Akin, Chairman
Civic Affairs Division

RE: REQUEST FOR RELOCATION OF PHONE EXTENSION

The following request was received by the Commissioners from the Department of Public Welfare:

County Commissioners:

Please authorize the relocation of Extension No. 5337 in Room 108J. The present location of the phone plug is a hazard to employees who must walk over it. The Maintenance Department has provided a location for the extension that is not hazardous.

Sincerely,
Wm. Igleheart, Admin. Div. Supv.

Commissioner Schaad moved that the relocation of this extension be approved. Commissioner Willner seconded the motion. So ordered.

RE: NOTICE OF CLAIM AGAINST THE COUNTY

County Attorney Smith submitted a Statutory Notice of a possible claim against the County which reads as follows:

You are hereby notified that the following individual, whose name and present address is as follows:
Steve Ervin, 1426 S. Governor, Evansville Indiana 47714 hereby asserts a claim against the County of Vanderburgh arising out of the following incident;
On July 21, 1976 at approximately 1:15 p.m. at the Area Industrial Institute, Evansville, Indiana 47710 while being in the "smoke area" of said premises which was under the supervision and control of a staff instructor of the Evansville Skills Center, Mr. George Kern, Steve Ervin was attacked and struck in the head with a steel pipe by one Robert Majors, causing Ervin to be hospitalized.
You are further notified that the residence of the claimant in this cause at the time of loss is as follows:
1426 S. Governor, Evansville, Indiana 47714
Other than the above stated claimant the names of all other persons known at the present time to be involved are as follows:
Mr. George Kern, Instructor at the Area Industrial Institute.
Mr. Robert Majors.
L. George Chester, Area Industrial Institute.
Mr. Nelson Jones, Area Industrial Institute.
The undersigned attorney for the claimant hereby certifies that he has sent this notice to the Clerk of the County of Vanderburgh; Dan Kollker, President of County Council; and Ed Smith, County Attorney by certified mail on the 11th day of January 1977.
Grove, Miller & Lantz
Rodney H. Grove

Commissioner Schaad moved, on the recommendation of County Attorney Smith, that this matter be referred to the Liability Insurance Carrier for the County. Commissioner Willner seconded the motion. So ordered.

RE: POOR RELIEF

Mable D. Nichols.....15 E. Iowa St.....Pigeon Township....Bob Olsen, Deputy Trustee

The Notice of Poor Relief Action from the Pigeon Township Trustee's office noted that they didn't really know what kind of help Ms. Nichols applied for and that she failed to return to the office.

Ms. Nichols said they told her at the Trustee's office to bring in her rent receipts which she did and they said they couldn't help her, but the Trustee's employees were of the opinion that Ms. Nichols didn't return to the office.

Commissioner Schaad asked Ms. Nichols what she was asking for.

Ms. Nichols said that the Trustee's office has been helping her with food stamps, that she has been out of work for some time and she made application at seven or eight places for employment but hasn't been able to find work.

Commissioner Schaad again asked Ms. Nichols what kind of help she was asking for.

Ms. Nichols said that she really didn't know , that the Trustee was helping her with food stamps and then she received a letter stating that they were cutting her off, so she didn't know exactly what they were talking about.

Mr. Olsen said that as he sees it, the rent factor is the whole situation, that Ms. Nichols receives $71.00 per month on a sustaining basis and her rent is $60.00 per month with utilities furnished, that they took care of her food stamps in January and will again in February if the situation remains the same but the Trustee feels that as long as Ms. Nichols has $71.00 per month income, she can pay her own rent.

Ms. Nichols said that this wouldn't be enough if there were other expenses such as medical.

Mr. Olsen explained to Ms. Nichols that if she needed to go to the doctor, she should come in and they would issue her an office call and if she needed medicine, she should bring the prescription in to the Trustee's office and they would take care of it, and if hospitalization is needed, that would be up to the Welfare Dept.

Ms. Nichols said she has already been to the doctor so she does have a doctor bill.

Mr. Olsen explained that the Trustee can't take care of this, since it is after the fact, but if she would have come in before going to the doctor, they would have taken care of it.

Mr. Olsen asked Ms. Nichols if she ever came in to the office to ask for medical help.

Ms. Nichols said it seemed to her that she did but that she didn't remember what was said at that time.

Commissioner Willner asked Ms. Nichols where she had worked previously and she said that she had worked at Mac's Barbecue and the reason she didn't work there anymore is because she had an old car that went out on her and it needed so much work on it that she couldn't afford to have it fixed so she junked it and had to take a cab because she worked the second shift, at which time no buses were in operation, also on Sunday and she just couldn't afford it so she had to quit her job.
She said she thought she could find work where she could ride the bus to and from work but she hasn't been able to find any, also that she can't collect unemployment since she quit her job even though she had a good reason for quiting.

Mr. Olsen asked Ms. Nichols where the $71.00 per month comes from and how long it will continue.

Ms. Nichols said that the money is from a house she had sold on contract and that it will continue for approximately two more years.

Commissioner Willner explained to Ms. Nichols that she should have probably applied for food stamps while she was working if her income was low enough, also that her rent would have to be one month in arrears before the Trustee would even consider any help on her rent.

After further discussion, Commissioner Willner moved that this case be referred back to the Trustee for guidance and help in order to get things worked out. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIM

A claim was submitted by Jack Siebeking for travel expenses to and from Lafayette, Ind. in attending Traffic Engineering Classes on 12/5/76 thru 12/9/76 in the amount of $49.92. This claim replaces blue claim of last week in the amount of $25.63, since they pay mileage instead of gas expense and Mr. Siebeking used his own car.
Commissioner Schaad moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

The meeting recessed at 11:20 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg	Curt John	Ed Smith Jr.
Bob Schaad		Paul Wendel
Robert L. Willner		

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS' MEETING
JANUARY 31, 1977

The meeting of the County Commissioners was held on Monday, January 31, 1977, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

ACCUMULATIVE BRIDGE

David Williams	1621 Delmar	Asst. Bridge Inspector	$8,500.00 Yr.	Eff: 1/31/77

SURVEYOR

Joseph A. Chittenden, Sr.	718 N. Baker	Draftsman	$7,093.00 Yr.	Eff: 1/31/77
Marvin Karch	4005 Herrman Road	Chainman	$7,426.00 Yr.	Eff: 1/31/77

AUDITOR

Margaret Frickey	5009 Tippecanoe Dr.	Posting Clerk	$6,209.00 Yr.	Eff: 1/26/77

VANDERBURGH SUPERIOR COURT (Deferred Prosecution Program)

Mark R. Owen	2310 Sharon Pl.	Associate Director	$13,000.00 Yr.	Eff: 1/15/77
Wm. M. Campbell	15 Willow, Henderson Ky.	Director	$19,000.00 Yr.	Eff: 1/15/77
Patricia A. Yates	912 E. Blackford	Exec. Secretary	$ 9,500.00 Yr.	Eff: 1/15/77
Carl A. Miller	732 Fairway Apt.C	Coordinator Clin.Ser.	$14,048.06 Yr.	Eff: 1/15/77

CLERK OF THE CIRCUIT COURT

(Temp.) Debra Schmitt	417 Read St.	Deputy Clerk	$243.11 Pay	Eff: 1/29/77

RE: EMPLOYMENT CHANGES.....RELEASES

SURVEYOR

Marvin Karch	4005 Herrmann Rd.	Asst. Bridge Inspect.	$7,426.00 Yr.	Eff: 1/29/77

VANDERBURGH SUPERIOR COURT (Deferred Prosecution Program

Patricia A. Yates	912 E. Blackford	Exec. Secretary	$9,500.00 Yr.	Eff: 1/28/77

CLERK OF THE CIRCUIT COURT

Sally Kaster	R.R.8, Box 231 Barton Rd.	Deputy Clerk	$ 243.11 Pay	Eff: 1/29/77

RE: MONTHLY REPORT

The Report of the Evansville Association for Retarded Citizens was submitted for the month of December, 1976.

This Report was held up for the present time since it hadn't been signed.

RE: REQUEST FOR ROAD ACCEPTANCE .....TENNIS LANE

The following letter was received by Commissioner Ossenberg from Mr. George Ryan:

Dear Mr. Ossenberg:

Please accept for county maintenance Tennis Lane from Plaza East to its northern terminus.

As-built plans and specifications were previously directed to your office.

Very truly yours,
George Ryan Co., Inc.
George Ryan

Mr. Brenner said that he wasn't familiar with this matter, since he just took the office as County Surveyor at the beginning of this year.

Commissioner Ossenberg explained that Mr. Ryan had requested that the County accept Tennis Lane in November of 1976, also that it is a new lane that was built for the Tri-State Raquet Club and the matter had been referred to the County Surveyor's office so the street could be inspected before being accepted, on December 6, 1976.

Commissioner Schaad moved that the matter be referred to Mr. Brenner so he can check it out. Commissioner Willner seconded the motion. So ordered.

RE: LETTER PERTAINING TO SPEED ON GREEN RIVER ROAD

Commissioner Schaad received the following letter from Mr. Donald I. Gent:

Dear Bob:

It has been noted that the speed on Green River Road from Morgan to Daylight is 35 m.p.h. This is a stretch of country road of about five miles. There is a short stretch north of Morgan and south of Daylight which seems to justify a 35 m.p.h. speed zone; however, a substantial part of the road would seem to justify a 55 m.p.h. speed limit. I have driven the stretch a number of times and most seem to ignore the posted speed zone. It provides an appropriate stretch for a radar trap. The amazing part is that once you are on Morgan going toward Evansville, the speed zone is 45 m.p.h. Other areas in the City are greater than 35 m.p.h., and the logic of a five-mile country drive on a county road at 35 m.p.h. is not evident.

It would seem that a review of the situation would be appropriate for the County Commissioners. I would appreciate any word of any action.

Best wishes to you.

Sincerely, Donald I. Gent
Executive Director, Welborn Baptist Hospital

Commissioner Schaad said that Mr. Gent talked to him on the phone about the inconsistancy of the speed limit out there and that there seems to be no logical justification for it. He said he told Mr. Gent that he thought the whole thing was being studied as far as the traffic was concerned.

Commissioner Schaad then moved that this matter be referred to Mr. Lochmueller and to Mr. Judd so they can work together so the speed limit will be consistant. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner noted that sometime ago, the Commissioners asked for a complete study of the County and he thought Mr. Judd was going to do it.

RE: CLAIMS

A claim was submitted by Torian Agency, Inc. for Insurance at Burdette Park, Continental policy #FDP6 05 79 98, Hartford policy #36CF364171 and St. Paul #113AH7993, each at $114.00 with each policy increased by $10,000 to add coverage on Rest Room and Launderette Building. The total amount of the claim is $342.00.

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

A claim was submitted by Torian Agency, Inc. - Hartford Steam Boiler & Insurance Company policy #CN901182701 adding Boiler coverage for Boehne Hospital (Aug. 17, 1976, to March 30 of 1977) in the amount of $177.00.

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

A claim was submitted by the Southern Indiana Gas & Electric Co. for accumulated gas and electric used at the Pleasantview Rest Home at 700 Senate Avenue in the amount of $1,628.79, for the period of from Dec. 16 of 1976 to January 17 of 1977.

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

A claim was submitted by Torian Agency, Inc. Insurance of General Fund, for Hartford Plate Glass Policy #36 PG 104308 covering Auditorium & Convention Center, in the amount of $1,315.00.

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

A claim was submitted by Robert T. Dorsey, Pigeon Township Assessor, for mileage to and from Indianapolis in attending the Annual Conference of County and Township Assessors on January 17, 18 & 19, at 14¢ per mile for 330 miles which is $46.20 and per diem of $20.00 per day for 3 days which is $60.00. The total amount of the claim is $106.20.

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

RE: ABSENTEE REPORT

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

RE: COMMENT ON APPRAISAL OF PLEASANTVIEW REST HOME

Mr. Oliver from the County Assessor's office, was present and Commissioner Willner said he thought Mr. Oliver came in because he thought maybe the Commissioner's might have some questions on the appraisal of the Pleasantview Rest Home.

Commissioner Ossenberg said that he has read it once, that it was a very good report and he would like to read it through again, before they take the matter up again. He complimented Mr. Oliver on the appraisal.

RE: COMMENTS ON ICE AND SNOW DAMAGE TO ROADS AND BRIDGES

Commissioner Schaad said they had a call from the Deputy Director of Civil Defense, since they are evidently trying to get some estimate of what damage has been done to the County roads and bridges, because of the storm we have had recently.

He said he told Mr. Herrmann that it would be hard to come up with some sort of an estimate because until the ice and snow is gone, they can hardly see the damage and that the real damage will come after it thaws but nevertheless, he had to have some figures and mileage, also a number of bridges that were damaged, since Mr. Herrmann said he must have this information in Indianapolis by today.

Commissioner Ossenberg said Mr. Herrmann also called him Saturday afternoon, that he then contacted Mr. Siebeking as did Commissioner Schaad and he got Mr. Siebeking to contact Mr. Herrmann, so they put in for $250,000.00.
He said they are also trying to find out the road damage in the City that was caused by the freeze and he asked Mr. Herrmann what it amounted to and Mr. Herrmann said there could be a possibility that the federal government would feed back monies to resurface damaged roads, bridges, etc.

Mr. Brenner said that the Maryland Street bridge was bad to start with but the one on First Avenue will need extensive repair and he asked the Commissioners if they remembered how they repaired the bridge on Franklin Street by putting in new joints. He said what they did to both of them is just temporary, because of the weather.

Commissioner Schaad said they had to come up with some figure on the amount of damage to the roads and bridges, that it was just a guess, but he thought it might as well be a part of the record so everyone would be aware of it, because if there are going to be some federal funds available for such repairs, they might as well have their hands out.

Commissioner Ossenberg said he had these men to get together since any little thing helps and it may be less that $250,000.00, hopefully so, but they did put this figure in, also that he understands that the City put in a figure of over $300,000.00, to which Mr. Brenner added that the County has a comparable amount of roads.

RE: MR. BRENNER.....PICTURE OF MAPS

Mr. Brenner said that the Commissioners allowed him $70.00 to have a picture taken of some maps and he submitted the first results of it and explained that the map shows what the flood plain does to our roads and said that this is the 1961 head-waters flood and he said at least 30% of the County was covered.
He said they used to give maps away free in the Surveyor's office and his cost is running something like 80¢ per sheet for paper so in the future, he plans to give the maps to other departments but for individuals, developers, etc., there will be a fee.

He said this is the 100 year flood plain and it determines, on building permits, who has to have the flood insurance, since without the flood insurance, they can't get a mortgage loan, also that they took this from several Corp of Engineer's maps.
He said his next problem child is Rodenberg Avenue, that County Attorney Paul Wendel worked on it with him and they came up with the same answer, that it does not belong to the County and he contacted John Koch who had a list of the right of way for every road and they checked it out and found that the right of way goes just slightly past the City limits, that this was in 1909 and there has been nothing since that time, so the County doesn't even own the road, also they have several other problems in that it is a gravel road and meets no specifications, so the question comes up as to if they will accept any gravel roads.
He said that he knew, in the western states, through their mountain areas, up to small developments such as cabins, etc., they accept gravel roads and do maintain them, also since he has been in office he has had requests for several roads that people want to put in and they are going to make them gravel roads and he has no way of accepting them.

Commissioner Schaad agreed with Mr. Brenner on new roads, since this has been the policy of the Commissioners but said that sometimes they run into a situation like Rodenberg Road where, because of many years, the County has been maintaining it, right or wrong, whether it has been a County accepted road or not, that these things have gone on for many years in the past and like maintaining that bridge, that many times, they have accepted them to make it legal, he supposed to justify what they had been doing wrong for many years but they wouldn't accept any new roads under these conditions.

Mr. Brenner said he isn't saying that it isn't a good idea to take them since they are low maintenance items but they also have the opportunity to collect the additional road tax.
He asked County Attorney Smith how long the County would have to maintain such a road to obtain it.

County Attorney Smith said the County could acquire it on an ingress and egress type thing by maintaining a road for fifteen years.

Commissioner Willner said the Commissioners turned one down last year on Hillview Drive off Orchard Road and they had been grading it and putting rock on it for years and it is all right with him if they accept these roads but if they do it, they should do it for everybody and not just for a few.

Commissioner Ossenberg said he thought they were working on them on a one by one basis.

Mr. Brenner said he is looking to provide them with a one-lane bridge since this is all they need and it will be in a $15,000.00 bracket.

Commissioner Schaad asked if there was any way they could just use a pipe.

Mr. Brenner said that there was too much water, that it showed to be at least six feet in depth and if they did this they would be creating another flood problem.

Commissioner Schaad asked if there was any possibility of any further development going on down there and how much property there was down in the area.

Mr. Brenner said there was a lot of property down there and at the moment is in fairly large pieces, also that they would need to acquire the right of way somehow before they could do anything.

Commissioner Schaad asked Mr. Siebeking if he had made this bridge safe as yet.

Mr. Siebeking said they haven't done anything to it yet.

Commissioner Ossenberg said he didn't think there was anything they could do to make that bridge safe, that he wouldn't walk across it much less drive across it.

Mr. Brenner said they gave a warning of 2 tons on the bridge but he wouldn't drive across it either.
He said that Mr. Koch and Mr. Karch agree that when they worked for the Highway Dept. which was up to 8 years ago, they stopped at the bridge and Mr. Karch said they wouldn't take a grader across the bridge.
He said if the Commissioners didn't wish to do it, he believed, legally, they wouldn't have to fix the bridge, if it is true that they haven't maintained it.

Commissioner Schaad asked how they could justify this since they have been doing work out there for many years.

Mr. Brenner asked how he would justify to all the other 120,000 people that he is spending the money they paid in, for this road.

Commissioner Schaad said he wondered who put the bridge in originally.

Mr. Brenner said he supposed Mr. Hatfield did since it sits on his land and it has been his since before the year of 1900.

Commissioner Schaad said with seeing how those people down there live, he knew that they couldn't come up with the $15,000.00 to build a bridge but without one, those people down there would be isolated and he asked Mr. Siebeking if the County hasn't been maintaining it. Mr. Siebeking said the County has done work on that bridge.

Commissioner Ossenberg said he has no objection of going in and fixing the bridge and accepting the road but he does have an objection in buying the right of way, so if they must do this, he isn't going along with it.

Mr. Brenner asked if there was any other way to do it.

Commissioner Schaad said the people could deed the right of way to the County and give it to them.

Commissioner Ossenberg said he would go on record in accepting the road and fixing the bridge providing that the amount of right of way needed is donated to the County.

Commissioner Schaad asked the other Commissioners if it would be okay with them if Mr. Brenner sketched up something in a minimal sort of way on a one-lane bridge and check who owns the land and see if they will deed it to the County, since they didn't want to spend any more money than they have to but he thought they had an obligation to the people down there, since there is no other way out for them and then, they can go from there.

Mr. Brenner asked if he should try to get the right of way up to the home or if he should stop after the bridge.

Commissioner Schaad and Commissioner Ossenberg agreed that he should go all the way down to catch that last house.

Commissioner Willner said he agrees with what they are going to do here if they take the rest of them.

Commissioner Ossenberg said he agrees with this, but that they take them on a one by one basis, and what he is saying is that they must review every case.

Commissioner Willner said they turned the one on Hillview Drive and Orchard Road down last year and it didn't even have a bridge on it, that it was a gravel road where six or seven homes are and it is about one-half to three-quarters of a mile long and not very wide.

After further discussion, Commissioner Schaad said they wanted that road widened to make it more than a one-lane road and there were banks on both sides that would have had to be cut down, also trees and he thought this was why they turned it down, that he would have no objection to accepting it as it is.
He asked that this matter be looked up by Mr. Brenner and Mr. Willner to see what the situation was.

Mr. Brenner said in cases such as these, to accept gravel roads, they need something where the people on the road acknowledge that it is a gravel road and that the County will maintain it as a gravel road.

Commissioner Willner said that the letter received last year, asking that the County accept Hillview, didn't say anything about widening the road.

RE: REPORT ON PROJECTS AND MONIES AVAILABLE

Mr. Brenner said when he was here last week, they were discussing a road project and the money question came up so he reviewed the records in the Auditor's office and found numerous completed projects and cancelled projects, that he has tabulated it and came up with the following list, which was distributed at this time;

	COMPLETED PROJECTS	CODE NUMBER	MONEY AVAILABLE
1.	Middle Mt. Vernon West of Peerless	216-3743	$ 3,631.59
2.	Lynch & Hitch Peters	216-3744	8,657.70
3.	Nurrenberg Road	216-3748	17,141.86
4.	Kuebler Rd. Bridge Construction	216-3765	2,861.59
5.	Old Greenriver Road over Eagle Slough	216-3766	3,491.53
6.	Allen Lane Bridge	216-3767	37,945.51
7.	Lincoln Avenue & Burkhardt	216-3768	147.74
8.	Cypress Dale Bridges	216-3770	31,959.88
9.	Upper Mt. Vernon over Carpenter Creek	216-3771	74.96
10.	Boonville-New Harmony Bridge	216-3772	7,370.67
11.	Green River Hwy. 57 to Heckel Road	216-3774	52,254.11
12.	Kentucky Avenue Bridge	216-3826	30,730.26
		SUB TOTAL	$196,267.40

	CANCELLED PROJECTS		
1.	Highway 62 and Schutte Road	216-3742	$ 44,285.27
2.	Eichoff Road	216-3741	490,711.08
		SUB TOTAL	$534,996.35

Total Road and Street Funds available from cancelled or completed projects.....$731,263.75

Unpledged Road and Street Funds.....$402,000.00

Road and Streets total funds available $1,133,263.75

Bridge funds available.....$1,921,253.00

Pledge State Road and Street Funds to county projects as soon as funds are available thereby, additional revenue would be acquired by the County General Fund.

Invest the funds as the current County Treasurer does at approximately 5% interest.

Accumulated unpledged funds.....400,000 @ 5% = $20,000.00

Additional funds accumulated @ 30,000 per month @ 5% = $8,000.00

New revenue / without new taxes = $28,000.00 per year.

Mr. Brenner said that the funds for the R & S aren't available to us until we have a project so it seemed to him, since they have $400,000 now in this fund in Indianapolis, that they plan ahead and have road projects where this money could go as soon as it is available, even if the project doesn't get underway immediately, that Mr. Volpe can invest that money and the money goes back to the general fund and they accumulate approximately $30,000 in this fund per month and he said this can be done and that as soon as the money becomes available, it can be dedicated to a project and once it is dedicated, the Treasurer's office gets the money and can invest it and if they do this with the funds they don't have, on this year alone, they can pick up $28,000 for the County General Fund, that he has looked into this and found that there is a new law called the Jack Pot Law, where the funds are allowed to be invested and then it goes back into the County General Fund.

Commissioner Schaad said that on the R & S funds in Indianapolis, it is on a 90-10 match, that it used to be 25-75 but it was changed since the money wasn't being used, so they reduced it.

Mr. Brenner said his suggestion is that they have a plan, that the monies shouldn't be allowed to lay in Indianapolis and they should be able to expend the $30,000 per month rather easily.
He then asked what the plan is on the roads, as to what they are going to do in 1977.

Commissioner Schaad said that Mr. Lochmueller has been working on it, that they had a formula that was done by the Urban Transportation and was based on the condition of the roads and was given a number, then the traffic count was taken and according to the number of vehicles that used it, it was given another number, then those two numbers were multiplied and the ones with the highest rating were the ones that would get improved or whatever they needed first, based on monies available.

Mr. Brenner said this didn't cover 5% of the County roads since they only surveyed the main thoroughfares, that his department has started a street inventory, that they are mapping them out and are going to note hazards, street conditions, traffic counts, etc.
He said he sent a letter to Mr. Lochmueller pertaining to 70 roads that he needs a traffic count on and that Mr. Lochmueller has agreed to do this.

Commissioner Schaad said that Mr. Brenner's efforts are well taken, as far as he is concerned but that it needs to be co-ordinated so that he and Mr. Lochmueller aren't working at different ends to accomplish the same thing, that they should work together, that he wasn't sure what Mr. Lochmueller has done but that he said it would be ready by spring.

Mr. Brenner asked if there was a budget where they put so much money on a particular bridge, if there was a plan as to what they are going to do in 1977 on either, the bridges or the roads.

Commissioner Ossenberg said there was a bridge plan down there, that they went by.

Mr. Brenner said this is correct and they are complete through 1980 on bridges.

Commissioner Schaad said he thought this was to be updated and asked if the federal government didn't pay for it.

Mr. Brenner said the federal government didn't pay for it, that the state had money and they put it in the state's form and sent it in and we never got paid for it, that they wanted it for computer and they changed the method so Vanderburgh County did not get the money.

Commissioner Ossenberg said he didn't think they had to re-study it if they got it in prior years but in 1979 or 1980, they have to re-study it.

Mr. Brenner said there are two things he is working on, that the bridge study covers bridges over 20 feet and there are many smaller bridges in the County that needs repai and the road study, but he doesn't have the manpower to re-do the smaller bridges with the other studies he has going.

Commissioner Schaad said that what they can do is more or less based on the availability of funds they have to do it with and by the time they get through with these roads, they don't know how much money they are going to have left in their Highway Account to do very much in the way of contractual work.

Mr. Brenner said that the only two projects that he knows of are the four-laning of St. Joe and the four-laning of Lynch Road.

Commissioner Schaad said he is talking about the other County roads where there are no federal monies involved, that they need a plan to improve or repair them and the same with the bridges.

Mr. Brenner said he isn't committed to doing any particular road or bridge since he has no plan for any that doesn't involve federal monies at the present time.

Commissioner Schaad said this is correct and as far as the priority roads, Mr. Lochmueller has been working on that and he said he would have the list available with the system they have been going by, but that he does think they need to come up with a list of roads.

Mr. Brenner said the survey he is making will tell him this, that it will give him a priority as to the ones that need taken care of the most.

Commissioner Schaad said that all this money must come from the Highway Account.

Mr. Brenner said this account, or they could use Road & Street.

Commissioner Schaad and Commissioner Ossenberg agreed that the Road & Street Account can't be used for resurfacing roads, that it is only for new roads or for the complete reconstruction of a road.

Mr. Brenner stated that what he is saying is that they have $1,000,000.00 that they need to have pledged for new road projects to prevent the county from having to return this highway money to the state.
He said the County has $731,263.75 in state rebate funds for highways, that the money

is left over from projects completed or cancelled and that the County has another $402,000 available from the state in unpledged highway funds and if the money is not allocated for road projects it will have to be returned to the state or given to Evansville and Darmstadt.
He said that at the end of each year he is to notify the Auditor of the completed projects and of the money that is left over and it is sent back to state, so he needs some direction now.
He said that a large protion of the $1.1 million would have to be allocated to the proposed St. Joseph Avenue widening and to the widening of Lynch Road from U. S. 41 to Oak Hill Road, but that there would be about $520,000 left over for other projects.

Commissioner Ossenberg asked Mr. Brenner how much they have funded in the St. Joe Ave. and Lynch Road projects.

Mr. Brenner said they have $26,000 funded in the St. Joe project for the preliminary engineering and $101,000.00 on Lynch Road but that he didn't know how much has been spent on these projects.

Commissioner Schaad said they haven't spent anything on St. Joe Avenue as yet.

Commissioner Ossenberg said he thought the County's share is $450,000.00 on St. Joe and a little better than $400,000.00 on Lynch Road, that he didn't know how much has been paid out on them but on both projects he would assume there is something like $860,000.00 that must be pledged out of the $1.1 million, so roughly, he would say that in R & S there may be $250,000.00.

Mr. Brenner said yes, plus the $30,000 he is gaining per month, that is R & S and is credited us per month and that they should get the money to those funds or it must go back, that they need more projects so that all of the R & S funds are in Evansville rather than in Indianapolis.

Commissioner Schaad said that Mr. Brenner and Mr. Lochmueller should work this thing together in drawing up road projects for presentation to the state.

Mr. Brenner asked who would apply for the funds here and Commissioner Ossenberg said that in this particular instance, Mr. Lochmueller does because there are federal funds involved.

Commissioner Schaad said that Mr. Brenner would apply for projects where R & S funds are involved.

Commissioner Ossenberg said that he knows that Mr. Lochmueller has applications for the monies up there and it should go back to Indianapolis and put on those two projects and then what balance there is, the Surveyor needs a project to put this money on.

The Commissioners agreed that Mr. Lochmueller be requested to attend the Commissioners meetings when this matter is discussed so he will be familiar with what is going on and they can then work as a team and will be able to accomplish more, so Mr. Lochmueller's attendance was requested at this time.

Commissioner Ossenberg said they discussed the bill that Senator O'Day introduced and has a pretty good chance of going through, that it has passed the final hearing in the senate and now it has gone to the house where on the second hearing, it passed 93 to 0, so he thought it would pass third reading and that if it does, it will be a great help to the County's road program.

RE: QUESTION ON HEAT REGULATION IN BUILDING

Mr. Brenner said that everyone is having heat problems and he asked if anyone has thought about what the temperatures should be set at in the offices.

Commissioner Ossenberg explained that the Building Authority supposedly set them in 1965 since they have control of that.

Mr. Brenner said that he wondered because at a certain temperature, they turn on the air conditioner.

Commissioner Schaad said he talked to Mr. Ruston about this matter and he understood Mr. Ruston to say that he was controlling the master switch, that there was to have been a meeting of the Building Authority but he hasn't heard anything further.

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Commissioner Ossenberg said that an order was sent down last year from the Building Authority, to all offices, stating that the thermostats would be set at 68 degrees and if they weren't, there would be a master control on it.

RE: COMMENTS ON GAS & ELECTRIC BILL FOR PLEASANTVIEW REST HOME

Commissioner Willner said he was just looking at the Gas & Electric bill for the Pleasantview Rest Home that was for a one month's service from December 16, 1976, to January 17, 1977.

Commissioner Ossenberg said this is only one bill, that there are several other bills also for this period for Pleasantview and Mr. Hotz was asked what he had the temperature out there set at.

Mr. Hotz said they only had one boiler working and it is cut down to three pounds.

RE: MORE DATA ON PROJECTS AND MONIES AVAILABLE

Mr. Lochmueller appeared and Commissioner Ossenberg explained to him what had been discussed about the projects and monies available and supplied him with the report that Mr. Brenner had prepared, to which Mr. Lochmueller commented that this was the best list he has seen so far.

Commissioner Ossenberg asked Mr. Lochmueller what the County's share of R & S Funds are on the St. Joe Avenue and the Lynch Road projects.

Mr. Lochmueller said that he was just talking to the Engineer's about Lynch Road and that they don't have a firm estimate since they have that drainage pipe in there and he said that Engineer's Associates would have an estimate within the next week and a half, because they must have a pretty accurate estimate and the figure they have isn't very accurate because of the drainage pipes out there.
He said that 30% of the cost must come out of R & S Funds.
He also said that the estimate for St. Joe Avenue is $1,500,000.00 and 30% of this must come from R & S Funds and that they will have some little projects for the railroad crossings, the off-systems money they will be getting, etc. that this money will have to also be matched but he didn't know how much it would be.

Commissioner Ossenberg then explained that Mr. Brenner proposes to bring R & S monies down here on projects, even if they don't start within a year, to be encumbered here, to be put in the banks to draw interest to the general fund, that the thing of it is that these monies here should have gone back to the state by December 31st. of 1976, so if they go back there, then we have to get some type of figure of what must be obligated to St. Joe and to Lynch Road before Mr. Brenner can bring out any more projects so they can keep it in Vanderburgh County, so what they are saying is that Mr. Brenner and Mr. Lochmueller are going to have to work together and get those applications made so they can get that money back upstate and then ask for the money back, also that it was agreed that they not do Mohr Road.

Mr. Lochmueller said that he would say no more than two weeks, that they have this done and approved here, that he thought it even had to go through County Council, also that March 1st. is the deadline to get it in the federal highway for 1978.
He also said that they got some safety off-systems money that he didn't know they were eligible for, also that the reason the figure was so high on the F.A.S. and off-systmens monies which showed to be about $170,000.00, was because they had some enbumbered monies included and they just showed it not being used, that he thought the actual County apportionment on F.A.S. is around $41,000.00.

Mr. Brenner said that he hopes to be able to use these monies in maybe twenty different locations to put up guard rails.

Mr. Lochmueller said this is what they are going to attempt, also that he thought this to be a very good use of the money but he didn't know how the application is going to work on it, also that he thought he could come back with something in a couple of weeks.

Mr. Brenner asked when the new Engineer would be coming.

Commissioner Schaad said that he would be here about the 15th. of February, that he was here and wanted to see Mr. Brenner before he left town, that he has found an apartment here and he has to go and close his business before returning.

Commissioner Schaad told Mr. Lochmueller that he has been telling Mr. Brenner about the survey he was preparing as to what roads they are going to resurface according to a formula.
He said he didn't know if Mr. Lochmueller studied all the County roads and applied the formula to it, to see how much money they are going to have in the highway account to see which roads will be resurfaced this summer.

Mr. Lochmueller said they have done all the roads that are a collector and up which was about a month ago, so with having all this ice and snow, he really feels they should go back out after it thaws since the roads are deteriorating pretty badly and they need to take a hard look at them since things are that bad.

Commissioner Schaad said that Mr. Brenner is willing to work with Mr. Lochmueller and he thought that they should work together instead of each of them working independently on the same project, also that Mr. Brenner wasn't aware of the formula.

Commissioner Ossenberg asked Mr. Lochmueller if he could attend the Commissioner's meetings in the future so they can get this thing co-ordinated .

Commissioner Schaad said they could then get some of these things accomplished by working together, that they haven't been able to do in the past.

Mr. Lochmueller said he would attend the Commissioners meetings.

The meeting recessed at 10:50 a.m.

PRESENT

COUNTY COMMISSIONERS	DEPUTY AUDITOR	COUNTY ATTORNEY
Tom Ossenberg Bob Schaad Robert L. Willner	Alice McBride	Ed. Smith Jr.

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
FEBRUARY 7, 1977

The meeting of the County Commissioners was held on Monday, February 7, 1977, at 9:45 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

Deputy Sheriff Clarence Cotton opened the meeting, this being the first meeting of the month.

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

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

KNIGHT TOWNSHIP ASSESSOR

Jerome R. Zeller	517 E. Chandler Ave.	Deputy	$6,147.00 Yr.	Eff: 2/1/77

PROSECUTORS OFFICE

Scott Bowers	1809 E. Powell	Support Deputy	$18,900.00 Yr.	Eff: 1/31/77

SURVEYOR

Albert K. Holtz	1613 Washington	Instrumentman	$ 9,295.00 Yr.	Eff: 2/7/77

UNION TOWNSHIP ASSESSOR

Evelyn L. Bernard	R#2 Box 152	Deputy Assessor	$20.00 Day	Eff: 2/2/77

VANDERBURGH SUPERIOR COURT

Sally Lyn Kaster	Rte. 8 Barton Rd.	Clerical Asst.	$6,493.00 Yr.	Eff: 1/31/77

VANDERBURGH SUPERIOR COURT...DRUG & ALCOHOL DEFERRAL SERVICE

Debra Jo Below	1517 Russell St.	Legal Secretary	$7,200.00 Yr.	Eff: 1/28/77

RE: EMPLOYMENT CHANGES.....RELEASES

KNIGHT TOWNSHIP ASSESSOR

Ramona Barrett	1505 Marshall	Deputy	$6,147.00 Yr.	Eff: 2/1/77

PROSECUTORS OFFICE

Scott Bowers	1809 E. Powell	Support Deputy	$18,000.00 Yr.	Eff: 1/31/77

UNION TOWNSHIP ASSESSOR

Evelyn L. Bernard	R.#2 Box 152	Clerk	$20.00 Day	Eff: 2/1/77

VANDERBURGH SUPERIOR COURT...DRUG & ALCOHOL DEFERRAL SERVICE

Patricia Yates	912 E. Blackford	Legal Sec.	$9,500.00 Yr.	Eff: 1/18/77

RE: MEETING DATES SET DUE TO HOLIDAYS

Commissioner Ossenberg announced that due to the Civic Center being closed on Monday, February 14th. and Monday, February 21st. due to Legal Holidays, the Commissioners Meetings will be held on Tuesday, February 15th. and on Tuesday, February 22nd.

RE: MONTHLY REPORT

The Report of the Evansville Association for Retarded Citizens for the month of December, 1976, was submitted last week but was held up for Mr. Jones signature. The signed Report is now being re-submitted to the Commissioners.
Report is noted as being received and filed.

RE: REQUEST FOR TRAVEL EXPENSES

The following letter of request was received by the Commissioners from the Judge of the Vanderburgh Superior Court:

Gentlemen:

Pursuant to our telephone conversation of this morning, this is to advise you that I am requesting the sum of $300.00 for travel expense for our Juvenile Public Defender, Wayne Turpin, to attend the National Conference on Juvenile Justice.

The seminar is scheduled for February 6 through 10, 1977 at Los Angeles, California and we are requesting travel expense only in the amount of $300.00. Pursuant to instructions from your office I have contacted Mr. Cap Hudson and have been informed that the State Board of Accounts has indicated that the travel expenditure from the Commissioners' funds for our Public Defender is an appropriate expenditure.

Thank you for your assistance in this matter.

Very truly yours,
Terry D. Dietsch,
Chief Judge, Vanderburgh Superior Court

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

RE: REQUEST FOR "CALL WAITING" TELEPHONE SERVICE

The following letter of request was received by the Commissioners from the Judge of the Vanderburgh Superior Court.

Re: Volunteer Services

Gentlemen:

I am requesting the installation of "call waiting" telephone service for Volunteer Services, Vanderburgh Superior Court. This will be at a monthly cost of $3.60 and there is no installation charge.

I am requesting this due to the fact that Volunteer Services has only one line for their office and, as a consequence, many times the phone is busy and incoming calls are missed -- especially long distance calls -- which then have to be returned at our cost. The "call-waiting" services allows the telephone user to know there is another call coming in.

I have talked with Mr. Shutz of Indiana Bell and he feels this service would be a solution to this problem instead of requesting an additional telephone line.

Your consideration of this request will be appreciated.

Very truly yours,
Terry D. Dietsch
Judge, Vanderburgh Superior Court

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

RE: CLAIMS

A claim was submitted by Torian Agency, Inc. for Public Official's Bonds, Continental Bonc BND 2078324 - David Wilson, Coroner, at $20.00 and Continental Bond BND 2078325 Earl K. Cox, Deputy Coroner, at $20.00. The total amount of the claim is $40.00.

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

A claim was submitted by Torian Agency, Inc. for Public Employees Faithful Performance Position Blanket Bond, for the Area Plan Commission, Hartford Bond #4122993, in the amount of $205.00.

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

A claim was submitted by Torian Agency, Inc. , for Insurance covering the County Clerk, Burglary policy BND 178 81 49 - Loss inside & Outside premises, in the amount of $285.00.

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

A claim was submitted by Donald J. Ice, Pigeon Township Deputy Assessor, for mileage to and from Indianapolis in attending the Annual Conference of County and Township Assessors on January 17, 18 & 19, at 14¢ per mile for 330 miles which is $46.20 and per diem of $20.00 per day for 3 days which is $60.00. The total amount of the claim is $106.20.

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

A claim was submitted by Hunnicutt & Associates, Inc. of St. Petersburg, Florida, which is under contract with the Knight Township Assessor's office for reassessment at total cost of $215,000. This claim is for work completed January 1st thru January 31, 1977 at 1/16 of Total Contract less 10% holdback which is $12,093.75. Invoice #8.

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

A claim was submitted by Attorney, J. Douglas Knight, for legal services rendered to the County Council in relation to the Pleasantview Rest Home, in the amount of $450.00.

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

A claim was submitted by the Southwestern Indiana Mental Health Center, Inc. for the first half payment of Vanderburgh County's share of operational expenses for the Southwestern Indiana Mental Health Center for 1977 in accordance with IC 1971 16-16-1, in the amount of $75,457.50.

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

A claim was submitted by D. E. McGillem & Assc. Consulting Services, Federal Aid Project M-6005(16) for work completed to date by section 4.1, Part A & B, of Agreement dated 4/30/75, on the environmental study for St. Joseph Avenue from the Franklin Street Intersection to just North of the Mill Road intersection, in the amount of $1,401.30. This is partial payment and has been approved by Mr. Lochmueller.

Commissioner Schaad said he thought this project had been done for some time.

Mr. Hinton explained that it was submitted once but the Engineer's have since changed the design and that the work has been completed by 70% to date on the study.

Commissioner Schaad moved that this claim be approved and noted that 70% of the cost will come back from the state after Mr. Lochmueller files a claim. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Engineer Associates, Inc. for the Engineering Services of the Lynch Road Project No. M-6005(13) in the amount of $10,333.17, which has been approved by Mr. Lochmueller, who said that he has checked the plans and that they are about 90% completed at this time.

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

A claim was submitted by G. H. Allen on Project BC-8-76, Estimate #2 - Various Bridge Repairs, for the repair of Structure #44A, Baseline Road; Structure #98A, Boonville-New Harmony; Structure #94, Old Boonville Hwy. and the Structures on Schutte Road and on Kansas Road, in the amount of $9,693.86.

Mr. Brenner said they held back 5% and that the claim is based on 25% completion, that he has checked to see that the bridge work has been completed to this degree. The total cost of this contract is $64,664.00.

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

RE: ANNUAL REPORT

The Annual Operational Report of the County Highway Department for 1976 was submitted to the Commissioners for their approval.

Commissioner Schaad moved that this Report be accepted, signed and forwarded to the state. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORT

Mr. Crooks submitted the Building Commission Report for January of 1977 and said that the building activity for January of this year is below that of the same month last year.
Report received and filed.

RE: REPORT OF HOUSE ON NEW HARMONY ROAD

Mr. Crooks reported on the house that is located on New Harmony Road, that was discussed previously, by stating that he talked to Jack Dean who agreed that he would try to clean that mess up.
He said he gave Mr. Dean until April 1st. to show some progress and by July 1st. to have it fairly well cleaned up, but that if he didn't show any progress by April 1st. he would be called before the Commissioners to account for what he would or would not do.

RE: QUESTION ON CONTRACT FOR ROOF AT HILLCREST WASHINGTON HOME

Commissioner Willner stated, in regard to the roof that was put on the Hillcrest-Washington Home, that Mr. John has received a bill from Peyronnin for a total of $23,437.00 and has no proof of the work being done so that the bill can be paid.

Mr. John said that according to the invitational bid of Peyronnin Construction, the total cost will be $23,437.00, but that he has received one bill from them for $4,900.00 and another one for $4,700.00 and he can't pay these bills without a contract or something and he asked if there was a contract.

Mr. Hotz said they had a contract with Peyronnin and it stipulated that they were going to take one section at a time and if they could make out with the one section, fine, and if not, they would go to another section, which they did and eventually, they had to do the complete roof, so they took it section by section and this is the way the contract was specified.

Mr. John said he would need a copy of the contract in order to pay these bills for the roof and Mr. Hotz said he would see that the County Auditor gets a copy of the contract.

RE: RE: MR. JUDD.....SPEED LIMITS

Mr. Judd said, in regard to the speed limits for the County, that he and Mr. Lochmueller have made arrangements to use the Sheriff's radar cars, and that as soon as the weather permits, they will start looking at the speed limits.

Commissioner Willner asked how they were going to use the radar to set the speed limits.

Mr. Lochmueller said that by state law, the speed limits should be based on 85% of what traffic is out there, also taking into consideration, the design of the road.

RE: "NO PARKING" SIGNS NEEDED

Commissioner Schaad asked what the status is of the "No Parking" on New Harmony Road at 65 & 66, across from the Old Mill.

Mr. Hinton said they did a field survey on this, that the report is in written form and they stipulated what would be necessary if they are going to have trucks unloading there and that it does look feasible.

Commissioner Schaad explained that there are trucks that have to unload at a place of business out there that is operated by Dell Cottrell and it blocks the traffic and people have to park on the highway.
He said it has been checked out and there should be "No Parking" signs placed there if it is feasible and this is what they are talking about, so he asked that Mr. Judd get with Mr. Hinton on this matter.

Mr. Hinton said the reason they haven't sent out any information on this was because of the snow on the ground and they didn't know what the actual width was and they would have to wait until the snow melts before they could do anything further.

Commissioner Ossenberg said there is a truck that is parking in the County right-of-way on the frontage road just south of Hwy. 64, where it intersects with Hwy. 41, on the west side of the road at Busler's sign and there needs to be a "No Parking" sign posted there. He asked that this also be checked into.

RE: ABSENTEE REPORT

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

RE: REPORT ON SNOW REMOVAL COSTS

Mr. Siebeking reported that the County has spent $34,575.00 so far for material, overtime pay and other costs for snow removal, bringing the total snow removal and road damage costs in the County to $359,575.00.
He said that Indiana cities and counties have been asked to compile an estimate of damage and other costs incurred because of the weather to be submitted to the state to get federal aid and he had submitted this report on the costs that were compiled. He asked if Washington had ever called since the Congressman's office had previously called and asked for the figures that were compiled and he had submitted them on time and would have been given them if they had called for them as they said they would.

Commissioner Willner asked Mr. Siebeking who the work was contracted to.

Mr. Siebeking said it was contracted to Bobby Staub, Jerry David and Tom McDowell.

Commissioner Schaad said he had received a call from Shirl Evans who is the Executive Secretary of the Indiana Association of Counties and he was trying to get statistics together for Governor Bowen to see if we might declare Indiana as a disaster area instead of in a state of emergency, so we might be able to get some federal funds because of the storm damage done to Vanderburgh County and he related the information to Mr. Evans that Mr. Schaad had given him as to the cost for snow removal, damage to equipment, salt, etc. so they do have this information in order to try to help get some federal funding for us and that we will just have to wait to see what happens.

RE: COMMENT ON CONTRACT OF G. H. ALLEN FOR REPAIR OF VARIOUS BRIDGES

Mr. Siebeking said, in regard to the bridge on Old Boonville Highway, that in the contract, they stipulated that they would maintain the barracades and that the County Highway Department has been maintaining them and the flares out there since before Christmas for seven days a week and he thought that before the bill is completely paid, that the County should be compensated back from G. H. Allen for this work they have done out there and for the headaches the Eagles Country Club has given them because of the one-way traffic and everything else, that they like to have driven his department up a tree.

Mr. Brenner said he didn't think there would be any problem in collecting it, that they have discussed it and he thought they would be glad to pay it rather than have to come down here from Vincennes.

Mr. Siebeking said he would compile his records and figure how much all of this work has cost the County.

RE: TENNIS LANE

Mr. Brenner said there was a request last week, to accept Tennis Lane, that he has contacted Mr. Butterfield and requested that he either core it or that he get a registered engineer to certify that Tennis Lane was built according to specifications and he said that they would do this, so it is in abeyance at the present time.
He said that an engineer did call him and said that he did witness it and that Tennis Lane was built according to specifications so he told the engineer that if he signed his name to the drawings as to it being built according to the specifications, that it would be accepted by the County.

RE: POSSIBILITY OF MONEY FOR AN ASSISTANT HIGHWAY ENGINEER

Mr. Brenner said that he has recently found that it would be possible for the County to obtain another $7,500.00 from the State of Indiana, if applied for, to hire an Assistant Highway Engineer, that this is possible in certain metropolitan areas and that we do qualify.
He asked the Commissioners if they were interested in him pursuing it.

The Commissioners agreed that Mr. Brenner should pursue the possibility.

Mr. Brenner said that when he first took office, there was a problem of engineers but that now he has three registered civil engineers and one licensed surveyor.

RE: REQUEST FOR CUTS-IN

Mr. Brenner said he received a request from the Waterworks Dept. to cut Douglas Drive and he has sent it back to them with a request for a bond.
He said he has also located the law that requires they must have a bond and that it also states that a fee should be collected from them for the use of the County road.

RE: BROWNING & FERRIS REQUESTS REZONING

Mr. Brenner said that Browning & Ferris came in and they are requesting a rezoning on the property between Oak Hill Road and Green River Road and on the request for the rezoning, he put in a request for right of way for the Lynch Road extension which would be a quarter of a mile and would be a boon to the County if they get it.

RE: COMMENTS ON COUNTY GRAVEL ROADS

Mr. Brenner said he did a little study and found out that for each mile of roads in the County, the Highway Fund receives $2,000.00 per year, per mile, that the Road & Street Fund receives $720.00 per mile.
He said he called the State Highway Commission and found that this fee is paid whether it is a gravel road or a concrete road, that they have done some estimates on grading and replenishing the gravel on a road and he believes they could do it for approximately $300.00 per year and based on these figures, he would recommend that the County accept gravel roads, that they must come up to standards as to their width but the County should take them to help offset the other roads.

Commissioner Ossenberg asked if it specifies what the standard width is.

Mr. Brenner said it doesn't,that it is up to us and that we are now collecting on some dirt lanes, which are lanes that haven't been completely abandoned but aren't really maintained.

Commissioner Schaad asked how often they go through this to actually see how many miles of County roads that we get credit for.

Mr. Brenner said he submits it.

Commissioner Schaad said he thought they came down from Purdue, out of Mr. Hittle's office and actually run those roads with a bicycle wheel behind them and actually checks on the number of miles.

Mr. Brenner said he doubted it, that they may come down and pick a few sample roads but they would never run all of the County roads.

Mr. Lochmueller said they come out of Scott's office from the Indiana State Highway Commission and check the roads but that they don't do it every year.

Commissioner Willner asked Mr. Brenner if he knew approximately how many miles we could pick up.

Mr. Brenner said he has no idea but that right now, the County has 472 miles of County roads which is the number the County collects for and when he has finished his road survey, it will be over 500.

Commissioner Schaad said that it seemed to him, the last time they came down, they didn't check with anyone and no one knew what they were checking.
He wondered if the number of roads has been co-ordinated with Mr. Siebeking's records and said that when Mr. Stephens was County Attorney, they tried to bring it up to date so they knew just which roads were accepted by the County and they were in Mr. Siebeking's card system as well as a booklet that was made up by Mr. Stephens.

Mr. Brenner said he is aware of this and has been working it, that he told the Commissioners about the road survey he is preparing and they are already over 500 miles and they will measure the roads themselves.

Commissioner Willner said that the last time the state man was down, that he stopped at his place of business and asked him to go along and he did ride with him and what he does, the way it was explained to him, was that after they turn a certain road in for state aid, if they do not believe the mileage, they do check it and have a bicycle wheel behind the car to measure those roads, that it isn't an every road deal but he does think they keep these roads in mind and then when they do come into the area, they check them to see if the mileage is figured correctly.

The Commissioners agreed however, that the state would probably spot check the new roads at some time or another.

Mr. Brenner said that what he would like to do on the gravel roads is to set up a standard as to what they want and then to go out looking for the roads since he thought if the County could make, say $2,400.00 per year, they should do it, to which the Commissioners agreed 100%.

Mr. Brenner said he would be back shortly with recommendations.

RE: COUNTY ENGINEER TO TAKE OFFICE SOON

Mr. Brenner said that he has talked to Mr. Louis Steven, who will be the new County Highway Engineer, and he will be here on the 15th. of February.

RE: STATUS ON ST. JOE AVENUE

County Attorney Smith said that County Attorney Wendel gave him a letter that he received from Indianapolis from an Engineering Firm indicating that on the forty-eight right of way's on St. Joe Avenue, they need documentation so with the County Surveyor's office they have obtained documentation on all of them except for four tracts, that either the recorded right of way hasn't been obtained or the subdivision where the right of way's are located wasn't necessarily paid for.
He said they ran into a little bit of a hitch because there are three of them, 3, 4 and 5E that are near 460 that they don't have and he understands that the fourth one is the right of way from the Farm Bureau that they don't have and now when they are buying up the right of way and getting started, Mr. Lochmueller advised that everything be stopped.

Mr. Lochmueller said this changed in 1971 and it would be best not to purchase any of that right of way until after they have had that public hearing, since if they purchase any right of way before that, they could lose any federal money that would be eligible for the construction, that they can get their legal description and get all ready but they shouldn't offer those people any money for the right of way.
He said that everything that has been done so far is okay, except that they don't own the four parcels which they shouldn't purchase now, so they haven't lost a thing, since they were in the process of buying the right of way before 1971 so they got in under the wire
He said that is the problem with St. Joe right now, that they have been told they have to have a public hearing and they will conduct it to determine whether any of the right of way was started after 1971, which in our case it wasn't, but we wouldn't want to come back and buy any additional right of way, that there also a question on a house that was purchased, that they can talk about relocation at a later date but he said they aren't sure about it at this point and a public hearing would bring that out by checking the records.

Commissioner Schaad noted that there shouldn't be any problem with the Farm Bureau, but that back when they were negotiating with putting that unloading place for grain on the County Garage, it was then the Vanderburgh County Co-op and since then, Warrick County Co-op bought them out, as he understands it, and that was supposed to be a part of the deal and they shouldn't forget this since they were supposed to look kindly upon us and give us the right of way for the widening of St. Joe Avenue and he said he was sure this could be found in the previous minutes of the Commissioners when the time comes.

The meeting recessed at 10:30 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg	Curt John	Ed Smith Jr.
Bob Schaad		Paul Wendel
Robert L. Willner		

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
FEBRUARY 15, 1977

The meeting of the County Commissioners was held on Tuesday, February 15, 1977, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: MONTHLY REPORT

The Report for the Evansville Association for Retarded Citizens was submitted for the Month of January, 1977.
Report received and filed.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY HIGHWAY DEPARTMENT

Louis H. Stephen	3711 Atlanta Crt.	County Engineer	$19,675.00 Yr.	Eff: 2/12/77

CUMULATIVE BRIDGE

Dan G. Hartman	722 College Hwy.	Bridge Engineer	$19,675.00 Yr.	Eff: 2/14/77

BURDETTE PARK

James Render	1909-C Plantation	Security	$ 3.00 Hr.	Eff: 2/7/77
Raymond J. Wolf	R.R.2 Box 34A	Park Manager	$11,148.00 Yr.	Eff: 2/7/77
Harold Babbs	303 S. Woods	Rink Manager	$ 27.00 Day	Eff: 2/7/77

RE: EMPLOYMENT CHANGES.....RELEASES

COUNTY HIGHWAY DEPARTMENT

Dan G. Hartman	722 College Hwy.	County Engineer	$19,675.00 Yr.	Eff: 2/11/77

BURDETTE PARK

Robert Hertzberger	619 S. Red Bank	Park Manager	$11,148.00 Yr.	Eff: 2/7/77
Raymond J. Wolf	R.R.2 Box 34A	Asst. Manager	$ 8,354.00 Yr.	Eff: 2/7/77
Harold Babbs	303 S. Woods	Head Rink Guard	$ 3.15 Hr.	Eff: 2/7/77

RE: LETTER FROM GOVERNOR BOWEN

The following letter was received from Governor Bowen:

Subject: Emergency - Winter, 1977 Date: February 9, 1977

The purpose of this letter is to relate to you our sensitivity to the problems that you have encountered due to the blizzard conditions on January 28 and 29, 1977. We are doing everything in our power to obtain a federal disaster declaration for the State of Indiana. As you know, the federal government has requested a myriad of specific detailed information to reinforce our request.

As a result of a meeting this morning with Mr. Robert Conner, Region Five Director of the Federal Disaster Assistance Administration, the following information has been requested by the federal government:

1. The amount of money budgeted for your political entity for snow removal of either fiscal year 1976-1977 or calender year 1977. Please indicate which year.

2. Amount of money expended and/or obligated in snow removal since
   a. beginning of budget period
   b. since blizzard of January 28 and 29

3. Amount of deficit incurred because of snow removal (contracts let for snow removal)

4. Actual and/or estimated (itemized) damages to public water and sewage systems

5. Actual or estimated damages to snow removal equipment

6. Actual or estimated damage to public facilities (buildings, etc.)

7. Any other specific information you feel is relevant

We know how busy you are and apologize for this request, but I can only reiterate that it is imperative the above requested information be completed and returned to us (attention: James T. Smith) by February 18 if at all possible. Any possibility of reimbursement for expenses incurred as a result of the January 28 and 29 blizzard will be impossible without this information.

There will be other future damages found and expenses incurred that one cannot now anticipate nor estimate. Examples would be road, street, bridge, sewer and water mains damaged. Please keep good records for documentation and for future submission for I am sure the Federal Disaster Administration will be requesting it from us.

Commissioner Ossenberg said that this information is documented at the County Highway Department and that it will be in the Governor's hands by February 18th.

RE: ACTUAL USE REPORT....FEDERAL REVENUE SHARING

Mr. John explained that this is the Actual Use Report as to how much money was spent from Federal Revenue Sharing, during the entitlement period of, from July 1, 1976 thru December 31, 1976.
The amount of funds received for this period was $688,119.00. The total amount expended was $642,260.00 so the balance as of December 31, 1976 was $70,094.00. He said this report will be advertised and sent in to the Treasury Department.

Commissioner Willner moved that this report be signed by the Commissioners. Commissioner Schaad seconded the motion. So ordered.

RE: ADDENDUM TO TEAMSTERS CONTRACT APPROVED

The following agreement with the Teamsters Union for the County Highway Department, which represents a 6% wage increase, was submitted to the Commissioners for their signatures:

Addendum to the Agreement between the Board of County Commissioners of Vanderburgh County and Teamsters Local Union No. 215, Evansville, Indiana. Effective Dates being January 1, 1977 through December 31, 1977.

It is hereby agreed that the hourly wages for the employees of the Vanderburgh County Highway Department, covered by this Agreement for the year 1977, shall be as follows:

Classification	Hourly Rate
Night Watchman	$ 4.18
Janitor	$ 4.18
Laborer	$ 4.18
Head Mechanic	$ 5.21
Assistant Mechanic	$ 4.52
Heavy Equipment Operator	$ 4.63
Leadman	$ 4.46
Grease Man	$ 4.46
Truck Driver	$ 4.26
Tool Crib Attendant	$ 4.18
Gasoline Man	$ 4.18

Chauffeurs, Teamsters and Helpers Local Union No. 215, Evansville, Indiana
Affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America
C. K. Arden, President & Business Manager
Dated February 15, 1977

Commissioner Schaad moved that this agreement be approved and signed. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by J. Frank W. Stewart, M.D. for In Patient Hospital Care from 9/23/76 thru 10/6/76 inclusive for James Hamilton, a T.B. patient for the Doctor's Admission Examination and follow-up daily care in the amount of $137.00.
This claim was approved by the Evansville-Vanderburgh County Health Department.

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

A claim was submitted by Citizens Bank for the Vanderburgh County Police Retirement Fund Contributions, as per contract, in the amount of $47,652.00.
This is for the Sheriff's Department, Acct. No. 105-522.

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

A claim was submitted by the Vanderburgh County Christian Home, for the County's share in the amount of $5,000.00, Acct. No. 130-596 which is in the Commissioners budget.

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

A claim was submitted by County Attorney Paul Wendel, for January, 1977, Office Allowance, Acct. No. 130-215, in the amount of $125.00.

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

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

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

A claim was submitted by Pepper Construction Inc. for the balance of contract on the Burdette Park Comfort Station, for the electrical, ceramic & plumbing work, plus the extra for the washer & dryer, in the amount of $12,254.80.
This has been approved by Jesse Crooks, the Building Commissioner.

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

A claim was submitted by Pepper Construction, Inc. for the remainder of retainage on the Burdette Park Campers Pads, in the amount of $723.60.

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

RE: CERTIFICATE OF INSPECTION

A Certificate of Inspection was submitted by the Building Commissioner's office on the Comfort Station at Burdette Park.
Certificate received and filed.

RE: MR. JUDD

Mr. Judd reported that he had the "No Parking" signs installed out by Busler's as requested last week, also that so far, he hasn't had any notification on the tonage for Oak Hill Road and Green River Road.

Commissioner Ossenberg said he has had quite a few calls on this matter and he thought that "No through Traffic" and "Ten Ton Load Limit" is pretty much what has been decided which was also approved by Mr. Lochmueller.

Mr. Brenner said the reason Commissioner Ossenberg had been getting calls is because there was a semi that had jack-knifed and blocked the highway for about four hours.

Commissioner Ossenberg said the weather has been so that they couldn't put some signs up, but he thought if it was agreeable with the Commissioners, they could now put these signs up on Oak Hill Road and Green River Road.
He said they do have an ordinance and Mr. Brenner said that the ordinance complies with what they are doing.

Mr. Judd also said, in regard to using the Sheriff's Radar cars on Green River Road, Boonville-New Harmony, and others, that he and Mr. Lochmueller will get out and start looking at the speed limits in the next week or two.
He said he will try to get the signs up on Oak Hill Road and Green River Road in the next day or two.

Commissioner Schaad said that as long as the ordinance complies with what they are doing, that is all that is necessary to make it legal.
The Commissioners agreed that the signs be posted.

RE: ABSENTEE REPORT

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

RE: BRIDGE ON OLD BOONVILLE HIGHWAY

Mr. Siebeking said that, last week, Mr. Brenner submitted an estimate to G. H. Allen for the bridge on Old Boonville Highway and he had said the County should be reimbursed for the time his crew has spent in taking care of flares for them so he put the costs together and he asked if Mr. Brenner should take care of it, as he turns in his estimates to Mr. Allen and it can then be deducted from what we owe them.
He said, however, that this money comes out of his department.

Commissioner Ossenberg said he would think that G. H. Allen would have to reimburse the County, back into the Highway Department.

Mr. Siebeking said his department started maintaining them on December 23, 1976, that they took eight flares and eight small barricades out there that afternoon and had to replace four flares on January 5, 1977, two flares on January 10th and two more on January 15th., that they had been stolen.
He said that is 43 days and he is figuring it at an hour per day at $4.00 per hour for a total of $172.00 for Labor...they used 107.5 gallons of kerosene at 55.559 which is $60.09...they have lost 12 flares which cost $6.86 each, which is $82.32, for a total of $314.41.
He said G. H. Allen was working out there yesterday and set part of the bridge so he imagined they would maintain it from now on.

Commissioner Schaad asked Mr. Siebeking if this amount included Insurance, P.E.R.F, etc.

Mr. Siebeking said that maybe he should figure the time different since there were some Sundays and holidays that they worked, also it doesn't include the gas they used in going out there, nor the Insurance.

Commissioner Schaad said if the cost for labor is $4.00 per hour, it wouldn't include the extra costs that were incurred.

Mr. John said the best way to handle it would be for Mr. Siebeking to bill G. H. Allen and he would hold up on final payment of the contract until after the bill is paid and they can then receipt the check into the Highway Department.

Mr. Siebeking said he would make out another itemized statement and increase the labor by adding the holidays, Insurance, etc. and he will bill them direct.

Mr. John said Mr. Siebeking should notate on the bill that final payment of the contract will be subject to their paying this bill.

Mr. Siebeking said it is in their contract that they take care of the flares and barricades but of course, they didn't, so he feels they should pay this because the money is actually out of the Highway Department on taking care of their job.

RE: TENNIS LANE ACCEPTED FOR MAINTENANCE

Mr. Brenner said they had a request for the County to accept Tennis Lane, from Plaza East Blvd. to Virginia St.
He said they did perform to the County's specifications, that the Surveyor's office is happy with it and he recommends that it be accepted.

Commissioner Schaad moved that Tennis Lane be accepted by the County for maintenance. Commissioner Willner seconded the motion. So ordered.

RE: OLD BOONVILLE HIGHWAY BRIDGE

Mr. Brenner reported that the Old Boonville Highway Bridge is under construction again, as Mr. Siebeking had stated and that it will be open, both ways, to traffic by the end of the week.

RE: GREEN RIVER ROAD.....RIGHT OF WAY

Mr. Brenner said that Don Cox, the Right of Way Buyer for Green River Road was in his office and he said the County owned the Right of Way from Heckel Road to Hwy. 57 and from Pigeon Creek to Theater Drive but that there is one section of road from Heckel Road to Pigeon Creek where the County doesn't own the Right of Way.
He said there is still $52,000.00 left in the R & S Account on the Green River Road Improvement and he would like to recommend that they attempt to buy this Right of Way, that he knows they will have plans to do it if the money is there and it is just the Right of Way on a short strip that the County doesn't own and this will complete Green River Road from the County line to Daylight.

Commissioner Schaad moved that the Right of Way buyer proceed to purchase the rest of the Right of Way that is needed on Green River Road. Commissioner Willner seconded the motion. So ordered.

RE: ST. JOSEPH AVENUE

Mr. Brenner said that Priest Hazelwood who has the contract on St. Joe contacted him, since they wanted to have another meeting and try to grind on them again, which he refused.
He said he did go out and look at the driveway and found that the man does have a problem and they will never get Priest Hazelwood to do anything to it because the County accepted it but that it is a job that the County can do. He said there is a tree out there and the guys now agree that the tree can go, also that it is a business and they can't get their combines in and they bring semi's in to Duncan's Nursery since they cannot get them in, that they used them before we started the construction, so he believed it to be the responsibility of the County to fix it so they can.
He said it would probably just take a skip loader and some gravel, that there is a small hill that has been cut through the center and that maybe a five foot strip of hill can be removed.

Commissioner Schaad moved that the County Highway Department do the work that needs to be done on the driveway on St. Joe Avenue. Commissioner Willner seconded the motion. So ordered.

Mr. Brenner said he would get with Mr. Siebeking and give him some plans for the work that needs to be done.

RE: ST. JOE ROAD

Mr. Brenner said that the people who wouldn't sell the County Right of Way on St. Joe Road are upset since that road used to be the straightest road in the County and now it does a dogleg but they can't do anything about it since one side of the road wouldn't sell the Right of Way and it wasn't condemned and was left there and now the people are upset because the bank is almost vertical and they are now giving us the Right of Way, piece by piece.
He said that Duncan's did the seeding job but it needs repair because of the bad weather we have had but he believed Mr. Duncan would do it.

RE: COMFORT STATION AT BURDETTE PARK

Mr. Brenner said that the final inspection was completed on the Comfort Station at Burdette Park and as far as they are concerned, it is finished.

Commissioner Schaad told Mr. Brenner that the Certificate of Inspection for this project was submitted this morning by the Building Commissioner, after having been inspected.

RE: BOONVILLE-NEW HARMONY ROAD & HWY. 65

Commissioner Willner said he wondered if Mr. Siebeking needed some help from the Surveyor on Boonville-New Harmony Road & Hwy. 65, where they were going to cut those corners down.

Mr. Siebeking said the Telephone Co. has it all and they are drawing it up for him because everything there concerns them and they said as soon as they get it drawn up they will send him a copy of it, also that he has the permission of the property owners to do the work.

RE: ST. JOE AVENUE & MEIER ROAD

Commissioner Schaad said that on Outer St. Joe Avenue & Meier Road, there is a real bad intersection, that there is a stop sign coming up the hill and someone told him that the land out there changed hands and it may be possible to get with them and get that big hill cut down, since this would make the intersection much safer. He said that people have been killed out there and if the other Commissioners would agree, he would like for it to be pursued. The other Commissioners agreed. Mr. Brenner said that he would take a look at it.

RE: HIGHWAY INSPECTION STARTED

Mr. Brenner said that since the weather has been better, they have started the Highway Inspection today.

RE: WEATHER TEARING UP ROADS

Mr. Brenner said that Oak Hill Road is practically destroyed, that he couldn't believe it when he saw it, that it has just completely fallen apart.

Commissioner Ossenberg said he was out there and they counted 68 chuckholes in the center of the road, that Neil Pierce, the former principal of Reitz High School, had called him on it so he drove out there and unfortunately, some people had their tires realigned and then they hit these chuckholes and their tires are in worse shape than ever, so the County put some blacktop in there which lasted only a day or two so he didn't know what they were going to do about it. He said this is a situation where the federal government could help us because the road is gone.

Mr. Brenner said that it is a serious problem and as a hard-surfaced road, it is finished.

Commissioner Schaad said the point of it is that at this time, there is hardly a thing that can be done about it, that a surface can't now be put on it in this kind of weather unless they use heat of some kind and this would be an expensive operation and wouldn't last too long and the whole thing will probably have to be re-surfaced before it's over with but he wondered what they would do in the meantime.

Mr. Brenner said that Feigel Construction Co. said they could be out April 1st. which is when they hope to be back in the blacktop business.

Commissioner Willner said that Baseline Road is going back to gravel and Boonville-New Harmony that they just put down a couple of years ago, is doing the same way from the coal haulers traveling over the roads and he asked if they could go to the Frost Law now, since these trucks are just tearing the roads up and that is what the Frost Law is all about, to keep traffic off the roads while they are thawing.

Mr. Brenner said that Flittner and some other roads off St. Joe are getting truck traffic too, that all the loggers are back in there.

County Attorney Smith said they wouldn't have to depend on the Frost Law, that the Surveyor has all the authority in the world to establish load limits and to control any road that is under County maintenance, that the County Surveyor has police powers himself.

Mr. Brenner said that he is aware of this and if the Sheriff won't do it, he has to. He asked why, for Oak Hill Road and Green River Road, did they have to have special state legislative action.

County Attorney Smith said he doesn't remember the exact wording but that the statute doesn't really specify by resolution or by ordinance, that it is just by the voice vote of the Commissioners.

Commissioner Willner said that on Boonville-New Harmony Road, when a person stands at the side of the road, they can feel the ground squeeze in under them when a truck passes, that the trucks are 18 ton coal trucks.
He said that he didn't want to stop coal hauling but thought during certain periods, they were either going to stop it or either put down new roads.

The Commissioners were told that several other county roads are being damaged because of coal truck traffic, that some of the trucks come from Warrick County coal mines while others haul coal from a loading dock on Old Henderson Road southwest of Evansville.
The roads used by coal trucks include Boonville-New Harmony Road from the Warrick County line to Indiana 57, Baseline Road across the northern section of the county. Old Henderson Road, New Harmony Way, Darmstadt and Old State Road.

The County Commissioners said the coal trucks use secondary county roads as shortcuts to power plants.

Commissioner Willner said that the coal trucks have got to stop using secondary roads.

Commissioner Ossenberg agreed and said that the trucks could use state roads, which can handle heavier truck traffic.

Commissioner Schaad said he didn't see how the County could cut off coal traffic, since business and life have got to go on.

Commissioner Ossenberg said the Warrick County Commissioners have the same problem constantly and he can't see why the coal trucks can't come from Warrick County, down state roads, for a temporary type deal anyway, until these roads stop thawing.

Commissioner Schaad said that maybe someone needs to check with the coal companies to see where they are starting and where they are going and see if it can be worked out.
He asked County Attorney Smith, if they closed these roads, wouldn't they have to supply alternate routes.

County Attorney Smith said he didn't know of any requirement on this matter, that he wouldn't say there isn't one, but he doesn't know of any.

Mr. Brenner said it is the same as a bridge limit, if they post one, that's it.

Commissioner Ossenberg said he can see the convenience of what they are doing but he can also see an expense that the coal companies aren't going to share with the County, and the County isn't going to have the money to do it.

Commissioner Willner said the least the coal companies can do is to work with the Commissioners and the Commissioners wondered just what coal companies are in operation up through there.

Mr. Lochmueller said there is the Amax Coal Company and the Peabody Coal Company.
He said he thought one of the problems they have now is that there is coal being barged in here and the trucks are picking it up on Old Henderson Road and it is going through St. Joe to Indiana 57.

Mr. Judd said they are also traveling on Maryland Street Hill to Harmony Way and out to 65.
The other roads being traveled by the trucks are Boonville-New Harmony Road, Baseline Road, New Harmony Way, Darmstadt and Old State Road.

After further discussion, the Commissioners asked Mr. Brenner to contact the coal companies and trucking firms and ask them not to use secondary county roads.
They said if the co-operation isn't received, Mr. Brenner will just have to post signs, putting weight limits on these roads.

Mr. Brenner said he didn't think they would pay any attention until they do post load limits.

Commissioner Ossenberg said they wouldn't be closing anyone down, since they have too many alternative routes they can take, that there are state roads all over but they aren't using the state roads, obviously, because of the weigh stations. He said he knows it works a handicap somewhat for them but it is working a terrible handicap to the County when it comes to repairing these roads and he is of the opinion that Mr. Brenner contact them and if they don't want to co-operate, as far as he is concerned, they wouldn't have to wait, that if the Commissioners see fit, they will just have Mr. Brenner to proceed with putting weight limits on the roads since he has the authority to do so, however, he thought they should be given a chance. The other Commissioners agreed.

Mr. Brenner said that he would contact all those involved.

RE: OAK HILL ROAD

Mr. Brenner said that Oak Hill Road is just like Green River Road, that it is very narrow, dangerous and it catches a lot of bicycle traffic but they ought to look at widening it and he didn't know of any way they could patch that road.

Commissioner said he didn't think so either since that road is gone. He said it may be well to put it on the boards and he asked how wide it was.

Mr. Lochmueller said it is eighteen feet wide.

Commissioner Ossenberg said it would be a good idea to bring it up to twenty-four feet.

Mr. Brenner said if they got a homeowners organization together instead of trying to buy it, that because it is a tremendous improvement, they know they would have a problem, that they would try to get the right of way dedicated to the County but he wouldn't know how far to go out.

Commissioner Ossenberg said that if it is agreeable with the other Commissioners, Mr. Brenner might look into it and see about the improvement and widening of Oak Hill Road. The other Commissioners agreed so Mr. Brenner agreed to look into it.

RE: P.E.R.F. FOR COUNTY ATTORNEYS

Commissioner Ossenberg asked Mr. John what the decision was on the P.E.R.F. for County Attorneys.

Mr. John said he still contends that the County Commissioners are the ones that set the policy on who is entitled to P.E.R.F. and who is not and this is why he came before the Commissioners on the Reassessment, since he was informed by the people at P.E.R. F. that the Commissioners determine who can and who can not.

Commissioner Schaad asked if they adopted the past resolution in their meeting.

Commissioner Ossenberg said they did, where it says 600 hours and that the County Attorneys work more than 600 hours and according to Mr. John, just like Reassessment, when it came along, the Commissioners had the authority to do that so they should have the authority to put the County Attorneys on P.E.R. F.

Mr. John said he did know that the public defenders in Superior Court and Circuit Court are on it.

Commissioner Ossenberg said he thought they were going to have to look at the whole situation of part-time people if they are working 600 hours.

Commissioner Schaad said they are going to have to have a uniform policy so that what is fair for one is fair for everyone else, so if the County Attorneys work 600 hours they should be on P.E.R.F. but he remembers, one time, that former County Attorney Swain asked to be taken off P.E.R.F.

Mr. John said that is why the resolution was passed, that Mr. Swain drew it up and asked the Council and he didn't know why he even went to Council, that this was his understanding.

He said it isn't a voluntary thing, that at that time, the County Attorneys were on P.E.R.F. and they were paying it and they were considered more or less full time salaried employees and that is why Mr. Swain wanted to get something to let him not be on it.

Commissioner Ossenberg wondered if the law had changed, since when he first went on it, he had to write Mayor McDonald, that he had the right to go on it or not to go on it.

Mr. John said he believed that it is now mandatory for full-time employees and this is where they have to find where to draw the line.
He said if a person works over 600 hours, he can't draw P.E.R.F. but he can work up to 600 hours and still collect it if he is of the right age.

Commissioner Schaad said the Commissioners should then establish a policy and then everyone that complies is on P.E.R.F.

County Attorney Wendel said it was his understanding that if a person worked 600 hours, it was mandatory that they be on it.

Mr. John said that he would call the P.E.R.F. office and will make some kind of report on it next week as to their interpretation.

Commissioner Ossenberg said that in the meantime, he didn't think it was fair to take the County Attorneys off of P.E.R.F. so the Commissioners agreed that they remain on it until they get the decision on the matter.

RE: CONTRACT WITH SZABO FOOD SERVICE, INC. SIGNED ·

The contract with Szabo Food Service, Inc. to provide the meals for the prisoners in the Vanderburgh County Jail, was submitted to the Commissioners for approval.

County Attorney Wendel said that the contract is now in order and that it meets with the Sheriff's approval.

Commissioner Schaad moved that the contract be approved and signed. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

A claim was submitted by Szabo Food Service, Inc. for the meals of the prisoners that were served during the month of January, 12,466 meals at 65¢ per meal, for the total of $8,102.90.

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

RE: NEW HARMONY ROAD .....LOADING ZONE

Mr. Hinton said, in regard to the request for a loading zone at 5020 New Harmony Road that was brought up last week, that they did go out and do a detailed traffic and engineering study on it now that the snow has gone and they were able to see exactly what the situation was as to the pavement and shoulder width and it appears that they do have ample room for designating such a loading zone, that they do meet minimum standards.
He told the Commissioners it would be allright for them to authorize such a loading zone if they see fit, also that there one little problem that cropped up in talking to them about this and that is, they don't want to totally prohibit auto parking within that loading zone since they need the area for customer parking when it isn't being used as a loading zone, so what they would like to do is to designate the loading zone and allow 30 minute parking only in that place, so he asked that Mr. Judd post a sign to this effect.
He said this should present no problem at all as far as the traffic is concerned, on New Harmony Road.

Commissioner Schaad moved that Mr. Judd be authorized to post the designated sign on New Harmony Road. Commissioner Willner seconded the motion. So ordered.

RE: REPORT BY MR. LOCHMUELLER

Mr. Lochmueller said he really didn't expect to be in town today, so he will be back before the Commissioners next week, that he will work with the Surveyor and they will have some routes that they will be recommending for the Commissioners to take the trucks off of.
He said they happen to coincide with some of the streets that was discussed today, also that they do want to look at the Boonville-New Harmony Road since he does know that the road is deteriorating.

RE: ROAD STUDY REPORT

Commissioner Schaad asked Mr. Lochmueller if he was working on the road study with Mr. Brenner as to what they are going to do as far as improvements are concerned.

Mr. Lochmueller said they are in the typing stage now of the road study out in the County, that they have finished the surface conditions which was done three months ago, that the other variables are okay but the surface conditions will have to be done over and they will be back before they do this.
He said that the roads have really deteriorated and on the collector and up, they are using the formula they had used before on the road conditions and they don't want to vary from that but he wants to go through all ten catagories, which they did last fall.

RE: POOR RELIEF

Robert Ellis.....914 E. Blackford Ave....Pigeon Township....Ms. Vitatoe, Investigator

The Notice of Poor Relief Action from the Pigeon Township Trustee's office shows that Mr. Ellis requested rent and was denied since they offered him other suitable place to live but he refused.

Mr. Ellis said he was laid off from work, that he was sick and under the doctors care and when he went back to work, his work wasn't needed, that he has an apartment and lives alone and his parents are divorced.
He said he went to the Pigeon Township Trustee's office to ask for help on his rent until he could get a job and get back on his feet but the only thing they offered him was a month's free rent at the Y.M.C.A., that he has no objection to this but he is living by himself and he does keep his one-year old son two or three days a week and he can't see keeping the child at the Y.M.C.A. so he was just asking them to help on his rent until he got back on his feet and could get in touch with some of his relatives out of town. He said he did work at Uniseal, Inc. but was laid off on January 19th, that his rent is $135.00 per month, furnished, and that it is over a month past due, that he has lived here for about three months and before that, he lived with his mother.

Ms. Vitatoe said she talked to Mr. Ellis and suggested that he move in with his mother or father until he could get back on his feet since there is no way they could pay $135.00 per month rent. She said she called Uniseal and found that he was terminated due to absenteeism, that he started working there on October of 1976, until January 19th of 1977 and they said he was absent three-fourths of the time, that she offered him a month's rent at the "Y" but he refused. She said he is a month behind in his rent but if the Trustee paid just the $60.00 they are allowed to pay, on the rent, there is no way the landlord is going to accept partial payment, and if a man wants to be on his own, is single and qualifies, they should be at the "Y" since it is in their budget to take care of this.

Mr. Ellis said he has written to his relatives in Tennessee and he is looking forward to some help from them and he is going to go to school this coming semester.
He said he was terminated for his job because he wasn't needed but that he had been off sick and did have a doctor's excuse and he didn't believe that he missed work three-fourth's of the time. He said it could be looked into, that his father is a foreman there and he just don't see how he was terminated for missing a lot of work when he was on sick-leave.

Commissioner Ossenberg asked Mr. Ellis if he drew any unemployment.

Mr. Ellis said that he didn't and this is the problem, that he went to the unemployment office and due to a new time schedule, he isn't eligible for unemployment until April 1st.

Ms. Vitatoe said that if the Trustee paid any of the rent, it would have to date from February 9th, forward, that it wouldn't go back and pick up the month that he owes but from what the landlord said, he wouldn't accept the $60.00, that he wants the $135.00 and back rent.

Mr. Ellis said that every little bit helps since he has tried various places and hasn't been able to find work.

Commissioner Willner said there isn't anything that the Commissioners can do that Ms. Vitatoe hasn't done.

Mr. Ellis said he understands this but he was referred to Pigeon Township and he hoped they could help with whatever they could to help him stay in his home.

Ms. Vitatoe said that Mr. Ellis isn't getting food stamps, that he could since he is eligible but the reason she hadn't referred him to food stamps is because they have cooking facilities at the Y.M.C.A. and she had referred him there because it would be cheaper and they would be able to help.

Commissioner Willner said the Trustee can't pay the rent where he is now living so something has to give.

Ms. Vitatoe said that if they were to put him in an apartment, the Trustee would eventually have to pay for the food stamps and there are very few apartments you can get for $60.00 per month.

Mr. Ellis said that he just wanted a little help until he gets his unemployment in April and that after that, he is going into the Air Force.

Commissioner Schaad said if it were possible for the Trustee to pay $60.00 on his rent, how would he come up with the balance of the rent.

Mr. Ellis said he would get the rest of the rent from his folks in Tennessee.

Ms. Vitatoe said that if Mr. Ellis will come up with the other amount, she will put the $60.00 with it to pay the current rent but that he is responsible for the month's rent that is past due.

Mr. Ellis said that he has $73.00 saved from when he was working to pay for his food.

Commissioner Willner moved that this case be referred back to the Trustee, that Mr. Ellis should see if he can't come up with the past month's rent plus the current month's rent, less the $60.00 that the Trustee will pay if Mr. Ellis can come up with the rest of it.
Commissioner Schaad seconded the motion. So ordered.

Tony Williams.....445 S. 13th. Street.....Pigeon Township...R.M.Morrison, Trustee

Mr. Williams had requested help on his rent but was refused because he has a place to stay with his mother until he gets work and can pay his own way.
He was on the agenda to appear before the Commissioners today but failed to show up so no action could be taken at this time.

The meeting recessed at 10:50 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Bob Schaad Robert L. Willner	Curt John	Ed Smith Jr. Paul Wendel

Secretary: Margie Meeks

Thom L. Ossenberg

Bob Schaad

Robert L. Willner

VANDERBURGH COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
FEBRUARY 22, 1977

The meeting of the County Commissioners was held on Tuesday, February 22, 1977, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Schaad presiding, since President Ossenberg was unable to attend this morning's meeting.

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

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

Scott Maley	6314 Hogue Rd.	Ground Crew	$3.00 Hr.	Eff: 2/13/77
Dave Waltz	6710 Hogue Rd.	Ground Crew	$3.00 Hr.	Eff: 2/13/77
James W. Hagedorn	R.4 Box 236	Rink Guard	$3.00 Hr.	Eff: 2/13/77
Michael Head	614 S. Red Bank Rd.	Ground Crew	$3.00 Hr.	Eff: 2/13/77

CENTER TOWNSHIP REASSESSMENT

David W. Gulledge	3605 Debbie La.	Office Deputy	$20.00 Day	Eff: 2/16/77

CO-OPERATIVE EXTENSION SERVICE

Betty J. Kompst	408 S. 7th St. Petersburg,Ind.	Sec.	$5,806 Yr.	Eff: 2/14/77

GERMAN TOWNSHIP REASSESSMENT

Evelyn Lannert	809 New Harmony Way-Farm Land	Assessor	$20.00 Day	Eff: 2/3/77

PROSECUTOR'S OFFICE

Robert Hertzberger	629 S. Red Bank Rd.	Supt. Invest.	$4,371.00 Yr.	Eff: 2/8/77
Robert Hertzberger	629 S. Red Bank Rd.	Police Invest.	$7,350.00 Yr.	Eff: 2/8/77

RE: EMPLOYMENT CHANGES.....RELEASES

BURDETTE PARK

Barbara Hertzberger	629 S. Red Bank Rd.	Cashier	$3.00 Hr.	Eff: 2/13/77

GERMAN TOWNSHIP REASSESSMENT

Dan Nix	7001 Happe Rd.	Farm Land Assessor	$20.00 Day	Eff: 2/2/77
Evelyn Lannert	809 Harmony Way	Clerical Asst.	$18.00 Day	Eff: 2/2/77

RE: MONTHLY REPORTS

The County Treasurer's Report was submitted for the month of January, 1977.
Report received and filed.

The Case Report for January, 1977; was submitted by the Legal Aid Society of Evansville, Inc. Joint Department of Legal Services.
Report received and filed.

RE: COUNTY OWNED SURPLUS PROPERTY TO BE ADVERTISED

The new list of County-owned Surplus Property was submitted to the Commissioners.

Mr. John explained that these 21 parcels were the ones that were deeded to the County in December of 1976 and the Commissioners had given them to the County Assessor for appraisals, that they have now been appraised and are ready to advertise for sale.

Commissioner Schaad explained that these properties were turned over to the County, since delinquent taxes that were owed, weren't paid and the people have all been notified and they have had time to come in and pay these taxes, so the property must first be advertised for four weeks and then must be auctioned off, so everyone has an equal opportunity to purchase them.

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Commissioner Willner moved that the parcels of County-owned Surplus Property be advertised on Friday, February 25th. March 4th. 11th. & 18th. 1977 and the sale be held at 9:30 a.m. on Monday, March 21st. 1977 and each Monday morning thereafter. Commissioner Schaad seconded the motion. So ordered.

The list of Surplus Real Estate and their appraisal values are as follows:

PARCEL	TAX CODE	DESCRIPTION	APPRAISED VALUE	
1.	21-28-1	Northeastern Enl. L.1 Blk. 12	$ 262.50	
2.	21-66-20	Southern Enl. L. 25 Blk. 9	216.75	
3.	21-70-15	Southern Enl. L.25 E. 10 Ft. L. 26 Blk. 2	216.75	
4.	21-74-12	Southern Enl. 12 Ft. L.12, 21 Ft. L.13 Blk. 20	575.50	
5.	22-64-12	Crofton Pl. L.18 Blk. 7	216.75	
6.	22-68-19	Crofton Pl. L.19 Blk. 5	211.25	
7.	22-68-20	Crofton Pl. L.20 Blk. 5	270.00	
8.	22-73-7	Oakdale L. 28 Blk. 1	1,125.00	*
9.	22-76-9	Kronenbergers Add. to Oakdale L.13 Blk. 1	218.75	
10.	24-31-11	Garvin Pl. L.4, 5 Ft. L.5	2,570.00	**
11.	24-34-46	Rietman & Schulte's Add. W.9 Ft. L.15, L.16 Blk. 4	295.00	
12.	24-41-9	Ballard's Add. L.18 Blk. 4	218.75	
13.	24-42-16	Ballard's Add. L.34 Blk. 6	3,575.00	***
14.	24-64-14	Woluco Replat L. 76	175.00	
15.	27-67-16	Eichel Add. L.7, 7½ Ft. Vac. Alley Blk. 4	285.00	
16.	29-69-1	Lamasco N½ L. 1 Blk. 75	220.00	
17.	29-69-2	Lamasco S½ L.1 Blk. 75	220.00	
18.	29-93-22	Lamasco 6¼ Ft. L.25, L.26 Blk. 30	328.00	
19.	31-116-30	Northwood Village Out L. 1 Section B.	310.00	
20.	Deleted..(Explanation under heading of Delinquent Tax Matter".)			
21.	28-21-23	Bement Add. 12.5' L.24, 10' L.23 Blk. 1	196.75	

* Although there is an improvement, such is very run down and has little value in its present state.

** Farm structure badly run down and needs roof plus general repair.

*** Structure generally sound but in need of repair.

RE: STATEMENT OF ASSURANCE

A Statement of Assurance on the Revenue Sharing monies having been spent, was submitted for the signature of President Ossenberg.

Commissioner Willner moved that the statement be approved and that President Ossenberg be authorized to sign it. Commissioner Schaad seconded the motion. So ordered.

RE: CETA AGREEMENT AMENDMENT

An Amendment for the CETA Agreement, which is a sponsored project on Manpower, was submitted for President Ossenberg's signature.
It was explained that this is a modification to increase the participants wages and fringe benefits catagoried at $1,222.86 and to decrease administrative expenses catagoried at $147.80, so the funding level of this program has increased by $1,075.06, from $50,165.94 to $51,241.00.

Commissioner Willner moved that this Agreement Amendment be approved and that President Ossenberg be authorized to sign it. Commissioner Schaad seconded the motion. So ordered.

RE: NOTICE OF CLAIM AGAINST VANDERBURGH COUNTY

The following letter was received from the Law Offices of Rice and Van Stone, in reference to a Raymond Boles who was involved in an accident on January 17, 1977:

Gentlemen:

This letter constitutes the notice of the claim of Raymond Boles against Vanderburgh County as required by I.C. 1971, Section 34-4-16.5-7, for injuries sustained to his person on the above date.

This letter is to further advise you that this law firm represents Mr. Raymond Boles in regard to this matter.

On January 17, 1977, Raymond Boles was a passenger in an automobile owned and operated by Vanderburgh County for the Work Release Program. Acting as servant and agent of Vanderburgh County, the driver of the automobile, James R. Keating, had picked up Raymond Boles and Bud Bolton and was returning them to the Vanderburgh County Jail.

Heading west on Kuebler Road, the driver negligently drove into the path of a vehicle being driven north by John M. Koch II on S. R. 65.

Raymond Boles sustained whiplash injuries, the extent of which are not yet determined.

Sincerely, Rice & Vanstone
Thomas G. Krochta

Commissioner Willner moved that this matter be referred to the County's Insurance Carrier. Commissioner Schaad seconded the motion. So ordered.

RE: DELINQUENT TAX MATTER

Mr. Rames E. Basham of 2793 Broadway Ave. appeared and explained that he would like to pay the delinquent taxes owed on the parcel that was listed as #20 on the list of Surplus Property that is to be advertised for sale. The tax code and legal description is #32-41-25, Ingleside, L.37, Blk. 6.
He said he would like to pay the total amount of delinquent taxes which amounts to $466.94, since his property hasn't, as yet been advertised and he would like to keep it.

The Commissioners agreed that Mr. Basham be permitted to pay the delinquent taxes and keep his property since, as Commissioner Schaad had explained, someone might overbid Mr. Basham on his property and he didn't think this would be quite fair to him.

Mr. John accompanied Mr. Basham in getting this matter taken care of.

RE: VACATION FOR PORTION OF HIALEAH DRIVE REQUESTED

A Notice on Petition was submitted by the Law Firm of Johnson, Carroll and Griffith, which reads as follows:

Notice is hereby given that a petition has been filed with the Auditor of Vanderburgh County, Indiana, for the vacation of the following roadway in Vanderburgh County, Indiana, to-wit:

That part of Hialeah Drive lying north of the north right of way line of Keeneland Boulvevard, as laid off in Keeneland Court an Addition to the City of Evansville, as per plat thereof, recorded in Plat Record "K", page 65, in the office of the Recorder of Vanderburgh County, Indiana, more particularly described as follows:

Beginning at the north corner of Lot 43 in said Keeneland Court; thence north 29 degrees, 01 minutes and 16 seconds east along the northerly line of said subdivision for 51.81 feet to a point on the arc of a curve to the right having a radius of 370.0 feet; thence in a southeasterly direction along the arc of said curve for 47.3 feet to a point on the north line of Keeneland Boulevard; thence south 54 degrees, 19 minutes and 53 seconds west along the extended north line of Keeneland Boulevard for 50.0 feet to a point on the westerly line of Hialeah Drive; thence in a northwesterly direction along the said westerly line on the arc of a curve having a radius of 320.0 feet, for a distance of 23.92 feet to the place of beginning.

That the owners of all property affecting the said area to be vacated are as follows:
Gene Hayden
Wanda Lee Hayden

The said petition to vacate the above roadway will be presented to the Board of Commissioners of Vanderburgh County, State of Indiana, at their regular meeting on the 28th day of March, 1977, at 9:30 o'clock, A. M., in the County Commissioners Chambers, Third Floor, City-County Building, Evansville, Indiana, for determination by said Board and ruling thereon.
DATED, this 22nd day of February, 1977.

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Commissioner Schaad said from what County Attorney Smith told him, this is a petition to vacate a portion of Hialeah Drive, where the County road right of way travels and if this is the case, Mr. Hayden wants it vacated.
He said there is no reason for it since Hialeah Drive doesn't go through.

The County Attorney said it would have to be advertised and he would call Mr. Johnson to see if he is going to take care of it.
He also said that the County Surveyor should check it out to see if there are any objections to the vacation, since if there is, there will have to be viewers appointed.

The Commissioners agreed that Bob Brenner, the County Surveyor, check it out and make a recommendation.

Commissioner Schaad said that if Mr. Johnson takes care of the advertising, the Commissioners will then put it on the agenda for March 28th and take final action on it after they receive the County Surveyor's recommendation.

RE: REZONING PETITION.....THIRD READING.....VC 54-77

Petitioners and Owner of Record.....William F. & Noral J. Shirley

Premises affected are situated on the North side of Hogue Road, a distance of 100 feet East of the corner formed by the intersection of Vaness Avenue and Hogue Road, more commonly known as 3921 Hogue Road.

The requested change is from R-1 to M-2 and the property is vacant at the present time. The proposed land use is for steel drum reconditioning.

The Area Plan Commission recommends that the petition be amended to show only the portion of property north of where Gayn Street would come through to be rezoned to M-2. The petition was approved by the Area Plan Commission, as amended, with ten affirmative votes.

Mr. Emil Becker, Attorney for the petitioners, appeared and explained that he has indicated the amendment on the petition that was suggested by the Area Plan Commission, in that, even though Mr. Shirley owns all the property between Walcott and Hogue Road, that in fact, to build his new building and to recondition these steel drums, he might only need property from Gayn St. North which they agreed to at the Area Plan Commission, so he thought he should first move to amend his petition, to only include the property North of that new line.
He said it was also suggested, as was agreed to, that the entrance would be through the industrial property directly East, that they will not enter off Walcott, nor off Hogue Road, since they made that decision after consulting with the County Engineer, that they have this in writing, that since there is a ditch near Hogue Road, they felt it might cause some drainage problems and they wanted to avoid this.
He said they also agreed to dedicate to the County, an additional 40 feet next to Hogue Road, since, while investigating this, they found the County has enough right of way for Hogue Road until they get to this piece of property, also that Mr. Shirley is in the business of reconditioning steel barrels and the new building will be 60' by 100', that all of the business will be inside the building, all of the property around the building will be fenced, there will be green space in front for parking, it will be properly landscaped and all the fencing will have slats so it will not be bothersome to the neighbors.
He said that Mr. & Mrs. Shirley are present if the Commissioners have any questions for them.
He said this business will be in line with the entire area, that Gayn Street goes East and West and would be the South boundary and at this point, Gayn Street does not go through, that the property owner there has a fence up so they aren't even interested in opening Gayn Street.
He then submitted pictures as to the kind of construction they plan to construct if the petition is approved.

Mr. William Harty of 4112 Cort Street, remonstrated against this petition by saying that he owns several lots in the area and that this section is a residential section, that there are industrial zonings next to it and the one he would like to point out is the one right across the railroad tracks, that it is a salvage operation and has been there about ten years and he didn't realize that it was going in there at the time or he would have said something about it, that it has always been in violation and still is.
He said that basically, the petition that was mailed out for this rezoning, read Steel Drum Reconditioning, which is another name for salvage yard and once they get the M-2 rezoning, they can stack the drums as high as they want and do anything

they want with them and they could be oil drums which would pose a fire hazard to the neighborhood, they could also be chemical drums which is a common way to ship poisonous chemicals and could pose problems also.
He said he didn't see in the paper where this petition would be heard by the Area Plan Commission but he did call up there and was told this petition wouldn't be up for a hearing but he pointed out that this area does sit between some industrial zoning but this is what is known as block-busting and they want to rezone lot 46, 70, 71, 72 and 73 that is all residential at the present time and he didn't know how long they have had this property but they've never done anything to improve it.
He said he was checking the maps and he knew that the lower portion is lower than the flood plain and would not be suitable for building and they did say they were going to build on the higher part, that they will deed the right of way to the County but the question he has is that they are blockbusting in a residential area and when they do this, once they get a toe-hold, they will buy the next house and the next, he wondered where it would stop, that pretty soon, everyone that is left will be holding the bag.
He said he would object to any rezoning what-so-ever but to an M or C zoning in this area, in his estimation, would be out of the question.
He said he knows there must be a sign up for a rezoning, that he has watched for it on Hogue Road but he hasn't seen it.

Mr. Becker said the sign is up, that he put it up himself, also that they aren't going to put in a salvage yard, that they are simply going to recondition steel drums and this is why they offered to put up the slat fence, so the drums won't be visible from outside the property and that it won't be a fire hazard and there will be no noise, so there will be no inconvenience to the neighbors.
He said they just bought this property and this is the reason nothing has been done to it, also that they are immediately adjacent to commercial property so they aren't blockbusting and there is no danger of fire.

Another remonstrator said this operation would add nothing to the community, that all they are doing is salvaging other peoples cast-offs which would include oil drums which will cause a fire hazard and drums containing chemicals which are very toxic.
He said the people out there can't afford anything better but they would like to keep what they have.

Ms. Rosemary Carr, another resident in the area, asked where they planned on going if they are not going to use Hogue Road and where will it drain.

Mr. Becker said they are planning on constructing a road through the Tupperware property and it will drain into the sewer and they were told by the City and County departments that there would be no drainage problems, to which the remonstrators objected, since they didn't think the sewer would carry it.

Commissioner Willner said he felt that this petition does fringe on the rights of the homeowners in the area and he felt that the commercial property should stop at the railroad spur.
He then moved that petition VC-54-77 be denied.
Commissioner Schaad seconded the motion. So ordered.

RE: REZONING PETITION.....THIRD READING.....VC-55-77

Petitioners...Gary R. & Barbara A. Lehr — Owner of Record...Oliver G. Schmidt
9504 Darmstadt Road

Premises affected are situated on the West side of Darmstadt Road, a distance of 300 feet North of Schenk Road which intersects from the West and is more commonly known as 9600 Darmstadt Road.

The requested change is from A to C-1.
The present existing land use is Green House and Florist and the proposed land use is for a small retail shop for Arts, Crafts and Supplies.

The Area Plan Commission approved this petition with ten affirmative votes.

Mr. Malcolm Montgomery, Attorney for the petitioners, appeared and explained that there is, at present, a greenhouse on the property and also a retail floral shop and that Mr. Lehr proposes to use this for Arts, Crafts and Supplies, that there is approximately four acres, that they have City gas and City water and there are three buildings on the place, a garage, a three-room house, plus a front on the greenhouses and Mr. Lehr doesn't propose to make any new additions

on the property at the present time.
He said they talked to a Ms. Oglesby and a Ms. Smith who lives in the area and they voiced no objection to this rezoning. There were no remonstrators present.

Commissioner Willner said he has one request, that there are two driveways on the property, one on the North side and one on the South side and that the one on the North side must be closed up, that it is on a curve and is strictly a traffic hazard and it must go. He said he only asks a committment from Mr. Lehr that this drive will be closed.

Mr. Jeff Wilson of the Area Plan Commission said that what they wanted to do was to use the North curb cut for ingress and to construct a curb cut on the South side for egress.

Commissioner Willner said this would be a hazard and he didn't think it could be controlled, that the people would enter where they chose and he has seen numerous accidents at this corner, so it would be a hazard and he thought the drive on the South should be widened so it can be used for egress and ingress.

Mr. Montgomery asked Commissioner Willner if he wanted a covenent to that affect and Commissioner Willner said that he didn't, that he just needed a committment from them.

Mr. Montgomery said this was agreeable with Mr. Lehr and the period of 90 days to accomplish this was agreeable to all concerned.

Commissioner Willner moved that petition VC-55-77 be approved as submitted. Commissioner Schaad seconded the motion. So ordered.

RE: REZONING PETITION.....THIRD READING.....VC-56-77

Petitioner and Owner of Record.....Gregg Gormley, D.V.M. of R.#8, Box 268

Premises affected are situated on the West side of State Road 57, a distance of 700 feet North of the corner formed by the intersection of Seven Hill Road and State Road 57, more commonly known as R.R. #8, State Road 57.

The requested change is from A to C-1B. The present existing land is vacant and the proposed land use is for a veterinary clinic.

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

Mr. Gary Gerling, Attorney for the petitioner, appeared and explained that Doctor Gormley is presently known as what they call an ambulatory veterinarian who calls on people and treats large animals.
He said that Mr. Gormley owns 17 acres one mile South of Elberfeld and wishes to construct a clinic in which he can treat both small and large animals, that the area he wishes to rezone is a section 330' by 573.6' which is on the East side of the property he owns and on the West side of State Highway 57, that he will construct a building there and the laboratories and treatment facilities will be inside, that under the code, any housing or pasturing of large animals must be in the appropriately zoned area and this is the reason for seeking the zoning of an area of less than five acres and more than four acres.
He submitted a letter from a Mr. Clutter who owns 900 acres surrounding him, who has no objections and encourages the approval of this petition in order to provide the service to the people in the Elberfeld and Lynnville area.
He said there will be an acceptable building constructed in that it will be a stone and beam type construction and it is compatable with the agricultural use of the property and they merely wish to comply with the zoning code.
He asked the Commissioners, upon their approval, that they give him an opportunity for a couple of days, to submit to them a newly proposed ordinance, more specifically describing the property, although the legal description has been approved, he noticed that it didn't recite, within it, the number of feet of that zoning, so he will give them a legal that conforms to the petition and to the map that was filed.
There were no remonstrators present.

Commissioner Willner asked Mr. Gerling about the egress and ingress.

Mr. Gerling explained that Mr. Gormley would have to get a cut from the State Highway Department and that is being moved down to the higher area, that there is some kind of small cut available there but he believed the State Highway Commission will also want it moved.

Commissioner Willner moved that petition VC-56-77 be approved as submitted. Commissioner Schaad seconded the motion. So ordered.

Mr. Gerling said that he also has a rezoning petition today for first reading so the Commissioners agreed to hear this one first since Mr. Gerling has other business that he must take care of this morning.

RE: REZONING PETITION.....FIRST READING.....VC-60-77

Petitioner.....Romain Construction Co. Inc. 250 N. Green River Rd. Owner of Record.....Browning Ferris Ind. of Indiana...2710 Hwy. 41 South

Premises affected are situated on the South of Bergdolt Road, a distance of 2,830 feet East of the corner formed by the intersection of Oak Hill Road and Bergdolt Road.

The requested change is from R-1 to R-3. The present existing land is vacant and the proposed use is for a residential development including single family and multiple family dwellings.

Mr. Gerling said that they are going to submit a new plot plan, that they have asked to rezone the entire area for apartment construction and this is the area shown that is the controversial seeking of a land fill area.
He said this is being changed, in that, the majority of the area involved is going to be laid out for recreation and R-1 residential in a high priced bracket of homes.
There were no remonstrators present.
Mr. Gerling said he just wanted the Commissioners to know, in case they were contacted later, that they do not plan to submit for final approval, that much for apartment construction, that the majority of it will be used for single family residential construction, that they will create their own buffer area and place some R-3 in apartment construction in the center of it and everything on the South end of it will be devoted to recreation because of the drainage problems, so if anyone is alarmed, they will know that he intends to submit an amended plan that they think will be acceptable.

Commissioner Willner said there is one thing about it and this is that this property is in the immediate area of the Lynch Road extension which is to be a reality in the near future and he suggested they work with the Surveyor.

Mr. Gerling said they are aware of this and he thought Mr. Bitters has talked to the Surveyor about it and they intend to work with him.

Commissioner Willner moved that petition VC-60-77 be approved on first reading and submitted to the Area Plan Commission. Commissioner Schaad seconded the motion. So ordered.

RE: REZONING PETITION.....FIRST READING.....VC-57-77

Petitioner and Owner of Record.....Fred E. Boehne of 850 East Volkman Road

Premises affected are situated on the North side of Volkman Road, a distance of 4000 feet East of the corner formed by the intersection of Volkman Road and Highway 41 North.

The requested change is from A to Commercial C-1B. The present existing land use is Commercial and the proposed land use is for Storage, sale and construction of wood storage sheds.

Mr. Boehne said that the Southern Indiana Gas & Electric Co. owns 59 acres west, between him and the highway, that Volkman is his boundary on the South and that his father owns the land on the North and the East.
He said he has ten acres and a corner of 160 acres that is owned by his father and the authority for said existing land use is non-conforming.
There were no remonstrators.

Commissioner Willner moved that petition VC-57-77 be approved on first reading and referred to the Area Plan Commission. Commissioner Schaad seconded the motion. So ordered.

RE: REZONING PETITION.....FIRST READING.....VC-58-77

Petitioner and Owner of Record.....Mamie Rhoades of 7921 Newburgh Road

Premises affected are situated on the South side of Newburgh Road, a distance of 852.59 feet East of the corner formed by the intersection of Fuquay Road and Newburgh Road.

The requested change is from R-1 to R-3. The present existing land use is a child care home and the authority for said existing land use is non-conforming. The proposed land use is for a child care home of a maximum of ten children.

There was no one present, either for or against this petition.

Commissioner Willner asked if child home care is under zoning code R-3.

Mr. Wilson of Area Plan said R-3 is the correct zoning for child care center, that this center has been operated since last summer.

Commissioner Willner moved that petition VC-58-77 be approved on first reading and referred to the Area Plan Commission. Commissioner Schaad seconded the motion. So ordered.

RE: REZONING PETITION.....FIRST READING.....VC-59-77

Petitioner and Owner of Record...Carolyn S. Osborne of 2319 Allens Lane

Premises affected are situated on the North side of Allens Lane, a distance of 250 feet East of the corner formed by the intersection of St. Joe Avenue and Allens Lane.

The requested change is from R-1 to R-3. The present existing land use is residential and the proposed land use is for a child care center.

Ms. Osborne appeared and said that the blacktop driveway and the fencing as shown on the map does not exist right now but it will be accomplished if the petition is passed by the Area Plan Commission.
There were no remonstrators present.

Commissioner Willner moved that petition VC-59-77 be approved on first reading and referred to the Area Plan Commission. Commissioner Schaad seconded the motion. So ordered.

RE: REZONING PETITION.....FIRST READING.....VC-61-77

Petitioner ...Rudd Construction Equipment
4344 Poplar Level Rd. Louisville, Ky.

Owner of Record...Citizens National Bank as Trustee of Sara Kindel-19 NW 4th. St.

Premises affected are situated East of U.S. Highway 41 and North of State Highway 57 at the Northeast corner of the intersection of U.S. Highway 41 and State Hwy. 57.

The requested change is from C-1B to M-2. The present existing land use is vacant wooded area and the proposed land use is for heavy construction equipment sales and service facility with outside display and service area.
There was no one present to speak for or against this petition.

Commissioner Willner said that the only question he would have on this particular piece of property is that it is very low but that he would imagine they would be aware of this.

Commissioner Willner then moved that petition VC-61-77 be approved on first reading and referred to the Area Plan Commission. Commissioner Schaad seconded the motion. So ordered.

RE: REZONING PETITION.....FIRST READING.....VC-62-77

Petitioner .....United Methodist Youth Home, Inc. of 1214 Southfield Road
Owner of Record.....Evansville District Missionary and Church Extension Society of t
Methodist Church, Inc., also of 1214 Southfield Road

Premises affected are situated on the East side of Burkhart Road, a distance of 628 feet South of the corner formed by the intersection of Burkhart Road and Old Boonville Highway.

The requested change is from A to R-3. The present existing land use is agricultural and the authority for said existing land use is conforming and the proposed land use is for a single family long-term group home for eight female youth.

Commissioner Willner wondered if there are any buildings on this property and Mr. Ron Graul said there are no buildings on this property at the present time.
There were no remonstrators present.

Commissioner Willner moved that petition VC-62-77 be approved on first reading and referred to the Area Plan Commission. Commissioner Schaad seconded the motion. So ordered.

RE: SIGNS ARE POSTED

Mr. Judd reported that some twenty-eight signs have been posted on Oak Hill Road and Green River Road and that Dallas has the "No Parking" signs on Harmony Way taken care of.

RE: PROBLEMS TO BE DISCUSSED

Commissioner Schaad asked Commissioner Willner if he has been getting telephone calls.

Commissioner Willner said that he had and that after the meeting today, he would like to set up a meeting with the Commissioners, the Surveyor, the Traffic Department and Sheriff DeGroote, since they have some problems that they must discuss.

Commissioner Schaad said he would appreciate it if they all attended this meeting, that he thought everyone's intentions are good but when they do anything, there always seems to be something they didn't think of.
He said that Sheriff DeGroote has been most cooperative, that a lot of truck haulers that must deliver has called and asked how they are going to deliver locally, so the Sheriff has agreed that if they call and tell him when they are coming and what they are hauling, they will be followed to be sure they are doing what they are suppose to be doing.

Mr. Brenner said that the Sheriff can't give them a citation if they have a destination and origin.

It was agreed that they have this meeting so they can talk and maybe iron out this problem.

RE: ABSENTEE REPORT

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

RE: REPORT BY JACK SIEBEKING

Mr. Siebeking said that he has had three crews out working on the chuckholes in the roads.

Mr. Siebeking said that if the Commissioners had any calls as to why the Highway Department isn't progressing any faster on Heinlein Road than they are, it is because they have two bee trees out there and they have been informed that the bees are protected by law and the trees can't be removed until later on in the spring when the bees can be moved.
He said he was informed yesterday that there is a $500.00 fine if a bee tree is cut down at this time of year and the bees are destroyed.

RE: CUT NOT FILLED ON BROADWAY

Commissioner Schaad said he gave Mr. Siebeking the cut on Broadway Ave. at Speaker Road, since he was told that a cut was made over six months ago and has never been filled in. He asked Mr. Siebeking to check it out.

RE: BRIDGE OPENED ON OLD BOONVILLE HIGHWAY

Mr. Brenner reported that the bridge on Old Boonville Highway, near the Eagles Country Club, has been opened up, that the job isn't finished but the barricades are down and there is still some junk in the road.
He said they have moved out to Marx Road since it is a triple contract and they started to work out there. G. H. Allen is the contractor.

RE: ST. JOSEPH AVENUE

Mr. Brenner said he did go out and talk to a Mr. Mayer who owns the property at Meyer and St. Joe and he appeared to be receptive to the County cutting the hill down, that he has a low spot out there and will give the County the temporary right of way if the County will move the dirt to where he wants it.

He said there is still a sight problem because St. Joe drops so fast and you can't see when coming over the hill.

Commissioner Willner said that it shouldn't take more than a couple of hours to cut it down with a large piece of equipment.

Mr. Brenner said that where Mr. Mayer wants the dirt is right on the same property so it shouldn't be a great problem.

Commissioner Schaad said the thing about it is, that if someone coming from the South and wants to turn on to Meyer Road could easily turn right into the path of someone coming South on St. Joe and he didn't know how this could be avoided.

Commissioner Willner said while they were at it, they should take care of the whole intersection and if they get the site they will be okay.

Mr. Brenner said that St. Joe falls away so fast that they will never get good site from Meyer, down St. Joe.

Commissioner Willner said the site wouldn't be real good but it would be better. He also said they still need a stop sign out there.

The Commissioners agreed that Mr. Brenner look at this situation by taking the whole intersection into consideration and Mr. Brenner agreed to do this.

RE: MATTER OF ROADS BEING TORN UP

The matter of the County roads being torn up by heavy coal trucks and others traveling them was discussed last week and Mr. Brenner was requested to contact the coal companies and ask them to use secondary County roads.

Mr. Brenner said that he called every coal company that is listed in the Boonville and Evansville phone books and they all agreed to cooperate.
He said that on this particular day, he had the Sheriff out on Boonville-New Harmony Road and the companies did stop using the road for full trucks, that they were just coming back, going east with empties but they are back today.
He drew a map as to the route the trucks are traveling and he said the trucks are also back on Green River Road today, right through the "No Thru Traffic" and "Ten Ton Load Limit" signs,
He said the trucks are going to the Mt. Carmel power plant and the name of the outfit that is hauling is C. L. Chapman but he didn't know where they were from.

Commissioner Willner said that the irony of it is that they have state roads all the way that they could use.

Mr. Brenner said he just wanted the Commissioners to know that asking them to stay off the County secondary roads isn't working and neither is the signs they have posted on Green River Road

Commissioner Schaad said that if Mr. Brenner has any further recommendations to enforce it, they do have to put up the signs and then they can talk it out with the Sheriff today, they can then take further action next week.

RE: COUNTY ENGINEER FORMALLY INTRODUCED

Mr. Brenner introduced Mr. Louis Stephen who is the new County Highway Engineer and Commissioner Schaad welcomed him aboard.

RE: DISCUSSION OF PLEASANTVIEW REST HOME AND BOEHNE HOSPITAL

Commissioner Schaad said there has been so much controversy on Pleasantview to begin with but he thought they should handle both, Pleasantview and Boehne, at the same time, whether they did or didn't have the right to close Pleasantview, that created such a hassle and there seemed to be some controversy as to whether they needed the Council's approval to lease it, but rather than to get into a hassle, the Commissioners have agreed that they sit down with Council and try to determine what should be done with both parcels of property.
He said that if the properties are to be leased or sold, they would have to be advertised so specifications would have to be written up and they would have to take bids on them.
He asked if there were people present who have thoughts on the subject, since he thought it should be in the minutes, since it might help to make a decision of what the Council and the Commissioners can agree upon, as to what they are going to do with the property.

He said he has some personal feelings about it and he knows there are arguments that the property could just be sold and it could be put back on the tax roles so the County could collect taxes on it, but on the other hand, the way he personally feels about it, is that they aren't going to be able to get any more land and that in the future, this land may be needed for some public facility and other land may no longer be available and the County wouldn't have this land if they disposed of it.
He said school recreation is always a problem, that we don't have enough land for recreation and if they dispose of this property by selling it when it could be used for something else, it would be lost for the public to use as any institutional building or facility for park, recreation, education or whatever and he hoped everyone keeps this in mind in making any decision.

Commissioner Willner said he would like to be in a position where he could decide on some figures of whether it would be more feasible to sell or lease it and he isn't sure they can do that without asking for bids both ways, however, what he thought they should do today is to set up a meeting with the Council and if possible, to have both bodies to agree on a decision if at all possible.

Mr. Elmer Bruck of 701 N. Boehne Camp Road, who lives adjacent to Boehne Hospital which is located at 801 N. Boehne Camp Road, appeared and said he had talked to a number of the residents out there who originally belonged to the association out there and the feeling is that Boehne Hospital has been a white elephant through the years and feel that it should be disposed of and sold off into single dwelling lots and this way the County would realize something from it, that the way it is, it is just standing out there doing nothing.

Ms. Rosemary Carr said that she lives at 715 N. Boehne Camp Road and she just loves it out there.

Ms. Gertrude Kerr of 701 N. Boehne Camp Road said they had talked about some sort of facility for the Boehne Building but every time, they run into problems as to how wide the windows and doors are or something else and if anything goes in out there, they have to renovate in order to meet the specifications and there is also a problem of raising funds. She said they have tried to cooperate but as a facility, she can't see that anything can be done except for the place to be torn down and started over again since it is so run down.

Mr. Bruck said that as long as the Alcoholic Help Center was in operation there, he thought the neighborhood was very well pleased with that facility, that they were very well organized, that it was well run and it was too bad they ran out of money.

Ms. Carr said that when they have a federally funded project, the money runs out so they have to move out and the Commissioners must then find someone else to go in there and then their funding runs out..

There was no one present today to speak on the Pleasantview Rest Home.

Commissioner Schaad said it probably wouldn't be a good idea to have the meeting on Pleasantview Rest Home and the Boehne Hospital building at the regular Commissioners meeting so they will get together with Commissioner Ossenberg and the Council to see when they can have the special meeting and they will then notify the news media, that, if possible, it will be one day next week.
He also said it will be a public meeting so anyone who is interested is invited to attend.

The meeting recessed at 11:00 a.m.

PRESENT:

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Bob Schaad	Curt John	Ed Smith Jr.
Robert L. Willner		Paul Wendel

Secretary: Margie Meeks

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
FEBRUARY 28, 1977

The meeting of the County Commissioners was held on Monday, February 28, 1977, at 9:35 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: BOND POSTED BY CORPORATION TO MOVE ON ROADS

A notification was received from George Chamberlain, an Engineer, through Nickolas Van Nalen, a professional engineer, for the approval of the Commissioners. Attached was a schedule of the oversized and overweight move which will be over roads under the Commissioners jurisdiction.
The permit filed indicates some governmental agencies have been contacted prior to the starting date of February 28, 1977.

Commissioner Ossenberg said that Underwood Machinery Transport Inc. is hauling something for Babcock-Wilcox and that they come in U.S. 62 to Broadway, St. Joe Road up to St. George Road and up St. George Road to U.S. 41 North and this has been called to the attention of the County Sheriff and the City Police.
He said this does need the approval of the Commissioners, also that they have posted a $300,000.00 bond and it has all been documented, that the bond was posted with the Indiana State Highway Commission which is a protection agency and he thought it protected Vanderburgh County.

Commissioner Schaad asked if the County has a surety bond or something that will guarantee that the County roads will be repaired if they are torn up.

County Attorney Wendel called the State Highway Commission to ask about the bond and found that it is written so it just covers the state. He said that if the County wants a bond, it will have to be separate.

Mr. Siebeking said they couldn't be going on St. George Road because it is on the other side of Highway 41 so they don't have to get on a County road if they are heading North on 41, that the only road they could be on which isn't a state highway is St. Joe Avenue.

Commissioner Willner moved that this matter be referred to the County Surveyor and in the essence that they do want to use the County roads, that the Commissioners require a bond of $300,000.00. Commissioner Schaad seconded the motion. So ordered.

Mr. Brenner said later that he plotted the route and found that it was stated that they took St. George Road and they really mean Kentucky Avenue, since the name changes at Highway 41 and he would contact them right away.

After contacting the company, Mr. Brenner said that he talked with a Mr. Greg A. Coleman who said that he would post a bond to Vanderburgh County for $300,000.00 before they move.

Commissioner Schaad then moved that the Commissioners approve the moving of the trucks over the route as requested. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

VANDERBURGH COUNTY SURVEYOR

Joseph A. Chittenden Sr.	718 N. Baker	Draftsman	$7,951.00 Yr.	Eff: 2/28/77
Paul J. Mindrup	2105 Hercules	Rodman	$7,093.00 Yr.	Eff: 2/28/77

HIGHWAY DEPARTMENT

Philip Adcock	211 Blackford	Laborer	$4.18 Hr.	Eff: 2/22/77

RE: EMPLOYMENT CHANGES.....RELEASE

VANDERBURGH COUNTY SURVEYOR

Joseph A. Chittenden Sr.	718 N. Baker	Draftsman	$7,093.00 Yr.	Eff: 2/26/77

RE: MONTHLY REPORTS

The report of the Bureau of Traffic Engineering was submitted for the month of January, 1977.
Report received and filed.

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

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received from the Industrial Board of the State of Indiana, in compliance with the Indiana Workmen's Compensation on Feigel Construction Company.
Certificate received and filed.

RE: SURETY BOND

A Surety Bond was received from Feigel Construction Corporation, showing their Insurance coverage in the resurfacing of roads at Burdette Park, BP-4-76.
Bond received and filed.

RE: OFFICIAL BONDS

The following letter was received by Ms. Marsha Smith, the Executive Assistant to the County Commissioners, from the Drug and Alcohol Deferral Services, in reference to Official Bonds received:

Dear Marsha:

Enclosed are the bonds for William M. Compbell, Carl A. Miller and Debra J. Below that I discussed with you on the telephone.

Please record their bonds as necessary to comply with the policies with the Board of County Commissioners.

Thank you,
Very truly yours, Mark R. Owen
Associate Director

Attorney Smith was asked to look the bonds over and after examining them, said they are in order but the oath of office needs to be executed by the individuals and notarized.

Commissioner moved that the bonds be executed, notarized and that they be approved and signed. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR APPROVAL OF WALL REMOVAL

The following letter was received by the Commissioners from the Evansville-Vanderburgh School Corporation:

Gentlemen:

In July, 1972, the Vanderburgh County Attorney, William D. Stephens, gave the Evansville-Vanderburgh School Corporation permission to remove a roof from a shelter house at the West Heights Building Trades School grounds.

We now find ourselves in a position to request from you permission to remove the remainder of the crumbling walls of this building, in order that we may expand the parking lot to accommodate the apprentices who attend that school. This would allow students to park off the street instead of in front of private property on the street.

We, the School Corporation, would appreciate a letter from you giving us permission to remove the remaining walls of the structure and permission to expand our parking lot.

We believe this concurs with the intent of the lease that is presently in force.

Sincerely, Walter R. Riggs,
Assistant Superintendent
In Charge of Business

Commissioner Ossenberg said he remembered when this was previously submitted and the Commissioners gave Judge Stephens permission to remove the roof.

Commissioner Schaad said he also remembered it, that it was a shelter house in a miniature park and was so badly deteriorated through the years and no one has ever kept it up and it is falling down.

Commissioner Schaad moved that the Commissioners authorize the approval to remove the walls of this building. Commissioner Willner seconded the motion. So ordered.

RE: UNION CONTRACT SIGNED ... AUDITORIUM EMPLOYEES

An Addendum to the Agreement between the Board of County Commissioners of Vanderburgh County and Teamsters Local Union No. 215, Evansville, Indiana, Effective Dates being Jaunary 1, 1977 through December 31, 1977 was submitted which represents the 6% yearly increase which was given the Union Laborer and Leadman. It reads as follows:

It is hereby agreed that the hourly wages for the employees of the Vanderburgh Auditorium and Convention Center, covered by this Agreement for the year 1977, shall be as follows:

CLASSIFICATION	HOURLY RATE
Laborer	$ 4.18
Leadman	4.46

Signed, C. K. Arden, President and Business Manager of Teamsters Local Union 215

Commissioner Schaad moved that this contract be approved and signed. Commissioner Willner seconded the motion. So ordered.

RE: MEETING DATE SET

Commissioner Ossenberg reminded everyone that the special meeting of the County Council and the County Commissioners will be held on Wednesday evening, March 2nd. 1977, at 7:30 p.m. in reference to the Pleasantview Rest Home and the Boehne Building.

RE: CLAIMS

A claim was received from Sheriff DeGroote for traveling, hotel and meal expenses in attending a recent training seminar in Atlanta, on Police Civil Liability that was approved by the Commissioners. The claim is in the amount of $278.76.

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

A claim was submitted by Torian Agency, Inc. for Comprehensive General Liability on the Highway Department for Hartford policy #36C 719889 for period of 2/1/77 to 2/1/78, in the amount of $46,465.00

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

A claim was submitted by Torian Agency, Inc. for Comprehensive General Liability of the General Fund, Hartford policy #36C 719889 for period of 2/1/77 to 2/1/78, in the amount of $45,374.00.

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

A claim was submitted by Torian Agency, Inc. for Continental Fire Policy, FCP 6 05 79 Property & Institutional Form, 2nd yr premium on 3 yr policy, in the amount of $14,379.00.

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

A claim was submitted by Torian Agency, Inc., showing credit of $41.00 on General Fund in correcting rate on code 7089, Policy No. 36 WE 850578 and adding $301.00 on interstate experience modification on Policy No. 36 WE 850578, making the total of the claim to be $260.00.

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

RE: ABSENTEE REPORT

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

RE: REPORT ON BROADWAY AVENUE CUT

Mr. Siebeking said he checked the cut on broadway and that it has been finished and is concreted up to within two inches of the top of the road, so he checked with Feigel Construction Co. and they are waiting since this is one of the deals where they have the contract and they go back out to finish it off but they just haven't gotten back out to do it as yet.
He said that Feigel works with the Water Company and then, he thought they get so many cuts and with weather permitting, they then go out and resurface it.

RE: REPORT ON BRIDGES

Mr. Siebeking said that the bridges on Columbia Street, Maryland Street First Avenue and Ohio Street are all in bad need of repair.
He said he called Mr. Brenner's office on Friday and the bridge on the Columbia Street overpass cannot be patched and you can see clear through the bridge, into the bottom, so there is nothing to even hold any patching material and he didn't know if they had a chance to check it or not.
He said they had to do some work on the Ohio Street Bridge late last fall, that the work done on the matted floor was only temporary and there are several other places that are broke out now and the floor is completely worn out.
He said it was welded and riveted and the rivets are loose now and they work every-time someone goes over it and finally, a piece will break out of that matting and they went over there with an angle iron, turned it upside down, set it in and then welded it in so they wouldn't have a hole in it or a sharp edge.
He said it would be up to the Surveyor's office to check but the one he is more concerned about is the one on Columbia Street, since it is really in bad shape.
He said the joints have all pulled apart and there is one particular post on the North side of the bridge that was hit by a truck about four years ago and it is completely broken out and is almost hanging and the bridge can't be patched and he thought they could maybe patch it temporarily with some cold mix, until it could be fixed, but they can't even do that because the cold mix goes straight down.
He said, in talking to the Surveyor's office, Mr. Hartman said he would try to get it checked out Friday afternoon but he didn't know if he has yet or not.
He said they have patched Maryland Street Bridge twice and will have to do it again this week.
Mr. Siebeking said the City patched the First Avenue bridge once and the County has patched it three times and it is getting more holes in it, especially on the East side of the bridge.
He said these four particular bridges are going to have to have some attention.

RE: PETITION TO CLEAN PIGEON CREEK

Mr. Brenner submitted a petition to clean Pigeon Creek and also a letter that he had written to the Commissioners which reads as follows:

Gentlemen:

The Petition to clean Pigeon Creek, between Oak Hill Road Bridge (Mile 7.35) and the East Line of Sec. 15, T 6 S R - 10 W (Mile 8.21) contains the signatures of owners of 65 per cent of the frontage land bordering on Pigeon Creek.

The Petition is submitted for review by the Vanderburgh County Commissioners per the Indiana Statutes, Chapter 362, Acts of 1945, and as amended by Chapter 217, Acts of 1963 (I C 17-2-29-1).

Sincerely, Robert W. Brenner
Vanderburgh County Surveyor

Mr. Brenner said he had County Attorney Wendel to look this up and the first thing that needs to be done is to submit a petition signed by at least 51% of the residents, which he has done and he quit when he reached getting signatures from 65% of the residents.

He said the statute requires that the Commissioner's refer to the Surveyor for him to come up with a plan to clean it and an estimate and if the Commissioners accept the plan and estimate, they then refer it to the County Council and they are to provide the funds.
He said this is a non-navigable stream, that Pigeon Creek is navigable, per the Corp. of Engineers, to mile 5.9, which is approximately the Highway 41 bridge, so this does fall under the Commissioners jurisdiction.

Commissioner Schaad moved that this matter be referred to the County Surveyor, so he can come up with the plans and estimate, so they can take it before the Council. Commissioner Willner seconded the motion. So ordered.

RE: REPORT ON BASELINE ROAD

Mr. Brenner said an item was brought up last week about the L & N blocking Baseline Road, where they were splitting the track, that he did contact them and followed it up with a letter and he has been told that they are now pulling the trains through and not blocking Baseline Road.

RE: REPORT ON PLAZA EAST & HIGHWAY 66

Mr. Brenner said that approximately one month ago, there were two people here from the Indiana State Highway Commission, on Plaza East and Hwy. 66 which is the entrance to Woolco.
He said they did complete a survey, drew a plan and sent it to them, that it isn't clear as to how this is to be implemented but he has done his part, since this is all they asked for.

RE: REPORT ON BOEHNE HOSPITAL BUILDINGS

Mr. Brenner said the Assessor's office asked him to do a survey of Boehne Hospital in measuring the buildings and he supposed this was by request from the Commissioners.

Commissioner Ossenberg said he first had Ms. Juras call and then he talked to Mr. Angermeier, prior, for the meeting of Wednesday evening, so they would have some type of a figure as to what the property might be worth.

RE: REPORT ON SURVEY OF PLEASANTVIEW REST HOME

Mr. Brenner said that the first of the week, they completed the survey on the Pleasantview Rest Home and there are now flags around the entire property, that they have also set the corners and he is now finished with it.
He said he had plans on Pleasantview but we have had bad weather and he couldn't get out to do it but once they measured it, it didn't really fit the plans since many dimensions weren't on the plans, they were different and the building is larger and the Assessor made his estimate off the drawings and it is bigger than it was before but the land is correct.
He said they found little wings that were set in there that were obviously, as built, added onto the drawings, that they were never on the drawings.

RE: BOEHNE PROPERTY

Commissioner Schaad wondered if they would need the same thing on Boehne that Mr. Brenner has prepared on the Pleasantview Rest Home and Mr. Brenner said he didn't know but that he couldn't be done with it by Wednesday, that after that, they can do it.

RE: MEIER ROAD

Mr. Brenner said they had discussed cutting down the bank on Meier Road and he went out there and found that there is a 100% problem of visibility, that if they cut the bank back, it would only be improved by 5% to 10% and it isn't worth the effort and in talking to Keith Lochmueller, he did find that they had funds that were unpledged and he thought the last day to put it in is today, so he got together with Keith and they requested federal funds to cut down St. Joe and Meier Road to completely eliminate the stop sign.
He said there was $70,000.00 in federal funds if the Commissioners are willing to match it, that he went ahead and submitted it and they can always retract it if the Commissioners are against it but the time was running out so he did it.

He said it would be on a 70-30 basis, also that there have been fatalities at that intersection and they can eliminate the stop sign completely and give a complete view of the area by cutting down Meier Road and St. Joe, that the funds are there for them, if they request it.
He said there will still be a stop sign on Meier Road but it has a steep hill and they will have to cut it back because if they lowered St. Joe, they would be way over the maximum grade, that these funds are not for use on roads like Meier but by correcting St. Joe, they will have to fix the intersection so they can do the rest.

Commissioner Ossenberg said they found $70,000.00 of unpledged money so Mr. Brenner and Mr. Lochmueller worked it out, that there was a dead-line and the application had to be in Indianapolis so he signed it Friday afternoon.

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

Mr. Brenner said they will have to submit an application for Road & Street funds, so they might as well go ahead and do it.

RE: OAK HILL ROAD AND ST. GEORGE ROAD INTERSECTION

Mr. Brenner said in looking at Oak Hill Road, they found a plan dated in 1965, to put a turn on St. George where it intersects with Oak Hill Road.
He said there is a culvert at the intersection and they will average two or three cars per month that manage to make it into the ditch, that the turn radius on the road just doesn't work and he suggested that they either pledge R & S monies or that they use bridge funds and that it will cost between $20,000 and $25,000 to do this job but it will be a tremendous improvement.

Commissioner Ossenberg said he was sure the other Commissioner's were familiar with it but that it comes in sharp either way and the bridge culvert is breaking down the foundation wall.

Mr. Brenner said they would widen it to 36 feet and swing the culverts out to the side further and to do away with the abutments, that it is a good plan and can be done for little money and he didn't know why it wasn't implemented before.

Commissioner Ossenberg said he didn't know either, that this is the same thing they did at Lynch Road & Hitch Peters Road, which was a very bad intersection, as this one is and it would be a vast improvement.

Commissioner Schaad asked Mr. Brenner if he recommended they use bridge funds to do this.

Mr. Brenner said he wasn't sure he could use bridge funds or not.

Commissioner Ossenberg said it is a 36 inch culvert but he understands they can use bridge funds, that they do in Warrick County.

Mr. Brenner said this is where the money is available and he will be able to bid this job by next week, so if there are no objections he will go ahead with it.

Commissioner Willner moved that Mr. Brenner proceed and that they use bridge fund money. Commissioner Schaad seconded the motion. So ordered.

RE: BOONVILLE-NEW HARMONY ROAD BRIDGE

Mr. Brenner said they also found, in surveying federal funds, that there was already money pledged for a bridge to eliminate two culverts on Boonville-New Harmony Road at Hwy. 57 and he didn't believe the local funds have been pledged for that but that there is $40,000 of federal funds there that they can use and the local match would also be bridge fund money.

Commissioner Schaad moved that they go before Council to request this money. Commissioner Willner seconded the motion. So ordered.

Mr. John asked Mr. Brenner for a letter to the Council, requesting this money and said that he will get in on the County Council's agenca for their next month's meeting.

Mr. Brenner said he will request the money for this job as well as for the one on Oak Hill Road and St. George Road, but they will have to hold up on requesting bids until they get the money for both projects.

RE: MARX ROAD BRIDGE

Mr. Brenner said there is a bridge on Marx Road that is under construction at the present time, near the county line and it will be closed at least two more weeks, that they are pouring concrete right now and the abutments have already been poured.

RE: CUTS IN

Mr. Brenner submitted a request from Kratz & Smith Construction Co. for permission to make a cut into Bergdolt Road.
He said he wanted to compliment the Highway Inspector since the request came in yesterday and rather than hold up the contractor, he did go out of his way to inspect it and he would like to get it approved today, also that the contractor did post his bond.

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

RE: FUEL PROBLEM AT THE AUDITORIUM

Mr. Brenner said he received a request from Mr. Dewes at the County Auditorium and they were willing to do it if the Commissioners wnated them to.

Commissioner Ossenberg explained that they have a heating and air conditioning problem at the Auditorium, that the gas allotment has worked out but Mr. Dewes has gone in front of the County Council, putting them on the alert, that they are going to have to change the system completely because of the gas curtailment and he is looking for some expertise in the field of getting some idea of what must be done and in talking with him, he suggested that Mr. Dewes talk with Mr. Brenner rather than to go out and contract it to have it done, if Mr. Brenner can do it, so he did talk to Mr. Brenner and submitted the following letter to the Commissioners:

Mr. Brenner of the County Surveyor's office has agreed to take a look at the heating and air conditioning system at the County Auditorium, with the purpose of proposing a program that would include an alternate fuel system and if possible, he will make recommendations for change.

Signed, Fred Dewes, Auditorium Manager

Commissioner Ossenberg said that Mr. Brenner has the expertise since he has a mechanical engineering degree, that it will save the County a lot of money and he appreciates it.

Commissioner Willner asked if they were in the process of changing over from natural gas to coal or some other fuel.

Commissioner Ossenberg said they have to, that the gas curtailment at the Auditorium was to be cut off some three weeks ago and he got into it with the Southern Indiana Gas & Electric Company and Mr. Vaughn and they were able to keep the building going, however, it looks like they are going to have a serious problem from now on, so at the last Council meeting, Mr. Dewes alerted them that they were going to have to change the Auditorium from a gas operated facility to possibly electric or whatever Mr. Brenner and his staff come up with and he understands that the air conditioning is even gas.

Mr. Brenner said this is correct and they use more gas in the summer than in the winter.
He said he expects a rather large economy size conversion cost, especially in the area of the air conditioners.

Commissioner Ossenberg said this is something he hates to spend the money on but if they expect to continue operating the building, he supposed they are going to have to.

Mr. Brenner said he would also like to come up with recommendations to tell them how to save fuel, such as to where they should set their thermostats between events, etc.

Commissioner Ossenberg asked Mr. Brenner if Mr. Dewes talked to him about the water problem, that he thinks Mr. Dewes intends to show it to him, that it is on the Walnut Street side and while the roofing is still under warranty by Midwest, they cannot seem to stop that leak.

Mr. Brenner said that Mr. Dewes didn't mention that to him and Commissioner said that he thought Mr. Dewes would show it to him since he told him that Mr. Brenner and his staff could help him in that situation, that it seems as though it's getting behind one of those columns on the Walnut Street side.

Mr. Brenner said he would take a look at it.

Commissioner Willner said he was going to save his comments until they find out what the cost is.

Commissioner Ossenberg said the only thing he is asking at this time, rather than they go out and have it contracted and pay some $2,000.00, that they use Mr. Brenner to save money.

RE: POOR RELIEF

Margaret Yates.....106½ S. Governor St.....Pigeon Twp...Ms. Walters, Investigator

The Trustee's report shows that Ms. Yates requested food but was denied because of sufficient income to meet basic needs...$356.90 per month income.

Ms. Yates failed to show up today but Mr. Olsen wanted to make some comments on the case.
He said that Mr. Butler, Mr. Work and other people are present, since he thought they could get this case ironed out and he explained that Ms. Walters was the caseworker on this case and they are dealing with three individuals, Ms. Margaret Yates, her son Dallas and an unrelated sixteen year old by the name of Terry Fleener and he said that Ms. Yates told Ms. Walters that she sent them down to the store with the money to buy groceries and he didn't know if the check was cashed at that time or not but that there is quite a bit of income here, that there is S.S.I. for $69.90 and Social Security for $107/90 per month and another Social Security for Dallas in the amount of $100.40 and another S.S.I. for Dallas for $79.90 or a total of $356.90.
He said that none of this includes any income for Terry Fleener if there is any and they also have another open case on the Fleener Family at the Trustee's office, in which Ms. Fleener said that Terry moved out of the house and she didn't know exactly where he was, so as of last Wednesday when Ms. Yates came in to see about the Trustee paying for the food stamps, there was something more unusual that came out of it.
He said that Terry is a child welfare case and for some reason he doesn't receive an income from that like other child welfare recipients but the food stamp card that they have and the one that Ms. Walters saw was for three persons but afterwards, Ms. Walters was advised that Terry left the family and that there were really only two persons there, so if the Trustee's office was to grant them food stamp assistance, the card that is currently flying around with three people on it, if it is true that Terry left the house, would have to be torn up and a new one issued for two people if they didn't want to break a federal law.
He said that Ms. Dallas had said that she and Dallas would be up here today but they aren't here, also that they have been here before a couple of years ago and he was to take them to the Welfare Department and see what type of aid could be obtained for them, which he did but they didn't follow through on it.

Mr. Dale Work said it is the Welfare Department's position that Ms. Yates and her son, Dallas, don't need any assistance from the Trustee and they are living in a situation, that if it were a couple, they have about half again as much income as a maximum couple could have on a minimum social security and S.S.I.
He said they have an income of $375.60 per month, cash, if they each draw $107.90 Social Security and $79.90 S.S.I. and they are both on Medicaid, so their medical expenses are taken care of so there is no reason on earth that these people can't and shouldn't be making their own way.
He said it is a fact that this Fleener kid has been camping with them and they have been trying to get him out, that he hasn't done anything bad enough to send him off to boys school, that he is more or less incorrigible and it is a sad case, since his family palm him off on anybody, any time, anywhere and they palmed him off on Ms. Yates and her son and he suspects they figure they are going to shoot some angles and maybe get some more help from somewhere else.
He said that Joe Burch is the caseworker involved there and he has been working with that and Mr. Norman Butler has been working with Ms. Yates and Mr. Smith and these people don't need any more income and if it was on pay checks, with expenses and everything, it would take about $6,500.00 per year income to give them what they have in-hand, so he doesn't think there is any problem except that Ms. Yates and Dallas won't manage their money or maybe living beyone the means that they should be and they are existing entirely on the public purse, so to speak.

Pearl Money.....1301 W. Eichel...Pigeon Township....Ms. Bowling, Investigator

The Trustee's report shows that Ms. Money requested help on untilities and was denied because she was renting apartments out to roomers so they cannot pay utilities.

Ms. Money's mother said that her daughter did have a man there, that the Trustee paid them $13.00 and he stayed there about two weeks, that he got drunk and she made her daughter run him off.
Ms. Money said he bought whiskey and got drunk and she wouldn't put up with it and this was the only roomer she had.
She said she did work at Burdette Park until it got cold, that she is all crippled up and couldn't find any transportation so she had to take off work, so she owes her utility bills for December, January and February and as soon as the weather breaks, she will go back to work.

Ms. Bowling said she went to Ms. Money's home and she did have roomers at the time, because when she went out there, she went to make an investigation on a guy that had rented a room from her and he was totally disabled and she didn't know how he could get so drunk because he couldn't walk, that the hospital called the Trustee's office and asked them to find him a place to live, that he has a pin through his ankle and his arm is in a cast but she also had a lady that was rooming there at the time, so it was a rooming house.
She said the reason Ms. Money only received $13.00 from the Trustee was because Mr. Long stayed a week and then he came in and said he wanted to leave there because it was really a house of prostitution, which she denied, and he wouldn't stay, that Ms. Money was renting transients rooms and he wouldn't stay so they paid her for the days that Mr. Long stayed and they then put him in another place, so when Ms. Money came in and asked for help, she told Ms. Money that the Trustee couldn't help her if she was renting out rooms and she was definitely renting them out because she was there, that she had a girl there,and Mr. Long, but she didn't know when she rented the rooms but she did know it was considered a rooming house and Mr. Morrison said no help on utilities on a rooming house.

Ms. Money said those were the only two people that were there and she hasn't had anyone there since they left.

Ms. Bowling said that Ms. Money owns her home and that she isn't getting food stamps.

Commissioner Schaad asked Ms. Money just what kind of work she did at Burdette Park and Ms. Money said she cleaned the cottages out there but she only worked for about three months so she isn't eligible for unemployment, that she didn't have transportation but that Mr. Wolf told her she would have a job if she could get transportation.

Commissioner Willner moved that this case be referred back to the Trustee, that in the first place, Ms. Money isn't on food stamps and he would much rather she be on food stamps than for the Trustee to pay for her utilities. Commissioner Schaad seconded the motion. So ordered.
Commissioner Schaad asked Ms. Money just what income she had and Ms. Money said the only money she has is what she makes by doing some house cleaning.

Commissioner Willner said he thought another investigation needs to be made by the Trustee's office that is more current before he could make any decision.

The meeting recessed at 11:00 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg	Curt John	Ed Smith Jr.
Bob Schaad		Paul Wendel
Robert L. Willner		

Secretary: Margie Meeks

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS
SPECIAL MEETING
MARCH 2, 1977

Commissioner Ossenberg explained that this joint meeting of the County Council and the County Commissioners is simply to iron out the problems and to discuss the possibilities of either leasing or selling of both, the Boehne and the Pleasantview Rest Home properties.
He said, at this time, James Angermeier, the County Assessor, who he called on in very short notice, to ask him to do some appraisal work on Boehne, would like to make a statement.

Mr. Angermeier said that his office has responded to the request of the County Commissioners on the Pleasantview Residential Center and to that extent, at that time, they had adequatetime for preparation to research and present what they considered to be very fair and factual appraisal of the property and last Wednesday, he received a call from Ms. Juras who indicated the Commissioners wishes for the County Assessor's office to appraise Boehne Hospital to which he replied that he had other business until Friday afternoon, at which time they went out there and have gone out since then with some other professional people, in light of the fact that these are special purpose buildings in addition to the land and the residence, that the land and the residence really doesn't pose a problem but in order to put it in proper prospective and to come up with some values that he thinks will give this joint body something to work with and review, he would like an extension of time, whereas an appraiser would express his views relative to the three approaches.
He said he presented this in the last appraisal and if the Commissioners expect his office to do this again, he would expect the Commissioners to grant him an extension of time to present this again.
He said he is taking out another couple of professional people as he did at Pleasantview and the same time preparation and the same report relative to the appraised value will be presented to the Commissioners relative to the Boehne Hospital property.
He said that on the last appraisal or anything else relative to this, he would be glad to furnish the absolute information, that he certainly isn't going to reveal to them, in this chamber, but he would be happy to reveal to the Commissioners, the sources of his information that are very factual.

Commissioner Ossenberg said that Mr. Angermeier did a very thorough job on Pleasantview and he certainly appreciates it, also that he is in favor of granting Mr. Angermeier an extension of time because he would like for him to complete a study of the Boehne property like he did on the Pleasantview property.
He said the reason he requested this of Mr. Angermeier on short order was because he was trying to get some type of ball park figure of what the Boehne property might be worth and whether they should dispose of it or whether they should lease it, that he certainly appreciates it and he asked Mr. Angermeier what time element he would need.

Mr. Angermeier said he has arrangements on Friday with two professionals who he considers the foremost authority within the area that are donating their time to go out there and review this property, that they aren't interested in him revealing their identity and he doesn't want to, so in two weeks he should be in a position to grant the Commissioners all the information and the appraisal report.

Commissioner Willner said he also appreciates Mr. Angermeier doing this since by doing so he has saved the County money.

Commissioner Schaad moved that the Commissioners grant Mr. Angermeier two weeks or whatever it takes to get the job done. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad said he wondered if they should also have the Perry Township Assessor to make an appraisal on the Boehne property since they will need two appraisals and they might as well be prepared. The other Commissioners agreed.

Commissioner Ossenberg said at this particular time he is just going to throw the meeting open for general discussion as to the desires of the County Council and the Commissioners and as to how they feel toward the disposition of the Pleasantview Nursing Home or Boehne Camp.
He said as was reported in the newspaper tonight, that a week ago Friday, he received a phone call from a gentleman from Midwest Realty who was interested in Pleasantview Rest Home and he told the gentleman if it was voted to sell Pleasantview, he imagined they would have to take sealed bids or sell it at an auction and at that particular time, the gentleman indicated that he had a client who was interested in the home.
He said at that particular time, Mr. Angermeier's appraisal was $1,200,000.00 and the gentleman indicated that his client was willing to pay and that he would again

contact him this past Friday, which he didn't do but it could have been that he was unable to be reached but he thought one of the reporters that was present in the audience did contact this gentleman and reported the story in tonight's paper.

Commissioner Schaad said that everyone is here this evening to discuss whether they want to sell or lease these properties and to see what needs to be done. He said he contacted the Executive Secretary of the Indiana Association of Health Care Centers and he expressed his willingness to help, through his membership, in any way he could to let them know that this was being sold or leased and he said that he personally thought it should be leased, also that he had some people interested before the controversy started on whether the Commissioners had the right to close Pleasantview or not and he suggested they come to do something about it but backed off when the controversy came about.
He said he did have some people down from Indianapolis who were interested in leasing Pleasantview as a nursing home or a rest home and he also had a call from Henderson, from other people who were interested in leasing it.
He said he has a personal feeling on the matter, that as far as the land is concerned, it is something we don't make any more, that there is a certain amount of it and that is all there will be and if they do sell it, it will be lost forever and that our children or grandchildren may need the land to build on or for park, recreation or for a public facility like a school or something else and he asked that everyone keep this in mind while contemplating a decision, since once it is sold, there is no way of getting it back as far as public need is concerned.

Commissioner Ossenberg expressed his views by saying that there is talk around town and he also has a letter in his pocket as to the possibility of a Sheriff's ranch or a detention home at Boehne Hospital.
He said that I.S.U.E. is interested in the property even though their board turned down the property for dorms but they are talking about a law enforcement use where their students could be interns but frankly, on both pieces of property, he is totally against a half-way house, a detention home, a youth ranch or anything like that and as far as his personal decision on the property, Commissioner Schaad has indicated that he is in favor of leasing, but he is in favor of selling, however it is a decision which will have to be made by all of us, that he didn't know what decision Commissioner Willner has made but that we are all here together this evening to try to work this thing out.

Mr. Kollker said that $1,200,000.00 had been offered to purchase Pleasantview and he wondered what they would have to get on a lease on this basis, that it would be nice if they could get 8% interest which would be about $96,000.00 and they would still own the property and the maintenance and taxes would be determined as to how they drew up the lease since they didn't necessarily have to maintain the building.

Commissioner Schaad said if they lease it there shouldn't be any maintenance costs, only Insurance and such as the maintenance of the roof, also that if they lease it the property will belong to the County and will return to them, that land is better than $3,000 an acre now.

Mr. Kollker said they couldn't afford to lease the property for say $5,000 or $6,000 per year but if they could lease it for near $96,000 it would be a pretty good thing but if they got any less than $50,000 out of the leasing of it, they are better off selling it.

Commissioner Ossenberg said that he hasn't been into this thing to the extent that Commissioner Schaad has but that one reason he would rather sell it because if someone wants to lease it with the right to purchase, they will probably sell it anyhow.

Mr. Ahrens asked if the person who is interested in the property said what he wanted it for.

Commissioner Ossenberg said they were interested in it as a nursing home.

Mr. Ahrens said he would go along with someone who wanted it as a nursing home because there is a shortage of nursing homes and there must be money in them if the are operated right so he would be willing to go along with it.

Commissioner Ossenberg said the gentleman didn't say who his clients were but he did indicate to the newspaper reporter that they were local people with out-of-town backing and apparently they are in the nursing home business.

Councilman Ahrens said they shouldn't turn that property over to a halfway house or anything like that because the people of that area would be dissatisfied if they allowed anything but a nursing home.

Mrs. Mooney said that she had no definite idea as to whether they should sell or lease the property, that she was just listening to see what the options were, but that she did some digging and did find a report from 1969 where the Commissioners had appointed a committee and an advisory committee also, who made a thorough study and they determined that the County not keep both the properties and it was recommended that they dispose of Boehne and keep Pleasantview Rest Home and they recommended the number of beds to be used by residential and others.
She noted that back in about 1968, they built a 10 inch sewer which cost $125,000.00 which was a nice improvement and they also installed a gas boiler and she assumed it to still be in good operation, also that they spent $55,000 and another $12,000 on improvements and that was the last the building was occupied.
She said, as to the idea of the I.S.U.E. students using the building as counselors, she recalled that this came up before and it was decided that it wouldn't do.
She said that up to now, she has no suggestions as to whether they should sell or lease, that she would just rather wait for offers and then make a decision.

Commissioner Ossenberg said they could maybe advertise for selling and advertise for leasing but that he is a little hesitant on the Boehne property at this particular time since he has no idea of it's value.

Councilwoman Mooney asked if the County has clear title to Boehne and Commissioner Ossenberg said he assumed it did, that the County has paid all the bills out there and under the lease, it was granted by the previous Commissioners to lease the facility to Alcoholic Help.
He said that he is tired of being ready to lease the facility for $1.00 per year to someone and then it turns out that the County picks up the tab for everything and if they can't make it, then it goes back into the hands of the County.

Ms. Mooney said she seemed to remember that when Mr. Boehne donated the ground for Boehne Hospital, that it was to be used as a rest home for tuberculosis patients.

Commission Ossenberg said this information was looked up and no where did it read that it had to be used as a tuberculosis hospital.

Ms. Mooney said that she notated the names of people who have been on the Committee at Boehne and some of them were Jim Luker, Jack Chaddock, Cliff Arden, Dave Green, Nolan Lackey, Ed Roehm and there were others, also on the advisory committee, there was William Brune, Paul Kinney, Irene Mooney, Robert Morrison and John Munger.

Commissioner Schaad noted that there were other committees since then that were appointed also.
He said that he received another letter from I.S.U.E. that was dated December 29th and they had several different ideas as to the uses of the facility which included Physical Plant Storage, Mid-America Singers practice area, Day Care Center, Nursery School location, education and the Student Union Bldg.

Commissioner Ossenberg said that the neighbors of Boehne suggested that Pleasantview be used for a school for the handicapped, mentally ill, or a trade school, also that he understands, that a couple of weeks ago, there were residents here from that area when he was unable to attend and they said they would like to see the land sold off for R-1 zoning so someone could build single family residences.
He said that he was told by Commissioner Willner that some builders thought this would be a choice location for a subdivision.

Councilwoman Mooney said that Boehne was discussed in 1969 and that this area is a beautiful sight.

Commissioner Schaad said he received a letter dated August 27th of last year from a Reverend Mike Miller of the Light of the World Christian Fellowship Association, who was also very interested in the facility.

Councilman Niethammer asked, if we sold this property, would it be legal or possible to set that money in an investmant and use the interest to reduce the taxes for the Vanderburgh County residents.

Commissioner Willner said he didn't know if the County could or not but that the Townships can.

Councilwoman Mooney said that the City can do this also.

Commissioner Willner said he can't talk about Boehne since they don't have the appraisal as yet but if Pleasantview sold for $1,200,000.00, they take 1/3 of that and divide it by the tax rate, they arrive at the figure of $36,192 per year that derives from taxes, which is $3,000.00 per month and this would be on top of what they sell it for.

Commissioner Schaad said if they determine to sell Pleasantview, it will have to be advertised for sale by bids or by auction.

County Attorney Wendel said it would have to be by auction to sell it but that sealed bids may be taken on property to be leased and the Commissioners can reserve the right to reject any and all bids.

Councilwoman Mooney said that Pleasantview had some property on the Railroad track and she wondered if this is included in the ground that was leased to Bob Hamilton for the golf course.

Commissioner Willner said it is part of the land that Hamilton leased and that it is on both sides of the railroad track.

Councilman Kollker suggested that they get bids both ways, that they advertise for sealed bids on a lease of the facility and also for a public auction for a sale. He said he didn't know of any other way to find out which is best, to sell it or to lease it and they have nothing to lose by getting bids both ways.

Commissioner Ossenberg said this is his thinking also and to protect the Commissioners they should get the appraisal on Pleasantview from Al Stucki, the Center Township Assessor, that his mother passed away but he would talk to him and see if he can come up with one within a week to ten days.

Commissioner Schaad distributed aerial pictures of Pleasantview property to all present and explained which portion is leased by Hamilton.
He said that 20.06 acres still belongs to the County and the rest of it is leased by Bob Hamilton.

Commissioner Ossenberg said that since Mr. Angermeier will supply them with an appraisal on the Boehne property in about two weeks, he would then like for the County Council to again meet with the Commissioners, and he wondered, since he knew that some of them hadn't made up their minds, if they thought they could make a decision on Pleasantview Rest Home within that two weeks..

After further discussion, most of the Council members and all of the Commissioners agreed that they advertise for sealed bids on a lease of the facility and also for a public auction for the sale of it.

Councilman Taylor said that he felt if the facility was going to be leased, that the County should lease it themselves, if not, they should sell it and get completely out of it, also he thought as Commissioner Schaad had said, that once it is sold, the land is gone but that they will some day get the land back that is leased by Hamilton.
He said that his mind is strictly geared for running a rest home, that he thought they could make money and this didn't work out before because he didn't think they gave it ample opportunity to see if it could work or not.

Councilman Kollker said he still says that they have nothing to lose by getting bids both ways, that it is foolish to say they are going to do one or the other until they see what looks the best.

Councilman Niethammer said he would rather sell it if they can get a good price for it but that he also thought they should take bids both ways and then make a decision after they get the bids.

Councilman Ahrens said he is in favor of selling it but he would also like to see both bids and he would like to go on record that it be sold for a rest home because that is what the community needs and he thinks they should stick with it.

Commissioner Willner said he agrees that it be advertised both ways, as did Commissioner Ossenberg and Commissioner Schaad.

Councilman Lutz said he also thought it should be advertised both ways, also that if this facility is sold to a church organization, that it can't be put back on the tax roles because it would be exempt.

Councilman Kollker said they wouldn't necessarily have to accept the highest bid, that they can take the best bid.

There was discussion as to how the specifications would be drawn up and Ms. Juras asked, if since the facility must be sold at an auction, if it would be possible to draw up some general specifications and then have the bidding open for so many days and the bids to be valid for so many days and reserving the right to reject any and all bids and it seems to her if these things are possible and they could then be inspected, computed and they could see what kind of income could be gotten from the lease and sale type bids, judge the relative value of each and then make a decision.

County Attorney Wendel said they would be defeating the purpose of a public auction, that it is like asking that each bidder only bid one bid.

Commissioner Ossenberg then said he supposed it is the general consensus of opinion that they will hopefully work it out, both by lease and purchase within two weeks time, providing Mr. Angermeier has the appraisal on Boehne and if he has it by two weeks from tonight, he would, at that time, like to again meet with the County Council.

Commissioner Schaad asked if they were then going to take bids on leasing Pleasantview and have a public auction on selling it.

Commissioner Ossenberg said yes if it is legal.

Commissioner Schaad asked if they would then have to take them all under advisement.

Councilman Lutz said he didn't think they would get any bidders that way.

Commissioner Ossenberg said it was worth a try, that he didn't know any other way to find out which is the best.
He said he would have the County Attorney's to work on this and that he would be back in touch with the County Council and they will see if they can't hopefully again have this on the Boehne property in two weeks and they can all get together again.

After further discussion, it was decided that another meeting be held two weeks from tonight, on March 16th. at 7:30 p.m., providing that Mr. Angermeier has the appraisal on the Boehne property.

This special meeting recessed at 9:15 p.m.

PRESENT

COUNTY COUNCIL	COUNTY COMMISSIONERS	COUNTY ATTORNEYS
Dan Kollker	Tom Ossenberg	Ed Smith, Jr.
Bob Lutz	Bob Schaad	Paul Wendel
Irene Mooney	Robert L. Willner	
Paul Ahrens		Secretary-Margie Meeks
Otto Niethammer	Marsha Smith (Exec. Ass't.)	
William Taylor		
Nikki Juras (Exec. Ass't.)		

Tom L. Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MARCH 7, 1977

The meeting of the County Commissioners was held on Monday, March 7, 1977, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

Deputy Sheriff Terry Hayes, opened the meeting, this being the first meeting of the month.

The minutes of the previous meeting, as well as the minutes of the special meeting that was held on March 2nd. to discuss Pleasantview Rest Home and the Boehne propert was approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY AUDITOR

Mary L. Conley	713 Thornberry	Tax Exemption Clerk	$16.10 Day	Eff: 2/28/77
Rhonda McClarney	2608 S. Dexter	Tax Exemption Clerk	$16.10 Day	Eff: 2/28/77
Flora Rose	1105 Putnam St.	Tax Exemption Clerk	$16.10 Day	Eff: 2/28/77
Viola Schmahlenberger	1325 Fountain	Tax Exemption Clerk	$16.10 Day	Eff: 2/28/77
Esther Shrote	1005 Cullen Ave.	Tax Exemption Clerk	$16.10 Day	Eff: 2/28/77
Mabel Winkler	7608 E. Chandler	Tax Exemption Clerk	$16.10 Day	Eff: 2/28/77
Edna Castrup	426 Richardt Ave.	Tax Exemption Clerk	$16.10 Day	Eff: 2/28/77
Dorothy Rogers	306 Reis Ave.	Tax Exemption Clerk	$16.10 Day	Eff: 2/28/77

AUDITORIUM

Earl Schoenbachler	217 S. Kerth	Maintenance	$4.46 Hr.	Eff: 1/1/77
Jessie Byers	617 John St.	Maintenance	$4.18 Hr.	Eff: 1/1/77
Dwight Taylor	1214 S. Governor	Maintenance	$4.18 Hr.	Eff: 1/1/77

JOINT DEPARTMENT OF LEGAL SERVICES

Marta L. Provenzale	413 S.E. 1st. St.	Staff Attorney	$7,416.00 Yr.	Eff: 2/21/77

KNIGHT TOWNSHIP ASSESSOR

Mary E. Esparza	207 S. Polster	Deputy	$16.10 Day	Eff: 3/1/77
Mary Esparza	207 S. Polster	Deputy	$6,147.00 Yr.	Eff: 3/2/77
(Reassessment) Jerome Zeller	517 E. Chandler	Deputy	$35.00 Day	Eff: 3/2/77

PROSECUTOR'S OFFICE

Robert Carithers	5361 Stonehedge	Deputy	$12,000 Yr.	Eff: 2/28/77
Robert Pigman	2730 Hartmetz	Investigator	$ 8,241.Yr.	Eff: 2/28/77

SCOTT ASSESSOR (116)

Harley Seybold Sr.	R.5 Hoing Rd.	Deputy	$20.00 Day	Eff: 2/15/77
W. Marvin Lundy	R.R.8	Deputy	$20.00 Day	Eff: 2/15/77
Leona M. Hudson	R.5 Hoing Rd.	Deputy	$20.00 Day	Eff: 2/15/77
Norma Miller	R.6 Box 320	Deputy	$20.00 Day	Eff: 2/15/77
Marguerite Richardt	Browning Rd.	Deputy	$20.00 Day	Eff: 1/1/77

SHERIFF'S DEPARTMENT

Larry Barchet	2907 Wimberg	Patrolman	$11,502.00 Yr.	Eff: 2/26/77

COUNTY TREASURER

Sherry Boardman	3000 Hillcrest Terr.	Clerk	$6,360 Yr.	Eff: 3/1/77

RE: EMPLOYMENT CHANGES.....RELEASES

AUDITORIUM

Earl Schoenbachler	217 S. Kerth	Maintenance	$4.21 Hr.	Eff: 1/1/77
Jessie Byers	617 John St.	Maintenance	$3.947 Hr.	Eff: 1/1/77
Dwight Taylor	214 S. Governor	Maintenance	$3.947 Hr.	Eff: 1/1/77

HIGHWAY DEPARTMENT

James E. Caldwell 615 Line St. Laborer $4.18 Hr. Eff: 2/25/77

JOINT DEPARTMENT OF LEGAL SERVICES

James Rode 1803 N. Roosevelt Dr. Pt.Time Staff Att. $7,461 Yr. Eff: 2/25/77
Thomas H. Barefoot 1509 S. Kentucky Pt.Time Staff Att. $7,416 Yr. Eff: 2/25/77

KNIGHT TOWNSHIP ASSESSOR

Mary Esparza 207 S. Polster Pt. Time Deputy $16.10 Day Eff: 3/1/77
Jerome R. Zeller 517 E. Chandler Deputy $6,147 Yr. Eff: 3/1/77

SCOTT TOWNSHIP ASSESSOR....116.1 - REASSESSMENT

Harley Seybold Sr.	R. #5 Hoing Rd.	Deputy	$20.00 Day	Eff: 2/14/77
W. Marvin Lundy	R. #8	Deputy	$20.00 Day	Eff: 2/14/77
Leona M. Hudson	R. #5 Hoing Rd.	Deputy	$20.00 Day	Eff: 2/14/77
Norma M. Miller	R. #6 Box 320	Deputy	$20.00 Day	Eff: 2/14/77

SHERIFF'S DEPARTMENT

Larry Barchet 2907 Wimberg Prob. Patrolman $10,502.00 Yr. Eff: 2/26/77

COUNTY TREASURER

Betty Burton 2812 N. Edgar St. Clerk $6,360.00 Yr. Eff: 2/28/77

RE: APPOINTMENT TO AREA PLAN COMMISSION

Commissioner Ossenberg said that he will serve as the Commissioners member of the Area Plan Commission for the term which was effective as of 1/1/77 to 12/31/77.

RE: APPOINTMENTS MADE TO THE CONVENTION BUREAU

Commissioner Schaad moved that the Commissioners re-appoint William Montrastelle who has served since it's conception, to serve on the Convention Bureau, also that the Commissioners appoint Gary Nickolick, to take the place of his father, Joe Nickolick, who served on this board during the past year. Both terms will expire on 12/31/77, since they are 1-year terms and were effective as of 1/1/77.

RE: LETTER...LOAD LIMITS ON OAK HILL ROAD

The following letter was received from Mr. Dan Ward that was dated March 1, 1977:

ear Mr. Ossenberg:

In response to our phone conversation today, the following is a request for travel rights on Oak Hill Road.

Gentlemen:

We have a family owned Poultry Farm on Millersburg Road, approximately 3 miles East of Oak Hill Road. Feed for our 35,000 laying hens is hauled from the Purina Mill on Lynch Road. For about the past 15 years we have hauled an average of 5 loads per week on a single axle truck. The truck holds 6 ton, with a fully loaded gross weight of 21,600 lbs.. During this time, not one accident has ever occurred.

Due to the closing of Oak Hill Road to our continued use, I must now travel State Road 57 and U.S. 41 to the Mill. This consumes extra gasoline and time; but most important, it increases the risk of serious accident and injury to an already hazardous occupation. I have several dependents and am concerned.

I feel our trucking from Millersburg Road to Lynch Road and back on Oak Hill has not seriously destroyed the roadbed in all those years, and do hereby request your permission to resume said route. Thank you for hearing me .

Sincerely, Dan W. Ward of
Wards Feed & Farm Supply
Chandler, Indiana

Commissioner Ossenberg said a delivery was also made from Harps Fish Market to Oak Hill School and in both instances the state police ticketed these gentlemen. He said the one gentleman said he does exceed the 10 ton load limit but that Harps, in no way, exceeds the 10 ton limit, so in some way, the Commissioners are going to have to get this clarified because, as he understands it, the state police are stopping any truck and ticketing them.

County Attorney Smith said he gave Commissioner Ossenberg a report on this, that last week, they arranged a meeting with Mr. Brenner, a gentleman from the Indiana State Police, Sheriff DeGroote and himself and they discussed the 1939 ordinance on Green River Road and the tickets given these gentlemen.
He said they had it pretty well under control, that they came to an agreement and the state police are going to work with the County and their activity will be consistant with the policy of the Sheriff's Department, who has been in contact with all the common carriers and haulers in the area.
He said they will use his discretion as to what constitutes a local delivery, also that the ticket was given Harps Fish Market by the trooper because he felt that Harps could have gone around 57 and he wouldn't have traveled as far on Oak Hill Road as he did, that he gave the trucker a ticket so he thought he should also give the driver of Harps truck a ticket, but there was clearly no violation under the ordinance and they now have the state police straightened out on that.

Commissioner Ossenberg asked about the amendment to the resolution that the Commissioners must sign.
He said he understands that the state police are giving tickets but there has been no signed amendment to the resolution of the ordinance of 1939.

County Attorney Smith said he didn't know anything about that but that he talked to the trooper on the phone and asked why he gave a ticket on a local delivery and he said he felt that since the man made his last delivery on Oak Hill and he could have gone around and came in 57 but he thought they were all in accord now.

Commissioner Ossenberg gave the County Attorney one of the amendments to look at.

Commissioner Schaad asked, if the feed truck is so close to their limit, why they didn't just reduce their load so they would be within the weight limit.

Mr. Brenner said that agriculture products are excluded from the load limit anyway.

Commissioner Ossenberg then asked County Attorney Smith to answer the gentleman and tell him that agriculture products are excluded, also that if he got a ticket, it will have to be voided, so if he has one, he should return it.

Mr. Brenner said that also, under the interpretation of the Sheriff, this was local traffic anyway.

County Attorney Smith said he thought the Sheriff's policy would take care of this, since they discussed it at the meeting and as of that date, the state police are working with the Sheriff's Department and their policy of ticketing will be the same as the Sheriff's Department.

RE: DISCUSSION OF SPEED LIMIT ON GREEN RIVER ROAD

Commissioner Ossenberg said the State Police also requested that the speed limit be raised on Green River Road between Heckel Road and Boonville-New Harmony Road, from 35 miles per hour to between 45 and 50 miles per hour since they maintain that & it cannot be enforced.

Commissioner Schaad said there have been others that were brought to the Commissioners attention such as the one mentioned by Mr. Gent from Welborn Hospital, that Mr. Lochmueller is making a study on all of it so it will be consistent, so he didn't think any change should be made until a complete study has been made, so they won't be changed by piece meal.

Commissioner Willner asked if they couldn't ask for a deadline on this, since they have been asking for it for about two years and have still got no action.

This matter was referred to the Sheriff's Department.

RE: TRAVEL REQUEST VETERAN'S SERVICE

The Commissioners received the following letter from Bob Moran:

Sirs:

I request permission to attend the 1977 Annual Service Officers Training School in Indianapolis, Indiana.

This is sponsored each year by the Indiana Department of Veterans Affairs and will be held April 26, 27 and 28.

Thank you, Robert J. Moran
Service Officer
Vanderburgh County

Commissioner Schaad moved that permission for Mr. Moran to travel be granted. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM THE DEPARTMENT OF CIVIL DEFENSE

Commissioner Ossenberg received the following letter from the Indiana Department of Civil Defense:

Dear Mr. Ossenberg:

I am extremely sympathetic to the fact that your snow emergency commenced on 9 January 1977 and that you were not adversely affected by the blizzard of 28 and 29 January 1977 as was the rest of the State.

However, my instructions are that the Civil Defense Contingency Fund was to be used only for contract snow removal on January 28, 1977 and later. If you had no contract snow removal after this date, then there will be no reimbursement; the counties will have to absorb their expenditures prior to January 28, 1977.

I am returning your claim for reimbursement without action.

Sincerely yours, Milton M. Mitnick
State Director

Commissioner Ossenberg said he had a call from the Warrick County Commissioners and he spoke on behalf of the Vanderburgh County Commissioners by telling them that the entire 8th District of Indiana was completely left out of any aid from the State or Federal Government, so they have asked that Vanderburgh County, along with the other Counties of the entire 8th District, join together and appeal this decision and he told them that Vanderburgh County would join with them, so at this particular time, they are working the situation out and then they are going to so advise us.

RE: CHECK TO BE ENDORSED

A check was received by the County from Transamerica Insurance Group, Hahn & Becker, Agents, for damages to a County car that was assigned to Hillcrest, in the amount of $24.29.

Commissioner Schaad moved that this check be endorsed and that it be entered into the Account of County Operated Institutions, #204.2-38.0. Commissioner Willner seconded the motion. So ordered.

RE: LETTER RECEIVED REGARDING RAILROAD CROSSING

The following letter was received by the Commissioners from Ms. Marilyn S. McClain who is an assistant caseworker for the Vanderburgh County Department of Public Welfare:

Gentlemen:

A tragedy could have happened last Monday morning at the railroad crossing on Hogue Road near Creamery Road. My 15 year-old son was on that bus.

The bus driver, Ray Cariens, is to be commended. We have lived on the north-west side of those tracks for 15 years, and Ray Cariens has taken my children to school every year during that period of time.

The trains on that track have held up traffic for an hour or more at a time as long as I have lived out there. I have never seen them pull away from the crossing to provide clearance when they have broken the train and are waiting for another to pass. Repeatedly, I have had the experience of wondering whether there was a train coming while I was forced to pass the nose of the engine of one that was waiting. They have shown no consideration for motorists in our area for years, and with the fact of last Monday morning, it cannot continue to be ignored.
Your consideration and action would be appreciated.

Sincerely, Marilyn S. McClain

Commissioner Ossenberg said this article was in the newspaper and at this particular time, he thought until they have cooperation with the L & N Railroad, that Sheriff DeGroote place a deputy out there at that particular railroad track. He said however, that the County does have some safety money.

Commissioner Schaad said they do have some safety money but the situation here is the same as it was out on Baseline Road and maybe they need to make another request here, also that he and Jack Siebeking were talking about some other areas where there are double tracks like out on Red Bank Road, Duesner Road, Cypress-Dale and Bayou Creek where they have the same situation.
He asked that Mr. Siebeking contact L & N again to see if they will cooperate and do the same as they did on Baseline Road, and said that they haven't had enough publicity on the fact that sometime ago, there was some federal monies available to make a safety study for the entire County, that it was stressed quite a bit last year after he came back from road school.
He said the study is being made by Engineering Associates, that not too much has been accomplished because of the bad weather but they are working on the safety study and inventory of all Vanderburgh County as far as the railroad crossings and everything else.
He said they have also received some federal money for signalization of some of the railroad tracks and as he remembers, one of them is the one on Baseline Road and that the money is 90% federal money and 10% local money and there are others in that group, that there is so much federal money available each year and they can't accomplish them all in the same year but he thought if they get these priority lists in Keith's office and after this thing has been done that Engineering Associates is going to do, that they do come up with a priority list and apply for federal money to have proper signalization.
He said he understands that the signalization of these intersections will be in the neighborhood of $35,000 with the cost to the County being about $3,500 which is well worth it but he understands that the Railroad Company does the preliminary engineering themselves and the construction is being paid for by the federal government so it is being worked on and the Commissioners are conscious of the fact that a study needs to be made of the entire County and that is taking place now and three of them are in the hopper for preliminary engineering and construction and there will be more next year, but he thought they need to get a list of priorities and this will come from the study now being made.
He said that in the meantime, he would suggest, that as the various crossings come to their attention, that they ask for the Railroad's cooperation.

RE: SURPLUS GOODS AT PLEASANTVIEW REST HOME

Commissioner Schaad said that a public announcement needs to be made since some of the personal property from Pleasantview Rest home such as towels, dish cloths, etc. were given to Hillcrest and to the Sheriff's Department, under the supervision of the State Board of Accounts, so they do have a complete inventory of everything that is out there.
He said that now the Health Department would like a couple of wheel chairs but he thought maybe at this point, they need to announce it publicly to all the other County governmental departments, in case they need any of it, that they should work with Mr. Hotz and he will then contact the State Board of Accounts.
He asked Ms. Smith to see that a notice to this effect is sent out to all County departments and said that after they get all they want, the Commissioners will probably have an auction on the rest of it.

The Commissioners decided to make the cut-off date to be April 7th, after which no governmental agency can have anything more and the balance of it can then be auctioned off.

The Memo to all County Offices that was prepared, reads as follows:

Any county office that is in need of any of the items declared surplus at Pleasantview should contact Herman Hotz, Superintendent of County Buildings, in care of the County Commissioners' office. He will set up an appointment with you to inspect the surplus goods and tag any items you may be able to use.

The deadline for tagging items will be Thursday, April 7, 1977. After that date, the remaining items will be advertised for public auction.

Thomas L. Ossenberg, President
Board of County Commissioners

RE: CLAIMS

A claim was submitted by Brink's, Inc. for services to the Clerk of the Circuit Court for the month of March, in the amount of $94.80, Inv. #547594210. This is by contract.

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

A claim was submitted by County Attorney Paul Wendel, for his office allowance for February of 1977, in the amount of $125.00.

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

A claim was submitted by Torian Agency, Inc. for Insurance on the Boehne Hospital property, Fireman's Fund policy #F129 30 78 covering this property located at 801 Boehne Camp Road, in the amount of $1,822.00
Notification was enclosed that stated if Boehne is disposed of, the refund will be forthcoming.

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

RE: CLAIM FOR REFUND ON PERMIT

A claim was submitted by D & S Sheet Metal for refund of a permit No. 7304 which is a duplicate of permit No. 7066, in the amount of $26.00. This refund was approved by Mr. Crooks, the Building Commissioner.

Commissioner Schaad moved that the $26.00 be refunded to D & S Sheet Metal Co. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORT

Mr. Crooks submitted the Report of the Building Commission on permits that were issued during the month of February, 1977.
Report received and filed.

RE: REPORT BY MR. CROOKS ...HOUSE ON PETERSBURG ROAD

Mr. Crooks said that last December, they had this house on Petersburg Road, North of the Hornet's Nest, that they had complaints about and letters were written at that time, concerning the matter, one of which wasn't accepted and it was returned. He said they have re-checked the house and found that very little progress has been made, that some of the debris has been picked up from the yard but the house, per se, is just like it was.
He wondered how far the Commissioners wanted him to go and asked if he should proceed as though he is going to condemn it now.

The Commissioners agreed that the owner has had time to do something and they gave Mr. Crooks permission to proceed to condemn the property.

RE: ABSENTEE REPORT

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

RE: TRUCKS NOW USING OTHER ROADS

Mr. Siebeking said he had three calls last week on trailer trucks and heavy loads now using Darmstadt Road, so he thought what is happening, is that since Green River

Road and Oak Hill Road has been put off limits to them, that they are now using First Avenue and Darmstadt Road to by-pass the scales.
He said they were loaded trailer trucks and he asked the people, that if they did see one of the trucks, to try to get a name or something on the truck, so he would know who the trucks belong to.

Commissioner Schaad said he believed they were just going to keep on doing this and as soon as the Commissioners put a load limit on one road, they are going to move to another and they will just keep on until load limits are placed on almost all the county roads.

RE: REPORT ON DAMAGE OF ROADS AND BRIDGES

Mr. Siebeking said he did some driving last week and he just jotted down some names of roads, that one year ago, he considered some of the better county roads in the state of Indiana, but right now these roads, namely, Old State Road, Baseline Road, St. Wendell Road, Red Bank Road, Nisbet Station, Beale, St. Joe Avenue, Evergreen Road, Denzer Road, Darmstadt Road, Boonville-New Harmony, No. 6 School Road, Burkhardt, Hillsdale, Schlensker, County Line-East, Mesker Park, Boehne Camp, Bayor Creek, West Franklin, Korressel, Middle Mt. Vernon, Old Henderson, Cypress-Dale and Seminary Road, are going to have to have a lot of attention, since they have completely come apart, also the three bridges that he mentioned last week..
He said they are out this morning on the Columbia Street Overpass and they are trying to stuff the cracks full of plastic and then they are patching them over temporarily until something can be done and when they finish that, they are going over and look at the Maryland Street Bridge and they will probably have to do some temporary patching over there because it is almost impassable.

He said they are patching the roads and he told the crew to stay on one road until they got it patched out but by the time they get to the end of it, they could just come right back and start patching it again, but he thinks that the weather is now in our favor and they are getting some of the moisture out of the ground, but these roads are going to be in very bad shape, and as an example, on Friday, there were two patched places on Old Henderson Road, when he went to work and Friday evening, when he came home, there were three new holes plus a cave-in and he had to get an emergency crew out to barricade it off.
He said that Mulzer's hauled a bunch of coal again on Friday and he found out that when they do haul, they haul night and day.
He said he calls these main roads that are in great need of repair, that they don't even come close to what he calls secondary roads, that Agathon Drive out in University Heights was a real good road and a concrete truck went through it last week and it went to pieces and now looks like a dirt road.
He said he has six crews out patching roads every day, that what they are doing is scooping up the material that is crumbling and hauling it off and then filling the holes with cold mix, that he wants to try hot mix when the weather warms up but he is scared of it in this kind of weather
He said he just wanted to bring the Commissioners' up to date on the problems they are having on some of these things.

Commissioner Schaad said he didn't know if the Commissioners should make any type policy or not, since whenever anyone gets a hole in front of their home, they will be yelling and with the weather the way it is, they can't patch the holes permanently, that they can only temporarily fill them to keep them from becoming a real hazard.
He said a good example is Darmstadt Road with all the alligator cracks in it and then, with water soaking it, it will just crumble.

Mr. Siebeking said that on Hillsdale Road, between 41 and Old State Road, they had it scheduled, last year, to get it resurfaced but they ran out of money before they got out there so it wasn't done, but it has come completely apart and is now a rock road because they had to go out there with a grader and spread rock on it and work it in the best they could, that they almost turned over one of the trucks while spreading rock because there is just no bottom in the road.
He said they had to do the same on County Line-East and it is now a rock road also, so it is a losing battle and according to the amount of money they have in their budget to operate on this year, the money they have used all along on road mixing done by the County with the money coming out of their bituminous account and their rock account and if things keep going like they are now, they will use all that money just for patching materials alone, so they won't have any money left to do any road mixing with, themselves, plus they have very little left in their contractual account, that it is a serious thing and he didn't know what the answer was going to be.

Commissioner Schaad wondered how long it would be before they could really overall assess all the county roads as to the damage that has been done and he told Mr. Brenner and Mr. Stephen that they should come up with some kind of figure and then go before the Council and ask for the money.

Mr. Brenner said that as soon as it started to thaw, they went out on the road survey and that they are from 35% to 45% complete.

Mr. Siebeking said that he isn't too sure that the frost line has gone out from underneath the roads as yet.
He said that the Old Henderson Road isn't too bad since they only have farm trucks down in there, but it is from the rock yard, in, that is going bad, also that he would wait a week or two after the frost has gone, before the damages are evaluated, since he thought that the worst is still ahead of us.

Commissioner Schaad told Ms. Juras that he would suggest that she prepare the Council, since the County is going to be requesting a lot of money to put these roads back in shape because it must be done and there is no other way to do it.

RE: VACATION DAYS REQUESTED

Mr. Siebeking requested that he be permitted to take off on March 10th and 11th for a couple of days vacation.

Commissioner Schaad moved that Mr. Siebeking be permitted to take these days off, as requested. Commissioner Ossenberg seconded the motion. So ordered.

RE: REQUEST TO ATTEND ASPHALT INSTITUTE

Mr. Siebeking said that on the 5th. of April, there is an asphalt institute in Indianapolis, where they are going to discuss some ways of maybe coming over the top with these damaged roads, but he doesn't know if he is going up that day or if he is going the night before, so he would like permission to attend and if the Commissioners approve the trip, he will go ahead and turn in a registration.

Commissioner Schaad said he thought this would be a good thing, that this is all over the state and they may think of some ideas that will help the situation.
He thought it would also be good for him to take Mr. Brenner and Mr. Stephen along, that it would be well worth it.

Commissioner Schaad moved that these men be permitted to attend the institute as requested. Commissioner Ossenberg seconded the motion. So ordered.

RE: PROGRESS REPORT BY MR. LOCHMUELLER

Commissioner Ossenberg told Mr. Lochmueller that the subject of speed limits came up today and that Keith is working on the speed limits, truck routes, etc. and he asked if there had been any progress on it, that for example, the state police are now requesting that the speed limit be raised from 35 miles per hour upward to 45 to 55 miles per hour on Green River Road from Heckel Road to 57. He said it should be from Theater Drive but they have from Heckel Road.
He said he thought their concern is the fact that this is where they widen it, from there on out.

Mr. Lochmueller said in regard to the truck ordinance and a rough draft has been completed on the maps and of the ordinances, that they are now being typed and he should have them for the Commissioners by next Monday, that it isn't the final ordinance but at least, it will give the Commissioners a full report on what has been done.
He said they had several different solutions on the truck limits but as far as the speed limits, they have now been given permission to use the Sheriff's radar but they haven't been out to do this as yet.

Commissioner Schaad asked Mr. Lochmueller if he could give the Commissioners a date that they can expect it.

Mr. Lochmueller said they should have this done in two weeks.

RE: REPORT OF STUDY ON AUDITORIUM

Mr. Brenner said that, last week, he was requested to do a study of the Auditorium in regard to determining an alternate fuel and he submitted copies of the fuel study at this time, as well as the present status of allocation by S.I.G. & E.Co.

He said he went over there and read the meter this morning and as of that time, we are $14,400.00 in penalities and that the meter was running full boar when he was over there, that it is averaging about $300.00 per day to keep the Auditorium open, just for penalities which doesn't include the purchasing of gas but that the actual cost of the gas would probably be about $30.00.
He said they need to make a decision forthwithly, that they have a recommendation that they put two oil and gas combination boilers in at the cost of $50,000.00.
He said they would normally recommend that they just change one of them but they cannot operate in the summertime with only one, that they need both boilers going full blast in the summertime to maintain the air conditioning system so they both will have to be changed.
He said they looked to go with an evaporative system for air conditioning, rather than the absorbtion they have and it would cost $100,000.00 and they would gain approximately $5,000.00 per year, savings, from that but if they figure any interest on their money, the $100,000 they would put in, it would take them 40 years to pay it back so they just forget about it and just pay the price for the oil.
He said that by putting in the combination burner, they use what gas they are allocated and when they hit their allocation, they just take the meter out and put it on oil.
He noted that the Gas Co. said that we could just pay them back in the summertime so they ran a study on what they did in the summer and they had an 80% allocation last summer and if the Gas Co. had not waived the penalty, we would have owed them $31,000.00 in summer penalties, also, from what he has seen in ordering the new boilers, if they are going to get any kind of service at all, they are going to have to do it right away, since it must be ordered and then it is manufactured for you now.

Commissioner Schaad said bids must be advertised for and this can't be done until they have the money appropriated.

Mr. Brenner said they have a plan for more conservation but still, when they are $14,000.00 in trouble already, they are paying a penalty on every cubic foot of gas, that the normal price of gas is $1.33 per thousand cubic feet and the penalty is this amount plus $10.00 which makes the cost to be $11.33 per thousand cubic feet and at the present time, they have no method in which to pay them back.

Commissioner Schaad moved that they go before the Council to ask them for the $50,000.00 to make this conversion and also for an increase in the budget for operating fuel. Commissioner Willner seconded the motion. So ordered.

Mr. Brenner said if they could make the conversion swift enough, they could pay them back with their summer allocation, but they don't even know what that is at the moment and it may not cover it completely.
He said they agreed that they would rather have the gas than the penalty.

Commissioner Willner asked what our allocation is for the Pleasantview Rest Home.

Mr. Brenner said we have no allocation at Pleasantview, that it didn't use enough fuel, that he did look at it's usage and found that more was used this year with the facility closed than they did when it was open, because of the severity of the weather and that Boehne Camp is another one, since they have no allocation either.

Commissioner Schaad said that Mr. Hotz has cut down the boilers as low as they can be, at both places, to just keep the pipes from freezing.

Mr. Brenner said he didn't think they could wait until next month when the regular meeting of the County Council will be held.

Commissioner Schaad said they will then have to have an emergency meeting to ask for the money they need for the Auditorium.

Mr. Brenner said he agreed with this, since, at the rate they are going, using the fuel they are now using in the warm weather and if they wait another month, that would be another $9,000.00.
He said they need to make a decision as to what they are going to do with the building right now.

Commissioner Ossenberg asked Mr. Dewes if he knew how many bookings he has for March.

Mr. Dewes said there are no more than 12 bookings for the rest of this month but that April and May will be pretty heavy because of the proms and he has no week-end openings until October.

Commissioner Ossenberg said he concurs with Mr. Brenner's thinking, that it is the request of the Gas Co. to be paid back with gas rather than with the money and he looked at the figures given through the summer months, it seems as though they use more fuel during the summer than they do in the winter, with the gas air conditioner.

Commissioner Schaad asked if he understood Mr. Brenner correctly, in that if they should do this quickly and get it converted to oil, then they wouldn't be using any gas this summer.

Mr. Brenner said this is correct, that he recommends that they use no gas at all so they can pay back the gas to the Gas Co.
He said that fuel oil will be expensive but not this expensive, that fuel oil was about $2.17 and when they add that $10.00 on the cost of existing gas 7 or 8 times, it would be much more expensive than the fuel oil.

Commissioner Ossenberg said they were going to have to ask the President of the County Council to call a special meeting.

After checking, Ms. Juras said the earliest the County Council can have an emergency meeting will be on March 18th in order to comply with the ten-day ad but it would still be two weeks before their regular meeting.

Commissioner Ossenberg said that in his conversation with the Southern Indiana Gas & Electric Co., which he related to Bob Brenner, they wanted their gas back if we could pay them back and they had seen in the paper that the Commissioners are making an honest effort to convert the fuel over at the Auditorium, that Mr. Vaughn told him they didn't want the money, that they have found some $3.00 gas and if we can't pay them back, they could allocate the $3.00 gas to us so we could buy that rather than the $10.00 gas, so consequently, that would be a 2/3 savings.
He said it appears to him that the County will have to pay them a penalty and that and that would have to come out of the general fund so he thought this would also have to be advertised but he didn't know what amount of dollars this would be.

Commissioner Schaad wondered if Mr. Green has a big enough supply of gas that maybe we could help share that.

Mr. Brenner said this has been looked into but that he has not been able to locate Mr. Green.

Commissioner Schaad said maybe this would work out and it would maybe also help to defray Mr. Green's cost.

Commissioner Willner said he didn't know if they would get the job done or not but that they do have to try.

Commissioner Schaad said they will have to try to contact Mr. Green and in the meantime, he thought they should advertise and ask for the special meeting and if something works out, they can forget it or alter it, but that they will never get it done if they don't get the show on the road.

Mr. Brenner said we aren't now having weather that would freeze the pipes and he thought they should shut it down and have no heat until a half-day or so before they have a function.

Commissioner Schaad said he didn't see anything wrong with this and Mr. Dewes said they have been doing this but Mr. Brenner said the meter is running full boar right now.

Mr. Dewes said he didn't understand it because it has been shut off.

After further discussion, Mr. Dewes said the water heater is still on and Mr. Brenner said this could be turned off too.

Commissioner Schaad moved that they advertise for the special meeting of the County Council, to be held on March 18th. at 1:00 p.m. so they can make their request and that they continue to check with Mr. Green to see if something can be worked out with him and in the meantime, if they get the money allocated, they can move on it. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg said that he will get in touch with Mr. Vaughn at the Gas Co. to see what can be worked out, since he had only talked to him about paying them back for the summer.

Mr. John said he would have to have a letter as to the amount of money they are asking the Council for.

Mr. Brenner said he will go to the Auditorium and see about the water heater, that they will turn it off if there is no objections, since it is a real luxury that we shouldn't have.

Commissioner Schaad asked Mr. Dewes what kind of a hardship it would be if they turn off the hot water.

Mr. Dewes said it would be difficult as far as maintenance is concerned, since it would be rather difficult to mop the floors with cold water but as far as the attendance, it would be no real problem, also that there are very few dishes washed over there.

The Commissioners agreed that the water heater should be turned off and they told Mr. Brenner to use his own good judgement.

Commissioner Willner asked if the hot water heaters could be changed over to electric.

Mr. Brenner said they could do this but Commissioner Schaad said they would then have to have one about twice the size that they have unless there is a commercial unit that he isn't familiar with, since there is a much faster recovery with a gas water heater than there is in the domestic type of electric water heater.

Mr. Brenner said he would take a look at it.

Commissioner Schaad then moved that Mr. Brenner prepare the specifications for the new boilers. Commissioner Willner seconded the motion. So ordered.

RE: PIGEON CREEK LOG JAM

Mr. Brenner had submitted a petition to the Commissioners last week, from the residents of that area, to remove the log jam along Pigeon Creek behind K Mart on Morgan Avenue and he said the next step is for him to submit a proposal, which he submitted at this time.
The Surveyor's Proposal for the removal of the log jam reads as follows:

The Vanderburgh County Surveyor's Office recommends that the log jam and other nearby trees which are in the process of falling into the creek be removed and piled on adjoining land by contractual agreement.

The engineer's estimate on the work involved is $5,600.00. It is further proposed that after sufficient drying time that this pile be burned by the personnel of the County Garage.

Sincerely, Robert W. Brenner, Vand. Co. Surveyor

Mr. Brenner said that the estimate of $5,600.00 is for a contractor to use a dragline on Aubrey Ryals property, that he has agreed to let us clear off a section, that they will stack the wood and dry it, also that he has a burn permit promised from the Environmental Protection Agency and he would then recommend that the County burn it, at which time someone has to be there 24 hours per day and it would be exorbitant to get a contractor to stay there so we should do this part ourselves.

Commissioner Schaad moved that the recommendation of Mr. Brenner be approved. Commissioner Ossenberg seconded the motion. So ordered.

Mr. Brenner said that this item will have to go on the Council's agenda so they can get the money before he can award a bid.

Commissioner Willner then moved that Mr. Brenner draw up the specifications and ad and that the bids be advertised for. Commissioner Schaad seconded the motion. So ordered.

Commissioner Schaad asked if the trees could be sawed up into firewood lengths so that the people can come and get it.

Mr. Brenner said they could but that it is hard to get to it and they would have to pass through at least a mile of Mr. Ryals property to get back there, but some of it would be marked for fire wood, also that it is quite a mess back there due to the flood waters.

RE: ST. GEORGE AND OAK HILL ROAD

Mr. Brenner said that the last time he was here, they discussed St. George and

Oak Hill Road as the turn lane and that they have the engineering done on it, also that he went out there when we had the rains and it floods severely in that area so they are enlarging the drain across Oak Hill Road, that they are going from a 30-inch drain to a 48-inch drain on the one side, that the other side is adequate, also that they have to buy a little right of way and he has to apply for it now.
He said, as the Commissioners know, there is quite a lot of money in the bridge funds and he has inspected the City's bridges on Maryland St., First Avenue, Ohio St., Columbia and Franklin St. and that they all need repairs, not just surface, that he is talking about underneath and after seeing the bridge on Ohio St. across Franklin St. they have posted an 18-ton load limit and a 20 mile per hour speed limit on the bridge, since it isn't just the floor, that it is the floor beams and the stringers are completely rusted through.

Commissioner Willner asked what the condition was on Franklin Street.

Mr. Brenner said they quit before they finished the job last time, that they did both sides and the angles were welded on where the beams had been eaten through but the center was never finished so they still have the defective beams in the center of the bridge.

Commissioner Schaad said maybe this is the reason it cost a lot less than the original estimate and they had money left.

Mr. Brenner said this is exactly the opposite to what the bridge inspector told him, that he said they quit because they had exceeded the amount of money that was allowed, which didn't really make sense, since if they were going to fix the bridge they should have finished it and it just has to be done.
He said that the Maryland Street bridge has problems underneath it too, and the bridge on First Avenue and Maryland Street should both have the surface taken off and they should start on them again.
He said that the Columbia Street bridge is similar to the one on Franklin Street and for these five bridges, he would like permission to make a request to the Council at their next meeting for funds and he said that it would cost a lot and will be quite expensive.

Commissioner Willner said it sounds like all their problems concern money this morning.

Mr. Brenner said the reason he has thrown in the five bridges with St. George and Oak Hill Road is because the Commissioners still wish to go with the bridge funds on it and he asked if this was correct.

Commissioner Ossenberg said he would rather because there is more bridge fund money than there is Road & Street money.
He said there are six items they need to go in front of the Council for, also that he has the R & S application for Meier Road and St. Joe and he already has that from them, so it will be the five bridges and the culvert.

Commissioner Schaad moved that Mr. Brenner be permitted to go before Council to request the money for these projects. Commissioner Willner seconded the motion. So ordered.

RE: STREET SURVEY REPORT....TWICKINGHAM & ST. GEORGE

Mr. Brenner said, in the street survey, they picked up another item which is Twickingham and St. George Road, that it is falling through, that they put the grate in there and when he first went out there, he couldn't figure out what it was for, that there is a stream that runs under the road and when the rain appeared, it became readily apparent as to what it was for.
He said he looked at the gradings and they can temporarily repair them by putting an angle on the gradings and make them stand up and it will eliminate a 3-inch drop.
He said that nothing they do here is really going to do any good, but that it will hold up for a period of time.
He asked if the County garage could do this work if they draw up the plans.

Mr. Siebeking said they already have something drawn up on this and they plan to take care of it.

RE: REPORT ON BOEHNE CAMP

Mr. Brenner said, in regard to Beohne Camp, that they researched the deeds and found that in 1971, the Commissioners and the adjoining property owner, Elmer Bruck,

agreed that a certain portion of land between the two of them would be used for a bird sanctuary and he found the reason for this,,in that Mr. Bruck's deed does not cover the land and the County's deeds do not cover it either, so they are going to survey it and flag it so they know precisely where they stand, also if they are going to sell it or keep it, they should stop dumping the trash out there, that it is being filled with tree limbs, culverts, fill dirt, heaters and everything else, that he thinks the county is doing it. He said this is a beautiful area and we shouldn't be doing it.

Commissioner Willner moved that Mr. Judd be requested to put up "No Dumping" signs on the lake side of Boehne Camp Road, between the lake and the first residence, past the old ambulance road. Commissioner Schaad seconded the motion. So ordered.

RE: LOAD LIMITS ON BRIDGES

Mr. Brenner said the load limit will be 18 tons on the Ohio Street bridge, that he wrote Mr. Judd a letter immediately after looking at it and Mr. Judd said that the signs should be posted by now.

Mr. Brenner said they are going to post the Heckel Road bridge across Bluegrass Creek also, at a 10-ton load limit or less, that he hasn't made a final decision on it and they are now working on it.

RE: NO "THRU TRAFFIC" SIGNS TO BE POSTED

Mr. Brenner said the truck traffic on New Harmony was a new one on him, that after they worked this out with the State Police and the Sheriff, they should post Boonville-New Harmony, that there is no other way to do it and with the agreement they have with them, they will not affect any local traffic.

Commissioner Ossenberg said they are now going the other way and the trucks are tearing up Darmstadt Road.

Mr. Brenner recommended that they post both these roads for "No Thru Traffic."

Commissioner Schaad asked if Outer St. Joe and Mesker Park were mentioned, it not, they should be considered next.

Commissioner Willner said they were using Meier Road but he thought they have stopped using it now.

Mr. Brenner said that there will be no thru traffic on Green River Road, Oak Hill Road, Boonville-New Harmony Road, Old State Road and Darmstadt Road, that they be off-limits to heavy coal trucks and semi-trailers.
He said that the Sheriff and the State Police have agreed that our signs will be adequate the way they are.

RE: CLARIFICATION OF AMENDMENT

Commissioner Ossenberg had submitted an amendment to County Attorney Smith earlier in the meeting when they discussed load limits on Oak Hill Road and Green River Road and he clarified it by saying that there was a notation that Ms. Smith had sent Rudolph amendments to the Master Traffic Control which is what he probably had reference to, but this can only apply to right of ways and speed limits.

RE: "NO THRU TRAFFIC" SIGNS POSTED....CON'T.

Mr. Siebeking said if they are going to sit around and try to decide which roads to post, they may as well post every road in Vanderburgh County, that Old Henderson Road gets more abuse than any of them right now and he hasn't heard it mentioned.

Mr. Brenner said he hasn't had any complaints on it.

Mr. Siebeking said he is complaining, that when the coal comes in, more coal trucks are going up and down Old Henderson Road than on any road in Vanderburgh County right now, that they are coming from the rock yard and they are going to the power plant.

Mr. Brenner said if they have a destination, they can't be kept off of it.

Mr. Siebeking asked if they were then going to keep these trucks off a few roads and let them tear up the others and then concentrate on the ones that they really tear up.

County Attorney Smith said he wasn't so sure that they can't keep these trucks off these roads.

Commissioner Willner asked if they then don't have to give them an alternate route.

County Attorney Smith said he wasn't so sure, if they are referring to those 39 ordinances that we are acting under now.

Mr. Brenner said they would then be putting these companies out of business .

County Attorney Smith said he wondered if they couldn't approach it from the weight standpoint.

Mr. Siebeking said they could also list River Road here too which would include all those trucks that go over to Bruce's loading dock.

Commissioner Ossenberg asked if they then didn't have to provide an alternate route.

Mr. Brenner said this is correct, that they have to provide a way for them to get out. He said he didn't believe they could put the man out of business so what will they do.

County Attorney Smith said that the Commissioners and the County Surveyor have the authority to control the roads under their jurisdiction and he finds nothing in there about an alternate route and he asked Commissioner Willner what he was referring to.

Commissioner Willner said he was referring to the statute.

Mr. Siebeking said that if the trucks are given an alternate route, they will tear it up worse than they are tearing up Old Henderson Road, so he asked that Old Henderson Road then be placed on the top road priority to be resurfaced.

RE: REQUEST TO ATTEND ROAD SCHOOL

Mr. Brenner said he would like to send two people to the Road School that will be held on March 8th, 9th, and 10th, that he would like to send Mr. Louis Stephen and Mr. Dan Hartman.

Commissioner Schaad moved that permission be granted for these two men to attend the Road School as requested. Commissioner Willner seconded the motion. So ordered.

RE: POOR RELIEF

Ruth E. Weir....811 E. Powell Ave....Pigeon Township...Bob Olsen, Deputy Trustee

The notice of poor relief action that was submitted by the Trustee stated that Ms. Weir requested food stamps and has been denied because of her failure to comply with filing for A.D.C., that her son has an income and lives at home, also that if compliance is met, relief will be available.

Ms. Weir said that she came down about a week and a half ago to apply for food stamps, that she and her son were just getting over the flu, that neither of them are working, so she went to the food stamp office since she is eligible for them and they refused to give her $4.00 to buy food stamps, that this is all she wanted so she could get over the flu and then could get a job, that this is all she asked for and she was until 1:30 p.m. going back and forth from one office to another and they wouldn't turn the paper loose so she could have this hearing, that she received it in the mail.
She said this isn't the first time she has been done this way, that she has arthritis of the spine and at one time, she couldn't walk and was half carried down here to ask for a medical order and she was refused but an intoxicated man came in and asked for a relief order for a pair of shoes for his baby and they couldn't get rid of him so he gave him the order.
She said she finally got the order and then she got three jobs and came down and told them she had these jobs and that she didn't want another thing from them.
She said that she is an alcoholic and a mother of four, two girls away from home and two boys at home, that she has been on welfare four times and she knows what it is to get out and work but all she asked for was $4.00 for some food stamps, that she wants to work and she doesn't want to sit around and feel sorry for herself.
She told how a person becomes an alcoholic, that one heads for a tavern if they are lonesome and bored and they are better off working. She said that she went through Boehne Camp and she is proud that she did and that she goes to the conventions and to the meetings but all she wanted was some food so St. Vincent DePaul bought her food stamps for the first half of March and she wondered who was going to buy them for the last half of March in case she doesn't have a job, that she does have some

promises and she is going to work, that she doesn't want on welfare and she will not take it. She also said she has tried to call the President and she has written him a letter and she will take it to the fullest because she won't be made to go on welfare.
She said that her boys were at Hillcrest for three years and she had to maintain a job, a home, stay sober, that she is dry and sober but sobriety, she doesn't have, that as long as she has these resentments, she cannot get this sobriety, which she is trying for every day, to get, one day at a time.
She said that a mother and father is supposed to take of their children and raise them and she isn't asking for the impossible and she wouldn't be here if she had a job, that she doesn't want this help but she needs it, that she had to move because her house was being torn down, that she now has a nice home that she is proud of and she takes care of it and she hopes and prays that she can still stay there, that it is a little more money than she had been paying but she is going to get a job so she can work and if it must be two or three jobs, she will do that, that she has been awake at times for three days and nights working and she isn't ashamed to ask for help and her oldest son wouldn't be living today if it hadn't been for welfare, that he had five major surgeries and she is grateful to them.
She said that she talked to Mr. Work and he said that she wouldn't have to go on welfare to obtain food stamps which is all she wants.

Commissioner Willner asked Ms. Weir if she is renting her home and she said that she is renting it and after being asked about the ages of her boys, she said that they are of the ages of 20 years and 16 years old, that the 16 year old has been unable to find a job and the 20 year old has had work but due to his illness and respiratory problems, he lost his job and she did too, also that the 16 year old dropped out of school.
Commissioner Willner asked where they had worked and she said that her boy worked at United Tire and she worked at the Holiday Homes, that she was trying to be a nurse's aid but due to the mental breakdown of alcohol, she could not learn and do her job as fast as the other workers could so they had to terminate her, that she is a cook, has a bartenders license, went to the Area Industrial Institute, she can sew and has been a waitress.

Commissioner Willner asked Ms. Weir what she is paying for rent and she said that her rent is $125.00 per month, that her landlord is paying for her water until she can get a job and the electric bill hasn't come in yet.
She said her ex-husband lives in Illinois, has remarried and has a family of five, that he doesn't come to see his boys, doesn't support them and doesn't care about them.

Mr. Olsen said that when a person is eligible for a particular program, they are sent to apply for that program and then assist them subsequently so he didn't know what the conversation was between Ms. Weir and her caseworker, since the caseworker is ill. He said according to their standards, that the Trustee must relieve the immediate and pressing suffering, also that any program that anyone is eligible for, the Trustee must send them. He said if Ms. Weir had a purchase order form from the food stamp plan on a bi-monthly basis, which she has had before, they would be honoring the first half of the month, thereby complying with the law in relieving the immediate pressing and suffering but the second half, there being a two-week interval which would give her time to seek alleviation from a replacement program, they would not be doing, so it appears to him in this situation that they will all be coming back to where they are now before they are through because anything that is not immediate and pressing, again, Ms. Weir would be referred to the Department of Public Welfare because that section of the Burns Indiana Statute says he shall.

Commissioner Ossenberg asked Mr. Olsen if he was talking about her failure to filing with A.D.C.

Mr. Olsen said this is correct but that they will take out the word, February, and speak of March because Ms. Weir is saying that St. Vincent DePaul made the contributio and if Ms. Weir had an authority to purchase card in her possession and if for the last half of March, if Ms. Weir is unemployed at that time, they would then be in a position to buy, since she said that she does have her card and that St. Vincent DePaul bought the food stamps for the first two weeks in March but assistance in April would then come under a long-term catagory, if they are going by what's laid out for them. He said that he didn't understand that she had already purchased food stamps by virtue of St. Vincent DePaul for the first half of March.

Commissioner Schaad asked Ms. Weir if he is correct with the facts, in that she is eligible for A.D.C. but isn't on it because she doesn't want it.

Ms. Weir said this is correct.

Commissioner Willner said that his interpretation of the law is that the Township Trustee is there for a temporary period of time and the Welfare is a lasting thing on a permanent situation, so in his mind he must now decide which one this case falls under.

Mr. Olsen then submitted Ms. Weir's record which goes back to May of 1969 and he said that the only thing Mr. Morrison is stating in this case is that his view and belief is that he has constrained to follow the Burns Indiana Statute of the situation which tells him what he must do.

Commissioner Willner asked Ms. Weir if she had ever been on A.D.C.

Ms. Weir said that she had been on A.D.C. four different times.

Commissioner Willner then asked Ms. Weir, if in her mind, she thought a temporary situation would alleviate her problems and she said that it would, that Mr. Vessel from Vessel's Trim Shop asked her to put an application in, that she also put in an application at Great Scot and that she also went out to the Protestant Home, that she wants to work.

Commissioner Willner then asked what seemed to be the big problem between A.D.C. and the Township Trustee poor relief, in her mind.

Ms. Weir said she has been on welfare, that she wants to get out and work and bring a paycheck home, that people just don't realize how good that feels until they have to take welfare, that she doesn't have anything against either of them but all she is asking for is temporary help.

After further discussion, Commissioner Schaad said he understands what Ms. Weir is talking about, that in her mind, she feels that A.D.C. is a crutch and she has had a problem with alcoholism and she feels that if she was getting A.D.C. every week, it would be a tendency for her not to work and have too much free time, so if she can just get some temporary relief through the Trustee's office; then she knows she will have to work and stay busy.

Ms. Weir said that she drank when she was on welfare and if she gets A.D.C. it will always be there and she will lean back on it, so she just wants some temporary help until she gets a job, also that she and her son have saved enough money to pay one month's rent.

Mr. Olsen said he personally, can see Ms. Weir's point also but that still leaves them, remaining, the problem of what the law directs to the Trustee and under the ruling of immediate and pressing suffering, that the Trustee would buy the second half of food stamps for March, but as Mr. Morrison construes the law is, that after they have been assisted, one time, in emergency matter, it is a one-shot operation and after that, if they are eligible, they must apply for a replacement program.

Commissioner Schaad said that this is what Ms. Weir is saying, that she just wants immediate help and then she plans to work but if she is back again and again, then she might as well go for A.D.C. but he asked that the Trustee just give her just this one thing.

Mr. Olsen said they are both saying the same thing so they find themselves, strangely, in agreement, but they can't issue a purchase order today for the second half of march, that it would have to be on March 15th that she apply.
Commissioner Schaad told Ms. Weir if she finds that she needs help on her food stamps for the second half of March, she should go to the Trustee and hopefully she will then get a job and not come back since she doesn't want to come back but if she finds that she will need more help month after month, the thing to do would be for her to go back on A.D.C. at that time. The Commissioners agreed that Ms. Weir deserves a chance.
Commissioner Schaad moved that Ms. Weir go back to the Trustee to apply for food stamps for the last half of March if she needs to. Commissioner Willner seconded the motion.
So ordered.
The meeting recessed at 11:30 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg	Curt John	Ed Smith Jr.
Bob Schaad		Paul Wendel
Robert L. Willner		

Secretary: Margie Meeks

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

COUNTY COMMISSIONERS MEETING
MARCH 14, 1977

The meeting of the County Commissioners was held on Monday, March 14, 1977, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: MEMO TO BE SUBMITTED TO ALL OFFICEHOLDERS

Commissioner Ossenberg said he is submitting the following Memo, dated 3/14/77, to all departments and office holders:

Effective today, all items for consideration at the Monday morning Commissioners meeting, should be in the Commissioners office by 5:00 p.m. the preceding Thursday.
This will allow time to get the agenda prepared and distributed by Friday afternoon.
The purpose of this action is to allow better communication between the Commissioners and other governmental units, both in and out of the Civic Center.

Commissioner Ossenberg said that he had a meeting last week, with some City officeholders as well as some township officeholders and they are going to provide the Commissioners with their agenda's and they think there will be better communication between all units of government so therefore, the Commissioners agenda will be distributed through the Civic Center on Friday's and likewise, the City Council's agenda will be distributed to the County officeholders also on Friday's and those people outside, such as the Trustee's, will be mailed the agenda.

Commissioner Schaad moved that President Ossenberg sign the memo. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

Kenneth Mitz	1204 S. Parker Dr.	Asst. Manager	$8,354.00 Yr.	Eff: 3/14/77
James Render	1909-C Plantation	Custodian	$7,148.00 Yr.	Eff: 3/14/77
John Vorhees	2166 Adams Ave.	Ground Crew	$ 3.00 Hr.	Eff: 3/14/77
Spencer Evans	1369 Chandler	Ground Crew	$ 3.00 Hr.	Eff: 3/14/77

CLERK OF THE CIRCUIT COURT

Kathy Stonestreet	206 E. Delaware	Deputy Clerk	$243.11 Pay	Eff: 3/12/77

RE: EMPLOYMENT CHANGES.....RELEASES

BURDETTE PARK

Kenneth Mitz	1204 S. Parker	Custodian	$7,148.00 Yr.	Eff: 3/14/77
James Render	1909-C Plantation	Security	$3.00 Hr.	Eff: 3/14/77

CLERK OF THE CIRCUIT COURT

Debra Schmitt	417 Read St.	Deputy Clerk	$243.11 Pay	Eff: 3/11/77

SUPERINTENDENT OF COUNTY BUILDINGS

Alvin H. Jones	2509 Mary St.	Carpenter	$8,891.00 Yr.	Eff: 2/28/77
James K. Shaffer	410 N. 9th. St.	Utility	$7,070.00 Yr.	Eff: 2/28/77

RE: MONTHLY REPORT

The Report of the Vanderburgh County Treasurer was submitted to the Commissioners for the month of February, 1977.
Report received and filed.

RE: APPOINTMENT TO THE ALCOHOLIC BEVERAGE COMMISSION

Commissioner Ossenberg explained that this appointment will be for the replacement of Foster Watson which expires 4/30/77.
He said that Mr. Watson desired not to be re-appointed and since the board is

set up as it is, it must be a bi-partisan board, that the state man is a democrat, the County Council appointment is a democrat, the Mayor's appointment is a republican so the County Commissioner's appointment must therefore be a republican.

Commissioner Schaad said that Mr. Watson came to see him and told him that he was sorry he could no longer be on the board but that he is retired and will be out of town quite often and will be unable to attend the meetings.

Commissioner Schaad then moved that Mr. John E. Rueger of 6030 First Avenue be appointed to the Alcoholic Beverage Commission in the place of Mr. Watson, for a one year term beginning May 1, 1977. Commissioner Ossenberg seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received from the American Employers' Insurance Company The Northern Assurance Company of America, on insured, Lamasco Transfer Co. Inc. for the removal of the copy machine from the Recorder's office.

County Attorney Wendel said that the copy machine has been removed and there was no damage done.
Certificate of Insurance received and filed.

RE: TRAVEL REQUEST.....SHERIFF DEGROOTE

The following request, dated 3/10/77, was submitted to the Commissioners from Sheriff James A. DeGroote:

We are requesting that this department send two (2) officers to a training session put on by Dektor Counterintelligence and Security, Inc. in Springfield, Virginia, starting April 18 and continuing through April 22, 1977.

This one week training session will explain how to operate an instrument known as a P.S.E., Psychological stress evaluater. This instrument is the new version for detecting deception by recording voice patterns.

This instrument will save this department many man hours in criminal investigation.

This is a joint effort between this department and the Evansville Police department, who is also sending two officers.

The total cost of sending two officers will be approximately $600.00, which will include travel, lodging and food. This department has sufficient funds in Account #200-231 to cover this training session.

Sheriff James A. DeGroote

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

RE: TRAVEL REQUEST.....COUNTY ASSESSOR

The following request was received by the Commissioners, from James Angermeier, the County Assessor:

Gentlemen:

This is a request for permission and approval for my attendance of an I.A.A.O. Seminar on the valuation of shopping centers, Monday, May 23 and Tuesday, May 24. This meeting is being held at the Pick-Congress Hotel at Chicago, Illinois, and being conducted by the International Association of Assessing Officers.

Registration fees for the session is $95.00. However, I am willing to drive, leaving on Sunday and staying at the hotel on Sunday, Monday and Tuesday nights and driving back on Wednesday.

The following is my request of the commissioners to approve:

1. Registration fee of $95.00
2. Mileage to and from Chicago.....301 miles x 2 = 602 miles @ .14¢ per mile = $84.28
3. 3 nights at hotel @ $19.00 per night = $57.00
4. Meals.....Lunch & Dinner.....Sunday
   Breakfast & Dinner.....Monday
   Breakfast, Lunch & Dinner.....Tuesday
   Breakfast & Lunch.....Wednesday

A receipt will be produced and returned to the commissioners for payment.

Yours truly, James L. Angermeier
Assessor, Vanderburgh County

Commissioner Schaad moved that the request of Mr. Angermeier be granted. Commissioner Willner seconded the motion. So ordered.

RE: LETTER TO BE SENT TO GOVERNOR BOWEN

The following letter was received by the Commissioners and was sent by the Administrative Assistant of the Warrick County Commissioners:

Dear Sirs:

Enclosed is a proposed letter which is being sent to the County Commissioners of Dubois, Gibson, Perry, Pike, Posey, Spencer, and Vanderburgh Counties for their review and approval of disapproval. The letter will be sent to the Governor after those County Commissioners which approve it have signed it.

If you agree with the letter and what it is trying to do, please sign the appropriate page and return the letter to me at the Warrick County Commissioners office in Boonville as soon as possible.

The Warrick County Commissioners have, of course, approved the letter and hope that the other counties in this area of Indiana will want to express their opinion and concern to the Governor on this matter.

If you need further information or have any questions, please contact me. My phone number if 897-4454.

Yours Truly, Kent E. Houston
Administrative Assistant,
Warrick County Commissioners

Commissioner Ossenberg explained that the Warrick County Commissioners originally instituted this on the snow removal and they asked that several counties join with them in asking for reconsideration.

The following is the proposed letter to be sent to Governor Bowen:

Dear Governor Bowen:

The Indiana Department of Civil Defense sent out its information Bulletin No. 3 on February 14, 1977. This Bulletin states that you authorized the use of the Civil Defense Contingency Fund to reimburse Indiana Counties for Contract Snow Removal. However, the Bulletin also states that reimbursement would only come for Contract Snow Removal on or after January 28, 1977.

In the area of Indiana that we (the undersigned) represent, the worst snow storms occurred before January 28. Please refer to the enclosed weather statistics. In fact, in some of our storms we received more snow fall than Central or Northern Indiana. We, therefore, feel that the storms that were experienced in our area previous to January 28 should be taken into account and that it would be good if you would consider altering the date for which counties may be reimbursed. As it is, some counties will receive no reimbursement whatsoever since they used their Contract Snow Removal Funds before January 28.

We thank you for hearing our appeal, and we hope something can be worked out.

Yours truly

Commissioner Schaad moved that the County Commissioners approval be given and that the Commissioners sign in appropriate place. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

A claim was submitted by the American United Life Insurance Co. for Life Insurance of Sheriff DeGroote which is under contract for the year of 1977, in the amount of $10,000.00.

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

RE: COMMENTS ON BLUE-BLUE SHIELD INSURANCE

Commissioner Schaad said that since they have had Blue Cross-Blue Shield, they have had coverage but in his opinion, and the opinion of quite a few other people, it is not adequate and they were going to see if various people in various departments wouldn't be interested in paying for a supplemental insurance which would give them full coverage and it would be deducted from their pay.
He said he thought this had been accomplished and in talking to the Blue Cross office, he found that they couldn't get the 80% in several offices that was required.
He said that since some of the offices are new now and there are different people, he thought it would be a good idea to try again since no one knows what they have in Insurance until them have a need for it and then they find that it is inadequate, so he thought it needed more publicity and they need to contact Blue Cross and see if they can't get these various departments together.

Auditor John said if they do this, he would like, if possible, to see if they could do this on an individual billing basis since they have enough trouble now, with people getting on a program, staying on it for a short period of time and then getting off because it is costing too much and they had one man that changed insurance six times in the course of a year and it really messes them up.

Commissioner Schaad said that what Mr. John is saying is well taken but, at the same time, he thought they should have a meeting with Mr. Stumpf of Blue Cross, the officerholders and department heads and see if they can't get it worked out because he knows of one case where they thought they were adequately covered, since it is a little vague as to what we have and that it is the same thing we had before as far as the coverage is concerned, so he thought that a lot of people would be willing to pay the additional amount for the additional coverage, that they should at least be given the opportunity.

Commissioner Ossenberg said he would also like to talk to Mr. Stumpf, because there has been some misrepresentation in the line of Insurance, since it has been brought to his attention, the fact that some people have Insurance coverage, whose spouses have coverage with Blue Cross-Blue Shield and also with BlueCross-Blue Shield within the County and they are accepting two premiums, but yet, they will only honor one policy, so consequently, he was told that a lot of people were misrepresented on that, since they were told if the County were to carry them, they would pick it up and have coverage on both policies, so he thought this needed to also be clarified.
The Commissioners agreed that Mr. Stumpf be contacted so they can all get together and maybe get this problem worked out.

RE: CLAIM

A claim was submitted by Hunnicutt & Associates, Inc. for the Knight Township Re-assessment, as per contract, for work completed February 1 thru February 28, 1977, 1/16 of Total Contract, less 10% holdback, in the amount of $12,093.75.

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

RE: AMENDMENT TO THE FOOD CONTRACT FOR PRISONERS

County Attorney Wendel submitted an amendment to the Contract between the Commissioners and Szabo Food Service, Inc., which concerns the provision of food services for the Vanderburgh County Jail.
He explained that the amendment establishes the feeding of the jailers and includes provisions whereby there will be separate invoices so that the food for the prisoners and the food for the jailers will be paid for from separate funds.

Commissioner Ossenberg said that the Council approved some Revenue Sharing money to pay for the jailers meals.

Commissioner Schaad moved that this amendment to the Contract be approved. Commissioner Willner seconded the motion. So ordered.

RE: PICTURES FOUND AT PLEASANTVIEW

Mr. Hotz submitted three framed pictures he had found at the Pleasantview Rest Home of the old Court House, since he thought someone would be interested in them.

The Commissioners agreed that the pictures should be given to the Conrad Baker Foundation.

RE: STORAGE UNITS TO BE MOVED

Mr. Hotz said he has two storage units at Pleasantview, that one is to go to the Auditor's office and the other one will be going to the Area Plan Commission. He said they aren't real big but they are good storage units and they are too long to go on the service elevator so they will have to be moved up the stairs and that they will need four more men to help his men to carry them, so he wondered if he could use some of the men from the Surveyor's office.

Commissioner Ossenberg said it is okay with him if it is okay with the Surveyor's office.

Mr. Brenner said he would be glad to furnish the men if they move the cabinets early in the morning.

Commissioner Schaad asked that Mr. Hotz make arrangements for the next morning so Mr. Brenner will know ahead of time.

RE: BOEHNE PROPERTY

Mr. Hotz said that the deputy sheriff that has been living in the old nurses home at Boehne has moved out so if anyone is interested in it, they can go inside and look around.

Commissioner Schaad said this happened very recently, that he was talking to Sheriff DeGroote and Mr. Lawson had called and told him the deputy was moving out and he told the Sheriff that for the present time, he didn't think they would put anyone back in the house, that they would just leave it empty for now and the Sheriff said he would get the keys for them.
He said he thought they would leave the house vacant until they know more as to what is going to happen out there.

Mr. Brenner said they are surveying the Boehne property, that they have been out there for ten days and will probably be out there another week, that if this had been a private survey, it would have cost between $2,000 and $3,000.

Commissioner Ossenberg said the special meeting has been set up for this Wednesday night.

Mr. Brenner said they won't make it by then, the problem is that they need to come up with an accurate acreage which is the only way they can appraise the property.

Commissioner Ossenberg asked Ms. Juras if she could find out if the County Council could meet with the Commissioners on March 23rd rather than on March 16th.

Commissioner Willner said they will need the appraisal before they sell it but just to meet would be okay, also that he heard that Mr. Angermeier has the appraisal on it pretty well finished.

Commissioner Ossenberg said they will then go ahead and have the meeting this Wednesday as scheduled.

RE: ROOF AT HILLCREST-WASHINGTON HOME

Mr. Hotz said that they have an emergency at the Hillcrest-Washington Home that was previously discussed and that is the roof out there.
He said that the last rain they had, they couldn't find enough containers to catch the water, that he has secured three informal bids which are as follows:

Vincennes Roofing Co.....$1,743.00
Evansville Industrial Roofing Co.....$1,936.00
Midwest Roofing Co.....$1,505.00

Commissioner Schaad asked what type roof it was and if Midwest could get on it right away.

Mr. Hotz said it is a built-up roof and that Midwest can get on it right away.

The Commissioners agreed they should take the lowest bid.

Commissioner Schaad moved that the contract be awarded to Midwest Roofing Co.

Mr. Hotz said a new roof should have been put on there the last time but it wasn't, that this is where their trouble has been for the last two years, since all the water comes into that area.

Commissioner Willner said that Mr. Hotz said this should have been done the last time and he asked if it wasn't included in the contract the last time.

Mr. Hotz said that U.S. Sheet Metal Put that roofing on about six years ago, that the specifications were drawn up by Ed Roehm who was the engineer at that time and for some reason or other, he neglected this particular area and they have had a lot of trouble with it.

Commissioner Willner asked Mr. Hotz if he would stay out there to see that they do a good job and also, if he had the money for the project in his account.

Mr. Hotz said he would see that they do a good job and that he has the money in his account to do the work.

Commissioner Willner then seconded the motion in awarding the contract to Midwest Construction Co. at the cost of $1,505.00. So ordered.

RE: QUESTION ON MOVING SURPLUS ITEMS TO BURDETTE PARK

Mr. Hotz said that the State Board of Accounts representative is coming out this morning to check the inventory on the items at Pleasantview that Burdette Park wants, that there are a lot of items and a couple of them are very large, a refrigerator and a piano and he didn't know if they would be able to move them or not, that Pleasantview has a small pick-up truck, that he has a small pick-up and a van and Burdette Park has a dump bed truck and a flat bed truck and it will take a lot of trips if they attempt to use the small trucks plus the gas and the time and he wondered if maybe they would be better off getting a moving van and take one load, especially with the large items and he wondered by doing this, if they wouldn't come out better off in the long run.

Commissioner Schaad said if the men are urgently needed somewhere else, this may be a good idea but if not, they may as well be doing this as what they are doing.

Commissioner Ossenberg said that Burdette should have the manpower.

After further discussion, the Commissioners decided that the County workers try to handle it themselves, and they told Mr. Hotz if they find that they can't, he should let the Commissioners know.

RE: ABSENTEE REPORT

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

RE: GUARD RAIL ON KERN ROAD

Commissioner Schaad said that Ed Walker told him that when that guard rail was put up on Kern Road, it was really longer than he needs, since it is interferring with where he wants to put a drive and he asked Mr. Siebeking if he could go out there and Mr. Siebeking said he could, so Commissioner Schaad then called Mr. Walker and said that he would be waiting out there for Mr. Siebeking at 11:30 this morning.

RE: PROBLEM ON DIXIE FLYER DRIVE

Mr. Siebeking asked whose responsibility it is to clear the right of way on Dixie Flyer Drive, if it is the City's or the County's responsibility, since there are some trees that should come down since they are hanging out over the road.

Commissioner Ossenberg said that was a trade-off with the City, that the City did the work on the street and the County did the work along the roads by putting in that big culvert out there. He asked if this is on the right of way on the side of the County or the City.

Mr. Siebeking said it would be on the river side, so it was decided that where these trees should come down is on the City's side.

Mr. Siebeking said there is a large tree there that is hanging right out in the road and two of his friends have already hit it with the side of their trucks, so it is going to have to come down.

Commissioner Ossenberg asked Mr. Siebeking to get with Mr. Greubel on it.

RE: ROESNER ROAD BRIDGE

Mr. Siebeking said they have an emergency on Roesner Road, off Hogue Road, that a bridge abutment washed out Friday night so they went out and put two large pieces of steel over it so that the people can drive over it.
He said there is approximately eighteen families that live on the back side of this bridge and this is the only way out and he wondered if it could be checked out. He said they had some problems out there about two years ago when they started drilling for oil and a friend of his called him and told him that a drilling rig was pulling in there so he ran out there but by the time he got there, the guy had already gone across it and luckily the bridge didn't go down but it didn't do it any good, so he told the man that he was in there and he didn't know if he was going to get the rig out or not but now they are producing wells back there and they also have tanks back there, so the Oil Companies are constantly using it and he told them that the bridge wasn't designed to hold up any kind of equipment like that, but the bridge is bad and they do have steel plates laying over it and he wanted to tell the Commissioners and as soon as they decide what they want to do, he will take care of it.

This matter was referred to Mr. Brenner so he can take a look at it to see what needs to be done.

RE: AUTHORIZED TO ADVERTISE....REPAIR OF BRIDGES

Mr. Brenner said they did finish as estimate of the cost for the work over the Pigeon Creek Bridges, the five bridges they discussed last week.
He said they are going to come up with about $370,000 to fix all five bridges which are the ones located on Maryland St. at $110,000, on Ohio Street at $65,000, on First Avenue at $48,000, on Franklin Street at $22,000, on Columbia Street at $38,000 and they added a 30% to all of them because they don't know what they will get into.
He said he will have to go before the Council to request the money.

Commissioner Schaad moved that Mr. Brenner go before Council and that he be authorized to advertise for bids. Commissioner Willner seconded the motion. So ordered.

RE: MEIER ROAD & ST. JOE

Mr. Brenner said they did complete the survey on Meier and St. Joe and they will proceed with the engineering, also that they will go to the Council on this.

Commissioner Schaad asked where the money will come from for this project and Mr. Brenner said it will come from Road and Street funds in the amount of $30,000 and $70,000 in federal money, which he has already applied for.

RE: CULVERTS ON BOONVILLE-NEW HARMONY ROAD

Mr. Brenner said there are two culverts on Boonville-New Harmony Road, just off 57, that they have federal funding for it which expires on June 30th, that they are starting it and will finish it forthwithly.

RE: HIALEAH DRIVE

Mr. Brenner said that on February 22nd. the Commissioners had asked if they could vacate a portion of Hialeah Drive and they concur, that they have no use for it.
He said they will come with a formal application for the vacation of this road and he recommends that the Commissioners vacate it.

RE: FUEL PROBLEM AT THE AUDITORIUM

Mr. Brenner said he went over to the Auditorium and read the gas meter again, that during the past week, they have incurred another $1,010.00 in penalties.
He said he talked to Mr. Dewes over there and they have a disagreement as to what he should do, that he told Mr. Dewes to shut the boilers off electrically but he believes it will take more fuel to bring the boiler back up to it's ten or twelve

pounds pressure when he needed it, so he is leaving the boiler on the system and the boiler runs about 30% of the time just to maintain the steam, so they will continue to accumulate a gas bill.

Commissioner Schaad asked Mr. Brenner, if in his opinion, they could shut it off.

Mr. Brenner said this is correct and he would recommend that it be turned off and if it is then turned on maybe three or four hours before a function, the steam will come up within a half-hour to an hour.
He said that Mr. Stephen went over to talk to Mr. Dewes but said that he would recommend they do it this way.

The Commissioners agreed that Ms. Smith call Mr. Dewes and advise him that Mr. Brenner is calling the shots, that this is what the Commissioners are saying.

Commissioner Ossenberg asked if the hot water is off.

Mr. Brenner said it is fed from the same steam boiler, that once they turn the boiler off, everything goes off except for the pilots on the two boilers, but if they have a function, they will have hot water immediately before and after, so if they have to clean the Auditorium, they can do it at that time.

RE: RODENBERG AVENUE BRIDGE DISCUSSED

Commissioner Ossenberg asked Mr. Brenner if they didn't agree to build that bridge on Rodenberg Avenue.

Mr. Brenner said they agreed to do it if they got the right of way, that he wasn't quite sure what to do with it.

Commissioner Ossenberg said he had a call from some lady out there that lives beyond the bridge and she just wanted them to let her know if and when they were going to do it so she could get out in advance and he told her that the Surveyor's office would so advise her.

Mr. Brenner said they have taken no steps to actively go buy the right of way.

Commissioner Ossenberg said he thought if the County goes in there to build a bridge, they are going to have to donate the property, that the County isn't going to buy any of it.

Mr. Brenner said they need to form some sort of an association, that it could be a big project for him to go and get the right of way.

Commissioner Schaad said he could get the name of the property owners out there and Commissioner Ossenberg said if Commissioner Schaad would do this, he would call them and tell them that the Commissioners will agree to build the bridge but they aren't going to buy the right of way.

RE: ST. GEORGE AND OAK HILL ROAD ...AUTHORIZED TO ADVERTISE FOR BIDS

Mr. Brenner said they have finished the engineering for St. George and Oak Hill Road and they would like to advertise for bids.
He said the cost is estimated at $25,000, that they plan to put in an extra lane, also that he went out there when we had the storm and there were approximately 30 homes where the yards and basements were flooded because of the problem out there and the flooding is from a culvert that goes across Oak Hill so they are going to tear out Oak Hill for the same price and as a side benefit, they are going to put a 48-foot culvert under Oak Hill and this will eliminate the flooding.
He said the plans are all done, that they are going to do this with bridge funds so he will have to get the Council's approval as he will have to do on all these projects.

Commissioner Schaad moved that Mr. Brenner appear before the Council and that he be authorized to prepare the specifications and advertise for bids. Commissioner Willner seconded the motion. So ordered.

RE: DISCUSSION OF SOLAR ENERGY

Commissioner Schaad said it may just be a rumor but it came to his attention that the federal government wants to get something done as far as using solar energy for heating, that he called Bob Bowman, since he understood that there were even H.U.D. funds available for installing solar systems for public buildings and he asked Mr. Brenner if he knew anything about it.

Mr. Brenner said they have been looking into it, that certain University's have funds available for public buildings and it is true that this would be a possible system.

Commissioner Schaad said they use more fuel in the summer time at the Auditorium to cool it than they use in the winter to heat it, so if they could use the solar system to cool it in the summer it would help the gas situation, especially if there are federal funds available for it.

Mr. Brenner said this is true if there is money available but that there is no way the County could come close to paying for a solar system

Commissioner Schaad said that if the federal government is maybe willing to finance it on an experimental basis or whatever, he thought it would behoove them to look into it, also that Bob Bowman said he would check into it and he understands it would be H.U.D. funded.

Commissioner Ossenberg said that it would be initiated through the Council of Governments.
He said if it is the procedure which is usually followed by H.U.D., that it would have to be initiated from this office and the entire Southwest Indiana-Kentucky Regional Council of Governments would have to voice their approval and then it would be on the Agenda and in front of a C.O.G. meeting and the necessary paper work would then go in to Chicago.

Mr. Brenner said he would follow up on the possibility of the solar system with Mr. Bowman.

RE: STATUS REPORT ON ORDINANCE

Mr. Mike Hinton said that last week, the Commissioners had requested a status report on an ordinance that the Evansville Urban Transportation Study staff was working on, that they have completed their proposal for that Truck Ordinance and he distributed copies of same to the Commissioners at this time.
The proposal reads as follows:

COMMERCIAL AND HEAVY VEHICLES-----FREIGHT LOADING OR UNLOADING

No person shall stop, stand or park any vehicle on any county road, except at established freight loading zones, for the purpose of loading or unloading merchandise or materials at a commercial or industrial establishment, Loading or unloading operations shall take place at established warehouses, terminals or freight loading zones.

Freight loading zones shall be established by the Vanderburgh County Commissioners after it has been determined, upon the basis of an engineering and traffic study, that the establishment of a freight loading zone will not reduce the safety of or hinder the efficiency of the traffic system.

THROUGH VEHICLE ROUTE RESTRICTIONS

No person shall drive or operate any vehicle used for the transportation of goods or property whose total gross weight with load is greater than 18,000 pounds or, if a tractor trailer combination, the length of the trailer is greater than 35 feet, except on designated truck routes.

Such vehicles may leave the designated truck routes if the vehicle is traveling to or from a local destination and if the vehicle follows the shortest route to and from the designated truck route.

The highways or portions of highways listed below are the designated county truck routes. These routes will be signed to designate the routes.

(1) Highway 41 - from the Gibson County line to the Evansville city limits
(2) Highway 57 - from the Gibson County line to US Highway 41
(3) Highway 460, 66 - from the Posey county line to the Evansville city limits.
(4) Highway 62 - from the Posey county line to the Evansville city limits.
(5) Highway 460, 62 - from the Evansville city limits to the Warrick Co. line.
(6) Highway 66 - from the Evansville city limits to the Warrick County line.
(7) Highway 65 - from the Posey county line to Highway 460, 66.

County officials are authorized to prohibit the operation of trucks or other commercial vehicles, or may impose limitations as to the weight, size or classification of vehicles that are allowed to use highways under the jurisdiction of

the local officials. (see Burns 9-4-1-125) The Vanderburgh County Commissioners will restrict the right to use highways after, through an engineering and traffic study, it has been determined that trucks or commercial vehicles reduce the safety of the highway or have caused or will cause the deterioration of the Highway.

Trucks of a certain size, weight or use are restricted from using the highways or portions of highways listed below. The highways listed below will be signed according to the limitations set by the Vanderburgh County Commissioners.

(1) Mesker Park Drive - from Highway 460, 66 to the Evansville city limits.
(2) Oak Hill Road - from Highway 57 to the Evansville city limits.
(3) Old State Road - from Highway 41 to the Evansville city limits.
(4) Darmstadt Road - from Princeton Road to the Evansville city limits.
(5) Princeton Road - from the Gibson county line to Darmstadt Road.
(6) Boonville New Harmony Road - from Gibson county line to Warrick Co. line.
(7) Green River Road - from Petersburgh Road to Evansville city limits.

OBLIGATION TO USE TRUCK ROUTES; PENALTY

Mr. Hinton then explained the map he had presented and showed the lines that designated the routes that restricts the trucks moving on them which are red and that the green lines designates the routes that are available for truck movement.
He said he would like to submit this Ordinance to the Commissioners as their proposal and to let County Attorney Smith work it out in proper Ordinance form so it can be brought back and hopefully, passed by the Commissioners.

Mr. Lochmueller said there is one question which is on the signing of the through truck routes, that he wondered who would be paying for that, since the signs are on the state routes and he asked if the County shouldn't request this of the state if the Commissioners approve the Ordinance.

Commissioner said they should if this is the way to go.

Mr. Lochmueller said the state might refuse and the County may have to pay for it.

Commissioner Ossenberg said we may have to but at least we would have made the request.

RE: PROJECTS THAT MAKE UP COUNTY ANNUAL ELEMENT

Mr. Hinton submitted the projects which make up the Vanderburgh County annual element for 1978 and he explained that these are projects on which they will be using federal monies of one form or another.
He said they have been submitted since they had a March 1st deadline so they did get a signature to do this but he would now like to ask for the County Commissioner's authorization to actually pursue those projects during the fiscal year of 1978.
He submitted copies of the projects that were submitted. They are as follows:

St. Joseph Avenue which is between Diamond Avenue and Mill Road...the need for construction in the 1978 stage at the cost of $1,335,600.00 federal money, matched with $572,400.00 of Vanderburgh County funds.

Vanderburgh County striping program...At this time, this program has been programmed once and there is $24,116.00 awaiting Vanderburgh County to complete engineering for the striping and be prepared to use that money in that striping.

Lynch Road which begins at U.S. 41 and continues east to Oak Hill Road...the need for construction in the 1978 stage at the cost of $1,709,000.00 with $1,196,300.00 to be federal funds.

St. Joseph Avenue and Meier Road intersection....Construction for widening and grading.
Mr. Hinton said this project has been submitted with the Commissioners agreement to pursue it in 1978 and it would be using F.A.S. allotment to Vanderburgh County, that the estimated cost of this project is $103,450.00 of which $72,415.00 would be federal monies.

Boonville-New Harmony Road ....Project begins just west of S.R.57 and continues West to near Petersburgh Road, N.E. of Evansville.
Mr. Hinton said that this involves two culverts and the reworking of them, that this project is also in for a F.A.S. money request and is estimated to cost $58,429.00 of which $40,900.00 is federal funds.

Railroad project at Boonville-New Harmony Road...Construction: Automatic gates and signals. The total cost estimated to be $35,000 with federal share being $31,500. Mr. Hinton said this one of the railroad projects and is at Boonville-New Harmony Road at Illinois Central Gulf Railroad crossing, just west of St. Joe Avenue, that they were talking about construction here and at a previous programing period they got engineering money and the engineering is being done by the Railroad and they expect to get to the construction on this project in 1978.

Hogue Road.....All preliminary engineering activities
Mr. Hinton said there is also a request in for Railroad money on this project at Hogue Road and the L & N Railroad crossing just west of Upper Mt. Vernon Road at the intersection, that this is to be performed by the Railroad Co. and subsequently they would be requesting the money for constructing the signals and the gates at that location. The cost for engineering to be $3,000 with the federal share being $2,700.

Baseline Road....All preliminary engineering activities at L & N Railroad crossing just West of U.S. 41.
Mr. Hinton said this is for preliminary engineering activities, to be programed in the subsequent year for construction funds, the cost of the engineering to be $3,000 with the federal share being $2,700.

He said what he would be requesting at this time is the authorization from the Commissioners to allow them to pursue these as the Vanderburgh County's share of the annual element for 1978 and then to allow them to approach the County Council for the appropriation of the necessary local match on these projects.

Commissioner Schaad asked if he understood correctly, in that the ones that has to do with the Railroad crossings, that the Railroad Company does the engineering.

Mr. Hinton said this is correct, that they did it on the Boonville-New Harmony.

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

Mr. Hinton said they recently talked to the Indiana State Highway Commission concerning some of the projects they have, which although they are good projects, they are not of great magnitude as far as construction is concerned, specifically those projects are the Boonville-New Harmony Road, where they are doing some work with the two culverts that are there and the St. Joe & Meier Road intersection.
He said what they are wondering about is how much detail they need to go into with environmental clearance and things of this sort, that after talking to the State Highway Commission, they found that there are only minor restrictions or requirements and they need to hold an early co-ordination meeting with them and probably the only thing that needs to be done is for the early co-ordination letters to be sent out which is the first step in preparing a full environmental impact statement and then, with only very minor amounts of text so they can get an environmental clearance on these so they are requesting a meeting with the Indiana State Highway Commission very shortly to have this early co-ordination meeting and go ahead and get the clearance on these two jobs, that way, if engineering is now proceeding, those projects should be ready to go as soon as the money becomes available.

In discussing the Boonville-New Harmony project, Mr. Brenner said he did find the plans that had been done before, but he didn't know who did them or when they were done, since they were undated and he did hear the story about the man telling them to go to hell on the right of way so they have to condemn the property to get the right of way to do this work.

Commissioner Willner said they may have a change of heart by now.

Mr. Hinton said this is the first time he has heard of these plans and Mr. Brenner said he only heard about them this morning.
He also said the money has been approved for these two culverts but it can't be in Vanderburgh County until they do the work and request reimbursement.

Commissioner Willner asked if they can't then have him bring these plans up to date and go ahead with the project.

Mr. Lochmueller said this is correct and they will be going to Indianapolis with the co-ordination on this project this month.

Mr. Brenner said he wanted the Commissioners to tell him they are prepared to condemn the land to do this project.

Commissioner Willner then said that since the time it was turned down, one of the neighbor boys got hurt very severely and a state police car hit it and he would judge that since that time, there has been ten accidents there, all severe with personal bodily injury and he has a feeling that this gentleman has changed his mind about his land, that he isn't positive but thought it to be worth looking into again.

Mr. Lochmueller said they wouldn't want to acquire any of this right of way until they have submitted the engineering plans and the environmental statement, but as soon as they have been submitted and approved, then they can do what they have to on it.

Mr. Hinton also said that the striping money of $14,116.00 is 100% money with no local match, that it is a demonstration project that the federal highway administration is taking on and we have been designated as one of the areas where that demonstration project could be done.
He said we need to get the striping engineering completed before July 1, which is the end of that program period and if they do that then, they will be ready to go ahead and do the striping on the Vanderburgh County roads, that the engineering required certain specifications again and certain requirements, so they have gone and gotten from the Indiana State Highway Commission, the requirements and instructions to be used in doing striping engineering and he will give this to Mr. Brenner and let him do that work.

Commissioner Willner asked Mr. Hinton what engineering they needed on striping.

Mr. Hinton said there are engineering studies that have to be done, primarily on County roads where Passing or No Passing Zones should be, striping specifications on whether they have side markings or not and things such as that.

Commissioner Willner said they have problems now, that there is no use striping the roads that have gone back to gravel.

Mr. Lochmueller said that by the time the engineering is completed and by the time they get approval from the state, they are talking about striping in the fall and he would hope the roads would be resurfaced by then.

Commissioner Willner asked if the engineering shouldn't be done through the Traffic Department rather than through the Engineering Department.

Mr. Hinton said this would be up to the Commissioners but he certainly thought that the Traffic Engineering Department and the Traffic Engineer from the Urban Transportation Study would like to be involved in the field studies to determine some of these things.

Mr. Lochmueller said he thought they should ask Mr. Judd if he has the staff to do this.

Mr. Judd said he has one foreman and that is it.

Mr. Hinton said it would have to be someone who could get on it and get it done by July.

Commissioner Ossenberg said it looked to him like it was going to have to be a co-ordinated effort between Urban Transportation, Traffic Engineering and others, since he doesn't want to lose the money and he thought if it takes all of them, they are going to have to do it.
He suggested that Mr. Lochmueller, Mr. Brenner and Mr. Judd meet and see if they can't work it out.

Mr. Lochmueller said that out of Pennsylvania, there is a company who has equipment that prints out the information, that the cost is so much per mile and they can't put people out in the field from any office cheaper than using that type of equipment.

Commissioner Willner said that maybe they ought to pick the roads and then ask him to do it.

Mr. Lochmueller wondered if maybe they should go back and not ask for the painting but to ask for a revised application and for the preliminary engineering, and he asked how the Commissioners would want to pay for it.

Commissioner Willner asked if they were shooting for 1977 or 1978.

Mr. Hinton said they were shooting for the fiscal year of 1978 which would start in July of this year.

Mr. Lochmueller said if they go for the engineering, then they are talking about painting next year.

Commissioner Willner said they might as well ask for the engineering then.

Commissioner Ossenberg said the total grant is $24,000 plus and he asked if the engineering would come from this.

Mr. Lochmueller said that it wouldn't, that they would have to ask for an addition to it.

The Commissioners agreed then, that this would be the way to go.

Commissioner Willner moved that they go for the engineering. Commissioner Schaad seconded the motion. So ordered.

RE: FULTON AVENUE PROJECT

Mr. Hinton said that although the Fulton Avenue project is inside the City limits, there is bridge work that needs to be done on that project which falls under the jurisdiction of the Commissioners and that it has met with some pretty good environmental problems and that there is federally purchased park land along the south side, between Pigeon Creek and the levee, and because of this, they are going to have to do quite a bit of preliminary work in getting environmental clearance on that job, if not and they go in and take it, if the Park Department would defer it to roadway use instead of park use, then they would stand to lose any future federal parks money, so they need to request that general engineering be started on that bridge so they could get a cross-section, some proposed right of way, etc. on that bridge.

Commissioner Willner asked if they were going to leave the present structure there.

Mr. Hinton said they don't know, that this is the type information they need, that there are a couple of possibilities and it may be which ever one they can best work inside the smallest amount of right of way and that is the reason they need a bridge engineer to look at it.
He said their original idea was to put in a new four-lane, also that there is federal engineering money available on that.

Commissioner Willner asked what the City has in mind on this project.

Mr. Hinton said the total intent of this project is to take it from the existing dead-end of Fulton Avenue, that they would continue North with a cross-section that looks just like that and run it into the bridge and then improve up to Diamond Avenue, right into Kratzville Road and they would realign that intersection but nothing South of there at this time.

RE: CLAIM

Mr. Hinton submitted a claim from Fink, Roberts and Petrie, for the engineering plans on St. Joe Avenue, in the amount of $46,499.89.
He said they have done engineering plans, that he and Mr. Lochmueller reviewed them in Indianapolis about three weeks ago, that they made the corrections that were requested and sent them over to the Indiana State Highway Commission and are requesting a field inspection for the job.

Commissioner Schaad moved that the claim be approved.

Commissioner Willner asked if they don't have to have the field inspection before they approve this claim.

Mr. Hinton said they didn't, that the contract includes payment for the work done up to a field inspection, that it is the same they have done on Lynch Road. Commissioner Willner seconded the motion to approve the claim. So ordered.

Mr. Brenner said they didn't know what the engineering was going to look like, that the claim was brought to him and he wouldn't sign it but Mr. Lochmueller said they reviewed it and it meets the contract as to the portion of work they agreed to do at this stage.

Mr. Brenner said he has never worked on any job where he has bought partial engineering without seeing it, that they should get what has been done.

Commissioner Willner said he thought Mr. Brenner was right, that he knows it hasn't been a practice of this board in the past but he does think it should be in the future, that he is really serious about it.

Commissioner Schaad said he thought this was a good idea and from this point forward they ought to do it because in the past, they all know the reason which is that the past Surveyor's office didn't want to fool with it.

Mr. Hinton said that he doesn't disagree with the Commissioners but the thing of it is, that there will be a set of plans submitted to them at the time those plans are approved for field inspection and those are the plans they might be expected to go with on the road design and as of this time, they have just submitted those, that the environmental impact statement still has to go in and all they are asking for is the work they have done in surveys and putting together those initial set of plans, but there does stand to be some changes by the Highway Commission and although he doesn't have an argument with what the Commissioners are doing, he doesn't think there is any reason for great alarm, that they will get a set of plans.

Mr. Lochmueller said he thought maybe it was their fault, since he did have the plans in his office and should have probably brought them down for the Commissioners to see.

Commissioner Schaad said that previously, they had a problem and the Commissioners didn't want to approve them unless someone looked to see if the work was accomplished, so this is why they took the route they did and the normal way for them to come is for Mr. Brenner to sign them after he seed it, so they should now put it back the other way.

The other Commissioners agreed to put it back where it belongs and that they go with the County Surveyor's office.

RE: REQUEST FROM S.I.G. & E.CO. FOR ACCEPTANCE OF EASEMENT

County Attorney Paul Wendel said that the Gas Company wants to grant us an easement but there are some conditions in it that he doesn't particularly care for, which he read in part, and said that it is for 40 feet immediately to the West part of 41.

Mr. Brenner said he didn't think they would do it with anyone else and he asked the Commissioners what they would like for him to do with it.

Commissioner Willner said he should give it back to the Attorney and tell him to initiate one they can live with.

Mr. Cole from the Gas Company was present so Commissioner Ossenberg asked that Mr. Brenner get with him and find out exactly what it is and they will go from there.

Mr. Cole said he wasn't familiar with it but he would find out what it was about. He later appeared and explained that the State Highway Commission is starting a program to limit the access on Highway 41 and the Company owns 20 acres on the West side of 41 out around Volkman Road.
He said he didn't know if anyone in government initiated this request or whether it was an offer on the company's part to provide a frontage road of 40 feet along this property, that all the property along Highway 41 will probably eventually have to have a frontage road because the access is going to be limited.
He said he noticed the instrument was executed in April of 1976 and why it took a year to get these over here, he didn't know, but that this is the reason for the easement and they are asking in the easement, to retain the right to construct power lines or gas lines and the other provision pertains to any future cost for

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improving the frontage road, that evidently they will assume a portion of it and the County will assume a portion, so he suggested that the Commissioners look it over carefully and see whether they can accept these provisions.

Mr. Lochmueller said there is no question but that they should have frontage roads out there but the intent was not for the County to build those frontage roads, that they are to be built by the developer.

Commissioner Ossenberg said the County don't build half a frontage road and that he thought the procedure to be that the developer build the road according to the County specifications and then if they grant the road to the County for maintenance, the County takes them over, providing they meet the standards.

Commissioner Willner said there is partly a frontage road there already and the County has probably taken it over so it would probably be an extension but he still says the developer has to build it.

Commissioner Schaad said they might check with Area Plan since it might have had something to do with when it was rezoned.

Commissioner Ossenberg said this could be but he didn't know anything about how it got initiated in government unless it came from Area Plan.

Commissioner Willner asked Mr. Cole if they didn't go through that rezoning.

Mr. Cole said they did, that it was withdrawn and the property is now up for sale, but he didn't know why it is just now being submitted to the Commissioners, one year later.
He said he would get into it further and find out more about it.

The meeting recessed at 11:15 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY'S
Tom Ossenberg Bob Schaad Robert L. Willner	Curt John	Ed Smith Jr. Paul Wendel

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS
SPECIAL MEETING
MARCH 16, 1977

Commissioner Ossenberg explained that Commissioner Schaad is in Dallas, Texas and is due back tonight, so he won't be able to make this meeting.

He said that the special meeting that was held on March 2nd. was simply to try to iron out the problems and to discuss the possibilities of either leasing or try selling of both, the Pleasantview Rest Home property and the Boehne property but they took up primarily the Pleasantview Rest Home and at that particular time, on short notice, he had asked James Angermeier, the County Assessor, to give them an appraisal of the Boehne property and while he isn't completely finished with his appraisal, he does have somewhat of a ball park figure and also, Bob Brenner, the County Surveyor, has not totally completed his survey on the Boehne property and in talking with both of them, he will divulge, that from Mr. Angermeier, based on 52 acres of ground at Boehne Camp, his ball park figure is $300,000.00 and that this figure is with rezoning which he suggested to the Commissioners if they decide to sell, to sell on the basis that they would go into the rezoning as a possible R-3 and R-4 classification.

He said that Mr. Angermeier's idea is that having had some expertise in some home builders, that the idea would be to build a couple of condominium type apartments, etc. and then surround these with quite expensive homes, that the figure of $300,000.00 may be changed, that he talked to Mr. Brenner today and he indicated to the Commissioners, on Monday, that it would probably be another week or so before he would finish his survey, that now he thinks there are only 36 acres at Boehne, plus the 3½ acres of lake and there is one strip of ground that has no deed to the County at all, plus, the previous Commissioners had made some type of bird sanctuary of an acre or two that would be untouched, however, this is where they stand on the Boehne property.

He said that on March 3rd. he did write a registered receipted letter to Ben Bockstege, the Perry Township Assessor, which reads as follows:

Dear Ben:

The Board of County Commissioners and the County Council respectfully request a complete appraisal of the buildings and grounds at Boehne Hospital. The law requires two appraisals for the County to sell or lease this property.

Mr. James Angermeier, the County Assessor, has gratiously consented to do one of the appraisals. The written appraisal needs to be in our office by Tuesday, March 15, 1977.

Please notify this office by March 7th. if you will consent to do this.

Sincerely, Tom Ossenberg
President, County Commissioners

Commissioner Ossenberg said he hasn't had a firm committment from Mr. Bockstege at this time, so he doesn't know if he intends to do this or not, if not, he will ask Mr. Angermeier if he can get an appraisal from someone else.
He said they do have two appraisals on the Pleasantview property, that Mr. Angermeier's appraisal was $1,200,000.00 and the appraisal from Mr. Stucki, the Center Township Assessor, was in the amount of $1,140,550.00, so there is a difference of about $9,500.00 between the two appraisals.
He said that at the meeting of March 2nd, they voted to advertise both ways on Pleasantview, to sell or lease and to take the best offer, also, they instructed the County Attorney's, at that particular time, to draw up specifications for a legal ad and he asked the County Attorney's if these specifications have been prepared.

County Attorney Wendel said he has some proposed specifications and he would like to go over it at different points to see if any of them should be changed.
He said that one thing they need to work out is the mechanics of the bidding, such as the timing of opening the sealed bids and the timing of having the oral auction, that he would think they would have the best chance of getting the most money by having the auction first and then, immediately after that, to open the sealed bids, since if the bids are opened first, they would be tipping off the bidders and it may influence them as to how much they would be willing to pay for it and they could then take the sealed bids and the bids from the auction under advisement at which time they could be compared.

Mr. Kollker, President of the County Council, said that he agreed with County Attorney Wendel, in that the timing is very important.

County Attorney Wendel said that for part of the specifications for the leasing of Pleasantview Rest Home, he has one provision that would be, that the lessor, being the County, would reserve the right to reject any and all bids, that he also has a provision for the opening date which they will need to set, that he was also considering, as one of the specifications, that the bidders give an annual amount they want to bid and also a statement as to how many years they want to bid for, since if they don't specify the time they want to lease it, they are going to end up with a lot of different combinations.
He said that fifty years is the maximum time that it can be leased out.

Mr. Kollker said if they have several bids anywhere from two to thirty years or so for leasing, he wondered if that wouldn't make it a little difficult to make a decision and he thought that maybe they should make it such that there be a particular time limit.

County Attorney Wendel said it would be a problem to make a decision if they get bids for various time leases but if they specify ahead of time, they may cut out a lot of people who otherwise would bid so it is a trade-off as to the way they want to do it.

Mr. Kollker wondered if they would even want to deal with anyone that wanted a short-termed lease, so if they have a minimum that they want to lease it for, they might as well put it in the specifications and do away with the bidders that are going to bid on less time than they want to lease it for, he said.

Commissioner Ossenberg asked if they could say a ten-year lease with a ten-year option.

County Attorney Wendel said they could say this, that there is no legal problem on it, that it is just a matter of which way they want to do it.

Mr. Kollker said that the specifications read,"the figure is up to the bidder," who will give the number of years he wants to lease it for at the amount he wants to pay and he asked if this isn't correct.

County Attorney Wendel said this is correct, unless they pin him down in the specifications, also that there may be some bidders, that rather than giving a specific amount, they may want to give a certain percentage of the gross revenue and there is no way to determine what that is going to be.

Mr. Kollker said they should then incorporate into the specifications that they don't want the gross revenue, that they want a flat amount per month for anywhere from a ten year period to say, a fifty year period, that he would be in favor of this, but they should eliminate the things they don't want to deal with anyway.

Commissioner Ossenberg said he attended a meeting and talked to a gentleman who was a certified public accountant who had stated that most likely, if anyone came in to lease, they would want a lease with option to buy and he asked if this could be written in the specifications.

County Attorney Wendel said they would actually be bidding on the sale which would have to be done at the auction and not by sealed bids, that they can't ask for bids to lease with an option to buy in the specifications for leasing when asking for sealed bids.

Mr. Kollker asked then if they must lease it in total or buy it, if this is the only way they can sell something in county government.

County Attorney Wendel said they don't have to take sealed bids on the lease, that someone could come in at the auction and bid to lease the property with an option to buy.

Mr. Kollker said he would be satisfied to see how they could do with it, to give them the choice of one or the other, to lease it or buy it, period.
He said they are now getting into a complex thing now and he would think they would just go one way or the other, to either lease it or sell it.

Mr. Ahrens, a Council member, said to his way of thinking, from what he has heard about this leasing business and they have had quite a few difficulties with leasing the golf course and the income from there is very small and he thinks the Council and the Commissioners will agree that the best bet will be to sell the Pleasantview Rest Home for another rest home, that by doing this, they would

save themselves some time, money and a lot of trouble so he thought they should sell it for a rest home, that this would be better for the community and Vanderburgh County.

Mr. Kollker said he knew that Mr. Ahrens was interested, all along, in the building remaining a rest home but said they could also run into a situation where it would be more feasible for the County to lease the property again as a rest home but he thought by doing it this way, they have an option, that they can go one way or the other, depending on which one sounds the best.

Mr. Ahrens asked how many years the County has on the golf course lease.

Commissioner Ossenberg said that was done by the previous Commissioners but he understands it was a 35 year lease with 30 years left on the lease and then it will return to the County.
He said that he, personally, is in favor of selling the Pleasantview property but the Commissioners have the power to reject all bids, so they can actually advertise it and if it isn't for a nursing home, they could reject that bid if they wanted to, also that he is not about to let that home go for any small amount of money since he is looking for a fine return on that investment out there, that he has seen so much of this since he has been in County government, where the County has leased buildings such as the coliseum and he has come to learn that after these things were signed, sealed and delivered, in order to protect their property, it ended up that the County was having to pay the insurance to protect their property and he understands that this isn't the way those leases were signed, so he is tired of this $1.00 per year business and then end up spending a lot of money to protect it.
He said that personally, if he goes for a lease, it is going to be an attractive lease for the taxpayers of the community and once again, the Commissioners have the right to reject any and all bids.
He said he agreed with Mr. Ahrens in wanting to see a norsing home out there.

Commissioner Willner suggested they advertise to sell or to lease, or sale and lease with no restrictions what-so-ever, that the decision time is after everything is in and not before then, that they could talk all night about what restrictions to put in the lease, that they shouldn't put any restrictions in it and they should have the time from one year to the maximum time, under the law, and then make their decision.

Mr. Kollker said this would be allright with him, that he is just saying that they certainly leave sale and lease open and if something can be worked out whereby they can bid on lease with option to buy, fine, that it would be just another option.

County Attorney Wendel said it could be done if they combine the sale and the lease at the auction rather than in a sealed bid.
He said that one of the conditions in the specifications is, if it is leased, it must be for public use, by statute, also, pursuant to statute, any improvements that the lessee puts on the property, becomes the property of lessor at the termination of the lease.
He said this is an item that he thought would cut down on how much someone is willing to bid on the leasing of it, because they are pretty much stuck with the buildings that are there.
He said for leasing, on the written bids, he was thinking of perhaps a deposit of 5% in the form of a certified check, plus a bid bond and also a performance bond.
He proposed, in the specifications also, that all maintenance costs and Insurance shall be the responsibility of the lessee.

Mr. Kollker asked about the property tax, since they would want to write up the specifications so that when people are putting in their bids, they will have the understanding of whether they are paying the property taxes or not paying them.

Mr. Willner said that if the lease is silent, it would be the owners responsibility for property tax, so they shouldn't say anything, that the County would be the lessor and the taxes would be taken care of.

County Attorney Wendel said that also, on both parcels of real estate, Pleasantview and Boehne, he thought they should, to protect themselves, have an abstract and a title drawn up, that he also proposed in the specifications, that whoever leases

or buys Pleasantview would pay for the cost of the abstract and the title, but in the event that someone doesn't buy it or lease it, the County will be stuck with it so they need an account to take that out of.
He said the most he thought it would cost would be $500.00 per abstract.
He also said that the abstract, once it is done, would be available in an office such as the Auditor's office so anyone who is thinking of bidding could first take a look at it, since if they don't first see it, they may want to later cancel their bid, also that they need to make an opportunity for them to go out and look at the property and he wondered who they would make an appointment with.

The Commissioners agreed that they would make an appointment with Mr. Hotz, the Superintendent of County Buildings.

County Attorney Wendel said he would also recommend the provision that the bids would stay for a certain period of time, such as thirty days.
He then asked if anyone cared to add anything to these specifications.

He said that the specifications for the selling of Pleasantview start off the same, in that the Commissioners have the right to reject any and all bids and he also said that the last time they met, there was some discussion on setting a minimum bid on a sale at Pleasantview of $1,200,000.00 and he asked if this was still what everyone wants to do.

Commissioner Willner said there should be no minimum since the Commissioners can reject any bids if they so desire and this takes care of it.

County Attorney Wendel said he also recommends a provision in the specifications that the County be given a quit-claim deed rather than a warranty deed so the buyer would be taking it at his own risk, that he will have the opportunity to look at the abstract so the County won't have any liability.
He also thought they should be able to take the oral bids under advisement and said they should have some kind of deposit but he can't see,more than the two highes bidders, putting a deposit down on it, even though they could award it to anyone that made a bid. He said he was thinking of the same 5%, plus a certified check and a bid bond, but since they will be bidding against each other, they wouldn't know what figure that would be. 5% of, but on the other hand, when they come in, they would know pretty much the maximum they could bid on it and by looking at what they considered 5%, while they are taking all the bids under advisement, they might find out that the bidders will be willing to pay more for it than the bidding went, so they could reject the bids and have another auction.

Commissioner Willner said they should forget about the 5% and ask for a set figure like $5,000.00.

County Attorney Wendel said this would be much easier and he asked if this was agreeable with everyone.

Mr. Kollker said he thought this was enough, that the people would have to be pretty serious in their bid to put this amount of money up for deposit.

County Attorney Wendel said as to the Insurance, he recommends a provision like up to the date of the title transfer, that the County be responsible for the Insurance that is already on the facility and after that date, the Insurance would be the responsibility of the buyer.
He said that some bidders may want to pro-rate the County's present policy but he thought we were getting that unbrella type policy package with other County Insurance and he didn't think they could take that over and the Commissioners agreed. He said the rest of it is the same as on leasing.

Commissioner Willner asked if they wanted an auctioneer or do they want to handle it themselves and also, do we want to advertise it ourselves or do we want to hire someone, that he thought they should hire someone for both of them.
He said they need to do some out-of-town advertising and he thought they needed some expertise to get a good price.

Commissioner Ossenberg and Mr. Kollker both agreed with this and Commissioner Ossenberg said he didn't think any of them have the expertise to handle it.

Commissioner Willner also said they should negotiate a flat fee and not a percentage, and all who were present agreed.

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County Attorney Wendel said that they will have to put their legal ad in the newspaper and the man they get to advertise can put in what he wants to, beside that, since we are required by statute to advertise.

Commissioner Ossenberg said they should then get the legal ad together and the Commissioners then get together and name an auctioneer.
He said that since everyone agrees on these plans for Pleasantview, this is what they will do.
He also asked everyone if they want to meet again on the Boehne property, since Mr. Angermeier said he would be done by Friday of this week, but of course, after Mr. Brenner finishes with his survey, Mr. Angermeier may change his figures too, or he asked if they wanted to take it by consent that they will do the same thing with Boehne.

Mr. Kollker said he would be interested in doing the same thing, since he thought this to be the best way to dispose of both pieces of property.

Commissioner Ossenberg said he is definitely sure as far as the Boehne property is concerned and from what he has been told, he is almost certain that Boehne is a sure sale, unless some school like I.S.U.E.. would want it for a long term lease.
He said that Mr. Angermeier indicated to the Commissioners that the home builders and the real estate man he had out there definitely said the buildings out there should come down and of course, that would be more for building homes and developing that as a subdivision, but never-the-less, he thought they will have to go with both options.

Commissioner Willner asked if it was the Council's feeling that they would like to have it rezoned, that if they do, they need to do that before they do anything else.

Mr. Kollker said he thought this to be the best way to bring them the most money in return, as far as the best possible use and if that is homes, he is in favor of it and he didn't see any problem with it.

Commissioner Ossenberg said that Mr. Angermeier indicated to them that if they wanted to get more money for the property, that is the way it should be done.
He said that could really be an exclusive development out there around that lake, and Mr. Angermeier also said there are seven acres out there, separated by the railroad track which is on the borderline of being in the flood plain.

Commissioner Willner said it may have to be built up but it would be protected under the R classification but they can't talk about it yet because even the Assessor and the Surveyor don't know for sure yet, that they will have to have a title search and find out what the Commissioners did about the bird sanctuary and this sort of thing.

Commissioner Ossenberg asked, if Mr. Brenner can get done in two weeks and he thinks he can, and they can get everything worked out on Boehne, would there be a possibility that they could have this auction some time in May.

County Attorney Wendel said they will have to advertise it for four weeks in the newspaper.

Commissioner Ossenberg said they are going before Council next month for Boehne, that it is a transfer out of Mr. Hotz's account but never-the-less, he would like to wrap this thing up for once and for all, that they have asked for the salary to go through for that caretaker out there through June 17th.
He said he would talk to Mr. Angermeier again to see what he can find out.

County Attorney Wendel said those interested in leasing either facility will be asked for sealed bids, to be opened on the day of the auction but after the actual bidding and he asked the Commissioners if they wanted to sell both facilities at the same time.

Commissioner Willner said he thought they should do it in the same day, maybe one in the morning and one in the afternoon.

Commissioner Ossenberg then said they would advertise it both ways and the County Council and the County Commissioners agreed to hold public auctions on the grounds of the two facilities in May but acknowledged the auctions could be delayed until June if preliminaries are not completed in time and in the meantime, the Commissioners will hire an auctioneer.

Commissioner Ossenberg asked County Attorney Wendel to check the C.I.C. account in County government, since if they did sell these properties, the Council was interested in keeping that money in a separate account to draw interest to lower the tax rate, that there was some question on this.

County Attorney Wendel said he hasn't found any provision saying that it can be done but then he hasn't found any saying it can't be done either, however he will check with the State Board of Accounts, that if they don't object, there should be no problem.

This special meeting recessed at 8:40 p.m.

PRESENT

COUNTY COUNCIL

Dan Kollker
Paul Ahrens
William Taylor

Anika Juras (Exec. Ass't.)

COUNTY COMMISSIONERS

Tom Ossenberg
Robert L. Willner

Marsha Smith (Exec. Ass't.)

COUNTY ATTORNEY'S

Ed Smith Jr.
Paul Wendel

COUNTY AUDITOR

Alice McBride (Chief Dep.)

Secretary: Margie Meeks

Tom Ossenberg

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MARCH 21, 1977

The meeting of the County Commissioners was held on Monday, March 21, 1977, at 9:35 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

Commissioner Ossenberg said that Commissioner Willner is out of the City today and will be unable to attend today's meeting, also that the minutes of the special meeting will be approved at a later date, when Commissioner Willner is present, since Commissioner Schaad was unable to attend that meeting.

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

Commissioner Ossenberg explained that the sale on the County-owned surplus property starts today and will be offered for sale from week to week until all parcels are sold, that the County obtained these parcels of property due to non-payment of taxes and he asked if there was anyone in the audience that was interested in any of the parcels for sale.

Ms. Dolly Ann Johnson Wagner appeared and said she was interested in the parcel located at 1414 Fountain Avenue, Code No. 28-21-23, Bement Addition...12.5 ft. L.24 & 10 ft. L. 23..Blk. 1,and she bid the appraisal value of $196.75.
There were no further bids on this parcel.

Commissioner Schaad moved that the Commissioners accept the bid of $196.75, for this parcel and that it be sold to Ms. Wagner. Commissioner Ossenberg seconded the motion. So ordered.

Ms. Hattie Wilson said she was interested in Code No. 22-64-12...226 Cass Avenue, Crofton Pl. L. 18...Blk. 7.
This parcel was appraised at $216.75 but Ms. Wilson bid $50.00, since she said this is what the City asked for it and that there are two trees on the property that are about to fall and will have to be removed and the cheapest she can have them removed is $140.00.

Commissioner Ossenberg said he was advised by the County Attorney, that on the first time around, they can't accept a bid less than the appraised value, so he told Ms. Wilson that she could leave her bid in, leave her name and phone number, and they would entertain her offer at another time and she could return.

The sale of the County-owned surplus property will continue next week.

RE: REZONING PETITION.....FIRST READING VC-63-77

Petitioner and Owner of Record.....Inland Marina, Inc.....Waterworks Road

Premises affected are situated on the East and West side of Waterworks Road, a distance of 2,000 feet Southwest of the corner formed by the intersection of Southlane and Shawnee Drive.

The requested change is from Conservancy to Waterfront Industrial...W-1.
The present existing land use is for a Marina and the proposed land use is for boat and ship building and repairing, sales, service and marina.

Mr. Bob John, Attorney for the petitioner, appeared and said that the Indiana Chamber of Commerce contacted the Marina, that evidently they had an inquiry from a boat manufacturer, and that led them to look to see what the present zoning for the present Marina was and it turned out to be zoned as conservancy and in looking at the ordinance, they felt that for the Marina to conform for the present zoning to conform to the use this land has been put to the last ten or fifteen years, that they should file the petition accordingly and ask for the W-1 zoning.
He said this is for a two-fold reason, to conform the marina's present zoning to the proper zoning use and also since they have had this potential inquiry, they are going to need the W-1 zoning if this manufacturer uses a portion of their location to manufacture pleasure crafts.
He said he doesn't know who the manufacturer is at this point, also that he didn't send a notice of the petition to the Corp of Engineers, but he sent a copy to the

Levee Authority, the Waterworks Department, the City and to all the adjacent property owners and they have heard from the adjacent property owners and they have no objection. There were no remonstrators.

Commissioner Schaad moved that petition VC-63-77 be referred to the Area Plan Commission on first reading for consideration. Commissioner Ossenberg seconded the motion. So ordered.

RE: REZONING PETITION.....VC-54-77

Petitioners...William E. & Noral J. Shirley.
Premises affected is commonly known as 3921 Hogue Road.
Requested change is from R-1 to M-2 for a steel drum reconditioning business.
This petition was postponed until the April 6, 1977 meeting of the Plan Commission.

RE: REZONING PETITION.....THIRD READING.....VC-57-77

Petitioner and Owner of Record .....Fred E. Boehne

Premises affected are situated on the North side of Volkman Road, a distance of 4,000 feet East of the corner formed by the intersection of Volkman Road and Hwy. 41 North, more commonly known as 820 Volkman Road.

The requested change is from Agricultural to Commercial C-1B. The present land use is commercial and is non-conforming. The proposed land use is Storage, sale and construction of wood storage sheds.

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

Mr. Boehne said he was here a few weeks ago and this petition was referred to the Area Plan Commission and he went to their meeting this month and the petition was approved.
There were no remonstrators present.

Commissioner Schaad moved that petition VC-57-77 be approved and changed from A to C-1B for Mr. Boehne. Commissioner Ossenberg seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: REZONING PETITION.....THIRD READING.....VC-58-77

Petitioner and Owner of Record.....Mamie Rhoades of 7921 Newburgh Road.
Premises affected are situated on the South side of Newburgh Road, a distance of 852.59 feet East of the corner formed by the intersection of Fuquay Road and Newburgh Road, more commonly known as 7921 Newburgh Road.

The requested change is from R-1 to R-3. The present existing land use is a child care home and is non-conforming. The proposed land use is for a child care home of a maximum of 10 children.

This petition was approved subject to inspection by the Building Commissioner and also under the condition that it would only be used as a child care home, otherwise the staff would petition to rezone it back to the R-1 zone, with nine affirmative votes and one negative vote.

Commissioner Ossenberg asked if there was a covenant signed to this effect and Mr. Wilson of the Area Plan Commission said there was no covenant requested at the Area Plan, that Ms. Rhoades is to file a notice to report that she will not use the property for anything other than a child care home, that if she did discontinue the child care home, she would re-petition to have the property rezoned back to R-1 and this is to be drawn up by Attorney Mike Mitchell, which hasn't been done as yet.
He said as soon as this is drawn up and signed by Ms. Rhoades, it will be recorded.

Commissioner Ossenberg asked if there was proper notification on this on this petition, as far as the sign notice being posted, since he had several calls on it.

Ms. Rhoades said the sign was posted in her front yard and Mr. Wilson said the Area Plan Commission posted it in the newspapers.

Commissioner Ossenberg asked if the proper notification was sent to the contiguous property owners by certified mail with return receipt requested.

Ms. Rhoades said this was done, that she filed an affidavit in the Auditor's office also.
There were remonstrators present.

Mr. Tom Ellis of 8111 Newburgh Road appeared and said he is here, along with a number of homeowners from this area to protest the rezoning of 7921 Newburgh Road. As spokesman for the group, he said there are five specific items that he thought the Commissioners should be aware of before making any decision, which are as follows:

1. This is spot zoning.
2. This is a commercial operation.
3. The facts of the way this has been attempted.
4. This potential safety factor to the children and to the parents.
5. The beauty of this residential area and the potential effect on property values.

He said that Newburgh Road is an area of older well-kept single family homes and it has been this way since day zero, that there is no logic for allowing any other zoning in this area other than R-1.
He said what can happen to a residential area from allowing this kind of spot zoning has been amply demonstrated recently when 5017 Bellemeade Ave. was spot zoned for the Royal Child Care Center, that it wasn't very long before the whole block was taken over by commercial operations.
He said this is not planned or presently operated as a side line small business by the homeowner, herself, that if it were, they probably wouldn't object to it, but they are told that Ms. Rhoades has a full-time job and isn't even in her home during the day and is hiring outside people to run the business, therefore, it is a commercial business with few restrictions as to the size it can become, that she originally opened it as a commercial business in a residential neighborhood, hiring outside help to run it without any attempt to rezone the property in order to be legal and in a phone call to one of her hired help, it was stated that they already had a Board of Health license for ten or more kids and the fact remains that she has had no approved license to date and that the initial request is for ten or less kids.
He said he became aware of the scale to which she was trying to operate when she placed a sign in her front yard, at which time he checked with the Area Plan and it was confirmed that the sign was clearly in violation of zoning laws, let alone, a child care center, that the Area Plan checked the property and confirmed that the operation was illegal and sent her a letter giving her ten days to apply for rezoning or to cease operation and he was told by the Area Plan Commission that her Attorney came down to the Plan Commission office and as a result, the sign came down and she continued to try to operate illegally and she ran newspaper ads daily and no attempt was made to rezone or cease operations.
He said the Area Plan Commission stated they could not prove it was an operation without a sign and they could not go on the property to inspect it and it was only after the newspaper ads were pointed out that the Plan Commission had the proof of operation in order to proceed with forcing the legality of this operation.
He said he was told that before this property could be rezoned, a large sign would have to be placed in the front yard ten days before the first reading and remain up throughout the proceeding,so all the neighbors who were concerned during this potential rezoning have been watching very carefully every day to see if the sign was posted but not one of them has ever seen a sign and the only way they found out about it was when it was listed as approved by the Area Plan Commission about one week ago in the Evansville Press.
He said he understands that the posting of this sign is a legal requirement and he was taught to respect the law and even if he didn't agree with it, to operate within the law and it upsets him when someone who has legal counsel, to operate in this manner and he gets concerned about where he may go if this petition is approved, since;

1. Because if it is approved by application per permit, a large sign can be posted in their residential neighborhood.
2. That she has applied for Board of Health license for ten kids or less and he understands all she needs to do is to go back and get a higher quantity permit and they may end up with a 200-child care day care center.
3. There are property restrictions and they only state that the building can cover no more than 30% of the lot and this lot is about two acres which means she could expand up to 25,000 square feet, legally, in a residential neighborhood.
4. He read, as an example, an ad from the newspaper which states...Child Care Castle...7921 Newburgh Road, Nights, Hourly, Weekly and Week-ends, which means traffic at all times of the day and night, also they already have a number of neighbors who have people pulling into their driveways and trying to unload their kids at their house by mistake, they are also concerned with the safety of the children since Newburgh Road is very heavily traveled, if

the kids are allowed outside, let alone the egress and ingress problems on Newburgh Road.

5. That Newburgh Road is one of the last narrow winding and very pretty roads left in the County, with a large number of older well kept homes with trees, greenery and well kept yards and he shudders to think what this spot zoning for a commercial business could lead to and what it could do to the property value.

Mr. Ellis asked, that due to all the reasons stated, that the Commissioners refuse this rezoning request.

Mr. John Stallings of 8383 Newburgh Road, stated that Mr. Ellis has covered the situation very carefully and he just wanted to add that he watched very carefully and at no time did he see a notice that rezoning was in process.

Ms. Rhoades said she has two huge pine trees in front of her house and this was where the sign was placed, since she was told in the Auditor's office that she was to post the sign any place in her front yard where it could be seen from the road.
She also said, in reply to maybe having 200 kids, that she can only have ten kids, that this was stressed at the Area Plan Commission meeting, as to the 200 kids, she doesn't have the space nor the facilities.
She said that she had her attorney go to the Area Plan when she received her first notice and he didn't contact her, so when she received her second letter, she contacted the Area Plan Commission and within a few days, she started her petition for rezoning, also, that she had asked her immediate neighbors and they didn't object.

Commissioner Schaad read the requirements on rezonings which stated that the sign should be posted on real estate sought to be rezoned and placed conspicuously at all times, not less than ten days before the County Commissioners hearing and remain there until the petition is approved or denied.

Ms. Rhoades said the sign was posted but it is a small sign and her house sits back from the road.

Commissioner Ossenberg said there should be a recommendation on this, also that the fact is, that it is required by registered receipt for contiguous neighbors to be notified and they are concerned here with several neighbors objecting to this petition.

Ms. Rhoades said letters were sent and she could have her close neighbors here, that they said they would sign a petition to this effect, but she was told that the letters only needed to be sent to the people whose property adjoined hers and they didn't care, also that she is only asking for a child care center for ten kids, that this was stipulated in her petition and she agreed to sign the paper to this effect, when the attorney has it drawn up.
She also said that if she sells her home or goes out of the child care business, she must rezone the property back to R-1.

Commissioner Schaad moved that petition VC-58-77 be denied. Commissioner Ossenberg seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: REZONING PETITION.....THIRD READING.....VC-59-77

Petitioner and Owner of Record.....Carolyn S. Osborne of 2319 Allens Lane.
Premises affected are situated on the North side of Allens Lane, a distance of 250 feet East of the corner formed by the intersection of St. Joe and Allens Lane, more commonly known as 2319 Allens Lane.

The requested change is from R-1 to R-3. The present land use is Residential and the proposed land use is for a Child Care Center, (Family Day Care Home.)

The Area Plan Commission approved this petition with ten affirmative votes.

Ms. Osborne said she amended the petition from a Child Care Center to a Family Day Care Home.
She said her mother will be helping her and she will have ten children and it will be just for one shift and it was stipulated at the Area Plan, that if she sells her property, it reverts back to R-1.
She submitted a petition that was signed by most of her neighbors who didn't object to this, and said that she also filed a variance to attach her garage to her home in order to have more play area for the children and it was passed by the Board of Zoning Appeals.

Commissioner Ossenberg asked Mr. Jeff Wilson if a condition was made on this, where if she would sell the property, that it would revert from R-3 back to R-1.

Mr. Wilson said there was but she would have to re-petition it again and the Commissioners could withhold signing the petition, since they have ten days to sign it and he can get it reported before they sign it.
There were no remonstrators present.

Commissioner Schaad moved that this petition be approved, subject to the proper papers being signed and recorded, in that if she sells the property, that it revert back from R-3 zoning to R-1, and as amended, that after this has been done, the petition will be signed by the Commissioners. Commissioner Ossenberg seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: REZONING PETITION.....THIRD READING.....VC-60-77

Petitioner .....Romain Construction Co., Inc. of 250 N. Green River Road
Owner of Record.....Browning Ferris Industries of Indiana, Inc. 2710 Hwy. 41 South.

Premises affected are situated on the South side of Bergdolt Road, a distance of 2,830 feet East of the corner formed by the intersection of Oak Hill Road and Bergdolt Road, more commonly known as 4201 Bergdolt Road.

The requested change is from R-1 to R-3. The present existing land use is vacant. The proposed land use is residential development including single family and multiple family dwellings.

This petition was approved by the Area Plan Commission, as amended to delete all single family lots, with nine affirmative votes and one negative vote.

Mr. Gary Gerling, Attorney for the Petitioner, said this is the Browning Ferris property, that they have filed with the Secretary of the Area Plan, to only include a certain portion of the property in the petition and they are in the process of filing a subdivision plat with the Area Plan Commission which should be filed this week, for the platting of an area designated in a single family residential in lots with minimum size of 100' with the houses being in the $50,000 to $75,000 range.
He said they have entered into an agreement with Citizens Realty Insurance Co. in which they have agreed not to seek access to this property through Aspen or Allbrooke Drive, that the Area Plan and their staff have requested a de-accelleration lane on Bergdolt Road which will be installed and the plat plan will show it, also the County Surveyor has requested that they donate the property for the extension of Lynch Road and he was told, this morning, that he would need 150' if he is able to construct a four-lane road and 125' if he is able to construct a two-lane road and it represents that they will deliver to the Commissioners as soon as they have closed the sale, the dedication of the 150' or the 125', whichever in needed by the County.
He said they do, however, want an agreement where they will have access to the property, since they will have to have some way to get in there.
He said they have this covenant agreement with Citizens that they will have recorded as soon as the sale is closed, so they request this area to be approved as presented. also that the amendment was filed with the Area Plan Commission for the reduced area and he provided a corrected legal for it.
There were no remonstrators present.

Commissioner Schaad moved that petition VC-60-77 be approved. Commissioner Ossenberg seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: REZONING PETITION.....THIRD READING.....VC-61-77

Petitioner.....Rudd Construction Equipment Co., Ind. of 4344 Poplar Level Rd. Louisville, Kentucky.
Owner of Record.....The Citizens National Bank of 19 N.W. 4th. St. Evansville, Ind.

Premises affected are situated East of U.S. Hwy. 41 and North of State Hwy. 57 at the Northeast corner of the intersection of U.S. Hwy. 41 and State Hwy. 57.

The requested change is from C-1B to M-2. The present existing land use is vacant wooded area and the authority for said existing land use is conforming to present zoning code.
The proposed land use is for Heavy Construction Equipment sales and Service facility with outside display and service area.

The Area Plan Commission approved this petition with nine affirmative votes and one negative vote.

Mr. James Marshand, Attorney for the petitioner, explained the site plan and drawing of the proposed building and said that there is only one entrance to the property and they will use the same one for this project but they will need to widen it a little. He said it has been checked out with the Highway Department and the only requirement they need to make is a passing area on the other side of the road which is agreeable if necessary, so he didn't think there was any problem here.
He said there was a rezoning on this property about seven years ago at which time it was intended to put a filling station there with a motel around it, that Don Davis had rezoned it but they ran into problems with the filling station, he thought, because of not being able to get cuts closer to the corner but this business fits right in with the existing entrance and cut that they have.
He pointed out that his client sells and repairs large construction equipment and although they do bring the equipment in and out, he was told that this is low traffic, in general, that it isn't like a filling station and motel with people always coming in and out, that they do have a few large customers that do business with them and this is why they can get by with what is there, so it is a very compatible type of business, with the traffic problems at this corner.
He also said he didn't think there was anyone remonstrating as far as the businesses or people around it but the airport did appear at the Area Plan Commission and raised the question that they are now making another study, that he was involved with the zoning before, and at that time, they were making a study and they objected for the same reason, that they might some day want the property for something in connection with the airport and seven years later, they are finally back with someone who is ready to go and put a business there that is compatible with the traffic situation and also with the airport, as such, and now they are having another study to consider more expansion and they want them to wait again so he thought it appropriate to use the property and worry about what the airport will do later.
He said he would also like to point out that Mr. Stapleton said they may have a Northwest runway which would involve this property and he thought if they did this, they would have to cut off 57 and U.S. 41 and the railroad tracks but they would have some problems so his client said he would take his chances on this happening.
There were no remonstrators present.

Commissioner Schaad moved that petition VC-61-77 be approved. Commissioner Ossenberg seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: REZONING PETITION.....THIRD READING.....VC-62-77

Petitioner.....United Methodist Youth Home, Inc. of 1214 Southfield Road
Owner of Record.....Evansville District Missionary and Church Extension Society of the Methodist Church, Inc. of 1214 Southfield Road, Evansville, Ind.

Premises affected are situated on the East side of Burkhart Road, a distance of 628 feet South of the corner formed by the intersection of Burkhart Road and Old Boonville Highway, more commonly known as 2200 N. Burkhart Road.

The requested change is from A to R-3. The present existing land use is agricultural and the authority for said existing land use is conforming. The proposed land use is for a single family long-term group home for eight female youth.

The Area Plan Commission denied this petition with six affirmative votes and four negative votes.

Mr. Toby Shaw, Attorney for the petitioner, appeared and explained that they would propose the construction of a home on the East side of Burkhart Road on ten acres, consisting of six bedrooms and 3½ baths and he submitted pictures showing the sparseness of any construction in the neighborhood, also that the home will have the appearance of a normal residential structure but will be 3,500 square feet. He also submitted pictures of the floor plan of the home and explained that the purpose of the home would be to house a maximum of eight 10 to 17 year old girls who either have adjustment problems or who are abandoned, neglected or abused, that it is a long term facility and they would stay in the home from six months to two years, depending on their needs and they would have available, the services of the Southwest Indiana Mental Health Clinic, the Rehabilitation Center, the University of Evansville and the Child Guidance Center.
He said there has been much comparison of this home to the Yes house and the Yap house but these aren't comparable homes since the Yes house is for drug abusers and the Yap house is a short-term emergency care placement facility where people are taken, pending a permanent placement but the comparable home to this is the Roy Long home on Riverside, but it is for boys.
He said this petition passed by a vote of 6 to 4 but because of the requirement of having 7 votes, it failed, that the Commission has recommended a three-acre buffer on each side which they are willing to do and they have recommended a decrease in the

access from 50 feet to 30 feet and they are willing to do that.
He asked that the people stand who are in favor of this petition and there were a great number of people who responded.

Ms. Virginia Grim said she wanted to speak of the need for this type of facility in our community, that during the past year she was involved in a study in which they surveyed the services in our community, dealing with youngsters who are in need of care, that in the Department of Public Welfare, during the year of 1975, 335 cases of foster care were dealth with, that Catholic Charities handled 40, Family & Children Sercices handled 19 and this is a substantial number of youths in our community who are in need of care.
She said the problem seems to be that there are not enough foster care facilities with adequately trained house parents to handle youngsters with problems that aren't so common to the average household and sometimes they run away and they are now called status offenders, that this facility is for older girls who are very hard to place in foster care,
He also said that in Vanderburgh County, in 1975, there were reported cases of child abuse that were alarming and they hope to alleviate this problem by offering some of them homes as an alternative to parents who do not understand how to deal with them.
She said that in 1975, there were 181 cases of abuse and 230 cases of neglect reported in Vanderburgh County and there was also a death due to abuse in this County, that there is a crying need for this kind of home and the Methodist Church is willing to underwrite the construction of the home and the fine people who are here today are willing to spend their own money to see that eight girls, on a continuing basis, have a loving home, so when they go back out in the community to establish a home of their own, they will have an example to follow that is much healthier than the ones they came from.
She said the girls will be between the ages of 10 and 17 and will be referred to them by other agencies.

Mr. Sam Phillips said that Dr. Lloyd Wright who is the District Superintendent of the Evansville District of the United Methodist Church couldn't be here and asked that he present a statement on his behalf.
The statement reads as follows:

To the Vanderburgh County Commissioners and other Interested Friends:

There are many legitimate questions which might be asked when a denominational group seeks to establish a service agency within a community.
Here are some attempted explanations to some vital concerns;

1. What kind of track record do we as United Methodists have in regard to health and welfare ministries?
   We have many units functioning now in Indiana. I will site some which have gained state and national recognition for their excellence in operation and care.
   A. Methodist Hospital of Indianapolis has pioneered cluster care units and established a family practice unit which have received highest awards.
   B. Franklin Home of Franklin, Indiana has been cited nationally by both, denominational and secular agencies for excellence of care.
   C. Both, Lebonon Childrens Home and Bashor Childrens Home, homes with similar intent as the proposed youth home in Evansville, have received high honors for service but they have also received commendations and letters of appreciation for their ministry with troubled youths from County officials all over the State of Indiana.
   We have both experience and resources to bring this needed service to this community.

2. Who will continue to monitor the care and quality of service?
   We, in the United Methodist Church, have a certification board at a national level with offices in New York and Chicago. Our certification board has much more demanding regulations than do local, state, and national codes. Some institutions have been years in achieving certifications by our denominational certification board of health and welfare ministries. This was after they had met also the qualifications of the legal requirements. We have a long-term committment to any project we engage in but long-term funding is dependent upon certifications by our own board or major progress toward that certification each year.
   Funding is maintained by meeting certain certification standards but also dependent upon operating fully within the limits of charter and statement of intent.
   We want the best possible quality of service for any institution associated with the United Methodist Church.

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3. Why do we engage in such programs?

We believe that every person should have access to the best possible life. If we can provide an atmosphere of love, concern, understanding and hope for those who have been denied these life qualities, we feel this is our calling as a church. We hope you will see fit to allow us to perform such a service for you.

Submitted by Dr. Lloyd Wright

Mr. Shaw introduced Mr. Frank Howard who is the house parent at the Roy Long Home and Father Kenneth Knapp who is the director of Catholic Charities.

Mr. Howard said they do have a home which is similar to the home that is being proposed here, a home that tries to fill in a gap that has long been evident in this community between foster home care or natural parent care and institutional care, the group home fits in the gap that the other services do not provide for a certain specific narrow band of child, that the child is not a delinquent, he could be judged a pre-delinquent in a sense, that given his present circumstances without relief, he could develop very definite delinquent tendencies.
He said that in the 2½ years that he and his wife have been house parents at the Roy Long Home, they have had 12 boys in residence and it is a long-term facility where the boy has a chance for him to accept it as his home and to identify not only with the home itself but with the school and the neighborhood and become part of that environment, that the problems have been internal for the most part, normal type problems with the added type problem of the boy coming from the troubled environment in the past and having to deal with this and there are certainly resources that the normal family would not have available, that they have a regular consultant board, a chief psychologist from the Rehabilitation Center acting as a volunteer, a superintendent who is there weekly, a psychotherapist from the Childrens Psychiatric Center who is there weekly for counseling, so these people are considered on-call resourse people who are always available to resolve difficulties the boys might have.
He said that other than that, the only thing that can be said for a group home would be the same that could be said for a normal family, that they are trying to provide an environment in which the boys can grow into responsible manhood with all the resources of the community at hand rather than be shipped out to some other satellite community where they are out of touch with their own roots or where they are institutionalized and made to feel outcasts in society..
He said that the home that is proposed by the United Methodist Church is identical to the ongoing operation of the Roy Long Home.

Father Knapp appeared said they run a social agency in town which deals with foster placement for children and three years ago they opened a group home themselves which ran successfully for eighteen months and was then closed because the group parents added another child to their family.
He said they were in the process of opening another group home when the United Methodist Church decided to build this larger home, that the Diocese had some property they were going to use for a group home but they don't seek competition as a good thing, although they see a great need for this.
He said that he would like to stress for the treatment for young girls from the ages of 10 to 17 who have behavior problems in the home, many times not being their own, this type of facility is excellent, that they find it functions better than some foster homes where some girl is somewhat isolated with another family and here she would have a chance to interact with other girls who have similar problems.
He said they have committed themselves and their services to work with the girls in the home and providing therapy for them and to work with the home from which she came to try to change the environment there, so that after a period of time, the girl can perhaps be reunited with her family and often, this therapy is possible only when they can remove the girl from the home so that the situation which is causing the unrest and difficulty can be eliminated so that people can more easily look at their problems.
He stressed that their home ran for eighteen months without the neighbors there even knowing that the home existed, that the home was on Crossgate, and they did so because they were willing to provide them with the kind of therapy that was necessary and also the fact that they are different kinds of persons than they deal with in something like the Yes home where they deal with drug problems.
He said the other agencies in town that deal with child care have committed themselves to work with the United Methodist Church in providing therapy for the girls and for the families.

There were a few remonstrators present.

Mr. James Klotz appeared and said that he was the closest resident to the proposed facility and he is here to protest the rezoning of this youth home, that he knows there is a great need for this type of helping agency and he is 100% in favor of more public and private participation in this type of program.

He said that 76 of the neighbors that he contacted, however, have voiced their sympathy for this type of program but they have all voiced their concern for "another facility like this when we already have two out here.", that they are speaking of the McDonald Hopeland and Youth Emergency Service.
He listed some reasons that the Commissioners should deny this rezoning that may seem trivial, impertinent and even nit-picking but he has been around long enough to know that things don't always go as planned and he cited some examples such as the office of Dr. Daum at 5200 Washington Avenue which was only going to be a single family residence and turned into a dentist's office, also the Yes project on Old Boonville Hwy, which is a worthwhile project but has caused the neighbors embarrassment, devaluation and even degregation.
He also said that the United Methodist Home Inc. may not want to build their home in the proposed location because of the Fraternal Order of the Eagles, in that they sponsor a turkey shoot out there every Sunday afternoon and airplanes also buzz around out there that are radio controlled and evidently the Eagles have given permission to use the field across from them, also it is too close to the Yes house and at least one of the people that signed the petition has seen sexual activities taking place on the lawn and he didn't think this was a desirable location for that reason, also that the boys come to McDonald Hopeland to play softball and they may not be aware of it but the heavy spring rains will practically wash them off the side of the hill out there and the sewer lines do not extend out this far.
He said that MCDonald Hopeland has males out there that are men, physically and could cause one to think and when he leaves home in the morning he sometimes wonders what is going to happen to his wife, that there is one boy out there that arrives early and just stands there and stares.
He said he talked to a psychologist who would not rule out the possibility that one of the residents of the home might be tempted beyond his ability to handle it, also the home would tend to devaluate his property as well as the people being frightened of the Yes House and he quoted one of his neighbors as saying that she didn't want a place down there for 17 year-old bad girls and he knew that it would be a source of trouble right at his back door, also that they are importing, from a five county area, children with problems and that they will be riding the same bus that his and the other children ride..
He also pointed that the nearest fire station is located in McCutchanville.
He said that most of his neighbors couldn't be here today since they are working but he is speaking for them and this is their concern, that they aren't against such a facility but they feel that they don't need another one out there.

Ms. Wunderlich of 6710 Boonville Hwy. said that her children are up and down this road all the time and some of her children have some playmates down the road that they would like to play with but due to the Yes house being there, she won't let them go and if this petition is approved, her children will be restricted even closer to home, because she doesn't see that she should let her children out, since she knows how she wants her children raised and if anyone will check, they will find that the school has had no trouble with her children and they have never caused a disiplinary problem, also that the Evansville Fire Department will not come out there, because they have been called, also they are very close to the county line and it is not patrolled to any degree and the I-64 spur out there is a possibility.

Ms. Norma Klotz appeared and said that her husband failed to mention that the people from the Yes house travel up and down Old Boonville Highway at all hours and three of them, at three different times, were seen involved in sexual activities which is a regular happening.
She also said that there are men who are intoxicated that spend the night at the Eagles Country Club because they are too drunk to drive home and she didn't think the people of the Methodist Church group have been out there long enough to know the circumstances and she said if they thought about the things that were brought forth, she thought it would be up to them to protect these girls, by placing this home someplace other than a men oriented place.

Attorney Shaw said in rebuttal, that this sort of thing happens all over this country, not just in this neighborhood, including crime, sex and all the rest of it, that it is a country-wide problem and they are trying to help this in some degree, in trying to give these girls a decent area and he asked, where in this country could they put it.

Ms. Julia Forney said she was born in Evansville and she intends to stay here, that she is also the Vice-Chairman of the Conference Committee that gave half grant and half loan to build this home and they spent many many hours in deliberation and that the rules within the United Methodist Church for homes of any type are stricter than anyone elses but they also know that they are under God's direction to find a place for these girls and they own ten acres there plus they own land everywhere but this is the best place for that home.

Mr. Jack Barnes, the President of the Evansville Area Council of Churches, said he had a statement he would like to share, that he is also Senior Minister at the East Side Christian Church which is a group that formed the Roy G. Long Home and of all the problems they have heard here, all of which were potentials, none of them have emerged and of all that where mentioned, they have had none of this type of thing, in fact the neighbors bring them bicycles, gifts and this sort of thing over to their boys, however he would like to present a statement that has been endorsed by the Evansville Council of Churches, Executive Board, Bishop Francis A. Shea and Sedel Berger and reads as follows:

Recently there has been vociferous opposition voiced to several present and proposed facilities for helping people with special needs.

The attacks have been directed toward the youth attention project home, the proposed home for girls to be sponsored by the United Methodist Church and the half-way house for selected parolees preparing for life outside.

We, making this statement, would like to speak to the conflicts these projects and others have aroused.

We share rootage in a Judeo Christian Heritage which answers a ringing "Yes" to the question; "Am I my brothers keeper? We affirm that by God's doing, we are all brothers and sisters. We share responsibility, therefore, to help meet the special needs of less fortunate members of our community. We believe this committment should remain paramount in our search for it's expression in the development of human service programs. Communities worthy of the name pull together to provide supporting services for those in special need and the best of those service programs seek and depend on a cooperative and inclusive community atmosphere to be most effective. As individual and corporate citizens, they realize they are inseparably bound together and they approach their concerns inclusively for the sake of each other. It is dishonest to verbally support to concept of community in our shared life and simultaneously include out any groups of community people, be they ex-offenders returning home, pre-delinquent young persons or neighbors of a proposed service facility. It is hypocritical to say that we want such facilities but not near our residences or businesses. It is wrong to presume that neighbors of such a facility ought to be excluded from operational considerations. These persons are all part of the community or we have none, only exclusive clusters of people motivated primarily by self-interest intent on defending themselves against all presumed challengers. We therefor call each of the involved groups of persons to a new inclusiveness in their difficult deliberations relating to the establishment and/or continuation of the above named services.. We further offer our resources and our services to assist in present or future growth of that inclusiveness which must be the hallmark of our life together.

After further discussion, Commissioner Schaad moved that petition VC-62-77 be approved. Commissioner Ossenberg seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: MONTHLY REPORTS

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

The report from the Bureau of Traffic Engineering was submitted for the month of February, 1977.
Report received and filed.

A report was received from the Division of Mental Retardation and Other Development Disabilities on the Evansville Association for Retarded Citizens, Inc. for the month of February, 1977.
Report received and filed.

The Case Report was submitted by the Legal Aid Society of Evansville, Ind. Joint Department of Legal Service for the month of February, 1977.
Report received and filed.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AUDITOR

Mary Lou Conley	713 Thornberry	Tax Exemption Clerk	$20.00 Day	Eff: 2/28/77
Rhonda McClarney	2608 S. Dexter	"	"	"
Flora Rose	1105 Putnam	"	"	"
Viola Schmahlenberger	1325 Fountain	"	"	"
Esther Shrote	1005 Cullen	"	"	"
Mabel Winkler	7608 E. Chandler	"	"	"
Edna Castrup	426 Richardt	"	"	"
Dorothy Rogers	306 Reis Ave.	"	"	"

APPOINTMENTS....CON'T.

CIRCUIT COURT

Beverly Corn	1642-B John St.	Probation Counselor	$2.85 Hr.	Eff: 3/14/77

HIGHWAY DEPARTMENT

Walter Swope	1515 Cumberland Ave.	Heavy Equipment Opr.	$4.63 Hr.	Eff: 3/16/77

PROSECUTOR

Mary Jo Kingon	R.R.8 Box 132	IV-D Asst.	$9,000.00 Yr.	Eff: 3/9/77
Melanie Heltsley	136 S. Boeke	IV-D Secretary	$6,982.00 Yr.	Eff: 3/14/77

SHERIFF'S DEPARTMENT

Donald Humston	Corporal	$12,776.00	Eff: 2/12/77

RE: EMPLOYMENT CHANGES.....RELEASES

AUDITOR

Mary Lou Conley	713 Thornberry	Exemption Clerk	$16.10	Eff: 2/28/77
Rhonda McClarney	2608 S. Dexter	"	"	"
Flora Rose	1105 Putnam	"	"	"
Viola Schmahlenberger	1325 Fountain	"	"	"
Esther Shrote	1005 Cullen	"	"	"
Mabel Winkler	7608 E. Chandler	"	"	"
Edna Castrup	426 Richardt	"	"	"
Dorothy Rogers	306 Reis Ave.	"	"	"

CIRCUIT COURT

Melanie Heltsley	136 S. Boeke	Typist	$2.85 Hr.	Eff: 3/11/77

CO-OP EXTENSION

Janice Breiner	Ashwood Dr.	Extension Agent	$5,419.00 Yr.	Eff: 3/18/77

COUNTY ASSESSORS OFFICE

Wm. H. Oliver	1014 N. Fulton	Real Estate Deputy	$8,465.00 Yr.	Eff: 3/14/77

HIGHWAY DEPARTMENT

Walter Swope	1515 Cumberland	Mechanics Asst.	$4.52 Hr.	Eff: 3/15/77

SHERIFF'S DEPARTMENT

Donald Humston	Patrolman	$11,742.00	Eff: 3/12/77

RE: POSTAL MATTER....COUNTY TREASURER

Mr. Volpe, the County Treasurer, appeared and explained that he discovered not too long ago, if they send their bills out in a certain manner, that there are about 50,000 or them, and they can afford a small savings then by sending them out for 12¢ each instead of 13¢ each, which is a savings of $500.00 in the spring and about the same amount of savings in the fall.
He requested that the Commissioners approve $30.00 from the postage account so he can put a bulk permit in at the post office to allow him to do this.
He said that next year they are going to have the bills properly printed so he can mail out the bills just once a year instead of twice and he can then save a much larger amount of money.
He also said that the ditch bills will be sent out with some tax bills to which they pertain, which will also save some money.

Commissioner Schaad moved that Mr. Volpe's request of $30.00 be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: LETTER ON TRAVEL APPROVAL

Commissioner Ossenberg said that Mr. Siebeking called the Commissioners to request permission to travel to Indianapolis and Commissioner Schaad was out of town, so he submitted the following letter:

Dear Sirs:

This is to confirm the verbal permission given by Commissioners Ossenberg and Willner for me to be in Indianapolis on March 21, 22, and 23, 1977.

It was brought to my attention that I should be in Indianapolis at this time in order to be certified for use of any herbicides, pesticides, etc., by the County Highway Department.

I will be traveling in a county vehicle and upon my return will submit receipts for gas, food and hotel expenses.

Sincerely, Jack Siebeking. Superintendent
Vanderburgh County Highway Department

RE: CHECK RECEIVED

A check was received by the Commissioners from the Hartford Steam Boiler Inspection and Insurance Company in the amount of $2,061.61 for the boiler loss on 11/23/76 at the Auditorium. (The claim from Industrial Contractors for this amount is included in these minutes.)
Commissioner Schaad moved that the check be accepted, endorsed and deposited into the Repairs to Equipment Account #144-252. Commissioner Ossenberg seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted from Vaughn & Geiger, Agents of 215 W. Main Street in Morganfield, Kentucky, on insured, Russel & Land, Inc. of 5201 Middle Mt. Vernon Road, for General Liability, Automobile Liability and Workers Comp. showing the Highway Department as certificate holder.

Commissioner Ossenberg said that no one seems to know what this is about so it will be noted as having been received and filed and the Commissioners will ask Mr. Siebeking about it next week.

RE: POOR RELIEF

Leslie Snodgrass.....101 Mary St.....Pigeon Township...Ms. Anslinger, Investigator

The Notice of Poor Relief Action from the Pigeon Trustee's office reflects that Mr. Snodgrass requested help on a hospital bill but was denied because his income exceeds limitations alloted by the Department of Welfare.

Mr. Snodgrass said his wife was in the hospital for a week, that he had doctor bills and hospital bills for her care and has no way to pay for both of them.

Commissioner Ossenberg asked Mr. Snodgrass what his income amounts to that exceeds the limitations.

Mr. Snodgrass said he gets $524.00 Social Security per month and that other than his wife he has two children to support that are the ages of 16 years and 17 years and the 17 year old is in school.

Ms. Anslinger said the amount of income allowed for four people is $400.00, that Mr. Snodgrass gets $272.00 Social Security per month, that his wife gets $84.00 and each of the children gets $84.00.

Mr. Snodgrass submitted his budget to the Commissioners which showed that his groceries were $200.00 per month, the bill for gas and lights was $90.00, phone was $14.00 and water was $10.00, also Life Insurance of $20.00 and a loan of $28.00 per month and Rent of $75.00 which is a total of $437.00, also Mr. Snodgrass spent $15.00 for his wife, to Dr. Brown and $14.00 for medicine.

Commissioner Schaad said this budget doesn't seem to be out of line.

Mr. Snodgrass said he is on medicare but that his wife isn't old enough to get it.

Ms. Anslinger said there is really nothing the Trustees office can do to help these people since they are over the limitation and they don't take the budget into consideration at all.

Commissioner Ossenberg asked Ms. Anslinger if she knew whether Mr. Morrison or any of the Trustees ever talked to the Welfare Department since the budget was revised in 1975.

Ms. Anslinger said this is when they took over and it hasn't been revised since then, that she talked to Mr. Butler but they just won't go.

The Commissioners agreed that it seems that everything Mr. Snodgrass has done, that he is certainly trying to live within his means and it seems to them that some changes need to be made.

Commissioner Ossenberg said he sincerely feels that the trustees should get with the Welfare Department and have this so called schedule that they have, revised, because since November of 1975 until March of 1977, the cost of living has been a major factor and he can well see that this gentleman has a legitimate complaint.
He explained, however, that the Commissioners are just the appeal board and until such a time as the Welfare Department would change the net income, the Commissioners are helpless.
He said it would be his suggestion that Ms. Anslinger ask Mr. Morrison if he will talk to Mr. Work and that in the meantime, he will talk to Mr. Work himself, to see about making an adjustment on this.

Ms. Anslinger said she called the hospital and found that Mr. Snodgrass owes them $906.80.

Commissioner Ossenberg said they allow a family of two people the amount of $250.00 and it hardly seems fair to him that they allow only $150.00 more for a family of four.
He told Mr. Snodgrass that the Commissioner's hands are tied and they can't help him now but he is asking the trustees to talk to Mr. Work about reconsidering the schedule they have and he would suggest to Mr. Snodgrass that possibly he can make some kind of an arrangement, temporarily, that he should talk to the hospital and see if he can't pay them a little each month.

Mr. Snodgrass thanked the Commissioners for their consideration.

RE: REQUEST TO OPEN STREET FROM MR. & MRS. WILLIAMS

A letter was received from a Mr. & Mrs. Donald C. Williams in requesting that they be permitted to open a street. The letter reads as follows:

Gentlemen:

We the undersigned are the owners of the real estate described in the attached exhibit. This property lies behind lot #1 and lot #2 of Huck Estates, a recorded subdivision.

We desire to open the unimproved roadway easement for an area 279.26 feet, lot #2 to the Southwest corner of lot #1, paralleling lot #1 to the northwest corner of lot #1, 279.26 feet plus 30 foot easement which parallels lot #1 and #2 on the west side.

The 30 foot wide improvement will be made with gravel. We desire to open this road for access to our property and will improve it at our expense. We have made arrangements for positioning of drainage tiles, however if you wish to seek and make recommendations as to the positioning of these tiles, we will follow your recommendation.

Sincerely, Mr. & Mrs. Donald Williams

Commissioner Schaad said Mr. Williams was in the office and he asked him if he wanted the County to take over the maintenance and Mr. Williams told him "no", that he just wanted access to his property so it is just a matter of using the easement and whatever the Surveyors office would want to tell him on things such as the drainage.

Mr. Brenner thought that Mr. Williams should hire a progessional engineer to design it for him.

Commissioner Schaad noticed that this subdivision was laid out in 1953 by Sam Biggerstaff and Leo Weiss of Engineer Associates so he suggested that Mr. Williams go back to Engineer Associates and have them go out and look at it and recommend what he needs to do, since they should be familiar with it.

Commissioner Schaad moved that Mr. Williams request be approved, subject to him having an engineer back him up on it, after which he should come back to the Commissioners. Commissioner Ossenberg seconded the motion. So ordered.

RE: REQUEST TO RESURFACE PORTION OF OLD PETERSBURG ROAD

The following letter was received from John H. Wallis of 17075 Old Petersburg Road:

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Gentlemen:

This is to bring a matter to your attention regarding the portion of Old Petersburg Road east of Highway 57 in Scott Township.

1. Little attention has been paid (and little asked) in the way of maintenance, yet this portion of the road serves--Charles Wheeler Wallis of R.6 Box 281, Charles W. Wallis of R.6 Box 279 and my own home, and surrounds that portion of Arthur Agee ground cut off in 1942 by Hwy. 57. Charles Bosse was the owner at that time. I believe the ditches were cleaned once and a new tube put through -(but never black-topped) several years ago. The road needs attention if its to be used by ourselves and farmers going that way to avoid 57 traffic. Please arrange for a suitable review.

2. A visit to the Plan Commission a week ago showed at least one of their maps as not including that portion of the Old Petersburg Road which is still in use and serves as an entrance to 57 should additional homes be built on either side of the road. I bring to your attention a copy of the letter dated Oct.of 1942 saying that the state would build bituminous approaches and the county maintain. The approaches were never prepared as this letter indicates and there is need for more county effort to blacktop where the new tube was put through the road - also the side of the road and ditches. So far as I knew no county snow plow was ever on the road this winter and it was with the farm tractor that the road was open for the mail carrier, our use and whoever else might have turned on to the road thinking it lead to Elberfeld, etc. Thank you for your help in whatever way possible.

Very truly yours, John H. Wallis

The letter dated Oct. 23, 1942 that Mrs. Wallis received from the State Highway Commission, Vincennes, Indiana Office, read as follows:

Dear Mrs. Wallis:

This will acknowledge receipt of your letter of October 20, concerning the approach to our new pavement on State Road 57, from the old road just north of your farm home. I have today, received word from the auditor of Vanderburgh County, to the effect that the County Commissioners of Vanderburgh County will maintain this old portion of State Road 57 in front of your farm after the State Highway Commission has abandoned it. In view of this, the State Highway Commission will at this time construct a Bituminous Approach to this portion of the Highway to be abandoned at approximately Station 465, on the plans for this project. I am instructing out Project Engineer on this contract to conduct our standard approach at this location.

I trust that this will be satisfactory to you and I remain

Yours very truly, F. B. Mendenhall
District Engineer

Commissioner Ossenberg said he has turned this matter over to the County Highway Department so they can check on this matter.

RE: CLAIMS

A claim was submitted by Torian Agency, Inc.on Auto policy, General Fund, Policy No. 36 C 719790, in the amount of $9,876.00.
It was noted that there will be an endorsement forthcoming showing corrections, additions or deletions to the policy. This claim was approved by the Co. Auditor.

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

A claim was submitted by Torian Agency, Inc. on Auto policy, Highway Department, Policy No. 36 C 719790, in the amount of $10,905.00.
It was also noted on this claim that there will be an endorsement forthcoming showing corrections, additions or deletions to the policy. This claim was approved by the County Auditor.

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

A claim was submitted by Mr. Dan Hartman for expenses incurred on lodging and meals in attending the Purdue Road School from March 8th to March 10th. 1977, in the amount of $42.54. This claim was approved by the County Surveyor.

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

A claim was submitted by Louis H. Stephen for lodging in attending the Purdue Road School in the amount of $27.04 and a mileage claim in the amount of $56.14.

Commissioner Schaad moved that these claims be approved. Commissioner Ossenberg seconded the motion. So ordered.

A claim was submitted by Industrial Contractors for the repairs made on the boiler at the County Auditorium in the amount of $2,061.61, as per order # 1249B.

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

RE: DISCUSSION ON COAL TRUCKS USING COUNTY ROADS

Commissioner Ossenberg explained that Mr. Butler, mine general manager of the Schultz Brothers Excavating Co. had called him on Thursday about traveling on Boonville-New Harmony Road and he told Mr. Butler he would have to appear before the County Commissioners, his contract to be met on Friday and Saturday, and at that time he told Mr. Butler he would have to send the County Highway Engineer out and he sent Mr. Siebeking out there, after which he told Commissioner Ossenberg that he met with Mr. Butler on March 18th who said they will repair and maintain Boonville-New Harmony Road from Warrick County Line to Green River Road, that they are maintaining the road in Warrick County, that he traveled over it and that it is in good shape and they have assured him they will repair and maintain our road in the same manner.

Commissioner Ossenberg said that at that time he granted permission for Mr. Butler to travel this road on the two days but that he would have to appear before the Commissioners if they were to continue to drive the roads.

Mr. Butler appeared and said they had to complete a contract on several barges for the Tennessee Valley Authority and they hauled coal on Friday and Saturday and when Mr. Siebeking came out, he had agreed that they repair the damage that had been done and they immediately got a backhoe in there and spent about $2,000 over the weekend making temporary repairs to the Vanderburgh section of Boonville-New Harmony Road. He said the only thing that would be a problem would be to put asphalt over the patch after it dries out, that the patches will have to be oiled so they don't get the dust. He said they won't be hauling through there now for at least another week. He said that this morning he saw someone else's coal trucks out there and he supposed he would get the blame for that.
He said he could understand the concern of the County Commissioners, County Engineer and the County Superintendent of Roads, that they have repaired the Warrick County roads that were torn up and they will do the same here, that he knew it was very difficult to tell whose coal trucks they were, also that their coal mine does not own a coal truck, that they contract all the hauling, but they must have a way to get their coal out and they have tried to use this route to get to the state highway, that there isn't one nearer unless they could get to route 62.
He told the Commissioners that he appreciated their indulgence in letting them finish their contract for those two days.

Mr. Brenner said he has a crew out on the road right now and there are coal trucks out there and they stopped one of them and he imagined this gentleman intends to repair the road the same way as Mr. Butler does, that they will put gravel on it and grade it, but that this wasn't a gravel road when they started, also that there is a bridge with a 4-ton limit on it and one of the wings have completely collapsed and it wouldn't have collapsed at 4-ton and this is one of the bridges that is to be replaced and is in the contract right now. He said he didn't know how they could let them travel on it, that he called the Sheriff and he told him that the Commissioners had told him it was allright for them to use the road. He said if they have a load limit they can't do that, that the Sheriff is to enforce the law and if there is a load limit sign, make it work, if they aren't going to put a sign up, they should step up and say it, that he has driven four miles of Warrick County roads that they just had done and they have turned that into a gravel road also.
He said he finds it hard to believe that there are no alternative roads to get out of there but they are hauling coal again so the Commissioners are going to have to make a decision, either they open the road up or enforce the law. He said the load limit is still on the bridge, that somehow the signs were taken down but they are back up today.

Commissioner Ossenberg said he didn't know there was a load limit on the bridge nor did he know that the signs were taken down.

Mr. Brenner said it was done by a highway crew and speed limit signs were put up in its place that same day.

He said he had sent a letter to Mr. Judd to have the 10-ton limits posted from County Line to County Line and the signs stopped at Green River Road and everything went together just like they had planned to open the road up to them, which they didn't. He said the signs are posted now and have been as of Friday.

Mr. Judd said those signs were taken off that bridge to be replaced, that they were worn out and were in the shop but they have been replaced now.

Commissioner Schaad said that when a bridge is posted, it is only for our protection, that we would not enforce it.

Mr. Brenner asked the County Attorney about this. He said he would feel that if someone went across the bridge, we wouldn't want them to fall in but we don't want them to tear up our bridge either, and he asked the Attorney if he would say that the Sheriff should enforce the load limit.

County Attorney Smith said if it has been properly established and authorized, they should, that the Area Plan had submitted last week, some ideas on truck routes and weight restrictions and requested that he prepare a county-wide ordinance on this for all county roads and he has prepared a proposed draft of the ordinance.

Mr. Brenner wanted the County Attorney to tell them what it takes to get a load limit on a bridge and County Attorney Smith said that according to the statute, the County Commissioners and the County Surveyor has police powers and can enforce it.

Mr. Brenner said he considered his police powers over the weekend, that he thought he would give them a little check out.
He said that if the Sheriff or the City Police are not to enforce a weight limit sign, then the Concrete Co. and the Sand & Gravel Co. are free to use Ohio Street bridge if they wish and he cannot believe this.

Commissioner Ossenberg said his thinking of this is they can use it but if they do, they are using it at their own risk.

Mr. Brenner said they also use it at the other people's risk, that are on the bridge too and you can't do that.

Commissioner Ossenberg said he would then say that Mr. Brenner has the power and he should invoke the power on the bridges.

Mr. Brenner said that it should also be enforced, that there shouldn't even be any question about it.

County Attorney Smith told Mr. Brenner that he has police powers and he could enforce it himself but Mr. Brenner said he isn't quite equipped to do this.

Mr. Butler said that he looked at the bridge in question, that it is about three feet deep and maybe six feet wide and he knew it would be a dangerous thing if someone would be on the other side of it, that the school bus runs over this bridge and he believed that this would be more than the 4-ton itself and he thought that if a trucker went through the bridge, that the trucker is liable and his Insurance Company, in turn, is liable.

Mr. Brenner said he didn't dream up the 4-ton limit, that it was put on by the previous Surveyor, also that the 10-ton limit sign is there, and that this road falls under the ordinance also.

Commissioner Ossenberg asked Mr. Brenner if he is saying that he wants it closed to all truck traffic.

Mr. Brenner said this is correct, that this is what was agreed when they put the 10-ton signs up.

Commissioner Ossenberg said he didn't know about the bridge.

Mr. Brenner said a contract was let to G. H. Allen and this bridge is one of the six to be replaced forthwithly.

Commissioner Ossenberg told Mr. Butler it looked then, like he was going to have to find a different route.

Mr. Butler said they have to get their product out of the area, that they have to get access to a state road and this is the only road over which it can be accomplished,

that on this particular contract they may be able to get another route to 62 but if they get another contract to go to Grandview Terminal, this is their only access out.

Mr. Brenner said that Mr. Butler has said that he could go another way to get to another state highway, that he isn't completely boxed in and it would be out of his way but he could get out.

Mr. Butler said that Warrick County is being put in the same position that Vanderburgh County is in, that Warrick County has a road that goes out by Chandler to 62 and they have maintained a pretty good stretch of road for Warrick County and they can't maintain every road in Warrick County so they just about have to run on the one they are maintaining and if the routes are changed in Vanderburgh County, then they will have another batch of roads to maintain.
He said they have a gentlemans agreement with Warrick County and they are very reasonable, that it did cost them a lot of money but at least they have an access to get out to the state road.
He said he has lived here all his life and every winter they have this same thing, that there are always drainage problems also.

Mr. Lochmueller asked if they couldn't use St. John Road.

Mr. Butler said St. John Road is also posted and that it is in poor shape, that this has been a terrible winter for the roads.

Mr. Brenner said he hates to take a narrow minded view but that we are in Vanderburgh County and that is what we are supposed to represent and the product does come from Warrick County and it seems to him that it is more their problem than ours.

Commissioner Schaad said they must work together and it is a matter of getting the product to the market and this is what they must work out, that they can't arbitrarily shut down the roads and tell everyone not to use them and stop everything, that it must be worked out someway, that this is the reason for roads and they are going to have to use them somehow.

Commissioner Ossenberg said as he sees it, the Commissioners have the power to give Mr. Butler permission to travel the roads but they don't have the power to cover that bridge and if the County Surveyor wants to stop him over the bridge, he can stop him, also that the contract is let and the bridge is supposed to be rebuilt and until that time, the County Surveyor has the right to stop him.

Mr. Brenner said the Commissioners previously agreed to post a 10-ton limit on that bridge and asked them if they don't want it because someone is complaining.

Commissioner Schaad said it isn't a matter of what they like, that it is a matter of what professional advice they have been given.

Commissioner Ossenberg said he is beginning to think that maybe a good ordinance would be that these coal companies and other heavy trucks put up a cash bond that guarantees the rebuilding of a road, that if they damage a road, they should be held responsible to repair the road.
He said that the people may come in here in all good faith but he would never take a verbal agreement, that he would take it in writing, or they could post a bond and fix the road and put it back to standards but there may be ten other coal companies that won't do that and they can't let a few go and discriminate against the rest, so he said it must be stopped one way or another and maybe the answer is a cash bond.

Commissioner Schaad said they would have no way to determine who was using the road, that there may be three coal companies using the road.

Commissioner Ossenberg said this is true but he would say that anyone carrying over 10-ton should have to post a bond.

Mr. Butler said if there is some other road they would rather have him use, to tell him and they will do it.

Commissioner Ossenberg agreed that Mr. Butler was going to have to have a way out of there but didn't know how.

Mr. Linzy suggested that they use Baseline Road from Warrick Co. to 57, since there is a new bridge there but he didn't know how much farther they would have to run.

Mr. Butler said they don't need a decision right away since they won't run for another week.

Commissioner Ossenberg said he hates to be hard-nosed but he is going to stand up with the ordinance and that is, that they are going to have to find an alternate route, as well as other coal companies.
He said that Mr. Lochmueller is acquainted with that area and he asked him to work on it and Mr. Lochmueller of the Evansville Urban Transportation Study said that he was going to Warrick County this afternoon and he would talk to the County Commissioners there and work with them and the coal companies to see what alternate routes he can find for them.
He said he is in favor of stopping the coal trucks that use this road, that he isn't going to discriminate against these people.

Mr. Brenner said the signs are posted and they shouldn't interfere with the Sheriff doing his job.

Mr. Butler thanked the Commissioners for their consideration.

RE: SPEED STUDIES

Mr. Lochmueller said the Commissioners asked for some speed studies, that they are completed and they were presented at this time.

Mr. Paul Eggink, a traffic engineer for the Evansvikle Urban Transportation Study, said that the study included routes on Boonville-New Harmony Road, Broadway, Green River Road and Oak Hill Road.
He explained that the procedure he used was the Indiana Manual of Uniform Traffic Control devices which states he must have 100 vehicles in each direction or a two-hour count for all vehicles in all directions and from this data he compiled the 85 percentile speed which is the designed speed.
Mr. Eggink's recommendations are as follows:

To increase the speed limit on Green River Road from 35 miles per hour to 50 between Heckel Road and Boonville-New Harmony Road and to 45 between Heckel Road and Morgan Avenue. Tests indicated the average speed at 52 miles per hour.
To lower the speed limit between Heckel Road and Morgan AVenue because the road is narrower and passes Evansville Day School. Tests indicated average speed of 48 m.p.h.
To raise the speed limit on Broadway east of Felstead Avenue from 30 to 40 miles per hour. Tests indicated that motorists averaged 42 miles per hour in this area.
To increase speed limits to a uniform 45 miles per hour on Oak Hill Road between Lynch Road and Ind. 57. The current speed limits are either 35 or 40 miles per hour. Average speed during these tests was 47 miles per hour.
To lower speed on Boonville-New Harmony Road between St. Joe Avenue and the Posey County line from 55 to 45 miles per hour because of the narrow pavement and hills.

Mr. Eggink said in conducting his speed survey last week, he clocked several hundred motorists at each location, also that by increasing the speed limits on Green River Road, Broadway and Oak Hill Road, it would make the roads safer, that right now, if a person drives the speed limit of 35 miles per hour on Green River Road, a lot of times they are creating a traffic hazard.

When asked about the school zones in the area, Mr. Eggink said they are to be at the speed limit of 20 m.p.h. when children are present.

Commissioner Schaad said that he has heard so often that if a speed limit is upped from 30 miles per hour to 40 miles per hour they will drive 50 and 60 miles per hour and if they leave it at 30 they will drive from 40 to 50 miles per hour.

Mr. Lochmueller said most people usually drive at what they consider a safe speed

Commissioner Schaad said the statement was made that Broadway has a high accident rate experience and hilly terrain so their judgment isn't very good, that what he is trying to say is that they are driving faster out there than is safe for that road.

Mr. Lochmueller said there is some question about it and they will have to have some enforcement.

Commissioner Schaad said all the neighbors in the area say that it is dangerous and there are no speed signs out there at all at the present time and they were tearing through there using it for a race track and the kids were hot-rodding in that area.

Mr. Lochmueller said the speed should be posted and then it should be enforced.

Commissioner Ossenberg said they would take these recommendations under advisement and pass on it next week.--

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RE: MR. HOTZ....USED CLOTHING

Mr. Hotz said that Mr. Morrison, the Pigeon Township Trustee, has requested permission to take the used clothing from the Pleasantview Rest Home, that they are out of style but Mr. Morrison thinks he can use them.

Commissioner Schaad moved that Mr. Morrison be given this clothing. Commissioner Ossenberg seconded the motion. So ordered.

RE: BLUE PRINTS FOUND

Mr. Hotz said they found two sets of blueprints at Boehne, back in a closet, and he wondered if they should be filed in the Surveyor's office.

Commissioner Schaad wondered if they shouldn't be filed in Mr. Crook's office and Commissioner Ossenberg said either place will be satisfactory with him.

Commissioner Schaad moved that these blueprints be filed in Mr. Crook's office, since he has blueprints of several public buildings there. Commissioner Ossenberg seconded the motion. So ordered.

RE: QUESTION ON SURPLUS DESKS

Mr. Hotz said that the Highway Department received two desks from Pleasantview and in return, they gave back two old desks and he understands that one of the Township Assessor's needs a desk and he wondered if it would be okay to give it to them.

The Commissioners agreed that the Township Assessor's are in the County budget and if they can use the desks, fine.

Commissioner Schaad moved that the desk be given to the Township Assessor's. Commissioner Ossenberg seconded the motion. So ordered.

RE: PHONES AT PLEASANTVIEW

Commissioner Schaad asked Mr. Hotz how many phones they have at Pleasantview now and Mr. Hotz said they have the same number as when it was in operation.

Commissioner Schaad asked if they couldn't be cut down to one line and Mr. Hotz said he understood the service call would be around $30.00 to have them taken out.

The Commissioners asked Mr. Hotz to look into the matter, since they agreed that it may be worth the $30.00 to have them taken out, since they may be paying more by leaving them there.

RE: MR. JUDD.....REPORT ON ROADS

Mr. Judd said that last week he had Mr. Siebeking come out and look at Pinehurst, that they are constructing a street above the hill running North and South and when he went to work there were ten to twelve concrete trucks parked on the hill waiting to get up to unload the concrete and he showed Mr. Siebeking the damage done to this road and said they really tore up the road at the top of the hill and then along the curb line going down the hill, there is a crack all the way down. He said he suggested to Jack that since they know who did the damage, they should get on it and maybe they can get the road repaired.

Mr. Judd said the Commissioners might look at the intersection of Caranza Drive and Pinehurst, that it was a nice smooth street until the trucks started making their turns and now it is nothing but gravel right in the middle of the street. He said that Greenbriar Realty is the builder of the homes.

Mr. Brenner said they are after the wrong outfit and he submitted a sample of the road from Caranza Drive that was 1¼ inch of asphalt instead of 3 inches so it has no chance of surviving, that three inches was the minimum thickness in the specifications when this road was built and someone accepted it so the concrete company can't be blamed for this street being torn up and they might have grounds for a suit against the person that put it in.

Mr. Judd said they as property owners out there, didn't know this and since they know who is doing the damage out there, something should be done, that they are going to end up with a gravel road if this keeps up.

Commissioner Schaad said there are other roads that are substandard and passed by somebody and we have to live with it.

Mr. Brenner said he wondered if we do really have to live with it, that this is out and out fraud.

Mr. Judd thought this road was built about 1969 and Mr. Brenner said the specifications required three inches of asphalt when it was bui :.

Commissioner Ossenberg said he didn't understand about concrete trucks or how they have to be there to lay a road but he wondered if all the trucks have to be parked at one given spot.

Mr. Morley said there were a multitude of errors that seemed to all come together, as usual, on something like that and it is never as clear cut as a person might think, that first of all they are putting in a street that they are passing across something that is already accepted and the developer who is paying for the new street which had soil compaction tests taken on it and all the rest but wasn't the same one who built the street on Pinehurst and if someone had been on that street contractor at the time the street was built, the problem wouldn't have existed.
He said the other thing is that they have local delivery and the 10-ton limit hadn't been addressed to, so the concrete company don't feel that they are under any obligation to cut down on their loads but if the Commissioners did propose an obligation on the concrete company to cut down on their loads, one partial answer would be for the Commissioners to have a meeting with the concrete companies and the developer and talk to them about some sort of self-imposed weight restriction, that they can carry half a load and this will mean that it will cost them more money and they will probably pass it on to the consumer but this is one way to cut down loads.
He said as to the parked trucks, they didn't really hurt the road, that it was when the trucks were moving across it and the more they move on it, the impact load starts moving water up through it and it becomes mushy and right in front of Dr. Baird's house there is a space of about ten feet in diameter and it is right on top of the sewer line, right beside a manhole so someone didn't compact for the sewer line, so it comes around to who are they going to blame.
He said he talked to a gentleman from the Evansville Concrete Company and asked him what their approach has been with the County Commissioners when they go out and damage a road, and it was pretty obvious that they damaged it and he said that they had really never reached a head-on confrontation to talk about it and he said, maybe they could work with someone on a solution.
He said, as to the developer, he supposed that Shady Hills is essentially there, fully developed and so the man who caused the street to be built in the first place and then turned it over to the County, has no monetary interest in it any further and he could care less and this is the background of what went on out there.
He said he could see what caused it but he didn't know the exact solution and he would dare say that anyone they would try to put 100% of the blame on, could get out of it.

Commissioner Schaad asked if someone in County government doesn't have to inspect that road so it can be approved and signed so the claim can be paid.

Mr. Morley said they do have a procedure to follow now but he didn't know if back then, there was one or not, also that Dr. Baird paid for part of this road himself.

Commissioner Schaad said, in getting back to the asphalt on Caranza Drive, if that road was inspected or before the blue claim was ever paid, the way it is now, that when the claim is signed by the Commissioners they assume that it has been inspected and that it meets the specifications, so they then pay for having the work done.
He wondered if they then shouldn't meet with the concrete companies and developer and Commissioner Ossenberg said he thought this to be the only thing they can do and he asked who the developer is and Mr. Morley said it is Greenbriar Realty, consisting of Jerry Wells, Harry Camp, Gene Elpers and Marvin Huff and that the Evansville Concrete Company is the supplier for the streets.

RE: CLAIM

Mr. Brenner submitted a claim from G. H. Allen, Inc. for work done on Marx Road Bridge #64, from November 15, 1976 to March 8, 1977, less 5% retainage fee, the amount of the claim being $20,482.95. This was approved by the County Surveyor.

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

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RE: MR. BRENNER.....WOOLCO ENTRANCE

Mr. Brenner said he received a letter this morning from the State Highway Department on the Woolco Entrance and it is completely contrary to what they agreed to, since it reads that the cost is to be borne by the County.

Commissioner Ossenberg asked if Greg Kempf didn't have something to do with this and Mr. Brenner said he sure did.

Commissioner Ossenberg said he thought Mr. Kempf had agreed to pay for this.

Mr. Brenner said it is on a state right of way so he thought the state would pay a portion of it and that John Carroll was the attorney on this.

Commissioner Ossenberg asked if one of them would contact Mr. Carroll, since he was sure that Mr. Kempf had said that he would cooperate in any way on the deal and that he would pay for it.

RE: EMERGENCY ON ROESNER ROAD

Mr. Brenner said they have an emergency condition on Roesner Road and that the Commissioners had agreed to put in a culvert out there.
He said the culvert has been ordered and it has been advertised and he will go before Council and request the money.

Commissioner Schaad asked who was going to put it in and Mr. Brenner said he didn't know, that he has asked for bids from Mr. Nussmeyer, Mr. Allen and Mr. Deig.

Mr. Siebeking's report stated that the south wall was leaning over to the north and that it has been shored to hold it up, that this was done on the recommendation of the Surveyor's office, according to their plans. Mr. Brenner said they did an excellent job.

RE: APPRAISER APPOINTED FOR BOONVILLE-NEW HARMONY ROAD

Mr. Brenner said they need a right of way buyer for Boonville-New Harmony, off 57, for the federal project, that he has the plots all drawn up to be procured.

Commissioner Schaad asked, since this is a federal project, if they didn't first need someone to appraise it, that they would need someone that has been approved by the federal government and Mr. Brenner said they also need an appraiser.

Commissioner Schaad said this must be done first and not just anyone can do it, that Mr. Cox can do the appraisal but they will also need someone who is qualified as a right of way buyer.

Commissioner Schaad moved that Don Cox be appointed as appraiser and that they ask Mr. Cox to recommend someone as the right of way buyer. Commissioner Ossenberg seconded the motion. So ordered.

Mr. Brenner said he would contact Mr. Cox.

RE: AUDITORIUM

Mr. Brenner said he went before the Council at an emergency session for the $50,000 for the boilers at the Auditorium and some of the Council had done some field work on this before and they weren't interested in spending the money and they are considering replacing the air conditioning with an electrical system, which is the way to go if they are willing to spend the money.
He said they still have to convert the boilers to oil but they will be able to buy cheaper boilers because they won't have to have steam boilers, that they could use hot water, since the steam is only required for the air conditioning.

RE: COMMENT ON ROAD MATERIAL

Commissioner Schaad said that sometime ago at one of the road schools, they discussed where a road goes to pot and they talked about grinding the aggregate after it has been taken up and mix it with oil and put it back down, and since the roads are so torn up now, he wondered if this would be feasible and said that maybe it needs to be looked into.

RE: RESOLUTION NEEDED TO HELP REPAIR COUNTY ROADS

Commissioner Schaad asked Commissioner Ossenberg if he received a copy of a mail-o-gram and Commissioner Ossenberg said he did.

Commissioner Schaad said they were going to have to get after the state legislators because they are all going to be hurting very badly, as they know, in fixing the County roads with no money, and he wondered if they needed a resolution to do this.

Commissioner Ossenberg said he made several calls.

Commissioner Schaad said he thought they should go on record and he moved that they pass a resolution to send to the state legislature, that they get some emergency relief of some kind to repair these County roads, since they are so torn up by the winter freeze. Commissioner Ossenberg seconded the motion. So ordered.

RE: RODENBERG BRIDGE TO BE REPAIRED

Commissioner Schaad said he went out and looked at the Rodenberg Bridge yesterday, that it is an old wooden bridge that is very deteriorated and they wondered what they were going to do about it since only six houses are at the other end and it was questionable as to if it was even a county road but those people were isolated down there with no way for them to get out without a bridge and they were thinking about designing one at about $15,000 so Mr. Siebeking went out there and said he would repair the bridge for $500.00 and he was going to send someone out there to measure the timbers and get it all pre-cut and then go out there and tell those people that they won't be able to use the bridge for a half a day, that he said he could repair it in that amount of time.

Mr. Brenner said they were going to take the load limit signs off that bridge and they are going to put a sign up at the bridge that reads, "end of county highway."

Commissioner Ossenberg said he assured the people out there that they would be advised when this work is to be done and Commissioner Schaad said that Mr. Siebeking will see to it that they know when the work is to be done.

RE: ABSENTEE REPORT

Mr. Linzy submitted the Absentee Report on the employees at the County Garage for the past week.
Report received and filed.

RE: MR. SIEBEKING'S REPORT

Mr. Siebeking isn't with us today but he submitted the following report to the Commissioners:

He reported on Pinehurst and Caranza Drive, the Bridge on Roesner Road and the Schultz Bros. Excavating Co. in reference to the coal trucks, all of which have been discussed previously in these minutes.
He also made reference to a Mrs. Wilson calling him about two dead trees on a lot on Cass Avenue that has been put up for sale by the county.
It was this parcel of property that Ms. Wilson offered $50.00 for this morning and she will probably be back with her offer since the Commissioners wouldn't accept that amount the first time around, as the property was appraised at $216.75.

Mr. Siebeking also reported that the grate work and water way across Twickingham Drive, at the intersection of St. George Road has been rebuilt and will be opened to the traffic as soon as the concrete sets up which will be about the middle of this week.

RE: VEHICLES FROM PLEASANTVIEW

Commissioner Schaad said he mentioned about the vehicles they have that belonged to Pleasantview and Mr. Brenner said he would like to have the station wagon.

Commissioner Schaad asked Mr. Brenner if he could use the van, since he thought maybe one of his crews could make use of it and Mr. Brenner said he would take a look at it.

Commissioner Schaad moved that Mr. Brenner be given the station that was at Pleasantview. Commissioner Ossenberg seconded the motion. So ordered.

The meeting recessed at 1:05 p.m.

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PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Bob Schaad	Curt John	Ed Smith Jr. Paul Wendel

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MARCH 28, 1977

The meeting of the County Commissioners was held on Monday, March 28, 1977, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

The minutes of the previous meeting, as well as the minutes of the special meeting that was held on March 16th. to discuss Pleasantview Rest Home and the Boehne property was approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

Ms. Hattie Wilson had appeared last week and said she was interested in Code No. 22-64-12, located at 226 Cass Avenue, Crofton Place L. 18...Blk. 7 and offered a bid of $50.00 for this parcel.
The County Attorney, at that time, informed the Commissioners that on the first time around, they couldn't accept a bid of less than the appraised value which is $216.75, so Ms. Wilson was advised to submit her bid and return this week.
Ms. Wilson again appeared before the Commissioners today and again offered $50.00 and said that there are two dead trees on this property and the cheapest she can have them removed is for is $140.00.

Commissioner Willner asked Ms. Wilson if she would have these trees removed if she buys this property and Ms. Wilson said that she would.

Commissioner Schaad moved that the Commissioners accept the bid of $50.00 for parcel 22-64-12 and that it be sold to Ms. Wilson. Commissioner Willner seconded the motion. So ordered.

There being no further bids on the County-owned surplus property today, the sale will continue next week.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CENTER TOWNSHIP ASSESSOR REASSESSMENT

Linda Anne Westfall	309 W. Maryland	Deputy Assessor	$20.00 Day	Eff: 3/22/77

COUNTY ASSESSOR

Dorothy Joest	2011 N. Green R. Rd.	Real Est. Dep.	$8,465.00 Yr.	Eff: 3/28/77

GERMAN TOWNSHIP ASSESSOR

Marian Wagner	R.2 Wadesville Box 185 N.	Deputy	$16.10 Day	Eff: 3/23/77

COUNTY SURVEYOR

Albert Holtz	1613 Washington Ave.	Party Chief	$11,779.00 Yr.	Eff: 3/28/77
Robert E. Kautzman	7019 Hogue Rd.	Instrumentman	$8,416.00 Yr.	Eff: 3/28/77
Wayne Pasco	1416 W. Eichel	Rodman	$7,093.00 Yr.	Eff: 3/28/77
Randy Key	118 S. Boeke Rd.	Instrumentman	$9,295.00 Yr.	Eff: 3/28/77

COUNTY TREASURER

Norma Jarvis	3217 N. 12th. Ave.	Clerk	$6,283.00 Yr.	Eff: 3/28/77

RE: EMPLOYMENT CHANGES.....RELEASES

COUNTY SURVEYOR

Gary Gulledge	123 S. Kenmore Dr.	Instrumentman	$8,416.00 Yr.	Eff: 3/25/77
Alvin Paul	R.2 Wadesville	Party Chief	$11,779.00 Yr.	Eff: 3/25/77
Robert E. Kautzman	7019 Hogue Rd.	Rodman	$7,093.00 Yr.	Eff: 3/25/77
Albert Holtz	1613 Washington	Instrumentman	$8,295.00 Yr.	Eff: 3/25/77

COUNTY TREASURER

Barbara Hedges	2238 E. Iowa St.	Clerk	$6,283.00 Yr.	Eff: 3/25/77

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

VANDERBURGH SUPERIOR COURT-DRUG AND ALCOHOL DEFERRAL SERVICES

William M. Campbell	15 Willow Dr. Henderson Ky.	Director	$14,405.00 Yr.	Eff: 3/26/77
Mark R. Owen	2310 Sharon Pl.	Associate Director	$11,217.00 Yr.	Eff: 3/26/77
Carl A. Miller	732 Fairway Dr.	Clin. Coordinator	$12,280.00 Yr.	Eff: 3/26/77
Debra J. Below	1517 Russell St.	Executive Sec.	$ 6,982.00 Yr.	Eff: 3/26/77

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted from Vaughn & Geiger, Agents of 215 W. Main Street in Morganfield, Kentucky, on insured, Russell & Land, Inc. of 5201 Middle Mt. Vernon Road, for General Liability, Automobile Liability and Workers Comp. showing the Highway Department as certificate holder.

Mr. Siebeking had explained that this certificate is sent to the Commissioners yearly for filing.
Certificate received and filed.

A Certificate of Insurance was submitted by the American States Insurance Co. on Larry Aiken, DBA, Aiken Management on the Theatrical performance of Roy Orbison Concert that is to be held at the Auditorium on May 15th. 1977.
Certificate received and filed.

RE: RESOLUTION.....FUNDS FOR ROAD REPAIR

Commissioner Ossenberg stated that the Commissioners sent the following Resolution To:

Mr. J. Jeff Hays)
Mr. Michael K. Phillips) Members of the
Mr. Dennis T. Avery) House of Representatives
Mr. Gregory D. Server)
Mr. Lindel O. Hume)

Mr. Joseph O'Day) Members of the Senate
Mr. James R. Harris)

SUBJECT: Funds for Road Repair
in Vanderburgh County

WHEREAS, the Vanderburgh County highways are in dire need of repair due to their deterioration as a result of the severe and unprecedented winter of 1967-77; and

WHEREAS, Vanderburgh County does not have sufficient funds to make the necessary repairs; and

WHEREAS, Vanderburgh County must look to the General Assembly of the State of Indiana for financial assistance in this emergency;

NOW, THEREFORE, BE IT RESOLVED:

That the General Assembly of the State of Indiana, prior to its adjournment, take the necessary action to provide sufficient funds to Vanderburgh County for the necessary repairs of those county highways under the jurisdiction of the Board of Commissioners of Vanderburgh County.

Dated: March 21, 1977

For the Record, Commissioner Schaad moved that the Commissioners sign this Resolution. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg said that Urban Mass Transportation also sent a Resolution in support of the County Commissioners of Warrick and Vanderburgh County. He said the County Commissioners were represented, last Thursday, at an Indiana Association of County Commissioners, Mayors and Councilmen's meeting in Indianapolis, and the idea of that meeting was to encourage the legislature to please help us out.

RE: I.P.A. GRANT REQUEST

Ms. Anika Juras, Executive Assistant of the Council Council, appeared and explained that what she is asking for is the Commissioners endorsement of a proposal that will be sent to the I.P.A. for personnel monies, that it is administered through Indiana University and said that they funded part of the Job Evaluation Study.

She said that the proposal that is being sent this week will be for two projects, one to fund a merit longevity study so the Council will be given recommendations on how they might make payments for merit and/or longevity in addition to the base salaries that they adopted through the Job Evaluation Study.
She said the second part of it would be to set up a personnel information system, that would keep track of positions, what offices they are in, how many people are involved, what employees are involved, fringe benefit costs and this type of information so that it will be available, not only on the individual level in one place but also at a summary level, so they can start keeping better track of expenses, particularly fringe benefit expenses.
She said the amount of federal funds requested is $7,000.00, that roughly this amount of local match is put up, also that the County Council is initiating this.
A letter was sent to the IPA Coordinator by Commissioner Ossenberg in support of this.
Commissioner Schaad moved that the Commissioners endorse this proposal. Commissioner Willner seconded the motion. So ordered.

RE: CETA AMENDMENT TO BE SIGNED

Ms. Juras explained that the purpose of the modification on the CETA amendment is to increase the amount of this subgrant by $21,315.00, from $31,971.00 to $53,296.00, that it means, instead of terminating out positions in April, they will last until June, that the CETA program is still in trouble, but this is our share of the half-million dollars that was restored by the Department of Labor.

Commissioner Schaad moved that the amendment be signed. Commissioner Willner seconded the motion. So ordered.

RE: PETITION TO VACATE HIALEAH DRIVE...VIEWERS NAMED

County Attorney Wendel said the petition to vacate Hialeah Drive was filed last month, that it has been properly advertised and the statute requires that the Commissioners appoint three viewers to go out and view it and see if the vacation of this street would be a public utility or a public detriment.
He submitted the resolution that has been prepared for the Commissioners approval, in appointing three viewers.
Commissioner Schaad moved that the Commissioners appoint Earl A. Damm, Francis L. Miller and James J. Helfrich as viewers and that Mr. John administer their oaths. He said these men have been contacted and they said they will view Hialeah Drive without cost and they will return next week to report on their findings.
Commissioner Willner seconded the motion. So ordered.

RE: REQUEST ON CAR LEASING

The following letter of request was received by the Commissioners from Sheriff DeGroote:

Dear Sir:

I would appreciate the approval of the Board of County Commissioners to lease one additional police vehicle to be used exclusively in the Criminal Investigation Division, based on the following facts:

(1) At present we have a 1974 vehicle with over 84,000 miles completely inoperable due to; (a) need for complete motor over-haul, (b) need for transmission replacement.

(2) Low estimated repair cost, to make vehicle useable for police service is in excess of $1,200.00.

I fully intend to include the trade-in of this 1974 vehicle, along with other police vehicles no longer suitable for front-line police service, in my soon to be submitted budget for 1978.

If allowed to lease a replacement vehicle at this time (for a nine month period) the cost would be approximately equal to the repair bill.

In appreciation of the Boards consideration, I remain,

Respectfully, James DeGroote, Sheriff
Vanderburgh County, Indiana

Commissioner Schaad moved that Sheriff DeGroote's request be granted. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Dr. Gerry Hippensteel in appropriation for James B. Hamilton of 1702 Delmar for IH consultation on 9/29/76 thru 10/6/76 on TB care, in the amount of $77.00. This care took place in the hospital in Vincennes, Indiana.

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

A claim was submitted by Jack Siebeking for gas, lodging, meals and registration fee in attending a meeting in Indianapolis for three days while representing the Commissioners, in the amount of $115.98.

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

A claim for Refund was submitted by Charles D. Koring on plumbing permit #8181, since it is a duplicate of permit #7927, in the amount of $21.00.

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

A claim was submitted by Midwest Roofing & Insulation Co. Inc. for labor and material to make roof repairs to the Washington Home, in the amount of $1,505.00.

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

A claim was submitted by County Attorney, Paul Wendel, for March 1977 Office Allowance in the amount of $125.00.

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

RE: REPORT BY MR. CROOKS...OLD PETERSBURG ROAD

Mr. Crooks said that they discussed some property on Old Petersburg Road a couple of weeks ago and the people were asked to clean it up to alleviate the nuisance and on March 14th, he again wrote a letter to Mr. Kriekhauser, the legal owner and to Mr. Preske, the contract buyer and in the meantime, he received a phone call from the Kriekhausers who stated that they thought the responsibility on the problem to be that of the contractor-buyer but he explained to them that it was the responsibility, legally, of the legal owners.
He said, in the meantime, the Preske's just informed him that they have some plans to take action in getting the property cleaned up to alleviate the nuisance and he asked Mr. Preske to explain to the Commissioners, at this time, what he plans to do and when he will have it completed.

Mr. Preske said he has already cleaned up some of the debris, that when he bought this property, he bought a headache, that he started to condemn the house out there but couldn't with the time table given him because of the bad weather, however, it must be torn down because it is where the addition to his house will be and as for the time table is concerned, he hopes to have it done in two years and he hopes to start this summer.

Mr. Crooks asked if he could then have all the trash cleaned up in 30 days and Mr. Preske said he could with weather permitting.

Mr. Crooks said the actual disposal of the house isn't too critical but he wanted the mess cleaned up within the 30 days.

RE: QUESTION OF OWNERSHIP ON TWO PARCELS OF PROPERTY

Commissioner Ossenberg received two letters from the Evansville Redevelopment Commission in regard to two parcels of property, as follows:

1. 34-164-20 located at 403 Dale Avenue Lots 49 and 50 Block "A" Avondale
2. 21-69-30 which is locked in land Part of Lots 20 and 21 Garvins addition to Eastern Enlargement

Dear Sirs:

This is to advise you that it is the intention of the City of Evansville, Department of Redevelopment to acquire the property identified above.

We are also attaching a statement describing our acquisition process including condenmation. This statement also explains your rights and options as an owner under these procedures.

You will be receiving our offering letter and option to purchase within 90 days of this letter.

If you have any questions, please contact me.

Sincerely, Newman Sheppard,
Assistant Executive Director

With the permission of the Board, Commissioner Ossenberg referred these letters to Mr. John and asked him to look them up and advise the Commissioners next week as to the status of these properties.

RE: REPORT BY MR. HOTZ....SURPLUS PROPERTY AT PLEASANTVIEW

Mr. Hotz said that the cut off date on all County and Township departments for surplus items at Pleasantview is April 7th, so he would like to go ahead on April 8th and 9th to put all remaining items on auction.
He said he has three appraisals that he received some time ago and has confirmed one of them but hasn't had a chance to confirm the other two, as to the fee for auctioneering at that sale.
He said one bid was from Curran Miller which was 10% of the gross sales. The second bid was from A-1 Auction Co. which was 7% of the gross sales and the third bid was from Kurtz Auction & Realty Co. which was 10% of the gross sales or $400.00 whichever is larger.

Commissioner Ossenberg said these bids include appraisals and he thought Mr. Hotz should get it specified for the auction which hasn't anything to do with the appraisal on the buildings, and in writing, on all three bids.

Commissioner Schaad said that he and Mr. Hotz discussed this matter this morning and he thought they should look over the items they are auctioning off out there, since if the Council and the Commissioners decide to lease that building he didn't think they were to auction off the laundry or commercial cooking equipment in the kitchen and other items that were necessary in running the Pleasantview Rest Home as a nursing home.
He said he thought these things should be eliminated and not advertised at this time, and that the window air conditioners and drinking fountains should remain.

Mr. Hotz suggested that the auction be postponed until after they find out if they are going to lease or sell the building and the Commissioners agreed since they thought it would be best to wait.

Mr. Hotz said that after April 5th, he would have a complete list of what they will have for the auction and then they can hold off on the heavy equipment until a later date.

RE: BURDETTE TRUCK TO BE USED FOR HAULING DEBRIS

Commissioner Schaad said he had a call from the West Side Home Improvement, that some homes out there were burned down and they are going to clean the mess up but they don't have a truck to do it with, that there is a 1½ ton pick up truck at Burdette Park and he wondered if the Commissioners couldn't approve them using this truck to get the mess cleaned up after next Saturday and he wanted this matter to be brought up in a public meeting since Mr. Wolf at Burdette thought he might get some flack.

Commissioner Schaad moved that Ray Wolf at Burdette Park work with those people in getting the debris moved next Saturday.

Commissioner Willner said he would agree as long as they send a driver with it.
The other Commissioners agreed and this was added to the motion.

Commissioner Willner then seconded the motion. So ordered.

Commissioner Ossenberg said he was sure this must be done also because of Insurance reasons.

RE: ABSENTEE REPORT

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

RE: MR. SIEBEKING.....REPORT ON MEETING

Mr. Siebeking reported on the meeting that the Commissioners gave him permission to attend last Thursday, of the County Commissioners and City Mayors which was sponsored by the Indiana Survival for Better Higways, by saying that the Bill #1109 for the gas tax was defeated so their idea now is to get some representatives to pick up the bill again and try to get it amended and add it on to a bill that is already in the hopper since it is too late to get a new one through and they are rather hopeful that someone will do this, so after the luncheon, they asked everyone to go to the state house and meet with their representatives and ask their cooperation and help because there is a dire need for money, in fact, they made an announcement last Thursday, that there are twelve counties in the state of Indiana, that if they don't get any help as of June 1st, they will probably have to close their doors.
He said the response didn't personally seem to great to him, at the state house, but this was the idea of the meeting and this is what they were asked to do.
He said the first three days he spent attending school on herbicides and pesticides which is now a federal law, that anyone or agency that deals, buys or uses herbicides or pesticides must be certified and licensed, that it was 2½ days of schooling and then there was a 165 word examination and he said the chances weren't too great that he passed it.
He said that of 300 people that took the test previously, 60 were certified, that the course included chemistry and math and it has been a long time since he had any of this but they are allowed to take the test five times.

Commissioner Ossenberg asked Mr. Siebeking if they intended to amend the Bill that is in the hopper for just the 2¢ gas tax increase or was the $10.00 registration fee increase considered.

Mr. Siebeking said they were going to make some changes in the whole thing to see if they could get it added on, that he thought they were going to drop the increase for the registration, that if they could get it through with the increase of gas tax, it would cut down the amount of money taken in but he thought they mentioned something like $100,000,000.00 so it was like the gentleman in charge of it, who said, it is better than the way it is right now since they voted it down and it is dead.

Commissioner Ossenberg said he spoke with Greg Server and he voted against the bill but he did this primarily because he wanted to pro-rate registration fees on auto's. He said he understood that the bill was written so there was a registration fee that was the same if a person had a 1946 Chevy or a 1977 Cad and he wanted it pro-rated such as they do on excise tax when license is purchased and that is why he voted against it.
He said he sure hoped they rejuvenated it because we need the help.

RE: COMMENTS ON THE CONDITIONS OF THE ROADS

Commissioner Schaad said that earlier last week, he and Mr. Linzy had several calls on the condition of County roads and they drove all over and one good example is Baseline Road, that from one end of the County to the other, it is gone and has just gone back to a gravel road and with the hard winter we have had, there are many other roads torn up and he thought that now with the freeze being over, they can see all the holes and he thought that it is time for the County Highway Engineer, County Surveyor and Urban Transportation, with the formula they apply on traffic and conditions of the roads, to apply it so they can see which roads are highest in priority and come up with a list of roads in that order so they can see where they are and will know which are the worst and needs to be done first, also that they should have a recommendation from the Highway Engineer as to how the roads will be repaired, if they will be road mixed or whether they will have to have a professional job of hot mis by a contractor or exactly how it should be done.

Commissioner Schaad moved that this be done as soon as possible. Commissioner Ossenberg seconded the motion. So ordered.

RE: REPORT ON AUDITORIUM

Mr. Stephen, the County Engineer, reported on the energy problem on the Auditorium by saying they did have three alternatives to resolve the problems over there and he had a gentleman call him with another idea but he didn't know if it was feasible or not or whether the Commissioners would want to consider it, that with the installation

over there it is possible to use LP gas and mix with air so that the mix is about the same as natural and use the same boilers under the same existing conditions but the cost of the tank and installation, he indicated would be in the vicinity of $40,000 to $45,000 and they really haven't gained too much except increased the cost of operation by at least 2½ times.
He said they now have four options, that one is to change the boilers to new steam boilers at the duel fuel, that another is to change to hot water boilers and change the water chiller so they use electricity for the air conditioning and the other one was going to the direct expansion of air conditioning in the various air handlers and that one has ended up by not being practical and it was going to be the highest cost and in the design of at least two of the units, the quantity of air is not great enough to warrant going to that since they would be running into trouble because they would be trying to deliver too much cooling with too little air, so rather than go this route, he kind of backed off.
He said that this is an operational cost to be able to make the Commissioners arrive at some decision because they are going to be the ones to say which way they are going.
He said that using gas, if available, at $1.33 for 1000 cubic foot, that they had determined that approximately 730 hours of maximum capacity was used last year for the three months for air conditioning and if they were using a boiler with gas to do that they would be looking at a cost of operation for those three months being identical to last summer, it looks like about $10,600.00 and if they do nothing but change to oil and still use the system, that cost projects to $24,227.00 for the summer.
He said if they change to electricity at 3¢, that their last step is suppose to be 1¢ plus the fuel factor but the cost of electric averaged at about 3¢ and if they used 3¢ to do mechanical chilling of the water, they will have a bill of about $6,570.00 so there is the operational figure they will have to look at to tell which way they are going.
He said to change the boilers and use dual fuel will be the high operational cost.

Mr. Brenner said they will save $4,000 in the summer over the present system if they can get the gas at $1.33 but compared to the oil, they are talking about a $18,000 savings.

Mr. Stephen said then that the cheapest way to air condition would be to go to electric and by using smaller boilers and hot water for heating only and the electric for the air conditioning because they already have the cooling tower which would need to be used for electric air conditioning because they are going to use that water to condense the refrigerant after they have compresset it so by using about 2 seventy horsepower hot water boilers, installed with a tank, tney have an estimated $44,000.
He said the two compressors on a skid for one unit, each compressor 150 tons, which they are cheating with about 20 tons but with the way the multiples are arrived at, the best unit comes out that they get about 300 tons where it actually calls for 320 but it's a deal where the load has been shifted back and forth, so he thought they were on safe grounds to reduce the amount of air conditioning by that 20 tons so they get a total of 300 tons and are in the vicinity of some $75,000 plus and this would make a total of $120,000 or a little more but this does not include the replacement of those two coils that are now damaged from freezing, that this hasn't been done because at the time they were still considering all three alternatives.
He said when he talked to the Council, they were interested in doing something to keep the cost of operation down and all these facts were presented to them.

Mr. Brenner said his recommendation would be to go to the 2 seventy horsepower hot water boilers at a cost of $44,000 and the 2 One-hundred,fifty ton units of air conditioning, electrically operated for the summer time at $120,000.

Commissioner Schaad said they would have to go before Council and they had better put a pad in there because they will also have to have equipment.
He said that Mr. Brenner had stated that the operational cost will be considerably less on the electric over the gas if they can get it and the cost of changing the boilers to oil or gas conversion is included in the $44,000.
He asked approximately what it would cost to change the boilers and to keep the whole system the same except for when the gas is short and then go to oil.

Mr. Brenner said this would cost from $50,000 to $55,000 but the operational cost will be out of line.
He said if they used all oil it would cost $24,000.

Mr. Stephen said if they go to electric compared to the oil-fired boiler and using the steam for water chilling, that they are recouping the initial cost at the rate of about $18,000 per year.

Mr. Brenner said there is a side savings not seen here in that they will not have to convert the water to steam and then heat the water with steam, that they will first have hot water and will have a more efficient system and they will have to put in

a small gas hot water tank separately for domestic use in the summer, so the boilers can be completely shut down.
He said they are prepared to ask the Council for a lesser amount than needed and then go back for an additional amount and to let the contractors figure out how much it will be since there were installation costs they had to guess at.

Mr. Stephen said they would ask for two separate bids, one for the cooling part and one for the heating part and in this way they could get one part under way and then ask for the additional money to cover the costs.

Commissioner Ossenberg said this also seemed to him, the way to go.

Mr. Brenner said they won't save any money in the winter time but they will at least be able to stay open and they won't incur the penalties for over-using the gas.

Mr. Stephen said in regard to the gas owed the Gas Co., that once they get it paid back, even the summer time, they will have just a little left over, so they will be in good shape that way.
He said that if they could get what they would have left for the summer, transferred to wintertime use and have their allocation increased, they wouldn't have to use as much oil.

Commissioner Schaad moved that the Surveyor's office be authorized to prepare for the going to the two hot water boilers and also to the 2-150 ton units and to do the engineering job.

Mr. Stephen said that he can have the specifications prepared this week and that he anticipated that this is the only way out, which will result in an electric cooling system for the summer and a combined natural gas-oil winter heating system.

Mr. Brenner said he has already made steps to appear before the Council to request the money

Commissioner Willner seconded the motion. So ordered.

RE: ROESNER ROAD BRIDGE

Mr. Brenner said they are replacing the bridge on Roesner Road with a culvert, that an emergency had been declared on this bridge and they put it out to three bidders, Deig Brothers, G.H. Allen and Southwest Engineering.
He said that G.H. Allen said they had more work than they could do so they declined to bid on it, that Deig Brothers bid $13,250.00 and Southwest Engineering bid $12,900.00
He said these bids include the County furnishing the pipe which is $10,500.00, also that it has been advertised in time for it to go before the Council.
He recommended that the Commissioners accept Mr. Nussmeyer's bid from Southwest Engineering at the cost of $12,900.00.

Commissioner Schaad moved that the contract be awarded to Southwest Engineering.
Commissioner Willner seconded the motion. So ordered.

RE: QUESTION ON BACKHOE AT BOEHNE

Mr. Brenner said there is a backhoe that has been sitting in back of the Boehne property for several years and someone has expressed his interest in it and he asked if it belongs to the county.

Commissioner Schaad said that the backhoe belongs to Peyronnin Construction Co., that a drain was frozen and they had the backhoe down in there and couldn't get it out because of the bad weather.
Mr. Hotz said that it is gone now.

RE: REQUEST FOR SURVEYOR TO SURVEY ROADS AT BURDETTE

Mr. Brenner said he had a request from Burdette Park, that they want him to survey and lay out the roads and there is just no way he is going to get to it, with all the work he has to do.

Commissioner Ossenberg said he will then go back to the County Park Board and they will have to contract that out, that he was trying to save money, also in order to get that BOR money, the application has to be in to the federal government with the plans and survey of those roads by April 15, 1977, in order to get that money, so they will have to go ahead and contract that out.

Mr. Brenner said he thought the plans on the roads are already done and all they need is to be laid out for the contractor.

Mr. Brenner said he lost one survey crew and he patched one together and they are going to do the ditches.
He also said that one good thing did happen and that was that he hired Randy Key as an Instrument Man and he was the first graduate from Evansville University in Civil Engineering, that he does have a problem since he has to come up with more money for him.

RE: REPORT ON COAL MINE OPERATORS

Mr. Brenner said the battle is over with the Warrick County coal mine operators over not being able to use Boonville-New Harmony Road, since the coal trucks have alternate routes, that they are using Warrick County roads and are being allowed to use Seven Hills Road or Coalmine Road, so he hasn't had any complaints for several days.

RE: REPORT ON OAK HILL ROAD

Mr. Brenner said they still have a few trucks running on Oak Hill Road but he didn't know how they could be stopped.

RE: CUTS IN

Mr. Brenner said he has some requests for road cuts and as the County Attorney can tell them, they have a distinct problem with the Waterworks since they are stating that there will be nothing installed in the County as long as the County has a requirement for a bond for the Water Co.
He said they have gone out and inspected them so they are ready for the Commissioners signatures but there is no bond supplied, so they are really back to where they started before.
He said he had calls on the roads being cut by private contractors who didn't have a permit.

Commissioner Willner said that on Thursday, he got a telephone call and they said that someone was cutting Mt. Pleasant Road so he went out there and the crew was in the process of back filling the road cut, that two years ago, we put hot mix down there and it was one of the best roads in the County, with no holes and now they put a jackhammer to it.
He said he called the Commissioners office to see if they had a road cut permit and it didn't, so he checked it again this morning and it has a four or five inch drop-off again and he said this has got to stop.
He said that we arrest people for going five miles over the speed limit and it doesn't hurt a thing but we let someone come along with a jackhammer and cut up a $50,000 road and they go off scot free, that this society is sick.

Mr. Brenner said there is a 1947 Act that says it is a misdemeanor and a $1,000 fine to cut a County road.

Commissioner Ossenberg asked who was cutting this County road and Mr. Brenner said that it was Staub Construction Co. to put a jackleg sewer in, that he was hired to do a job so you go to the guy that hired him and his name is Lee Armstead and he didn't submit a plan with the City Engineer's and there is no approval for anything for this sewer to go in and the guy was supposed to come down today and work with them.
He said that the City Engineer did say that they don't have a requirement for a road cut, that they told Mr. Staub this, but this is like comparing apples to oranges because they don't have anything to do with the County roads.

Commissioner Willner said they should either stop it or just let it wide open, that the decision is Mr. Brenner's.

Mr. Brenner said that Staub came down this morning with a request for the cut, after the fact, but knowing Staub, he didn't think they would intentionally go cut a road and then leave it.
He said that Mr. Armstead has no plans, that he just started the work and then hired Staub to dig the ditch across the road and through his property and when the guy got there with his trencher and Staub took the job, the guy just cut the street right on through.

Commissioner Willner said they can't really blame the legislature for not giving the County any money, when there are three main problems with our roads today and that is drainage, drainage and drainage and then they let people cut them so he doesn't really blame them for not sending money down, if we are going to throw it away like that.

Mr. Brenner said he is a little discouraged over this, that there has already been a deal made with the Gas Co. and he found in the statute that the Gas Co. and the Telephone Co. can cut the road any time they feel like it, so they are exempt from even making an application unless the Commissioners pass an ordinance pertaining to this.
He said now if they turn the Waterworks loose, that they know that the Water Co. is remiss in how they put there patches back.

Commissioner Willner said if they want to see a good example of this they should go to a new road that is shot today and that is Hillsdale Road.

Mr. Brenner said that in Jay County which is where Mr. Stephen is from, they don't just grant permission, that they charge a fee for cutting the road.

Commissioner Ossenberg said that when the Waterworks thing came up, he went to the City Attorney and he advised the Water Board that one unit of government doesn't charge another unit of government and his argument with one of the Board members was that the Water Co. does a damn poor job in putting the road back, that if they would put it back to the County specifications and satisfaction, he imagined the Commissioners would go on a deal whereby they would permit their cuts.
He said it was brought up that the utilities have a right to cut a road regardless.
He said that the City Attorney, John Cox talked to him and he had Attorney Ed Smith in on the conversation and they have a system whereby they charge and he suggested that perhaps the County should do the same thing, but then the question is, can they actually charge someone when someone else is doing the job and he wondered if they build that fee in with the Building Commissioner or the Waterworks and do the people pay a $10.00 fee for the $1,000 performance bond when someone else is contracting the job and this is where we stand.

Mr. Brenner said he brought these cuts in but he sees the Surveyor's office having no legitimate function in this at all, that it is inspected by the Highway Department and he can't contribute, that if we are going to let them cut where they want to, why even have a permit, if they can't insure they are going to get it put back.
He said that the cuts made by private contractors are very minimal, even this one on Mt. Pleasant Road, that if they had gone the right way, it would have been a Waterworks cut for a sewer.

Commissioner Willner said they do make a boring machine and they could dig down on either side of the road and bore under it and never bother the surface, that this is the way to go and Mr. Brenner said this is the way the Telephone Co. does all their cuts.

Mr. Brenner said that the Telephone Co. is excellent, that the Gas Co. does a fair job and the Waterworks is horrible and you can still find cuts they made twenty years ago.

Mr. Brenner said he has two cut requests from the Water Co. and the one from Staub on Mt. Pleasant Road.

Commissioner Willner said that Commissioner Schaad discussed the situation with waterworks officials last year and at that time they agreed to repave road cuts with concrete and road mix but that such repairs were never made, so he is tired of excuses and it is time to do something.

Commissioner Ossenberg said he would still like for County Attorney Ed Smith to re-establish a permit and the other Commissioners agreed that Mr. Smith meet with the City Attorney about the waterworks problem and to determine if an ordinance or a permit is needed to control road cut repairs.

Commissioner Ossenberg said they will just hold up on the water cuts and that County Attorney Smith get with the City Attorney's right away and see what he can find out.

Mr. Brenner wondered then what they would do with the request on a cut from Staub.
He said the work has already been done, that Staub's bond will cover it, that as a contractor, he has a $1,000 bond up and the only problem is that he submitted it after the fact.
He said he called the Sheriff and after talking to several of the deputies, he talked to Deputy O'Risky, who said he had been on the force for 18 years and he never heard anything about anyone complaining about the cuts and he didn't really know what to do, so He suggested to Mr. O'Risky that he just go out and identify the people, but said there just has to be a law against it and he was then able to find it.

Commissioner Willner said that they were talking about the trains blocking the crossings a few weeks ago and about three nights later a train broke at Baseline Road and he called the Sheriff something like 7:00 p.m. and they said they would take care of it and at 11:30 p.m. the train was still there and no action, so he called the Sheriff again and they said they didn't even send a car out.
He said he then called the State Police and they said it was the County Sheriff's action since the tracks are in the County but if they can't get any action from the Sheriff, he should let them know the next time.
He said the next time someone might be killed and they just have no action on the thing, but yet, let someone else go five miles over the speed limit and he gets a ticket.

Mr. Brenner said this is in conjunction with the problem of the school bus that was almost hit, that he did send them a letter of all the crossings in Union Township but they never responded to the letter.

Commissioner Willner said that anytime they ask for something with no penalty, they are going to get just exactly what they ask for, which is nothing, but if they have no one to assess a penalty what good does it do.

County Attorney Smith said a person could go down and file charges.

Commissioner Willner said he understands this but he shouldn't have to.
In discussing the cut request from Staub, he said how do they know that Staub couldn't bore the hole and put in the pipe that way, instead of cutting the road, that if he doesn't come to this office and if there isn't a penalty, we don't have anything and they might as well forget it because they have been through this many times before.

Mr. Brenner said that the Commissioners will need to act on the cut request from Staub, that they have a bond and they won't catch him doing it again.

Commissioner Willner said if they could come up with an ordinance, advertise it and pass it...and Commissioner Schaad said they are now talking about the cut made by Staub and Commissioner Willner said he is worried about the next one, that if they ask Staub to go ahead and concrete it within two inches from the top and put it back with hot mix and roll it, then he would be perfectly willing to sign it now, but it doesn't do anything for the next one, that it has been the same thing ever since he has been on this Board and he wants an ordinance to stop it, with a penalty and the Sheriff to be instructed to enforce it.
He said if we pass a motion here today for the County Attorney to write up an ordinance then he will say to go ahead and approve this cut from Staub.

Commissioner Ossenberg said those mechanics are in the works right now, that this is what he has asked the County Attorney to do, in following up with what Attorney John Cox says in setting up the ordinance, since this is what the City did and he would like to see the County do the same thing, where there is a penalty.

Commissioner Willner then moved that the cut request from Staub on Mt. Pleasant Road be approved with the backfill of concrete within two inches of the top, put it back with hot mix and roll it.

Mr. Brenner said they didn't have concrete in the specifications but they could put it in and Commissioner Willner said he wants it in there, that this is the only way to do it.

Commissioner Ossenberg asked Mr. Brenner if the code isn't three inches of blacktop and Mr. Brenner said it is and they put in 12 inches of rock and then blacktop and they cut it wider than the ditch so it will sit on undisturbed soil.

Commissioner Schaad then seconded the motion. So ordered.

Commissioner Ossenberg said they will hold the requests for cuts from the Water Co.

RE: COMPLAINT BY MR. WORTMAN

Mr. Clarence Wortman appeared before the Commissioners and said that he lives on Orchard Road at St. Joe Avenue and they have quite a problem out there, brought on by refilling at that railroad bridge.
He said the telephone poles are falling out of the ground and after the big rain they had, there were mud slides and in behind the telephone poles by about a foot and a half, the Surveyor told him they weren't going to cut that road down even with

the bridge and went five feet below it and that 30 foot easement way that comes out in Duncan's driveway which comes on his mothers property and then it goes back to the field in a wooded area, that this easement comes out on railroad property now which is wrong and he would like for the Commissioners to come out and look at the mess out there.
He said if they have to take action against the County and the contractor they are going to because this is something that has been let go, also that they now have a fifteen foot bank and they can't get into the field and the Telephone Co. has told him that they want $600.00 to remove a telephone pole if they can get the equipment in the driveway.
He said he has had the engineer and the Telephone Co. out there and has the lawyers hired and ready to go if the County and contractor don't come and start talking.

Commissioner Willner said he brought this matter up before we had the big snow and then it was put off so he would like for the Surveyor to go out and see what they can do.

Mr. Brenner said he has already been out there.

RE: REQUEST FOR ACCESS OF CURB CUTS .....Mr. Seibert-Lessee...Mr. Saletta-Architect

Mr. Hinton said he has a request for access of curb cuts on a parcel of property on the Northwest corner of Oak Hill Road and Lynch Road.
He explained that at present, there will just be this one building of 2,000 feet that is going in, ultimately to be a part of the overall development as shown in the plot plan.
He said the request at this time for access is for the one drive on Lynch Road and one drive on Oak Hill Road and that is to serve as long as this is the only development on the property, that at the time the rest of this development was initiated, the other two drives, one on Lynch Road and one on Oak Hill Road will be put in.

Mr. Earl Seibert and Mr. Charles Saletta were present and Mr. Seibert said what they would like to do is to put in both drives at this time, to hard surface one and a culvert in the other, both, on Lynch Road and on Oak Hill Road but they are only putting the two drives right now but they are asking that the whole thing be approved so they can develop the whole master plan.

Commissioner Ossenberg asked what about the necessary right of way on Lynch Road and Mr. Saletta said they have set back to allow for that except for the new drive.

Mr. Lochmueller said that if the Commissioners approve the whole thing he would recommend that they have an acceleration on the one side plus a turning blister on the other side.

Commissioner Ossenberg asked if this has been reviewed at all by Engineer Associates.

Mr. Seibert said they have worked for a year trying to find out what they are going to do on Lynch Road and they haven't been able to find out and if they are ready to give them these plans so they can incorporate it but at this moment he has no idea of what is happening on Lynch Road.

Mr. Hinton said he does know that the driveway that is proposed is west of the median so there shouldn't be any problem or interference in that, also, he knows that Mr. Saletta has been in and they have been able to get from him what the grades are and he was told that if any change in the grade was necessary for the design of that road, it would be very minimal so he thought the thing to do then is, if this is acceptable, that a copy of it be given to Engineer Associates so they can make sure that it can be incorporated in their design and if there are any changes necessary, they can make them but he didn't think it would cause any problems in overall design.

Commissioner Willner said in looking at the overall plan he wondered if it wouldn't be much better if the drives weren't moved to the corner of the property and he asked if they saw what happened to Woolco on First Avenue, and said that it just ruined the whole shopping center.
After further discussion, Mr. Seibert said they are trying to get approval for two cuts on Lynch Road and two on Oak Hill Road, with one being hard surface on Lynch and one being hard surface on Oak Hill and they would agree to putting in a turning blister if they say they have to have it and naturally, as they develop more buildings they would put in the turning blister.

Mr. Lochmueller said that the farther they are from the intersection, the better it is, that there is no question about it but that Commissioner Willner has a point.

Mr. Brenner said they will require them to have a turn-off blister, that there is sort of a blister for Marathon where two cars can proceed ahead from Oak Hill and one turn in Marathon and whether they pay for it or whether the County does it, they will come back into one lane and go back to two lane and they might as well tie it together with a short section of road so a person that wants to turn left is committed from the time he leaves the light to turn left, so he recommends that it go three lane that this is the way it should be done and the County should agree to do it.

Commissioner Schaad moved to approve the plot plan as presented by the developer, including the approval of all four curb-cuts as shown on the plot plan with two of them being on Oak Hill Road and two on Lynch Road.

Commissioner Schaad then moved that there be only two hard surface cuts, one on Oak Hill Road and one on Lynch Road, to be used by initial development.

Commissioner Ossenberg said he will have to use R & S funds and they will have to have an agreement that Mr. Brenner can tie in with what he suggested.

Commissioner Willner moved that the Commissioners approve the use of R & S funds to extend the passing lane. Commissioner Schaad seconded the motion. So ordered.

Mr. Hinton said that the first motion approving the plot plan was made with some stipulations and recommendations on behalf of the Evansville Urban Transportation Study concerning this request at the referenced location.
The recommendations are as follows:

The EUTS staff recommends that the proposed plot plan with access as depicted be approved subject to a couple of stipulations. Those stipulation's are:

1. that only one cut on Oak Hill and one cut on Lynch be used for the initial development (Citizen's National Bank) and if, through the EUTS monitoring of traffic, it is shown that traffic conditions are significantly degraded by the activity from the initial development, the developer will be required to construct a passing lane on the east side of Oak Hill Road in conformance with design standards.

2. that at such time as the remainder of the proposed development is initiated, the developer will be required to construct a passing lane on the east side of Oak Hill Road in conformance with EUTS design standards.

If this does not seem to accurately reflect the agreements which we reached earlier concerning these cuts or if you anticipate any unforeseen problems with this recommendation please call. I'm certain that everything can be worked out to the satisfaction of both the developer and Vanderburgh County.

RE: APPLICATIONS FOR REIMBURSEMENT OF FUNDS

Mr. Hinton said that he has applications put together for reimbursement of federal funds on two projects that the Commissioners have presently,under project agreement, that being St. Joe Avenue and Lynch Road.
He said the engineering and the environment impact statements are both proceeding on those projects, that on St. Joe, the E.I.S. and engineering have been contracted, that both contractors have submitted bills and they have been paid.
He said that on Lynch Road, the engineering has been contracted and bills have been submitted on that and they have been paid, that the E.I.S. on Lynch Road has been completed and it has been approved and they have kept an accounting of their costs and man hours, so he is submitting all of these for 70% reimbursement and he needs the signature of Mr. Ossenberg as president of the County Commissioners.

Commissioner Schaad moved that President Ossenberg sign these applications. Commissioner Willner seconded the motion. So ordered.

Mr. Hinton said that for Lynch Road, they did it for a little better than $4,000.00 and the County will get back almost $3,000.00 and they stand to get $32,000.00 back right now on St. Joe for engineering, $5,000.00 at this time and they have already gotten some back on the St. Joe E.I.S.and $5,000.00 more and then almost $39,000.00 for Lynch Road engineering

RE: MR. PETERS

Mr. Peters said that Mr. Siebeking did a nice job along St. George Road as far as he has gone but he hoped he wasn't quite finished but he has done a wonderful job on what he has done, that a little more is needed on Ward Road and the shoulder should be cut in since there are places where there is a six-inch drop off of the road.

Mr. Peters said that there is something developing out there just west of the warehouse where that big tile comes out and dirt is filling up in front of it more than half way, that trees are growing up in that ditch that are 20 to 30 feet tall and if something isn't done there, in another five years the whole tile will be stopped up and he wondered if this couldn't be brought to the attention of Mr. Brenner or Mr. Siebeking so they can take a look at it.

RE: STATUS OF TRUCK AND SPEED ORDINANCE

Mr. Lochmueller asked the Commissioners what the status was on the truck ordinance and Commissioner Ossenberg said that they were going to take up both, the truck ordinance and the speed ordinance, next week, since Commissioner Willner has been out of town and in all fairness he thought that Mr. Willner should have a chance to review them.

Commissioner Willner asked if the Commissioners were going to try to take individual roads.

Mr. Lochmueller said they will almost have to, by law, that it would be nice if they could, but they will have to take into consideration the design of the various roads as to the speeds.

RE: COMMENTS ON BIDS TAKEN ON ROESNER ROAD

Commissioner Ossenberg said that it has come to his attention from the County Attorney, that the Commissioners awarded the contract for Roesner Road this morning and that the bids had been opened prior to the meeting and he said that this cannot be done. This project had been declared an emergency but County Attorney Wendel said that all this does is to eliminate the need for advertising for bids.

Commissioner Willner said that these were invitational bids and they don't even have to be sealed to start with and Mr. Brenner said he would have even taken them over the phone.

County Attorney Wendel said he just wanted to make his point for the record.

RE: COMMENT ON ABSTRACTS FOR PLEASANTVIEW AND BOEHNE

County Attorney Wendel explained what he needs before he can write the proper specifications for Pleasantview and Boehne, that on Boehne property, he isn't quite sure how many acres we do have out there and it would be a good idea to have one on Pleasantview also, so he would like permission for someone to bring them up.

Mr. Brenner said he will furnish the legal description, written and a drawn survey. He also said that the County don't own the section where there is a bird sanctuary and it was left off the survey. He said they are going to record their survey.

Commissioner Schaad moved that County Attorney Wendel prepare abstracts for both parcels of property, that of the Boehne property and of the Pleasantview property. Commissioner Willner seconded the motion. So ordered.

The meeting recessed at 11:45 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg	Curt John	Ed Smith Jr.
Bob Schaad		Paul Wendel
Robert L. Willner		

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
APRIL 4, 1977

The meeting of the County Commissioners was held on Monday, April 4, 1977, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

Deputy Sheriff Terry Hayes opened the meeting, this being the first meeting of the month.

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

RE: HOLY DAY CLOSING

President Ossenberg announced that all County offices in the Complex will be closed this Friday, April 8th. since it will be Good Friday.

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

Mr. Robert A. Gerteisen of 1714 Park Street, bid on Parcel #16, Tax Code 29-69-1, Land Only, located at 320 N. 5th Avenue, Lamasco N½ Lot 1, Blk. 75. He bid $25.00.

Commissioner Willner moved that Mr. Gerteisen be permitted to purchase this land at $25.00. Commissioner Schaad seconded the motion. So ordered.

Mr. Gerteisen also bid $25.00 on Parcel #17, Tax Code 29-69-2, Land Only, located at 318 N. 5th Avenue, Lamasco S½ Lot 1, Blk. 75.

Commissioner Schaad moved that Tax Code 29-69-2 be sold to Mr. Gerteisen for $25.00 Commissioner Willner seconded the motion. So ordered.

County Attorney Wendel submitted two deeds that he prepared on County owned surplus property that has been sold, one being to Ms. Dolly Ann Johnson which was Tax Code 29-21-23 and the other to Ms. Hattie Wilson which was Tax Code 22-64-12. The purchaser will be notified so they can pay for the parcels and pick up their deeds, after they have been recorded. The Commissioners signed the deeds at this time.

The sale of the County-owned Surplus Property will continue next week.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CIRCUIT COURT

Joyce Giannini	1125 S. Vann	Bail Bond Admin. Asst.	$2,297.52 Yr.	Eff: 4/1/77
Karen Bitz	514 Lewis Ave.	Clerk, Prob. Officer	$6,094.92 Yr.	Eff: 4/4/77
Joe Adams	3617 Wansford	Asst. Bail Bond Comm.	$10,000.00 Yr.	Eff: 4/1/77

PIGEON TOWNSHIP ASSESSOR

Amend 1-12-77

June Hallenberger	1409 Fountain	Part Time Clerk	$20.00 Day	Eff: 1/3/77
Jo Ann Greer	834 John St.	Clerk	$6,000.00 Yr.	Eff: 3/28/77

R.E.S.C.U.E....505.30

John Harl Jr.	501 N. Wabash	Treatment Director	$14,500.00 Yr.	Eff: 4/1/77
Kenneth D. Hood	928 Lodge Ave.	Executive Director	$14,500.00 Yr.	Eff: 4/1/77
Patricia Becker	20 Oak St.	Job & Resource Developer	$10,000.00 Yr.	Eff: 4/1/77

SHERIFF'S DEPARTMENT

Danny R. Armstrong	332 Sheridan Rd.	Prob. Patrolman	$10,502.00 Yr.	Eff: 3/26/77

RE: EMPLOYMENT CHANGES.....RELEASES

CIRCUIT COURT

John Harl Jr.	501 N. Wabash	Commissioner Bail Bond	$11,550.00 Yr.	Eff: 3/31/77
Kenneth D. Hood	928 Lodge Ave.	Probation Officer	$10,400.00 Yr.	Eff: 3/31/77

RELEASES...CON'T.

SHERIFF'S DEPARTMENT

William J. Speicher	(Retiring)	Patrolman	$12,942.00 Yr.	Eff: 3/25/77

SURVEYOR

Randy Key	118 S. Boeke Rd.	Instrumentman	$9,295.00	Eff: 3/29/77

RE: REZONING PETITION SIGNED

On March 21st. The Commissioners heard Rezoning Petitions and acted on them, but there was one in which Carolyn S. Osborne of 2319 Allens Lane requested that a change be made from R-1 to R-3 on the North side of Allens Lane, for a Family Day Care Home, VC-59-77.
The Commissioners approved this rezoning, subject to the proper papers being signed and recorded, in that if she sells the property, that it revert back from R-3 zoning to R-1, as amended.
The proper papers are now submitted and the Commissioners signed their approval of the petition at this time.

RE: ORDINANCE ON TRUCK WEIGHTS

The Ordinance by the Board of Commissioners of Vanderburgh County Establishing Weight and Route Restrictions for the Operation of Trucks on Designated County Highways was submitted for approval. It reads as follows:

WHEREAS, the Acts of the General Assembly of the State of Indiana, 1939, Chapter 48, Sections 28 & 156 (I C 9-4-1-27 and I C 9-4-1-125) authorizes local authorities to restrict or prohibit the operation of trucks or other commercial vehicles upon designated highways under their jurisdiction; and
WHEREAS, the Acts of the General Assembly of the State of Indiana, 1939, Chapter 48, Section 156 (IC 9-4-1-125) authorize local authorities to impose limitations as to weight, size or use thereof on designated highways under their jurisdiction; and
WHEREAS, the Board of Commissioners of Vanderburgh County have determined, upon the basis of an engineering and traffic study that the highways under their jurisdiction and control should be regulated as to truck traffic, size and weight in the interest of safety and in the further interest of preventing the deterioration of said highways by overweight and over sized trucks; and
WHEREAS, all Vanderburgh county roads or highways, other than State highways, are under the jurisdiction and control of the Board of Commissioners of Vanderburgh County;
NOW, THEREFORE, be it ordained by the Board of Commissioners of Vanderburgh County, as follows:

SECTION 1. DEFINITIONS

Truck--Any vehicle used for the transportation of goods or property whose total gross weight with load exceeds 20,000 pounds, and/or if a tractor-trailer combination, the length of the trailer exceeds 35 feet, except as hereinafter noted.

SECTION 2. TRUCKS RESTRICTED TO TRUCK ROUTES

No person shall drive or operate a truck, as defined in Section 1, upon any county highway except upon the hereinafter designated through truck routes within the confines of Vanderburgh county, subject however, to the exception contained in Section 4.

SECTION 3. DESIGNATED TRUCK ROUTES

The following highways, or portions thereof, are the designated through truck routes in Vanderburgh county, to wit:

(1) Highway 41 - from the Gibson county line to the Evansville city limits.
(2) Highway 57 - from the Gibson county line to US Highway 41.
(3) Highway 460, 66 - from the Posey county line to the Evansville city limits.
(4) Highway 62 - from the Posey county line to the Evansville city limits.
(5) Highway 460, 62 - from the Evansville city limits to the Warrick county line.
(6) Highway 66 - from the Evansville city limits to the Warrick county line.
(7) Highway 65 - from the Posey county line to Highway 460, 66.

The above designated truck routes all being upon state maintained and controlled highways within the confines of Vanderburgh county.

SECTION 4. LOCAL DELIVERIES

Such truck, or trucks, may leave the designated truck routes in order to make a local delivery or if traveling to or from a local destination, provided said truck follows the most direct route to and from the designated truck route.

SECTION 5. FARM TRUCKS

This ordinance shall not apply to farm trucks, or vehicles, when loaded with farm products.

SECTION 6. FREIGHT LOADING ZONE

No person shall stop, stand or park any truck on any county highway except at established freight loading zones for the purpose of loading or unloading merchandise or materials at a commercial or industrial establishment. Loading or unloading operations shall take place at established warehouses, terminals or freight loading zones. Such freight loading zones shall be established by the Commissioners of Vanderburgh County after it has been determined upon the basis of an engineering and traffic study, that the establishment of a freight loading zone will not reduce the safety of or hinder the efficiency of the traffic system.

SECTION 7. SIGNS

The county superintendent of highways and/or the county surveyor is hereby directed to erect and maintain appropriate signs upon the county highways giving notice of the restrictions as to the use of said highways.

SECTION 8. PENALTY

Any violation of this ordinance is hereby declared to be a misdemeanor punishable by a fine of up to $500.00 and/or imprisonment up to 6 months.

SECTION 9. REPEALING CLAUSE

All ordinances, or parts thereof, in conflict herewith are hereby repealed.

Commissioner Schaad said if this is the recommendation from the professionals that made the study of the truck routes, he is ready to go along with it.

Commissioner Willner moved that the Ordinance on the Truck Routes be approved. Commissioner Schaad seconded the motion, so ordered.

PASSED by the Board of Commissioners of Vanderburgh County on this 4th day of April, 1977 and said day signed by the members of said Board of County Commissioners and attested by the Auditor of Vanderburgh County.

RE: REVIEW OF THE COLISEUM LEASE

County Attorney Smith said he has reviewed the lease between the County Commissioners and the Veterans Organization, at the Coliseum, and it is in proper order.

Commissioner Ossenberg said they have a 99 year lease but is up for review in April every three years, that it was reviewed in April of 1974, so it is up for review again this year, as to a study of the lease being in proper order.
He added that the veterans have done a commendable job over there.

Commissioner Schaad said there sure is an improvement over there since four years ago.

Commissioner Schaad moved that the review of the coliseum lease be approved. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner asked if the veterans were now picking up the insurance or if the County is still picking it up.

Commissioner Ossenberg said that the County still has it under their blanket coverage.

Commissioner Willner said he thought they should make a note, that if they become capable of doing it, they should, maybe in the form of a writer on the bottom of the policy, or whatever, would be in order.

Commissioner Ossenberg said, in all fairness to the Veterans, he thought they have socked quite a bit of money back into the building and they have done an outstanding job on it.

RE: QUESTION OF OWNERSHIP ON TWO PARCELS OF PROPERTY

Last week, Commissioner Ossenberg received two letters from the Evansville Redevelopment Commission in regard to two parcels of property and they were referred to the County Auditor so he could look into the matter.

Mr. John explained today that Tax Code 21-69-30 which is a part of Lots 20 & 21 in Garvins addition to Eastern Enlargement, was purchased by Charles R. Swope on August 2nd. or 1976, along with a number of other parcels but that the County Attorney had never prepared a deed on them.
He also said that Tax Code 34-164-20, Lots 49 and 50 - Block "A" in Avondale, was purchased by Dallas Hughes on April 1, 1974 and it was transferred to Mr. Hughes on 4/9/75.

County Attorney Wendel said they were having trouble on the legal descriptions on those and Mr. Swope won't accept the legal descriptions that the Auditor's office uses, because he plans to resell the properties and he wondered if the County Surveyor would help them out on that.
He said he checked the plot books and there were several streets put through the parcels he bought and they are irregular shaped and Mr. Swope wouldn't accept any legal descriptio he could give him without a survey, that Mr. Swope doesn't seem interested in putting any money in it himself and he didn't think it was the County's responsibility to do it.

Commissioner Willner asked if he would maybe take some of the parcels he had bid on, and County Attorney Wendel said he might, that he hadn't approached him on that, but then it would leave them with a problem of what to do with the rest of them.

Commissioner Willner asked Mr. Wendel how many parcels Mr. Swope wanted surveyed and County Attorney Wendel said there are 13 parcels.

Commissioner Schaad said the only reason these parcels were sold at a ridiculously low price was to get them back on the tax roles, that otherwise, they are going to have to be cutting the grass and removing debris from these lots and also, it is an additional expense on the part of the County.

Mr. Brenner said the going rate to have them surveyed would be $50.00 per hour.

County Attorney Wendel said he would go ahead and prepare a deed and see if he could talk Mr. Swope into taking it and he would report back to the Commissioners next week.

Commissioner Ossenberg said that he was sure that the Redevelopment Commission would probably survey the property in question before they would negotiate any deal on it but he thought he had better advise Mr. Sheppard of who actually owns the property and said that he would talk to him.

RE: REQUEST FOR CHANGE IN PHONE SERVICE

The following letter was received by the Commissioners, from the County Clerk, requesting a change in their phone service:

Dear Sirs:

Our present telephone service is not adequate to properly handle the ever-increasing number of calls processed by our office.

I respectfully request permission to contact our telephone company representative to evaluate our situation with proposed changes being submitted for your consideration and final approval.

Attached please find a log of calls (which represent at best a minimum number only) for our office for a two-week period. As you will note, there are no phones for use by the certified mail clerk or garnishee clerk and the vast majority of incoming calls on #5160 (which is a regular phone only) need to be transferred.

I feel the necessity of two additional phones and a transfer system phone are apparent, however by working with the company representative the most efficient and economical system can be developed.

Thank you for your attention in this matter.

Most Sincerely,
Shirley Jean Cox, County Clerk

Commissioner Ossenberg said the Telephone Company representative has been over here and their estimate is $52.00 for the initial charge and there will be an $18.20 increase per month.

Commissioner Schaad moved that the request of Ms. Cox be approved, since he felt that she wouldn't be asking for it if she didn't really need it. Commissioner Willner seconded the motion. So ordered.

RE: PETITION TO VACATE HIALEAH DRIVE....DEFERRED

Commissioner Schaad said that Mr. Earl Damm, Mr. Francis Miller and James Helfrich were appointed as viewers on Hialeah Drive last week and Mr. John said they came down to the Auditor's office to be sworn in as viewers and they said they were going to get with Ed Johnson to find a time when they could all go out there together and he hasn't heard anything more from them.

Commissioner Schaad said he thought they would have it done by this week.
This matter was deferred until next week.

RE: CLAIMS

A claim was submitted by Mrs. Bill Bryant for refund of $7.00.
It was explained that Permit #7315 was issued on 8/23/76 for $72.00 but was changed on 9/16/76 since new plans were submitted due to lot size requirements. New amount was $65.00 and the refund of $7.00 wasn't made at that time.
Mr. Crooks approved this refund.

Commissioner Schaad moved that the refund of $7.00 to Mrs. Bill Bryant be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the Executive Director of the Association of Indiana Counties Inc. for the 1977 County information service dues for Vanderburgh County, on Highway Funding for highway repairs, in the amount of $975.00.

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

RE: AUTHORIZED TO ADVERTISE.....AIR CONDITIONING OF COURT COMPUTER ROOM

Ms. Anika Juras submitted the Notice to Bidders and the specifications for the Air Conditioning of the Court Computer Room in the City-County Courts Building, to be advertised on April 7th and 14th, with the bids to be opened on April 18th, 1977, in the Commissioners Hearing Room at 9:30 a.m..

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

RE: COMMENTS ON FEDERAL FUNDS FOR INTERSTATE

County Councilman Paul Ahrens appeared and said that he noticed in the newspaper, this week, that the money that was supposed to be used on Interstate 64 to Division Street, that the state Commission said the money could be used for repairing County roads and City streets so he would suggest that the Commissioners would contact the State Commission and see if this money could be used to repair our County highways and our City streets. He said he has checked on some of the County highways and he noticed that from Darmstadt Road, New Harmony Road and Boonville Highway, that St. Joe is in bad shape and that a person can't go over 25 to 30 miles per hour, that if they did, they would probably have an accident and he would suggest that the County Commissioners and the City get together and check this item over.

Mr. Lawrence Stahl said that the statement was made in reference to the federal money, that the federal government would give us for Interstate 64 and he has heard directly from two federal officials and also from Mr. Gibson, when he was at the first meeting at the Rural Youth Center, that he also said that the money could be used for other state or county roads and they don't have to be used on the interstate and at the present time, the opposition that we find against this I-64, when the people know what is happening and how it is going to cut this valuable farm land since it is the last good tract of farm land between Evansville and the Warrick County line, they definitely feel that the Commissioners should take action in opposing the Interstate to get the money for something that can be used locally, because there are so many local roads that desperately need done other than to start another road that drops off to a point where there isn't a lot of traffic and then stopping on Division Street is only going to cause more congestion on the East side, considering all the congestion that is on

the East and West roads through the County and they can't see that it would be a worthwhile project to start that may never be finished because the money isn't promised to finish it.

RE: REPORT FROM MR. HOTZ

Commissioner Schaad said that Mr. Hotz, who is ill, called him and reported that the Ford Tractor at Pleasantview also has a disc, a cycle bar and a front loader bucket, as well as a blade in the rear and that Mr. Siebeking had said he really didn't need it but that Mr. Wolf at Burdette Park could make good use of it and he wondered if maybe the Commissioners shouldn't let them have it.

Commissioner Ossenberg said his feeling was that if any unit of government wanted it, they could have it.

Commissioner Schaad said there is also a 3/4 ton Dodge Truck that Mr. Siebeking could use at the garage that belonged to Pleasantview Rest Home.

Commissioner Schaad then moved that Burdette Park be given the Ford Tractor and that Mr. Siebeking be given the 3/4 ton Dodge Truck. Commissioner Willner seconded the motion. So ordered.

RE: ABSENTEE REPORT

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

RE: REPORT BY MR. SIEBEKING....DITCH PROBLEM

Mr. Siebeking said he had a call from Mr. Hartenburg of the Park Department, who has a problem with a ditch out in Gulfmore Park, that it is apparently filled up and he was wanting to know if the County Highway Department could come out and straighten this ditch up for them, that he has called all over and found that the County Highway Dept. is the only outfit that has gradealls and he told Mr. Hartenburg that he couldn't give him an answer but that they ordinarily didn't do this, but he would bring it before the Commissioners this morning, also that it would be about one-half day's work to get it all straightened up, that the ditch is all caved in and it's holding all the water back.

Commissioner Schaad said he thought the County should cooperate with them since they cooperate with the County if we need anything from them.

Mr. Siebeking said that with the Commissioners approval, he will go out and look at it before he makes any kind of committment.

Commissioner Schaad moved that the County Highway Department help them with their problem if Mr. Siebeking finds that this is the only way to accomplish it. Commissioner Willner seconded the motion. So ordered.

RE: REPORT ON ROAD CUTS AND PERMITS

Mr. Siebeking said that Commissioner Ossenberg had called him last week and asked him to check on different road cuts, which he did.
He submitted a record of all cuts that were received in 1976 and said that the results of picking some 8 or 9 cuts at random, he found one that could stand some work on and to be truthful, he thought the County Highway Department left it in that shape because it has been patched over, that it is a cut across the road and is a little rough and he thought it would have to be shaved off a little.
He said the ones he checked on were ones they had permits for, that most of them are extensions for water lines along the shoulders of the roads.
He also said that the Green Construction Company contacted him last week and they are sending a clean-up crew back into the German Township Water District and we are to give them a list of any areas where there are bad places that have been caused by the past winter's weather and they will repair them.
He said the County has had real good cooperation from them in the past, that St. Joe is on their list and that if the Commissioners happen to get any other calls, they should let him know so he can get them on the list, so the Construction Company can check them out and take care of anything that needs to be done, that some of it isn't in real good shape but the majority of it is pretty well taken care of.
He also said he has a complete record back from 1974 of all permits that he has received from the Utility Companies, so if the Commissioners want to look through them they may do so and if they want him to pick some at random, he will do this, but he hasn't received any of the permits for this year and he generally always got a copy of them

or they let him know a couple of weeks after the permit was received here at the Civic Center.
He said the one at 2300 N. Red Bank Road was the one he listed as very rough, that the top layer was probably put on by the County Highway Department.

Commissioner Ossenberg said he was told by the contractor that this cut laid this way for some time and finally the County Highway Department fixed it, that he has had a discussion with Mr. Dunville of the Water Company, that they continually say to show them the cuts and there are many of those he sees before any inspection was done and since they tell him that they do contract with a Mr. Hicks for the concrete and Feigel Construction Company for the blacktop, it is his suggestion to Mr. Dunville that to make the Commissioners happy, is that when the Commissioners approve a cut for the Water Company, if they contract out to Mr. Hicks and Mr. Feigel, why they can't contract to the County Highway Garage and then we can go out and fix the cuts and let them pay the County for it.

Mr. Siebeking said there is a cut he particularly has in mind which is on Broadway, that he went out to check it and found that it is a water cut, that it is concreted but there is about a 2½ inch drop-off, so he contacted Feigel and it is on their list to fix but they informed him that they don't just go out to fix one cut, that they wait until they get a group of them and then do them all, but this one has been laying like this all winter, so there is about a 3-foot by 3-foot hole that is 2½ inches deep and it is waiting to be finished off by Feigel.

Commissioner Ossenberg said he is quite sure that their intentions are good and he doesn't say that the Water Company is at fault, totally, that he realizes they are at the mercy of the contractor and once they pack the dirt down, it settles before the concrete arrives and it is settles down so far that it really requires more dirt and he just can't see, if they are paying two construction people, why they can't pay the County Highway Garage and the county do the work instead of the hole laying there for a month or two.

Mr. Siebeking said they can do it, that even on some culverts they have to put in, if a culvert goes bad and they don't have a lot of culvert, they compact them and put concrete over it and then they go back with the hot mix and have them done in a matter of ten days.

Commissioner Schaad asked Mr. Siebeking if he thought he might run into the same problem as that of the contractors, since he can't just go get some mix and fix one hole.

Mr. Siebeking said he felt the County could do the job faster than the contractor can since if they only have one cut to fix, they could figure enough to fill that one patch and then go on with something else, that they may have a problem with the concrete, since it would be such a small amount, but they could mix it by hand which is what they ordinarily do.

Commissioner Schaad said this seems like a pretty good idea to him if Mr. Siebeking thinks they can handle it.
He asked Commissioner Ossenberg if he thought the Water Company would go along with it.

Commissioner Ossenberg said that Mr. Dunville would be back in conversation with him again this week.

Mr. Siebeking said that if they would go along with it, the County could keep track and then bill them every two or three months.

Commissioner Ossenberg said that if it is done this way, he is sure the Commissioners would okay all their cuts and get the people their water, providing the County knows that it is done right, that they wouldn't have to have an inspector there.
He also said that he is convinced that the County can do it at less expense than letting the contractor do it and they can get it done faster.

Mr. Siebeking said that he can keep track of the material used, the labor, the time element and they can figure right down to the penny on what it costs to repair the cuts and they would keep track of all the locations and of the whole bit and bill them periodically.
This matter was deferred until next week.

Commissioner Willner asked Mr. Siebeking if he has repaired Hillsdale and Mr. Siebeking said it hasn't been as yet, that they went out there but they can't make up their minds as to what they want to do, since the road has gone to pieces from one end to the other and he found that it was because that is where all the concrete trucks are going.

He said that on some of the places where the roads are just breaking up and haven't actually been eaten out as yet, they are shooting them with RC-250 that is an emulsion type oil that sets up and then they are just tail-gateing either 11 or 12 inches of rock on the top of it and letting it set up which binds it all together, so he wondered if this is what they are going to do on Hillsdale, that he thought this is the only thing they can do there, from one end to the other.

Commissioner Willner asked how old the road was on Hillsdale and Mr. Siebeking said that it was resurfaced two or three years ago and it was a contract job.

Commissioner Willner said that this road is just shot already, and he asked if they put a sewer line down Hillsdale Road last year.

Mr. Siebeking said they laid the sewer line from Petersburg Road down and tied in that whole area out there.
He said they found out that the trucks run out at Oak Meadows, out 41 and through Hillsdale to Petersburg and out Petersburg to Oak Meadows and he would say that the road went to pieces in one weeks time.

Commissioner Schaad said that sometime ago, he attended one of the meetings and some gentleman had a piece of equipment that he was trying to sell, that picked up all of the aggregate and ground it up and then they mix their new emulsion with it and put it right back down.

Mr. Siebeking said he thought this would be a good thing, that he has seen these operate, that the Highway Commission has some of them, that it is okay where they have a base under them, but our problem where the roads have gone to pot, they have gone clear down through the base rock even, so he isn't so sure this type of operation would work.

Mr. Stephen said they have to go to the problem which is the base, that it will keep coming back to haunt them until they do get a base under these roads, that there is a similar method that could be used where they mix some additives and there is a company that has what they call clay pack clayset to mix when they don't have enough base, that they can incorporate what they do have there, along with some of the soil from underneath and this clay pack clayset and what it does is similar to calcium chloride and it keeps the water out, that what they are doing here is really re-constructing the road, but using the material that is already out there, and to make a base, they then put a new cap on top of it.
He said this is probably the least costly way to go on reconstruction because they know they have to use the material that is out there and they can't waste it, also that if they look at the type of soil we have in this county, that 8 or 9 inches which they have used in the past will not work for trucks, that for trucks they need 12, 15 and 18 inches of base to support that type of load.

Commissioner Schaad asked Mr. Stephen if it his intention, when they get what money they can come up with to do whatever they can, to come up with a recommendation on each road as to what should be done with it.

Mr. Stephen said this is his intention, also that Dave Guillam is preparing a road preventory which could be used to pick out the roads that are really bad, depending on how much money they can get, and try to go into a little more reconstruction and try to get a base under these roads so they don't keep coming back to haunt the Commissioners every year, but it will be a long process.

Commissioner Schaad said that Mr. Lochmueller's office can give him traffic counts to help in that regard, that he wondered if they should go ahead and try to get all the roads to look pretty nice and then reconstruct them and do it properly, a few at a time with what money they have, that this is a decision they will have to make.
He said he thought they should have a recommendation on what should be done on each one of those roads.

Mr. Siebeking said the whole thing boils down to this past winter, that where they dug it out on St. Joe, there is at least 6 to 8 inches of hard surface on St. Joe Ave. and there is another 18 inches of rock under that but where this thing went to pot, when they got under it, they brought out a blue clay like substance which was 4 foot deep and when they got that out, they were on solid ground again.
He said he still believes that the frost line that got under there and he wondered if when they go to reconstruct these roads, if they are going to reconstruct them to put up with the kind of winter we have had, that he guessed maybe this was the way it would have to be done on the main arteries, such as St. Joe, Darmstadt, First AVenue, Old Henderson Road, New Harmony Road, Middle Mt. Vernon Road, etc.

Mr. Stephen said that the Federal Aid Secondary funds have been cut way down, that they have cut down about half of the roads that can use these funds but he understands that the R & S funds have been opened up and can be used on the 1980 classification, which does let them use it on a lot more roads than it looked like they were going to be able to.

Commissioner Schaad said that it would have to be worked out somehow and they would have to see what they were going to do.

RE: BRIDGE FALLING DOWN

Mr. Brenner said there is another bridge that is falling down, that it is located on Marx Road between Church and 460, that Mr. Siebeking has done some temporary planking but there is nothing under it anymore.
He said they have $200,000.00 already appropriated for bridge repair and they have already started on the design, also that he has asked for a 4-ton load limit.
He said he only needs the Commissioners approval to do the work, that he would like to reconstruct the bridge since there is nothing there to salvage, that the abutments and everything are eaten away and he estimates that the cost will be between $25,000 and $30,000.

Commissioner Schaad moved that the reconstruction of this bridge be approved. Commissioner Willner seconded the motion. So ordered.

RE: REPORT ON RODENBERG BRIDGE

Mr. Siebeking reported that they have everything to repair the Rodenberg bridge and he has contacted the people, also that he thinks he can even put the floor in there and not even have to close it to traffic.
He said they will start on it the first pretty day we have.

RE: MR. BRENNER...BLOCKED ROAD DITCHES

Mr. Brenner said he has had numerous complaints and he has driven German Township and one of the problems of the roads coming apart is that people are just putting out private access roads and blocking the ditches and everywhere they have done this, the road has come apart from water going across it and freezing, that there are no culverts under there.
He said that he and the Commissioners have the authority to go out there and make the people dig it up and put a culvert in, and he thinks they should do that; that they should have a policy of being tough on the County road ditches, that no one should be allowed to block a road ditch.

Commissioner Schaad said that it has been a policy of the County, that if a person buys the culvert, the County will put it in.

Mr. Siebeking said this is their policy, but that he would like to go out and size it for them first, that generally, if they call him, he will go out and tell them what size culvert to purchase and have delivered and the County will put it in.

Mr. Brenner said they have a lot of them that are undersize and a lot of new ones that the people just fill in and at that point on each one, the road is gone.
He said they need something to enforce the maintenance of them and to go out and get the ones that are filled in so they can be corrected.
He said that a lot of the people have even just put in a small piece of pipe and filled the ditch so their yard will look nice and then it runs on top or over the road and then it ruins the road and he believed that the drainage is what is destroying the roads, also that he has lost a survey crew and he thought this would be a good place to put other people, that they could go out and serve notices to these people, that they open their ditches or the County will open it for them.
He said what he would like to do is to work with the County Attorney and they will have a form made up and serve it on the property owner, that they will either open their ditch up the way it is suppose to be or there will be such and such a penalty, or the County will do it for them and he is sure it can be put on their taxes if the County does it for them.

County Attorney said that usually in a case like this where the penalty is spelled out in part of the act as a general misedmeanor sanction where any violation of this act would constitute a misdemeanor with a fine of $500.00 or 6 months in jail and he is sure this is the case here.

Commissioner Willner moved that permission be granted to enforce it. Commissioner Schaad seconded the motion. So ordered.

RE: SPEED LIMITS DISCUSSED

Commissioner Ossenberg asked Commissioner Willner if he has read the recommendations on the speed limits and Commissioner Willner said that he had and that they had a good discussion this morning and they agree on it.

Mr. Lochmueller said that what he didn't realize was that all the local roads in Vanderburgh County that are not posted, a person could drive 55 miles per hour on and what they are saying now is that they are coming up with 45 miles per hour for streets that are not posted, reducing that 10 miles per hour, that through surveillance or through their normal road inventory that they are going to be making for all the major roads, if they see that there are certain areas that should be faster, they will determine this through the spot survey, that they aren't going to do a spot survey for every road in Vanderburgh County, that they won't be able to, but the roads they aren't going on will have the 45 mile per hour speed limit and he didn't see anything wrong with this, that he thought it was a good idea, but he does think, as the year goes on, they will survey the major roads with the speed gun to see whether it should remain 45 miles per hour or whether it should be some other speed.
He said as far as their recommendations are concerned now, if the 45 mph is approved, then there are only a couple more recommendations and they are Green River Road which is North of Heckel Road at 50 mph and the other would be Broadway.
He said he thought this is a very good idea because there are roads out there that he didn't think could be 55 mph, that they probably shouldn't even go to 45 mph but then, there are some that they can go to 45 mph until they start restricting them to 35 mph, they will be doing the same thing they are already doing which is going over the speed limit, and this means they will have a pretty effective speed for that route.

Mr. Brenner said all those roads would have to be marked then.

Mr. Lochmueller said they wouldn't have to be marked, that all the roads in the City aren't marked, this would mean that if it isn't a marked road, it would be 45 mph.

Mr. Brenner asked Mr. Lochmueller how he would enforce a 45 mph on a County road if it isn't marked since if he came from outside the County, anything that isn't posted in Indiana is a 55 mph speed limit.

County Attorney Smith said that under this traffic code he believed, with the resolution, this would be applicable here and he believed they would require posting.

Commissioner Willner said some of them would have to be posted and Mr. Brenner said that anything that isn't posted would be 55 mph, that there is no way to beat it.

Commissioner Willner then asked how they get to 55 mph.

Mr. Brenner said that it is a state law.

Commissioner Willner said it is a County law that it is 45 mph and doesn't ever have to be posted and he asked how come it is 30 mph in the City since they don't post it all the time.

Mr. Brenner said it is a state law and so states in the drivers manual.

Commissioner Willner said there is a Home Rule Bill that let's us do this by ordinance, the same thing, exactly, in certain places where the speed limit will be posted, but it would be ridiculous to put them in solid.

Commissioner Ossenberg said that what he thought Commissioner Willner was saying is that any main thoroughfare coming into Evansville could be posted, realizing that they could probably get off on a side road.

Mr. Lochmueller said they definitely want all the major roads posted, in fact, they are going to be doing studies on all major roads, that now it will be 45 mph until this is done.
He said it would be nice if all roads were posted but he is sure that isn't possible.

Mr. Lawrence Stahl said that when they put a 35 mph speed limit on Green River Road on the upper end, from Heckel Road especially, they are just retarding traffic, that there will be a solid stream of traffic so people will be trying to pass and if they could leave it at least at 45 mph, he feels that the road would be much safer.

Commissioner Ossenberg said this is the proposal, that they are recommending 50 mph but now they have it at 45 mph.

Mr. Lochmueller said that they are already saying now to make Green River Road 50 mph from Heckel Road, North to 57 and 45 mph, Green River Road, South, because it is 35 mph now.

Commissioner Willner said this should probably be slowed down through the town of Daylight though, probably to 35 mph from Boonville-New Harmony, North, since there are railroad tracks, the caution light, numerous businesses and a fire station.

Mr. Lochmueller said they will then leave it as it is which is 35 mph.

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

RE: AUTHORIZED TO ADVERTISE...BOILERS AND WATER CHILLER FOR AUDITORIUM

Mr. Stephen submitted the specifications and Notice to Bidders for the supplying and installing of two dual fuel heating boilers and one water chiller for the Vanderburgh County Auditorium.
He wondered if they want to specify completion dates for the air conditioning and the heating, also that they need to act these out and get them bid whether the Commissioners accept the bids right away or not, also they need to know exactly when they can shut the Auditorium down, air-condition wise, in fact they probably don't have any now unless they re-assemble and start using some of the gas supply for the summer.

Commissioner Ossenberg said that Mr. Dewes had tried to call all the Commissioners, that he is now out of town on a convention to try to bring some convention people in here and the bureau is paying for this.

Mr. Stephen said they really got started on this about six months too late but they apparently didn't know what the situation was going to be, but they are going to be shut down on their air conditioning for part of the summer so it should be decided whether they are going to jump in there and get the air conditioning changed right away and shut it down now until they get it in, since they are going to need air conditioning for the Bob Hope show which is on June 1st, that if they then wait for that length of time, at the period they do shut the air conditioning down, they will have ventilation but they won't have any cooling.

Commissioner Ossenberg said this has to go before Council tomorrow since the money must first be appropriated and he asked Mr. John, if the County Council approves the money, if there is a possibility that he could get Mr. Beesley to give them a verbal okay.

Mr. John said they could probably get an okay within ten days and it would be longer than that before they get the bids.

County Attorney Wendel said that the bids could be advertised for and opened, but they have to have the money before the contract is awarded.

Ms. Juras said this matter isn't on the Council Call for tomorrow, that they had a special meeting two weeks ago and they deferred action until they received bids on the three types of systems.

Mr. Stephen said they have narrowed it down to practically one type of air conditioning and heating since they ran into problems on the alternates.

Mr. Brenner suggested they go ahead and bid it since they had a Council Call for $50,000 and the bids will undoubtedly come in higher than that, also that the Council is waiting for the bids and the Commissioners need the money so they are going to have to do something.

Commissioner Willner moved that the Auditor be authorized to advertise on April 7th. and 14th. with the bids to be opened on April 18th. 1977. Commissioner Schaad seconded the motion. So ordered.

Mr. Brenner said he has been pursuing something and he has reason to believe that the Gas Company settled their $10.00 penalty to somewhere between $1.65 and $1.85 with a co-op group and there is another co-op being formed that they should probably consider joining, to deal with the Gas Company.

Commissioner Ossenberg asked Mr. Brenner if he knew what was involved in the co-op and what the cost was.

Mr. Brenner said he didn't know, that he has just been exploring it but he does know that the Gas Company has settled with the other co-op so the $10.00 figure to them has gone down to $1.65 he believed and they should consider it, that this throws a whole different light on it, that if the Gas Company is willing to deal for more gas at the $1.65 figure penalty on top of the $1.33, it makes the present system.

Mr. Stephen said in this case it will run their operating cost, compared to last year, to about $24,000 for the summer if they use the gas and pay the penalty.

Mr. Brenner said if the Gas Company is willing to settle though, they have got to look at it.

Commissioner Ossenberg asked Mr. Brenner to pursue this possibility and that if there are negotiations, he will be happy to get with them.

Mr. Stephen said he will complete the specifications by the time the bids are advertised.

RE: ABSTRACTS TO BE PREPARED

There was discussion on the abstracts that are needed on the Boehne and Pleasantview properties and Mr. John said he could pay for it from the Awards, Indemnities & Refunds.

Commissioner Schaad said that County Attorney Wendel was given the authority to prepare the abstracts but he wasn't given the authority to hire someone to prepare them.

Commissioner Schaad then moved that County Attorney Wendel employ someone to prepare the abstracts and that the County Auditor to see that they get paid for it. Commissioner Willner seconded the motion. So ordered.

RE: POOR RELIEF

Lawrence Hall.....1913 W. Illinois St.....Pigeon Township....Ms. Bowling, Investigator

The Notice of Poor Relief Action that was submitted by the Pigeon Township Trustee showed that Mr. Hall applied for glasses but was denied for failure to supply necessary information, that he received $5,000.00 Social Security check eight months ago and received over $400.00 monthly payment of Social Security and he refuses to give an account of his expenditures and he states that it is no body's business.

Mr. Hall said he has decided to go ahead and buy the kids glasses rather than to fight with them.
He said he does have a check that he received on the tenth of March but he doesn't know what it is for and when he cashes it, he might have to pay it back but rather than to hassle, he will go ahead and cash it.
He said about the money he had, that he received a total of about $6,000 in back pay and he used that money to buy a home on contract and he no longer has the money, that he can't account for all of it but the biggest part of it went into a home.
He said that Social Security advised him not to cash the check he received but the kid needs glasses and it would hurt her to wait any longer and he just has to get them, so he is dropping this case but he does have other problems, that his wife has been suffering from high blood pressure for over two years and while they were on ADC before he went on Social Security, the medicaid took care of that but now he has medicaid and medicare but his wife and children have nothing so when they get sick all they can do is suffer and the only way they could possibly get ADC is for them to get a divorce and live apart or try to live together and hassle with them to stay together.
He said he believes that if a man is disabled and has medicaid, but his family doesn't, that the family should be entitled along with the man, although he realizes this is out of the Trustee's department but it is a growing problem among people that are disabled.

Commissioner Ossenberg said that anything to do with welfare or ADC would also be out of the Commissioners hands but he does realize that he has a problem and it's a pathetic thing that it would require a divorce for him to be able to get his family covered but once again, this is a federal situation and the Commissioners hands are tied.
He said at that particular time when Mr. Hall has problems and doesn't have the money, he should go to the Trustee and see if they can help, that he still has the appeal process if they don't help him.

Mr. Hall said he could have taken the back pay from Social Security and blown it and it would still be the same, that he is broke and he would have been considered destitute and he asked what difference it made as to what he did with that money.

Commissioner Ossenberg said this is true and he can see his point.

Mr. Hall thanked the Commissioners for their time.

Ms. Bowling said that Mr. Hall refused to give welfare the information they needed, the same as the information he refused to give her, that he has something like $465.00 per month Social Security coming in but he might be eligible for the childrens fee on medical, but he refuses to give them any information, that he tells them it is none of their business, so if it is none of their business, they don't have time to process the case and she can understand this, since they have to know what Mr. Hall's income is. She said she could possibly try to work with him to get the children some medical care but he will have to co-operate and give them the information they need.

Commissioner Willner asked Mr. Hall why he doesn't work with Ms. Bowling and see if they can't get this straightened out.

Mr. Hall said he will not submit what he did with that money.

Commissioner Willner said, "lets don't talk about the past, let's talk about the future."

Mr. Hall said he would try to do this.

RE: REQUEST TO CLEAN DITCH

Mr. Peters asked the Commissioners if he could clean the branch of the Sonntag Stevens Ditch as he has done for several years, that he would charge the same price as in the past which is around $117.00.

Commissioner Willner moved that Mr. Peters be authorized to clean this ditch. Commissioner Schaad seconded the motion. So ordered.

RE: WARD ROAD

Mr. Peters said that nothing has been done as yet on Ward Road, that was discussed last week.

Commissioner Ossenberg said he has sent the crew out there, that Mr. & Mrs. Bohrer called him and Mr. Siebeking drove Ward Road and St. George Road and the water supposedly came over the road and he asked where the water was coming over the road at. He said he wants Mr. Peters to get with Mr. Siebeking so they can go out there and see what the problem is.

Mr. Peters also asked about the trees on the far side and Mr. Siebeking said they were going to have to do some measuring, that he didn't believe that ditch is on the County right of way and if it isn't, he can't clean it out.

RE: SCULPTURE OFFERED TO THE COUNTY

Commissioner Ossenberg said he has a meeting today at noon with Mr. John McNaughton, a professor at I.S.U.E. who has received a $5,000.00 grant from the Alcoa Foundation and he wants to build a sculpture which would be 9 feet tall and 12 to 14 feet long, that he has a sculpture at the Museum and one on the I.S.U.E. campus and he gets this money providing he gives the sculpture to some governmental unit and he wants to know if the Commissioners would entertain the thought of putting it over in front of the Auditorium. He said he told Mr. McNaughton that he would have to get the okay from the other two Commissioners but that he would listen.
He said that evidently, Mr. McNaughton is quite good, so he is to meet in the Presidential Suite with President Rice, a representative of the Alcoa Foundation and Mr. McNaughton, and he will get back with the other Commissioners at a later time.

The meeting recessed at 11:10 a.m.

PRESENT

COUNTY COMMISSIONERS
Tom Ossenberg
Bob Schaad
Robert L. Willner

COUNTY AUDITOR
Curt John

COUNTY ATTORNEYS
Ed Smith Jr.
Paul Wendel

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
APRIL 11, 1977

The meeting of the County Commissioners was held on Monday, April 11, 1977, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor, with one correction made, in that the appointment of June Hallenberger by the Pigeon Township Assessor should have been effective as of 1/12/77 instead of 1/3/77, as was stated. The reading of the minutes was dispensed with.

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

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

County Attorney Wendel submitted two deeds that he prepared on property that was sold, for the Commissioners signatures.
One deed was on Code #29-69-1 that was sold to Mr. Robert A. Gerteisen last week and the other deed was on Tax Code #32-41-25 that was returned to Mr. Rames E. Basham after paying the back taxes he owed on it.

These people will be notified after their deeds have been recorded.
The Commissioners signed them at this time.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

Carol Hewig	2640 Heidelbach Ave.	Ground Crew	$3.00 Hr.	Eff: 4/4/77
Melissa Schenk	416 Adams Ave.	Ground Crew	$3.00 Hr.	Eff: 4/4/77

COUNTY HIGHWAY DEPARTMENT

Cecil D. Sills	708 N. 11th. Ave.	Laborer	$4.18 Hr.	Eff: 4/4/77
Tony L. Harvey	5300 First Ave.	Laborer	$4.18 Hr.	Eff: 4/4/77
Larry J. Babbs	1707 Michigan St.	Tk. Driver-130-118	$4.26 Hr.	Eff: 3/30/77
Clayton R. Jenkins	4124 Hogue Rd.	Laborer-130-118	$4.18 Hr.	Eff: 3/30/77
Thomas Schmitz	801 S.E. Second St.	Laborer	$4.18 Hr.	Eff: 3/30/77

COUNTY SURVEYOR

Claude C. Young	762 E. Virginia St.	Instrumentman	$9,082.00 Yr.	Eff: 4/11/77

RE: EMPLOYMENT CHANGES.....RELEASES

COUNTY AUDITOR

Mary L. Conley	713 Thornberry	Tax Exemption Clerk	$20.00 Day	Eff: 4/2/77
Rhonda McClarney	2608 S. Dexter	Tax Exemption Clerk	$20.00 Day	Eff: 4/2/77
Flora Rose	1105 Putnam St.	Tax Exemption Clerk	$20.00 Day	Eff: 4/2/77
Viola Schmahlenberger	1325 Fountain	Tax Exemption Clerk	$20.00 Day	Eff: 4/2/77
Esther Shrote	1005 Cullen Ave.	Tax Exemption Clerk	$20.00 Day	Eff: 4/2/77
Mabel Winkler	7608 E. Chandler	Tax Exemption Clerk	$20.00 Day	Eff: 4/2/77

COUNTY HIGHWAY DEPARTMENT

Urban Kahre	11113 Darmstadt Rd.	Gas Man	$4.18 Hr.	Eff: 3/30/77
Joseph T. Folz	2828 Egmont	Janitor	$4.18 Hr.	Eff: 3/30/77
Robert White	R.4 #6 School Rd.	Trash Detail	$4.26 Hr.	Eff: 3/30/77
Larry J. Babbs	1707 Michigan St.	Truck Driver	$4.26 Hr.	Eff: 3/30/77
Clayton R. Jenkins	4124 Hogue Rd.	Laborer	$4.18 Hr.	Eff: 3/30/77
Thomas Schmitz	801 S.E. Second St.	Trash Detail130-118	$4.18 Hr.	Eff: 3/30/77

VANDERBURGH SUPERIOR COURT

Rex Dendinger	2501 E. Blackford Ave.	Bailiff	$7,686.00 Yr.	Eff: 4/7/77

RE: ZONING MATTER - PETITIONER: GREG GORMLEY

An amended petition was submitted on the Rezoning Petition of Greg Gromley that was approved on Third Reading by the Commissioners on 2/22/77, changing the zoning from A to C-1B, in that it should have read 26 Township, 4 South, Range 10 West, instead of 25 Township, 4 South, Range 10 West.

Commissioner Schaad moved that the Amended Petition be approved. Commissioner Willner seconded the motion. So ordered.

RE: CHECK RECEIVED

The Commissioners received a check from Szabo Food Service, Inc. in the amount of $1,244.55, for sale of the County Jail Inventory. The County Attorney said that the check is in order.

Commissioner Schaad moved that the County Commissioners endorse the check and that it be deposited to the account of County Revenue. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

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

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

A claim was submitted by Pitney Bowes, for equipment maintenance agreement on the postage machine in the amount of $151.00, which has been approved by the Auditor's office.

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

A claim was submitted by Peyronnin Construction Co., Inc. for locating sewer lines, cleaning where possible and installing new sewer and fittings for nurses home at the Boehne Camp Hospital, in the amount of $1,857.43. This was approved by Mr. Hotz.

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

A claim was submitted by Bauer Bros. General Contractors, Inc. for the repair of County Bridge on Roesner Road, off Hogue Road, Acct. No. 203-2250, in the amount of $10,340.88. This was approved by the County Highway Engineer. (This was an emergency)

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

A claim was submitted by Hunnicutt & Associates, Inc. for services rendered, on account of Contract for reassessment of Knight Township, for work completed March 1 thru March 31, 1977. The claim is for 1/16 of Total Contract, less 10% holdback, making this payment in the amount of $12,093.75, which has been approved by the Knight Township Assessor.

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

A claim was submitted by Carl E. Stocker Insurance Agency for the Official Bond of Ben Bockstege, the Perry Township Assessor, in the amount of $20.00.

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

RE: SPECIFICATIONS FOR NEW BOILERS AND WATER CHILLER AT AUDITORIUM

Mr. Stephen, the County Engineer, submitted the completed specifications for the new boilers and water chiller for the Auditorium.
The County Commissioners had authorized the County Auditor to advertise for bids, last Monday, and the specifications were put in order as of last Thursday and the Commissioners stamped their names on it so the bids could be advertised for.

RE: SCULPTURE OFFERED TO THE COUNTY

Commissioner Ossenberg said that last week he discussed with the Commissioners about going out to I.S.U.E. for a possibility of a sculpture from the Alcoa Foundation Grant, which exceeds $5,000.00 and they would like to have a sculpture they could put on the lawn at the Vanderburgh County Auditorium which would be about 9 feet high and from 12 to 14 feet long.

He said he met with President Rice, Mr. John McNaughton, who is the Associate Professor of Crafts & Arts at the I.S.U.E., the Dean of that particular school and a gentleman from Alcoa, that the check was then presented, also that it is a unique type of sculpture and the other Commissioners more or less gave him permission to use his disgression, which he did and he said he thought it looked very well.
He said this particular sculpture will be done by Mr. McNaughton, also that they have a contest for a sculpture that will be placed on the I.S.U.E. which will be done and judged by the students of that particular class and will be judged by people from all over the state, however, he did give Mr. McNaughton permission to go ahead and make the study, as well as permission for him to contact the County Engineer, Mr. Stephen, who will work very close with him, as well Alcoa's engineer and I.S.U.E., Evansville Campus Engineer.
He said they will bring us more up to date in May and hopefully, Mr. McNaughton will have this sculpture done and in place by Labor Day, also that it appears that Mr. McNaughton will be on the Campus at Ball State University next year as a Guest Professor for the entire year, so he very much wants to get this sculpture done.
He said that Alcoa would like to thank Vanderburgh County, that this particular project was to go to a governmental unit and it could have gone to several locations but out of five sites, they chose the Vanderburgh County Auditorium.

RE: AMENDMENT TO THE CETA CONTRACT

Ms. Juras submitted an amendment to the CETA contract and explained that it just states that all the funds are now available, that $20,000.00 was being held and that the total amount of Title VI funds available is now $53,296.00 and will fund the program until June of this year.

Commissioner Schaad moved that President Ossenberg sign this amendment. Commissioner Willner seconded the motion. So ordered.

RE: DISCUSSION OF PROPOSAL ON INTERSTATE I-164

County Councilman Paul Ahrens said he spoke to the Commissioners last week opposing the building of I-164 and he read a statement that was written by the Mayor, which is as follows:

I understand from the news report that Councilman Paul Ahrens appeared before the County Commissioners yesterday as then opposed to the I-164 project, that the funds could not be used to maintain and repair all the County roads.

Mr. Ahrens then quoted a recent article in the Evansville Press which reads as follows:

The Evansville metropolitan area could receive a $45 million windfall for road repairs and improvements if the Interstate 64 spur isn't built.
But George Gibson, chief of the federal highway administration in Indiana, said chances are slim that the area will receive such a windfall.
Gibson, who was in Evansville today making a routine check of road conditions, said an amendment last year to the Federal Aid to Highways Act now means that communities may use interstate money for other highway projects.
The federal highway chief explained: "If local officials decide they do not want an interstate highway in their area, under the 1976 amendment they may now apply to their state's governor, and if he and the federal highway administration agree that the proposed interstate is not a vital link in the nationwide interstate system, then the money may then be given back to the communities for projects they place a higher priority on."
However, Gibson said he thinks I-164 will be built because "at least a majority of the people" want the highway. "And the elected officials who speak for the people, and the planning boards, chambers of commerce and numerous other groups all are in favor of I-164," Gibson added.
Gibson said if the interstate spur isn't built, then the $45 million or so allocated for the highway could be used on certain state, city and county roads and streets.
"This $45 million would be money that the area would not otherwise get," Gibson explained. "And receiving the money would not make the local area ineligible for any other federal aid they might otherwise receive. This would be additional money. A windfall."
During the debate on I-164, it has been suggested that the money for I-164, could be spent on road projects throughout Southern Indiana.

"I want to make it clear that this could not be done," Gibson said. "The money would have to be spent in the Evansville urban area and Vanderburgh County--and maybe it could be spent for some work in adjacent counties, but it would have to be spent in

a fairly limited area, in an area where the interstate would have gone."
Gibson added, "The $45 million could be used for improvements and repairs for what have been designated in the federal plan as the area's primary state roads, Evansville's urban system and secondary county roads.
"The area would be allocated an equivalent amount of money as would have been spent on the interstate. The money could even go for mass transit systems."
Gibson said a decision on whether to build I-164 is expected within 45 days.
Two routes are being considered by state and federal highway planners for the highway. Route "C" would go southeast from I-64 and U.S. 41 to the Vanderburgh-Warrick County line and then south to Indiana 66(Division Street). Route "B" would head south along the county line to Division Street from I-64 and Indiana 57.
Gibson said a decision on a route is expected at the same time a decision is reached on whether to build the spur.

In closing, Mr. Ahrens said he wants to express his opinion, that as a County Councilman of Vanderburgh County, he wants to go on record, that the rest of the County Council hasn't made their decision but by April 20th. he thought they would have a full report, that they have time because this doesn't come to a close for 45 days yet and as he tours our city and county, he finds that we have a lot of dead-end highways and as we have heard and he has read, that this $45 million can be used on other interstates first like Highway 41, that we have nine stop lights there now and we are on record as being the "Stop Light City" and it cost $250,000 to make a cloverleaf two years ago and he imagined it would now cost $350,000, that we could spend $20 million for overpasses and still have $25 million left and he thought that as citizens of Vanderburgh County and Evansville, we should consider this.
He said he has talked to a number of business men on Division Street in the past ten days and they said it is almost impossible to cross Division Street, also that he went to see Jesse Stock who passed away last week and he was being laid to rest at the Zeimer Funeral Home and as he went out there, Willow Road was blocked from the stop light all the way back to 41 and the people couldn't come off 41 or couldn't get on it, so he asked, what this would be if the I-164 spur was built and entered 66, Division Street East, that we are bringing our traffic into the City instead of taking it out.

Mr. Lawrence Stahl, Local Affairs Chairman of the Vanderburgh County Farm Bureau, spoke on behalf of the area farmers by saying that they have right at 3,000 names on petitions at the State Highway Commission office which reads as follows:

We, the undersigned, petition the State Highway Department to drop plans for construction of by-pass I-164 and for the reason that both proposed routes, "B" and "C" could cause congestion of traffic rather than to alleviate the problems. We are not opposed to progress, we feel that Pennsylvania Street and Diamond Avenue should be completed and that Highway 41 should be improved with overpasses and inter-changes, thus eliminating stop lights which slows the flow of traffic.
He said they have had two groups that have gone to Indianapolis, one group talked to the State Highway Commission and to George Gibson at the federal building and he definitely said that this money can be used for other state and county roads, that it doesn't have to be used for Interstate I-164 and from the standpoint, when this road comes down here and stops at Division Street, they aren't making any improvement what-so-ever in the traffic pattern in Evansville, that this traffic is going to have to come in Division Street and he can't see for the life of him, how this traffic will ever get off I-164 at a time when the people are coming into Evansville or in the evenings when they are going out of the city.
He said he happens to help his son operate a farm on Division Street at the County line which would be within 1/8 mile of the inter-change and he knows what the situation is at the present time and that was even before the light was installed at Burkhardt Road and they have seen traffic lined up in the evenings all the way out to the County line, waiting to get through the traffic light at Green River Road and with a light at Burkhardt Road, it is going to be still worse, but the traffic coming off I-164 will not be able to get off on a two-lane highway.
He also said that Mr. Gibson stated he sees no future money available for the completio of I-164 south of Division Street, and he thought that this project would probably cost as much, if not more, than the plan to Division Street and furthermore, it is really a serious mistake, the plans they have at the present time.
He said he can't see how the state thinks they should have a right to take some of the very best farm land that is left between Evansville and Warrick County and cut them diagonally as they are planning on doing.
He said there are people here this morning who are opposed to this Interstate and they certainly have a right to be because it will just ruin the farms and the drainage since there are quite a few tile lines that will be cut and there is no way to repair them because they will probably dig ditches deeper than the lines are in the ground and where this money is available, that it can be used for other purposes and could come to Vanderburgh County or the Evansville area and for this reason, with the situation of the roads in Vanderburgh County, the streets in Evansville and the state

roads that haven't been completed, they should be taken care of. He said, "Don't let anyone tell you that there can't be overpasses put on Highway 41," that they can build them and if U.S. 41 was upgraded with overpasses at all major intersections, a few homes would have to be acquired to turn U.S.41 into an interstate highway without stop lights. He also said it was a mistake for the east side merchants to ask for every other street to be opened at the time U.S. 41 was built and the fact remains that U.S. 41 is the main road through Evansville and it can carry the traffic if overpasses could be put in and the stop lights taken out, and for this reason, he asked that the Commissioners consider it.
He also said they shouldn't let people tell them that all the people in the City of Evansville are in favor of I-164 because they aren't, since anyone they ask will sign the petition and he doesn't believe it is actually the sentiment of the people in Evansville, since they don't voice any objection in signing the petition and a lot of them say if they would only do something about Pennsylvania Street and Diamond Avenue and Division Street, that the problem today isn't getting the traffic North and South, that the traffic problem today is getting traffic East and West, in and out of Evansville since those roads are all overloaded and by building this road down to Division Street, they would only be causing another traffic problem, more hazards and more deaths on our roads.

Mr. Ahrens invited everyone to the County Council meeting which will be held on April 20th. at 1:00 p.m. in the Council Chambers.

RE: SPEED LIMIT PROPOSAL FORTHCOMING

Proposed speed limits for all county roads were discussed last week but there was some confusion on what action was taken.

Commissioner Willner asked if they needed an ordinance to change the enforced speed limits.

County Attorney Ed Smith said that an ordinance is not required to change the county speed limits, that all they need is an amendment to a master speed limit plan adopted by resolution in 1972.

Commissioner Ossenberg told Mr. Lochmueller to draw up the speed limit resolution and to bring it up next week.

RE: MONTHLY REPORT

The Report of the Building Commission was submitted for the month of March, 1977. Report received and filed.

RE: MR. HOTZ.....SURPLUS ITEMS AT PLEASANTVIEW

Mr. Hotz asked the Commissioners if it would be possible to extend the deadline for the County Officeholders to see if there are any surplus items at the Pleasantview Rest Home that they need, since a lot of them are busy this time of year and an extension of time would give them a chance to get out there.
He said that the surplus items haven't been advertised for sale as yet.

Commissioner Schaad said the only thing is,that once they have been advertised, there shouldn't be a single piece removed, that this has happened before and he didn't want to see it happen again.

Commissioner Willner asked Mr. Hotz how much more time he wanted and Mr. Hotz said the rest of this week would be fine.

The Commissioners agreed that the time be extended as requested.

RE: PROBLEM OF TRASH BEING DUMPED

Mr. Hotz said that someone sneaked in at Pleasantview and dumped two loads of trash out there and he thought he had an answer to it by setting in some posts across the road until such a time as they sell or lease the property.
He said the man out there can't be everwhere at the same time, that they even had a chain up but someone went around it, also that there isn't really any need for the use of that road now for anyone.

Commissioner Willner asked Mr. Hotz if he went through the trash to look for a name and Mr. Hotz said it was just dumped Friday night and he hasn't had a chance to go through it as yet.

Commissioner Ossenberg said the posts would be okay if Mr. Hotz thought they would stop this but he would suggest that he call Sheriff DeGroote and ask him to patrol there at night too.

Commissioner Schaad said they had already asked the Sheriff to patrol Pleasantview and Boehne more often since they are no longer occupied.

Commissioner Ossenberg said they should also ask the City Police to patrol it, since it is really in the City.

The Commissioners agreed that they wait to see if it happens again and if it does, that Mr. Hotz should set in the posts.

RE: ABSENTEE REPORT

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

RE: BRIDGE REPAIRS NEEDED ON MANN ROAD

Mr. Brenner said they have a project they would like to start on with the $200,000.00 they have for bridge repairs, that it is ½ mile west of St. Joe on Mann Road and he figures that it will cost less than $5,000.00 for a pipe and there is a concrete structure there right now that can be removed.
He said he didn't know if it was possible for the County Highway Department to remove it or if they should put it out on bid.

Mr. Siebeking said he didn't know but if Mr. Brenner wants them to try, he will go out to see what they can do.

Mr. Brenner said it would be a real small contract to let someone just tear the bridge out, that the whole job is a lot bigger than this but Soil Conservation is putting up quite a bit of money and all the County has to do is furnish the pipe and take the bridge out and they will do the rest.

Mr. Siebeking said he would take a look at it.

RE: ROESNER ROAD BRIDGE

Mr. Brenner said that the Roesner Road bridge that the Commissioners just approved a contract with Mr. Nussmeyer on, should be started late this week or early next week.

RE: PROBLEM ON GREEN RIVER ROAD

Mr. Brenner said he had a call from a Ms. Hillenbrand on Green River Road, North of Heckel Road, who said she was having problems, since the County had obtained right-of-way from her and in doing this, the County signed a contract that we would do certain things and we didn't comply with our part of the contract, that part of it says we will put in a concrete driveway and we put in a blacktop driveway, also there was to be some fill put in there which wasn't done and she has a flooding area.
He said the County will fix it or she does have good grounds to sue the County.

Commissioner Schaad asked if the contractor shouldn't do that.

Mr. Brenner said very possibly, but that the contractor has been released, also that Ms. Hillenbrand has no way to get to her mailbox and the mailman has told her that he is going to stop delivering her mail.
He said they just went out to see it last Thursday and she does have legitimate complaints, that they will have to take fill dirt in and it is a gretty good job, also that there is $58,000 in that account so they have the money to do the job.
He said he had thought of letting Mr. Siebeking do the job or he would also be willing to approach Feigel Construction Co. who did the job, to do this.

The Commissioners agreed that Mr. Brenner talk to Mr. Feigel about doing the work.

RE: TENNIS COURTS AT BURDETTE PARK

Mr. Brenner said he had previously told the Commissioners that he couldn't do the roads at Burdette Park, but he didn't mean to say that he wouldn't do the tennis courts, since he has already spent 50 or 60 man hours, has done the survey on it and they are almost done with it.

RE: VACATION OF HIALEAH DRIVE

County Attorney Wendel said that the Viewers Report is now in on Hialeah Drive, that he has checked them and that the legal requirements have been met and he submitted the Resolution for the Vacation of Hialeah Drive for the signatures of the Commissioners.

Commissioner Schaad moved that the Commissioners approve and sign the Resolution for the vacation of Hialeah Drive. Commissioner Willner seconded the motion. So ordered.

RE: DISCUSSION OF PROPOSAL ON INTERSTATE I-164....CONTINUED

Mr. Lawrence Stahl said that he is representing the people that are present and he feels that they are the people that are being hurt if I-164 is built, that it is very easy for a group from the City of Evansville to plan a road in a rural area, disregarding people's property rights and they never get compensated for the damage that is done to their farms and this is one reason these people are so concerned about it, when you consider, from Pigeon Creek South, they go diagonal all the way and when you cut a farm diagonally, the farm is about ruined.
He said it will completely ruin the drainage on some of the farms and they don't allow you one dime for any inconvenience they have caused these people, also that when they close these roads, the farmers have to go around several more miles, when otherwise, they farm straight through and it will take at least 1½ times the normal time to plant, harvest or work their crops.
He said he feels that the Commissioners should consider this matter as well as the state should but that they won't consider it and if Mr. Lochmueller has anything to say, he wished he would say it instead of talking to the Commissioners without them hearing him.
There were about twenty remonstrators present.

Mr. Jim Schnautz said that he isn't catagorically opposed to I-164, that he and Mr. Ahrens have discussed this at the last County Council meeting, also that five years ago he was talking to Dale Lucas when 41 was built through Evansville from over a twenty year old blue print and it is a shame on the city that a twenty year old highway should be built and now they are talking about building I-164 East of Evansville and there will be a lot of stop lights and expensive right of way all along to be bought, also that when they talk about "B" and "C" there is very little alternative between "B" or "C", why not talk about the West side of town, by running the interstate down the Westside where the whole future of the city is on the West side, whether it is the I.S.U.E., the testing center for Mead Johnson or Babcock-Wilcox Co., that it is all West of Evansville, that it isn't in Newburgh, and they are planning on building the Interstate in the East side of town, as usual and he supposed there were certain interests.
He said there was a letter to the editor by Wilbert Seifert who said everything he would have said if he had written it and a week before that, a very badly written letter was in the newspaper and it picks on a small vocal minority and we are that small minority.

Commissioner Ossenberg said that for verification, Mr. Lochmueller didn't come up to speak to the Commissioners about I-164, that he came up on the speed ordinance and that was their discussion with him.

Mr. Ahrens said the Commissioners have heard his statement and he said he would like to know if they would go on record in favor of I-164.

Commissioner Ossenberg said he favors I-164 but he isn't saying that he favors the route they are going, that he wouldn't oppose I-164 and as Mr. Schnautz has said, he isn't saying that it belongs in the East side of Evansville but it could well be used in the West side of Evansville by running it down State Highway 65.
He also said that he would like more of an explanation that the $45 million dollars could be assured to be spent locally, which he has his doubts, that he thought that if it was allocated to the area, it would be allocated to a large vast area of several counties.

Mr. Ahrens said that Commissioner Ossenberg, as President of the County Commissioners, should understand from his report by the State Highway Commissioner, that if this money is not used for I-164, that it can be used elsewhere in the county and he should understand that we are in need of it in Vanderburgh County.

Commissioner Ossenberg said he realizes this and he thinks that possibly, the spur could go West, that he didn't want to count it out, that Evansville in the United States, is the largest city not connected by any type of an interstate highway and when Mr. Schnautz brought out the very fact that Highway 41 was built through the City and during that particular time he was running for City Council and he sat in

on their meeting and heard the late Mr. Poehlkotte suggest that the highway be built over and around and at that particular time they went on record that it would be built through.

Mr. Stahl said that as chairman of the Vanderburgh County Farm Bureau, he can't say that the spur should go to the West side because they also have members in the West side in Vanderburgh County but the logical place for it is to build it down through Posey County since there are no roads there that are fit for truck traffic and they definitely need a road on the West side of Evansville to tie in with dual lane 62, that they have Southlane Drive to take it to 41.

Commissioner Ossenberg said for clarification, when he says West, he would include Posey County but he isn't one to abandon the project, totally.

Mr. Asmus Roeder said he was working for I-164 in the West side since they started. He told a little story about his uncle who was his school teacher and told a story about two frogs, one in each of two cream buckets after falling in them and one frog said he would never get out of the bucket so he gave up and sunk to the bottom, but the other said he didn't know if he could make it or not but that he could try, so he kept trying and finally jumped out.
He said this has helped him a lot of times, and he had just about quit jumping on this I-164 but when he saw the letter in the newspaper yesterday, he thought this would be a chance for him to jump just once more anyway and he is sure he is right in thinking that this Interstate should go to the West of Evansville for a lot of reasons.
He said he wrote to the State Highway Department and they said they agreed with him and that they would bring it up to their authorities and they put a counter out on 65 and did other things but about in January of 1976 there was a meeting here and they dropped the idea of putting it in the West side altogether and all they have heard is about putting it on the East side.
He said there are a lot of reasons as to why it should go on the West side, that in the first place the estimate was a lot less for it to be on the West side, also that they don't have to cross as many roads and they don't have to buy as much property, that they need as much footage but not as expensive property, since there aren't as many homes to buy.
He said they had decided to cross 65 out at Cynthiana and then build another cloverleaf east of Nisbet and then they were going diagonally through the farms over to St. Joe Indiana and then along the Posey County line and on down to about I.S.U.E. and that looked allright in a way but when you cut a farm up, it is no good.
He said the reason he says it should be built on the West side is because they have 65 out there and since I-64 is done, no one would believe how much traffic they get by his place, coming from St. Louis and it is no highway for that traffic, that in the first place, it is a narrow road, a two-lane and in a lot of places it is only eighteen inches to the ditch and they have had grain trucks, oil tankers, etc. to turn over and they have had a lot of wrecks there and when they have a wreck there, they have no passing lane all the way from Cynthiana to Evansville and they have to have two flag men and no one has any idea of how that traffic is tied up, that it is just no good.
He said that Commissioner Ossenberg had stated that he is neutral and he hoped that he stayed neutral, also that it would be impossible to take 65 and make I-164 out of it, that they would have to go further West.
He also said that St. Wendel is growing, that they now have a winery out there, also the Knights of St. John, that they were going East of 65 and then diagonal over to St. Joe and they were going to make a grade separation between the two and this way, they could avoid that and go over on Boonville-New Harmony Road and make one for the St. Wendel people since they either have to go South to 66 or North to St. Wendel and when they follow the county line there, they have hardly no cross roads and no ditches and only two railroad tracks and if this is all figured, they will find that they can build that highway a lot cheaper than their estimate was on the West side, that it would be a better deal and it would be a more scenic drive.
He said that some think they should go all the way down to Mt. Vernon but then they have the Wabash bottoms to go through and he thought to go through the hills would be the best route and he would like for the state to study that route, also that when they hit 66, they can come in old 460 and they have a good road to 41 and if they go down to 62, they have another four-lane and they can go Riverside, then to Southlane Drive to get to the bridge, that it would be a better deal and they wouldn't be out as much money as they would the other way.
He said that he is for Evansville and he is for building good roads, that he is no engineer but that 41 was a mistake and when a mistake is made, it should be corrected.
He said he would like to know how much gas is burned up in one day's time from the bridge, North of Evansville, for all these stop lights that wouldn't be wasted if there were no stop lights there.

He also said this causes pollution and he wondered why they couldn't make 41 like they go through St. Louis and Indianapolis, that there is no reason that it can't be done, that it would pay off in the long run and the traffic would then move right along.
He said that he would like to get together with the Commissioners and the Mayor sometime, in a meeting. since he has a lot of notes he would like to share with them.

RE: APPRAISAL OF BOEHNE HOSPITAL

Mr. Angermeier, the County Assessor, submitted the following Letter of Transmittal to the Commissioners:

TO: WHOM IT MAY CONCERN

At your request we have made an investigation and appraisal of Boehne Hospital, Boehne Camp Road, Vanderburgh County, Evansville, Indiana.

The investigation * was made to determine the fair market value of the unemcumbered fee simple interest in the real estate as of January 1, 1977. It is our understanding that this appraisal will be used for future determination.

The term "Fair Market Values," as used herein, is defined as the highest estimated price the property would bring if exposed for sale in the open market, allowing a reasonable time to find a purchaser who buys with knowledge of all uses to which it is adapted and capable of being used.

We have made a personal inspection of the property and considered these factors in arriving at an opinion of value:

Highest and best use of the real estate.

Location, size and utility of the land and its fair market value as if vacant, based on sales of comparable land.

Estimated replacement cost new of the property based on current market prices for labor, material, contractor overhead and profit, and architectural and engineering design fees.

Age, condition, wear and tear, past maintenance, and present and prospective serviceability of the improvements and equipment compared with similar replaceable property, as well as obsolescence.

Capitalization of net income into an estimate of value.

Based on the investigation, it is our opinion that the Fair Market Value of the Boehne Hospital, Boehne Camp Road, Vanderburgh County, Evansville, Indiana, January 1, 1977 is THE AMOUNT OF $300,000.00.

We have not investigated the title to, or any liabilities against, the property appraised.

Respectfully submitted,
James L. Angermeier
Assessor, Vanderburgh County

* on site visits: February 18, 1977
February 22, 1977
February 28, 1977
March 7, 1977

Mr. Angermeier said he had indicated the evaluation of this property to the Commissioners several weeks ago and at that time, there was some bit of misunderstanding about the total acreage out there and through the good graces of the County Surveyors office, they totally surveyed the property and they have 41.4 acres out there.
He said he has taken some of the best developers and builders in Vanderburgh County out there, that the Commissioners are obviously aware of the fact that this is a special interest development and therefore, it has very limited use and to find the type buyers who would be interested in these so called institutional buildings, etc. would be a difficult process.
He said he has indicated that the present site has the developments of any area that is being considered by any potential developer, that it has city water, city sewers, ample power of gas and electric, county owned and maintained roads through the property

and the corner site has an East-West County road abutting the property.
He said they observed all of the improvements out there and were out there four times, that the administrators home and garage has been very well maintained and it is a very desirable location and he contends that there is some 30 years of remaining economic life in that particular location but it is hard to say what income could be derived from this property because if it were separated land and buildings, probably the income would exceed this valuation but the mere fact that it is located on a parcel of land makes it hard to use the economic approach to it, also the nurses home which is well maintained and desirable, the downstairs just having been completely renovated by the caretaker who did a good job.
He said he thought the County to be fortunate to have a good person who has done a good job.
He said he put the value of $41,650.00 on the nurses home because the potential of the upstairs as well as the downstairs, the value of the administrators home and garage, he put at $59,412.00.
He said the caretakers home is in a desirable location but the age and condition, depending upon the heating system being tied into the maintenance of the other building, he would say it would have a value of about $15,000.00 and the land is obviously the most valuable property involved, that there is approximately 5.62 acres fronting Upper Mt. Vernon Road, property zoned for the highest and best use such as multiple residence dwelling and he isn't talking about Industrial.
He said the property up to now has been used as a multiple dwelling because the hospital and other operations has made it so and because of the facilities already being incorporated into this, therefore a developer would not have to incur this expense.
He said that it is his opinion after the visits there and after talking to professional people, that the highest and best use would be multiple dwelling, the same as before and he thought the Commissioners should take this into consideration because the County owns it, also the taxpayers, and then the people who have made an investment in that area expect likewise, that the Commissioners decide the highest and best use.
He also said that Mr. Crooks, the Building Commissioner, has indicated to him that the parcel on that corner is above the flood level plane and therefore, a building permit would be granted, also that the two institutional buildings have very little value except for special interest groups, such as a private school dormitory or church uses for multiple dwelling, however the aesthetic value of the land exceeds the value of buildings, and it is his opinion in talking to people who are familiar with cost, that the two institutional buildings could be removed or taken down for approximately $25,000.00. Therefore, this would allow the reduction amount to $298,062.00.

Mr. Angermeier also submitted his report of the highest and best use factor in making property appraisals, as explained, in writing, which included the following valuation:

41.4 acres x $5,000 av. = $207,000
59,412
41,650
$308,062
15,000
$323,062 Total

Mr. Angermeier said he can certainly support this with all the information based on subdivisions in and around that area and it is the opinion of people who are professionals and who are constantly looking for tracts, that the entire parcel of 41.4 acres averaging $5,000 per acre would bring $207,000 and together with the other buildings, would bring $323,062 and if they take the $25,000 off, he rounded the figure off to $300,000.00.

Commissioner Ossenberg thanked Mr. Angermeier for the fine report and said he appreciated this report as well as his report on the Pleasantview Rest Home, that he would get the appraisal from the Perry Township Assessor and then they can go to work on it. hopefully, that they will have this wrapped up some time in May.

The Commissioners again thanked Mr. Angermeier for his well detailed appraisals.

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The meeting recessed at 11:55 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Bob Schaad Robert L. Willner	Curt John	Ed Smith Jr. Paul Wendel

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
APRIL 18, 1977

The meeting of the County Commissioners was held on Monday, April 18th. 1977, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: OPENING OF BIDS

The County Attorneys were authorized to proceed with the opening of the bids that were received on the Court Computer Room Air Conditioning and the bid that was received on the Heating Boilers and the Water Chiller at the County Auditorium.

RE: COUNTY OWNED SURPLUS PROPERTY ..... SALE

There were no bids on the County-owned Surplus Property today so the sale will continue next week.

Commissioner Ossenberg asked County Attorney Ed Smith to get in touch with Mr. Abe Ludwig, since he thought Mr. Ludwig was interested in some of this property but some tax information on it had been misinterpreted to him.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

ARMSTRONG TOWNSHIP ASSESSOR.....REASSESSMENT

Clarence Seib	Rte. 7 City	Urban Land Assess.	$20.00 Day	Eff: 1/1/77
James Fehrenbacher	Rte. 7 City	Res. Comm. & Inust.	$20.00 Day	Eff: 1/1/77
Louise Luigs	Rte. 1 Haubstadt, In.	Residential Super.	$35.00 Day	Eff: 1/1/77
Francis Martin	Rte. 1 Poseyville In.	Urban Land Assessor	$20.00 Day	Eff: 1/1/77
Herbert Weisman	Rte. 7 City	Res. Comm.& Ind.Field	$20.00 Day	Eff: 1/1/77

BURDETTE PARK

Gerald A. Pea	4800 Conlin Ave.	Ground Crew	$3.00 Hr.	Eff: 4/9/77
Patricia Altman	10000 Old State Rd.	Cashier	$3.00 Hr.	Eff: 4/18/77

CIRCUIT COURT

Larry McDowell	1061 S. Lincoln Pk.	Asst. Bail Bond Comm.	$500.00 Yr.	Eff: 4/9/77
Mike Mattingly	918 Allens Lane	Prob. Counselor	$1,700 Yr.	Eff: 4/9/77

(These men are on a new program with these amounts paid by the County.)

HIGHWAY DEPARTMENT

Mark Montgomery	1913 New Hampshire	Truck Driver	$4.26 Hr.	Eff: 4/13/77
Andrew Wade	3318 Bayard Pk. Dr.	Gas Man	$4.18 Hr.	Eff: 4/13/77

PROSECUTORS OFFICE ... 108.1

Scott Bowers	1809 E. Powell	Supt. Div.	$18,900 Yr.	Eff: 4/11/77
Louis Grewe	1100 Erie	Dir. IV-D	$ 9,592 Yr.	Eff: 4/11/77
Melanie Heltsley	136 S. Boeke Rd.	Supt. Secretary	$ 6,982 Yr.	Eff: 4/11/77

RE: EMPLOYMENT CHANGES.....RELEASES

BURDETTE PARK

CETA Patrick Martin	341 Sequoia	Ground Crew	$4.17 Hr.	Eff; 4/9/77

CIRCUIT COURT

Joe Adams	3617 Wansford	Asst. Bail Bond Comm.	$8,652.00 Yr.	Eff: 3/31/77

HIGHWAY DEPARTMENT

Mark Montgomery	1913 New Hampshire	Laborer	$4.18 Hr.	Eff: 4/12/77
Andrew Wade	3318 Bayard Pk. Dr.	Laborer	$4.18 Hr.	Eff: 4/12/77

RELEASES.....CON'T.

PROSECUTORS OFFICE.... 108

Scott Bowers	1809 E. Powell	Supt. Div.	$18,900 Yr.	Eff: 4/8/77
Louis Grewe	1100 Erie	Dir IV-D	$ 9,592 Yr.	Eff: 4/8/77
Melanie Heltsley	136 S. Boeke	Supt. Sec'y.	$ 6,982 Yr.	Eff: 4/8/77

RE: MONTHLY REPORTS

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

The Report from the Bureau of Traffic Engineering was submitted for the Month of March, 1977.
Report received and filed.

RE: PHONE REQUEST RECEIVED

Commissioner Ossenberg said he received a letter that was dated March 23, 1977, from Judge Alan Kissinger which reads as follows:

Dear Sir:

I am requesting the following for Vanderburgh Superior Court Drug and Alcoholic Deferral Services; one additional line with two keys set extensions, to be connected to the current system of this office.

Since this office is part of my court, I am making the request to be considered at your next Commissioners meeting.

Should you have any questions, please feel free to contact either myself or Mr. Mark Owen at the D.A.D. office.

Thank you for your consideration.

Commissioner Ossenberg explained that this is a program that Mr. Brune had, and until a clarification of the State Board of Accounts is through, the Judge wants to pay the telephone bill himself and they will reimburse the County out of this fund. He said there is some controversy about this program with the County Council. He said the D.A.D. will then pay for the telephone until the State Board of Accounts has some type of clarification.

Commissioner Willner moved that the request be approved, with the reimbursement to the County. Commissioner Schaad seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE FOR BIDS ..... FLOOR SCRUBBER

The Notice to Bidders and the Specifications for the Floor Scrubber that is needed by Burdette Park, was submitted to the Commissioners.
Mr. Wolf said that the specifications meet with his approval.

Commissioner Schaad moved that the specifications be approved and that the Auditor be authorized to advertise for bids on April 21st. & April 28th. with the bid opening date to be May 2nd. 1977. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE FOR BIDS..... PHOTOCOPY MACHINE

The Notice to Bidders and the Specifications for one photocopy machine for the County Clerk's Office were submitted to the Commissioners.
County Attorney Wendel said these specifications meet with the County Clerk's approval.

Commissioner Schaad moved that the specifications be approved and that the Auditor be authorized to advertise for bids on April 21st. & April 28th. with the bid opening date to be May 2nd. 1977. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BIDS....AIR CONDITIONING FOR COURT COMPUTER ROOM

There were three bids received for the Air Conditioning in the Court Computer Room. They are as follows:

Midwest Roofing Co. Inc.....$7,700.00
Municipal Engineering & Constr. Corp.....$12,800.00
U.S. Sheet Metal & Roofing Co.....$7,700.00

(There was no formal Engineer's estimate made on this project.)

Commissioner Schaad moved that these bids be taken under advisement and referred to Ms. Juras so she can make a recommendation next week. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BID.....HEATING BOILERS & WATER CHILLER

There was only one bid on the proposal for the heating boilers and the water chiller in the Vanderburgh County Auditorium Convention Center and that was from Goedde Plumbing & Heating Inc., in the amount of $237,975.00, however, he had a note with his bid saying that he is not fully complying with the specifications.
Mr. Eifler said that the engineer's estimate is $146,000.00.

County Attorney Wendel said this amount was the bid for both, the air conditioning and the heating, separately, and Mr. Goedde put them together and said that he would bid no other way, since he thought to bid on them separately would be impossible.

Mr. Brenner recommended that the bid be rejected.

Commissioner Schaad then moved that the bid of Goedde Plumbing & Heating Inc. be rejected. Commissioner Willner seconded the motion. So ordered.

RE: TRAFFIC RESOLUTION AMENDING MASTER TRAFFIC CONTROL CODE

County Attorney Smith said that he took the recommendations of the study made by Mr. Lochmueller and repealed some divisions in there and established speed limits for the highways as indicated in the Resolution.
The Resolution reads as follows:

WHEREAS, on the 23rd. day of October, 1972, The Board of Commissioners of Vanderburgh County, State of Indiana, did adopt by resolution the Master Traffic Control Code of Vanderburgh County, Indiana, providing for the establishment of certain traffic control devices upon certain public highways or parts of highways in said County, and

WHEREAS, The Board of Commissioners of Vanderburgh County has made a further determination based upon an engineering and traffic survey that traffic congestion hazards along and upon Green River Road, Broadway, Boonville-New Harmony Road, and Oak Hill Road are greater than is reasonable and safe under the conditions found to exist upon said highways; and

WHEREAS, the highways hereinbefore described are a part of the Vanderburgh County road system and are under the jurisdiction of said Board of Commissioners;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Vanderburgh, State of Indiana:

SECTION 1. It is hereby determined and declared that Section 3, 111 (g), Section 3, IV (f), Section 3, IV (b-3) as amended by amendment #12, and Section 3, V 91) be and the same are hereby REPEALED.

SECTION 2 It is hereby determined and declared that Section 3 of the Master Traffic Control Code be and the same is hereby amended to read as follows:

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

(r) BROADWAY AVENUE, from Evansville city limits West to the Posey County line."

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

"(VI.) It shall be unlawful to operate a motor vehicle in excess of forty-five (45) miles per hour upon and along the following roads, streets and highways, to-wit:

(i) OAK HILL ROAD, from the Evansville city limits to State Highway 57.

(j) BOONVILLE-NEW HARMONY ROAD, from St. Joseph Avenue to the Posey County line.

SECTION 4. It is hereby determined and declared that Section 3 of the Master Traffic Control Code be and the same is hereby amended to read as follows:

"(VII.) It shall be unlawful to operate a motor vehicle in excess of fifty (50) miles per hour upon and along the following roads, streets and highways, to-wit:

(d) GREEN RIVER ROAD, from Heckel Road to Boonville-New Harmony Road.

Mr. Lochmueller said this Resolution is his recommendation, as written, however, there is a gap in it, since it includes Daylight and he thought this should be posted at 35 miles per hour.
He asked if they were going to get a 45 mile per hour speed limit on all highways not posted otherwise and what they would have to do to accomplish this.

Commissioner Willner said he thought this was decided a couple of meetings ago and he thought this would be included in this resolution, that from what he understands this is all they would need to enforce the 45 mile per hour speed limit.

Commissioner Schaad then asked if it would have to be posted.

Commissioner Willner said he was sure that they would in certain areas, that they wouldn't have to post it every quarter mile though.

Commissioner Ossenberg said he has a question of whether they can do it under Home Rule or not, that he realizes the City is State Statute but he is wondering if it takes an Act from the Indiana General Assembly to put it under a County Statute.
He said he didn't know where to tell County Attorney Smith to go up in Indianapolis to find out whether they could actually establish such a precident in the County under a Home Rule Bill, that he would imagine it would be the Attorney General's office.

County Attorney Smith said that the authorities have been doing it for a number of years on the County roads and he thought because of the Home Rule Bill they have now, the state has resumed to enact specific speed limits on specific highways and then the County can come along and supersede that, so the county roads that come under the Commissioners jurisdiction, they have control over them. He said that is the basis on which they have done this Resolution that was submitted today.

Commissioner Ossenberg said he is thinking they can adopt a statute from past resolution, that all roads are 45 miles per hour, unless they are posted otherwise.
He said he thought they would just reverse the resolution, to hold it, and specify the 45 miles per hour, except where otherwise stated.

Commissioner Willner said they would repeal all they have here-to-fore and then start with otheres they have changed, other than those they changed to 45 miles per hour.

County Attorney said that Mr. Lochmueller should do a study on it and then try to do it all at one time.

Mr. Lochmueller said he would think they would go with the 45 miles per hour because the rest of it is going to take a little time, and to pass this resolution on the four roads.

Commissioner Willner said he agrees with what is being done here but that they are doing the same by individual roads again.

Mr. Lochmueller said he would present the resolution on the 45 miles per hour for all roads except where otherwise posted, next week.

Commissioner Ossenberg said what they are going to do then is to go with the Resolution and everything at 45 miles per hour, to pass the Resolution and specify then, after they make a comprehensive study and they will then add to this, those roads to be posted.

County Attorney Smith said that what the Commissioners want then is a Resolution, next Monday, establishing the speed limits on all county roads to be 45 miles per hour and start from there..
He said the county's patchwork collection of traffic speed ordinances will be rewritten into a unified document.

Commissioner Ossenberg said this is what they will do, that they can pass this resolution and then start with the four roads that were presented this morning, which would be the first change, after Mr. Lochmueller completes his study, more roads can be added.

County Attorney Smith said he would have the Resolution prepared for next Monday.

RE: CLAIM

A claim was submitted by Lukens & Sons Insurance, Inc. for a Public Official Bond on Alvin E. Stucki, the Center Township Assessor, in the amount of $20.00.

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

RE: REZONING PETITIONS.....OLD BUSINESS

VC-54-77
Petitioner: William E. and Noral J. Shirley.
Premises affected are more commonly known as 3921 Hogue Road.
Petitioner requests a change from a R-1 zone to a M-2 zone for a steel drum reconditioning business (Returned to Area Plan from County Commissioners 2-0)
This petition was postponed until the May 4, 1977 meeting of the Area Plan Commission.

VC-58-77
Petitioner: Mamie Rhoades.
Premises affected are more commonly known as 7921 Newburgh Road.
Petitioner requests a change from a R-1 zone to a R-3 zone for a child care home with a maximum of ten children. (Returned to the Area Plan Commission from the County Commissioners 2-0)
This petition was postponed until the May 4, 1977 meeting of the Area Plan Commission.

RE: REZONING PETITION.....THIRD READING.....VC-63-77

Petitioner and Owner of Record...Inland Marina, Inc. on Waterworks Road.
Premises affected are situated on the East and West side of Waterworks Road, a distance of 2,000 feet SW of the corner formed by the intersection of Southlane and Shawnee Drive.
The requested change is from Conservancy to Waterfront Industrial W-1.
The present existing land use is a Marina and the proposed land use is for Boat and ship building and repairing, sales, service and marina.
The Area Plan Commission approved this petition with nine affirmative votes.
Attorney Robert John appeared for the petitioner and there were no remonstrators present.

Commissioner Schaad moved that petition VC-63-77 be approved. Commissioner Willner seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: REZONING PETITION.....FIRST READING.....VC-64-77

Petitioner and Owner of Record...Robert V. Lambert of 1215 Second Street, Henderson, Kentucky.
Premises affected are situated on the East side and West side of Kentucky Avenue immediately contiguous with the Levee at that site, with the commonly known address being 2950 S. Kentucky Avenue.
The requested change is from A to M-1.
The present existing land use is for a solid waste land fill and the proposed land use is for a retail sales store for industrial forklifts and material handling equipment.
There was no one present to speak for or against this petition.

Commissioner Schaad moved that petition VC-64-77 be referred to the Area Plan Commission on first reading. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....FIRST READING.....VC-65-77

Petitioner and Owner of Record.....Oak Meadow Village, Inc. of R.R.8, Browning Road Oak Meadow Development Corp.
Premises affected are situated on the west side and adjacent to Oak Meadow Court, a private street and just northwesterly of the Oak Meadow Country Club and Lodge.
This real estate is located in Zone District designated as R-1, however, a small area at the south end is R-3.
The requested change is from the R-1 and R-3 to C-1B.
The present existing land use is vacant residential lots and the authority for said existing land use is conforming to present zoning code.
The proposed land use is for structures to contain shops for the convenience of Oak Meadow and Oak Meadow Village residents.
There was no one present to speak for or against this petition.

Commissioner Schaad moved that petition VC-65-77 be referred to the Area Plan Commission on first reading. Commissioner Willner seconded the motion. So ordered.

RE: INVITATIONAL BIDS RECEIVED FROM AUCTIONEERS

Mr. Hotz said that the Auctioneers for the sale of the surplus property at the Pleasantview Rest Home had previously been discussed and he has obtained four invitational bids from Auctioneers for their services, that he looked the bids over and they all seem to include everything.
He said that last Friday was the cut-off date for any of the officeholders to get any of the surplus property they could use, so everything that is there now will be there for the sale.
He also said he made two lists and that one is of everything that would ordinarily go along with the building as far as operation and maintenance of the building is concerned and another of the other items, so after the property is sold or leased, they can combine the lists.

Commissioner Schaad moved that the invitational bids from the Auctioneers be taken under advisement since it will be some time before the sale is advertised. Commissioner Willner seconded the motion. So ordered.

RE: ABSENTEE REPORT

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

RE: REQUEST FROM MR. SIEBEKING

Mr. Siebeking said that Mr. Dewes, the Manager of the Auditorium, called him last week and he thought they were going to replace the concrete car stops in the parking lot over there that have crumbled and Mr. Dewes wondered if the County Highway Dept. could move them away for him if they can use them.
He said they can use them for fill and washouts, so he was wanting the Commissioner's permission to use the county truck and get them out of there, also that whoever is going to replace them will load them on the county trucks and they can haul them off.

The Commissioners agreed that Mr. Siebeking be permitted to use the county truck to haul these concrete slabs away.

RE: BRIDGE ON ADLER ROAD

Mr. Siebeking said that last week, the Commissioners had asked him to check the bridge on Adler Road where they are going to put in the new tile, that he has done so and found that there is a lot of concrete and a lot of steel in it and it would take a long time to cut it out with a jackhammer, so he contacted a contractor who went out there with him and he gave him a flat fee of what it would cost to use a headache ball, that it wasn't an hourly fee, so he talked with Mr. Stephen, the County Engineer, who thought the cost of $2,000 was too high and Mr. Stephen felt that a lot of the concrete could stay right there and they could use it for fill.
He said he would get the contractor back out there and get an hourly rate and would then get back with Mr. Stephen.

Mr. Stephen said that with the headache ball, it shouldn't take too long to do the job.

RE: PROBLEMS ON GREEN RIVER ROAD

Mr. Siebeking said that have two spots on Green River Road, one where Jebco had the contract to lay this field tile up through Ms. Hirsch's property, that it apparently settled over the winter and she wants it all refilled and reworked.
He said the contractor has been released and Mr. Stephen informed him this morning, that there is another place back out Green River Road where there is some erosion taking place on some of the banks.
He wondered if the County Highway Department is going to have to take care of that until it is all settled out there and said that it will take a lot of fill on Ms. Hirsch's property to cover that tile and she will want good dirt and the County just doesn't have that kind of dirt, so if it is the responsibility of the County, he could probably get the dirt but that the County will have to send out the equipment to dig it and load it in the county trucks and then, the ground will have to be leveled off.

Mr. Brenner said there should be extra dirt where they are moving the ditch at Crawford-Brandeis.
He said where the new road has been widened on Green River Road, from Daylight down, grass never came up on great sections of it, that the herbicides kept if from coming up along side of the corn fields, that they have a great amount of erosion, that they started with Feigel on the driveway that was never done right and they said, that since it was their fault, they would do it for something like $500.00 and this is about five times what it should be and they will put in riprap at $45.00 per ton, which also seemed high to him.
He said he talked to Feigel about seeding the whole thing but they said not to even bother doing it because nothing will grow there.
He also said that the County should probably do the driveway at Ms. Hillenbrand's since she has a legitimate complaint and can't even get to her mail box.

Mr. Siebeking said the County can do this, that they can probably do all of this work including the riprap.

Commissioner Willner said that after the Surveyor had checked it last year, he asked Mr. Crooks to go back out there because he knew there would be problems and they all okayed it, but it's not okay and we are going to have problems from now on out there.

Mr. Brenner said there is still over $50,000 in the R & S account.

Mr. Siebeking said he thought it would have been okay if they would have gotten their grass in there but he didn't think anyone contemplated on the herbicide leaching in the ground like it did and that the ground will be dead for probably two years, but then they will also be using the herbicide again.
He said they can put some riprap in the worse spots and try to stop them, and he asked the Commissioners if he should try to take care of the problem on Ms. Hirsch's property.

Commissioner Schaad answered by saying he didn't think they had any other choice.

Mr. Siebeking said he will go ahead and take care of it, that one reason he brought it up was because nine times out of ten, someone would be getting a call wondering what the county equipment is doing on private property, doing this work, that he will get the dirt right there if he can and if not, he will just have to bring it in the best he can.

RE: CUTS IN

Mr. Brenner submitted two applications for requests to cut and occupy county right of way, from the City of Evansville, for sewer lines, one on Old State Road and the other on Eissler Road, which are contracts given to Robert Traylor.

Commissioner Willner asked if any progress had been made with the City on road cuts.

Commissioner Ossenberg said he asked Mr. Eifler about it this morning and he said he would see that Mr. Traylor would live up to the conditions of these cuts and he also said that it wouldn't be a waterworks deal.
He said the waterworks is just at a stand-still, that they refuse to budge and we refuse to budge.

Commissioner Willner then asked who are they going to get to follow up on these cuts if the Commissioners give their approval.

Mr. Brenner said that Robert Traylor is the contractor and they can find out about the bond from Mr. Crooks.

Commissioner Willner asked Mr. Brenner if he would follow through on it and Mr. Brenner said he would.

Commissioner Schaad moved that both these cuts be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

Mr. Brenner submitted a claim from G. H. Allen, Inc. for the Marx Road Structure #64 in the amount of $37,731.68.
He said this bridge is open to traffic today, also that the total amount of the original contract was $56,844.00 and they over-ran it by $4,434.55 so the total amount of the contract is now $61,278.55, that the extra money was all for concrete

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for footings which they estimated too low, since they didn't know how deep it was.

Commissioner Schaad asked if a change order had been sent through on it and Mr. Brenner said there wasn't.

Commissioner Ossenberg said that Mr. Brenner is new at this and in all fairness to him, that Mr. Brenner will know the next time and he can prepare a changeorder.

Commissioner Willner said all they want to know is that Mr. Brenner knows what is going on and that he made the recommendation at this time and it can be after the fact.

Commissioner Willner then moved that this claim be approved in the amount of $37,731.68. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST FOR REVIEW OF HAMILTON LEASE

Commissioner Willner said he has a copy of the Hamilton Lease in front of him and to quote it in part; it reads that the Foundation agrees to furnish to the Lessor on or before March 15 of each calendar year a written annual report for the calendar year immediately preceding pertaining to the operation of the 36 holes of golf to be constructed and operated by the Foundation hereunder, setting out matters of mutual interest and concern both to the Lessor and the Foundation.
He said to his knowledge, this has never been done, that several weeks ago, they reviewed the lease of the Coliseum and he thought this should also be done and he has several questions about this, so he would like for the Commissioners and the County Attorney's to review the lease and see if there is anything they can do about it or at least to get the lease in force.

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

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

RE: CONTRACT WITH SOUTHWEST ENGINEERING SIGNED

Commissioner Ossenberg said that the contract with Southwest Engineering on the Roesner Road project was never signed, so it was presented and signed by the Commissioners at this time. This is for the bridge .1 mile N. of Hogue Rd. on Roesner Rd.

RE: COMMENT ON SALE OF PLEASANTVIEW AND BOEHNE PROPERTY

Commissioner Willner asked if the Commissioners have decided on the company to handle the sale of Pleasantview and Boehne properties, since he thought it was high time to do so.

Commissioner Ossenberg said he had hoped to do that today and he understands that Mr. Bockstege, the Perry Township Assessor, has his crew at Boehne presently and hopefully, they can do that next week, since Mr. Bockstege promised to bring in the appraisal on Boehne this week.
He said the law says they must have two appraisals, that the County Assessor did one on both, Pleasantview and Boehne and the Center Township Assessor did one on Pleasantview and Mr. Bockstege is doing one on Boehne and with it being in this week, they will name the company to handle the sale of them, next week.

County Attorney Wendel said they need two appraisals to lease and one to sell, so they are covered by that and can go ahead with the lease or sale of them.

Commissioner Schaad asked Commissioner Ossenberg if when he met with the County Council, if it was mutually agreed that they either take bids on Boehne just to sell and on Pleasantview, sealed bids on lease and auction to sell.

Commissioner Ossenberg said it was his understanding, at the last special meeting with the County Council and the County Commissioners, that they would be open either way, on site, that as far as determining sale or lease, it hasn't been decided, that he heard there are several people concerned in the purchase of at least Boehne, but he hasn't heard too much about Pleasantview.

Commissioner Schaad wondered how long it would take to prepare the specifications since he thought they should have a definite understanding with Council so they don't get into another hassle.

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Commissioner Ossenberg said the Council's agreement, at that time, was awaiting Mr. Angermeier, who was given short notice to do the appraisal and now they have his and the second appraisal had to come through from the Perry Township Assessor for Boehne.
He said it looks like they are going through June with this thing, that he had hoped they could try to dispose of it in May, also that he wasn't able to contact Mr. Bockstege and County Attorney Smith finally contacted him last Friday, so they will go from there next week.

The meeting recessed at 11:00 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg	Curt John	Ed Smith Jr.
Bob Schaad		Paul Wendel
Robert L. Willner		

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
APRIL 25, 1977

The meeting of the County Commissioners was held on Monday, April 25th. 1977, at 9:30 a. m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

Commissioner Willner is out of town today, so will be unable to attend this meeting.

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

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

There were no bids on the County-owned Surplus Property today so the sale will continue next week.

RE: REQUEST FOR LEAVE OF ABSENCE

The following letter was received by the Commissioners from Ms. Shirley Jean Cox, the County Clerk, who requests a Leave of Absence for Ms. Elizabeth Dosier:

Dear Sirs:

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

She was hospitalized earlier this month and has not been released to return to her position.

I have assured her that her insurance benefits will be carried by the County for ninety (90) days provided she pays the premium directly to the Auditors Office.

She has proved to be a good employee and I sincerely hope the request for a Leave of Absence will be granted.

Most Sincerely,
Shirley Jean Cox, Clerk

Commissioner Schaad moved that the Leave of Absence for Ms. Elizabeth Dosier be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENT .....CLERK OF THE CIRCUIT COURT

Temporary...Deborah Mottley 1513 E. Illinois Dep. Clerk $243.11 Pay Eff: 4/23/77

RE: EMPLOYMENT CHANGES.....RELEASED .....CLERK OF THE CIRCUIT COURT

LOA...Elizabeth Dosier 615 S. Craig Dep Clerk $243.11 Pay Eff: 4/23/77

RE: CONTRACT AWARDED FOR AIR CONDITIONING

There were three bids received last week for the air conditioning in the Court Computer Room which were referred to Ms. Juras. They are as follows:

Midwest Roofing Co. Inc.....$7,700.00
Municipal Engineering & Construction Corp. $12,800.00
U. S. Sheet Metal & Roofing Co.....$7,700.00

Ms. Juras reported on the bids by stating that Mr. Ruston had spoken to the two companies who submitted identical bids of $7,700.00 and asked them to send letters of clarification they might have on their bids.
She said that the only difference between the two bids seems to be that one has a vibration and noise insulation which would be mounted on the roof with a condensing unit, so their recommendation is that the contract be awarded to U.S. Sheet Metal & Roofing Co. based on that difference.

Commissioner Schaad said that Mr. Ruston also pointed out that the Commissioners should be sure that U.S. Sheet Metal & Roofing Co. has $100,000.00 of Liability Insurance, which would be included in the contract.

He said the other thing of concern was the warranty and he believed this was spelled out in their letters.

Ms. Juras said that it was and it read, "one-year pre-service on labor and parts, start up in placing operation with and in the presence of factory representative."

Commissioner Schaad said that both bids were the same in that regard, that this isn't in the bid but in a letter subsequent to the bid and he asked County Attorney Wendel if this would be binding enough.

County Attorney Wendel said he thought the warranty should be added to the contract and that the contract should be awarded subject to this addition.

Commissioner Schaad moved that the contract for the Air Conditioning in the Computer Room in the Courts Building be awarded to U.S. Sheet Metal & Roofing Co. subject to the $100,000.00 of Liability Insurance be included into the contract as well as the warranty.
Commissioner Ossenberg seconded the motion. So ordered.

RE: MONTHLY REPORTS

The Report of the Metropolitan Evansville Convention and Visitors Bureas was submitted to the Commissioners for the month of March.
Report received and filed.

The Report of the County Treasurer was submitted for the month of March.
Report received and filed.

The Report of the Legal Aid Society of Evansville, Inc. Joint Department of Legal Services was submitted for the month of March.
Report received and filed.

The Report of the Evansville Association for Retarded Citizens, Inc. was submitted for the month of March.
Report received and filed.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by The Hartford Insurance Group on Insured, Pyle Electric Company. This is a blanket policy.
Certificate received and filed.

RE: AUTHORIZED TO ADVERTISE FOR BIDS

The Specifications and the Notice to Bidders were submitted to the Commissioners for the dump truck needed by Burdette Park.

There was some discussion of whether Commissioner Willner should see the specifications since he has some expertise in this sort of thing, but Mr. Wolf from Burdette Park, said that the specifications call for a truck like they already have, with the exception of a wench.

Commissioner Schaad then moved that the specifications be approved and that the Auditor be authorized to advertise for bids on April 28th. & May 5th. with the bids to be opened on May 9th. 1977.
Commissioner Ossenberg seconded the motion. So ordered.

RE: TRAFFIC RESOLUTION

Commissioner Ossenberg explained that the Traffic Resolution was brought up last week but it was then decided that they would amend the Traffic Resolution, providin all roads in Vanderburgh County to be at a travel speed of 45 miles per hour, with the exception of those roads so stated in a Resolution, those roads being Broadway, Oak Hill, Boonville-New Harmony and Green River Road.
He said this amends the code as a Master Traffic Control Code, and then consequently, after the Traffic Engineering Department and the Evansville Urban Transportation Study does their study, then they will continue to amend the roads to what they feel that the streets should be traveled, that in many cases the speed limits will be lowered under the 45 mile per hour speed limit and in many cases it will exceed the 45 mile per hour speed limit.

County Attorney Smith said they are starting from scratch with 45 miles per hour on all County roads and then go from there.
He said he would probably have to re-draft the Resolution on the speed limits of the four roads that were previously discussed.

Commissioner Schaad said he thought that all the Commissioners were in accord with going to 45 miles per hour, that the only thing was as to how it was going to be accomplished.

Commissioner Ossenberg said he talked with Commissioner Willner yesterday and that it was agreeable with him.

Commissioner Schaad moved that the Commissioners adopt the Resolution on the 45 mile per hour speed limit for all County Roads. This is Amendment #34.

Commissioner Schaad said he thought they had to be advertised and asked if they didn't. Commissioner Ossenberg asked County Attorney Smith if they didn't have to be advertised and County Attorney Smith said "no".

The Resolution Amending the Master Traffic Control Code of Vanderburgh County, Indiana, reads as follows:

WHEREAS, on the 23rd. day of October, 1972, the Board of Commissioners of Vanderburgh County, State of Indiana, did adopt by resolution the Master Traffic Control Code of Vanderburgh County, Indiana, providing for the establishment of certain traffic control devices upon certain public highways or parts of highways in said County, and

WHEREAS, the Board of Commissioners of Vanderburgh County has made a further determination that traffic congestion hazards along and upon the County roads are greater than is reasonable and safe under the conditions found to exist upon said roads, streets, and highways, and

WHEREAS, there are a number of different speed limits presently applying to the various County roads within Vanderburgh County, and

WHEREAS, the Board of Commissioners of Vanderburgh County has determined that there should be more uniformity in the speed limits established upon the County roads, and

WHEREAS, the County roads and highways presently described in the Master Traffic Control Code with Amendments, as well as all other roads and highways within Vanderburgh County, are a part of the Vanderburgh County road system and are under the jurisdiction of said Board of Commissioners;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Vanderburgh, State of Indiana;

SECTION I. It is hereby determined and declared that all existing speed limits on all County roads and highways are abolished and all subsections of Section 3, and Amendments, heretofore establishing such speed limits are hereby repealed.

SECTION 2. It is hereby determined and declared that Section 3 of the Master Traffic Control Code be and the same is hereby amended to read as follows:

"(A) It shall be unlawful to operate a motor vehicle in excess of forty-five (45) miles per hour upon and along any County road or highway within the jurisdiction and control of the Board of Commissioners of Vanderburgh County, Indiana."

PASSED by the Board of Commissioners of the County of Vanderburgh on the 25th day of April, 1977, and upon said day signed and executed by the members of said Board and attested to by the Vanderburgh County Auditor.

RE: TELEPHONE REQUEST

The following letter of request was received from Judge Lensing:

Vanderburgh County Commissioners:

This is to request a telephone call director for Juvenile Court, front office.
The need for this phone is to be used as a back-up to answer calls for five front office secretaries, one judge, one bailiff, eleven probation officers, and four Probate employees.

I feel the need for this phone is necessary.

Respectfully yours,
Robert W. Lensing, Judge
Juvenile Division, Vand. Superior Court

Commissioner Schaad moved that the request from Judge Lensing be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: DISCUSSION OF AUCTIONEER FOR SURPLUS GOODS

Commissioner Ossenberg explained that four bids were received last week from Auctioneers who are willing to auction off the surplus goods at Pleasantview Rest Home, that they have been studied, but at this particular time, he didn't think they would award this particular contract, since Commissioner Schaad had pointed out that he thought it would be wiser to wait until the Commissioners make an appointment to the disposition of the properties at Pleasantview and Boehne, whether it be to lease or sell, since there may be someone that may purchase or lease one of them and that they might be interested in some of the surplus property, so consequently, they will hold up on awarding a contract for an auctioneer.
He said that the Commissioners will make the appointment next week of the auctioneer for those properties.

Commissioner Schaad said his thought was that if they do lease or sell the building, that the people who are going to bid may be interested in bidding on some of the surplus property, when they wouldn't otherwise.

RE: LETTER RECEIVED FROM E.P.A. ON REIMBURSEMENT

Notice to Grantee Regarding Federal Water Pollution Control Act, P.L. 92-500, Section 206 (a) Reimbursement Treatment Works Project Grant Increase.

A letter was received from the United States Environmental Protection Agency on this reimbursement and it reads as follows:

It is a pleasure to advise you that additional reimbursement grant funds have been allocated. Consequently, in accordance with your standing request, the grant for your project--the one identified by the grant number contained in the upper right-hand corner of the enclosed EPA Form (C 180154-01-7)--has been increased. The Amount of the grant increase, cumulative EPA grant, the January 31, 1974 eligible cost upon which the reimbursement grant increase is based, and corresponding grant payment information are also as reflected on the enclosed form.

Please note that as we have advised you previously and as stated in the "conditions" section of the form, the grant increase represents additional partial funding of estimated reimbursement entitlement pursuant to P.L. 93-207, which amended Section 206(a) of P.L. 92-500. Maximum reimbursement entitlement is the maximum statutory percent times eligible project costs as of January 31, 1974, minus the actual amount of Federal non-reimbursement grant funds awarded as of January 31, 1974. The total partial reimbursement funding for the subject project, including the amount being awarded concurrently with this notice, is 86.87% of the maximum reimbursement entitlement, and is subject to further adjustment if additional funds are allocated. Again, as we have advised previously, if such funds are allocated, the grant will be increased subject to such statutory and regulatory limitations as may be applicable.

A check from the U.S. Treasury Department will be forthcoming in the immediate future unless you have previously requested that payment be made to a State agency. If you did, the State agency payee is identified on the bottom of the enclosed form.

Signed, Todd A. Cayer, Chief
Construction Grants Branch

The previous grant was in the amount of $49,630 and this reimbursement payment will be in the amount of $1,700.00 which will make total payments to date at $51,330.00. The total eligible cost computed as of January 31, 1974 was $98,576.00.

Commissioner Schaad moved that the check be accepted. Commissioner Ossenberg seconded the motion. So ordered.

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RE: DISCUSSION OF DISPOSITION OF PLEASANTVIEW AND BOEHNE PROPERTIES

Commissioner Ossenberg said the decision will be made next week on who the auctioneer will be that will handle the sale or lease of Pleasantview Rest Home and the Boehne property.
He said that all the appraisals are in now, the lastest being the appraisal on Boehne from the Perry Township Assessor on the Boehne property, so the decision will be made next week as to who the auctioneer will be, as well as the decision on whether the properties will be sold or leased.

County Attorney said that the abstracts should be ready this week, also that he would like, from the Surveyor's office, a copy of the surveys that were made on these properties.

Commissioner Schaad said that as he remembered, they were going to take sealed bids on leasing of Pleasantview and also on an auction, that they will be sealed bids and they can then take them under advisement and then see how the auction comes out. He asked County Attorney Wendel which they were going to do first.

County Attorney Wendel said he thought they should open the sealed bids on the sale of the property immediately after the auction and then take them all under advisement, also that they will have to be advertised once in both papers per week for four weeks.

Commissioner Schaad said he has talked to Mr. Hotz about the auction of the surplus property at Pleasantview and it seems that in writing the specifications that there is some property such as the air conditioners which are in the windows, the commercial cooking utensils that are in the kitchen and the commercial laundry equipment and he wondered if this should be included in the bidding in the sale of the building or if they should be a separate item.
He said they could take bids on the building without them and maybe have an alternate bid to include them.

Mr. Hotz said he thought they should have these things appraised.

Commissioner Schaad said that the beds, lamps, tables, benches, etc. that really aren't a part of the building is another matter.

Commissioner Ossenberg asked Mr. Hotz to get an appraisal on all items that could go with the building so County Attorney Wendel can get an alternate bid in there.

Commissioner Schaad said these things can then be deleted from the list of surplus items or they can be added to the list, depending on how the bids on the property comes out, as to whether they would want them or not.

Mr. Hotz asked the Commissioners if they had any recommendation on who he should get to make an appraisal on all these surplus items and Commissioner Schaad asked Mr. Hotz who did the other appraisal.

Mr. Hotz said they had talked about it but they didn't name anyone.

Commissioner Schaad said maybe they should wait to see who they are going to award the contract to auction the property off and see if they will do it and Commissioner Ossenberg agreed.

Mr. Hotz said that as far as the commercial kitchen equipment is concerned, that Brucken's seems to be an expert in that field and he thought maybe he could make an appraisal on that.

Commissioner Ossenberg said as far as the laundry equipment is concerned, he thought if Mr. Hotz called Gil Korb at Pearl, that he would probably give them some idea of what the equipment is worth.
He told Mr. Hotz to try to work it out and see what he can do.

RE: MATTER OF FIRE INSURANCE

Commissioner Schaad said he has been working on some County Insurance which has been going on for sometime and he thought it was time to make it a matter of public record as to what has been happening.
He said it was called to his attention around the first of the year, the possibility of the Fire Insurance rate in Vanderburgh County for all the people who are buying Fire Insurance which could be substantially reduced if the volunteer fire departments met certain qualifications and the communications system between the Sheriff's Dept.

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and the various Volunteer Fire Department's met certain standards and on February 7th. he wrote the Insurance Service Office in Indianapolis and received the following reply dated February 22nd. concerning the Fire Alarm Communications of the Vanderburgh County Townships:

Dear Sir:

We have received your February 7th request about providing alarm communications service for the county's township volunteer fire departments which can be recognized as acceptable from a fire insurance rate classification standpoint.

The fire alarm communications service provided the sheriff's department was last evaluated by this office in 1971. Due to the total message load handled, population served, concentrations of value within the area considered, and dispatchers other duties, we recommended two (2) dispatchers should either be on continuous duty, or at least readily available before we would be in a position to recognize the fire departments' services for fire insurance rating purposes. Other recommendations included some duplication of essential equipment so as to prevent any interruption in service, and providing the alarm center with either an up-to-date map, or visible index street and road directory to identify the location of the alarm, and schedule for determining which fire companies or departments were to be notified for response.

We are particularily interested in knowing whether these recommendations have been implemented. If so we would appreciate being notified along with an explanation of how each was fullfilled.

One of our representatives plans to be in the city of Evansville probably within the next ninety (90) days. If upon review of this matter the Board of Commissioners and Sheriff believe the intent of our 1971 recommendations are fullfilled and we are so notified before hand, we will arrange for another survey of the County Fire Alarm Communications Service.

Very truly yours,
R.E. Harnish, P.E. Supervisor, Pricing Service

Commissioner Schaad said that from what he has been told, on a home in the County that would normally have a value of about $40,000, it may mean as much as $40.00 per year on their Insurance rate if we can get this classification and on some of t commercial places out there, like some of the motels, it could mean as much as $15,000 per year savings in their fire insurance rate.
The letter read that the Sheriff's Department was last evaluated in 1971 and he said this was before Sheriff DeGroote was in office, that they searched everything and can't find any record of the letter from then and apparently when they had the report and it was evaluated, that they evidently didn't follow up on it and apparently nothing was done, so they don't know where they stand and the insurance rate hasn't changed because no one ever followed up on it.
He said that apparently a lot has been done in the Communications System since 1971 but as he had said, no one ever followed up on it and there has never been another survey made, so the other evening they did have a meeting over in the Sheriff's office and Paul Bice who is the co-ordinator of the Vanderburgh County Sheriff's Department with the Volunteer Fire Department's was in attendance along with himself, Jess Roberts who is the Chief of the Scott Twp. Department, David Georgesen, Chief of the Center & Knight Twp. Dept., John Buckman, Chief of the German Twp. Dept, Earl Niehaus, Chief of the Marrs Twp. Dept and P.V. Smith of the Jesse F. Stock Insurance Inc., but no one was there representing the Perry Twp. Dept.

The meeting was held on Thursday, April, 1977 at 7:30 p.m. and he read the minutes of that meeting which are as follows:

The meeting called to order by Paul Bice of the Vanderburgh County Sheriff's Office and Coordinator of the Township Volunteer Fire Departments. The purpose of the meeting was to discuss the possibility of Certification of township volunteer fire departments by the Insurance Services Office of Indiana, 320 N. Meridian Street, Indianapolis, Indiana.

Bob Schaad, V.P. County Commissioners stated he was present at the meeting to lend any possible assistance in finding ways for establishing recognized fire protection to the residents of Vanderburgh County and resulting in lower insurance rates which could mean annual savings of many thousands of dollars to these people. He further stated that although his position in attendance was unofficial, he wanted all interested parties to know that to the extend legally possible, the County Commissioners were interested in assisting in any way possible to bring about a solution to the problem.

Mr. Georgesen, Chief of the Volunteer Department of Center and Knight Townships, spoke for the Chiefs present in stating that their position was one of joint efforts to secure proper certification. In the past years, single township efforts had not proved effective so it appeared that by complete cooperation of all townships, something might be accomplished.

In the general discussion which followed, specific reference was made to a letter of February 22, 1977 addressed to Bob Schaad from R.E. Harnish of Insurance Services Office of Indiana. Mr. Harnish referred to the last evaluation in 1971 of the fire alarm communications service provided by the Sheriff's office. It was determined at that time that the system would not meet minimum standards required for certification of township volunteer departments. There is no record of any further discussions or action taken by anyone so it is assumed that the activity being generated at this time is the first since 1971.

It was noted by those present that in 1971, the Sheriff's office was in the old county jail and the old courthouse. Since that time a new Civic Center housing all city and county government offices has been completed and entirely new Communications equipment installed in the Sheriff's department. In addition to this, maps with all areas of the county indexed and cross indexed so that units could be properly dispatched have been provided. Several new pieces of equipment have been purchased by the townships and training programs strengthened.

In summarizing the situation it was agreed that P.V. Smith, who was to be in Indianapoli April 25th should discuss these changes with Mr. Harnish and arrange, if possible, for a current evaluation of the existing township facilities and the fire alarm communicatio center now in use. If such arrangements could be completed, Mr. Smith was to so advise all interested parties accordingly.

Paul Bice
Coordinator of Volunteer Fire
Vanderburgh County Sheriff's Office

Commissioner Schaad said the Commissioners will certainly follow through on this with the cooperation of the Sheriff's Department and with unified effort, he thought they could have a new rating and help the citizens of Vanderburgh County and those outside the city, with much reduced Fire Insurance rates.

RE: PARKING LOT AT AUDITORIUM

Mr. Hotz said that he has one bid from Feigel on the parking lot at the Auditorium, that Midwest was suppose to submit an estimate by today but it hasn't arrived as yet. The bid from Feigel is in the amount of $1,700.00.

Commissioner Ossenberg said this consists of patching in the amount of $1,200.00 and $500.00 for sealing of cracks.
He said this situation was called to his attention so he went to take a look at it and found that the bumpers are completely torn up and the lot is in terrible shape and he is afraid that if they don't spend the money this year, that next year, they will have a major overhaul.

RE: ABSENTEE REPORT

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

RE: COMMENT ON STRIPING ROADS

Mr. Siebeking said that Mr. Judd's office called him this past week and wanted a list of roads that needs striping this year.
He said they had better hold off for awhile on this because he doesn't know if they even have any roads that can be striped.

RE: RAILROAD CROSSING ON GREEN RIVER ROAD

Mr. Siebeking said he thought there have probably been some complaints about the railroad crossing on Green River Road up at Daylight, that this is a Penn Central track which is now controlled by Conrail and he doesn't even know who to contact to get the thing taken care of.
He said he thought it to be just a few bad holes and that he would just patch them out himself and straighten up the crossing also, rather than to go through the red tape of trying to contact someone through Conrail to do it, that with Penn Central being bankrupt as they are and Conrail taking over, he would have probably have to go to Washington to even find out who to contact to take care of the crossing.

He said it isn't too bad right now and they can probably do it and if they later find that it needs a major job, he will then contact Conrail.

The Commissioners agreed that Mr. Siebeking go ahead and do the work if it is a minor job but if he finds that it turns into a major job, Commissioner Ossenberg said he should contact Lieutenant Governor Orr's office.

RE: GAS TANK, PUMP AND GASOLINE TO BE MOVED FROM PLEASANTVIEW

Mr. Siebeking said there is an electric gas pump and a 500 gallon underground tank out at Pleasantview and he can use it out at the garage, so with the permission of the Commissioners they can go over there and move it to the garage and fill the hole back in.

Commissioner Schaad said he didn't see anything wrong with this, that the reason it was needed there was because they previously had farm machinery and farmed the land but it is no longer needed.

Mr. Siebeking said there is also about 100 gallons of gasoline in the tank which they can pump out and move since they can also use that.
He said on their non-leaded gasoline, they have to keep in a 300 gallon overhead tank so if he can move this underground tank, he can bury it at the County Garage with an electric pump on it.

Commissioner Schaad moved that Mr. Siebeking be given the pump, the tank and the gasoline. Commissioner Ossenberg seconded the motion. So ordered.

RE: CHANGE ORDER ON MARX ROAD STRUCTURE #64

Mr. Guillaum submitted a change order on the contract to G. H. Allen on the Marx Road Structure #64, Contract No. BC-9-76, at an increase of $4,650.00.
He said they had about seventeen extra yards of concrete, that it was one of those things where originally they didn't have any idea of the depth of the footing and they had to match the existing footing so they needed the extra concrete to do thi

Commissioner Schaad moved that the change order be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIM

Mr. Guillaum submitted a claim from G. H. Allen, Inc. for the Marx Road Structure #64, Contract No. BC-9-76, Acct. # 203-2250, in the amount of $32,601.67, that has been approved by Mr. Stephen, the Highway Engineer.
Commissioner Schaad moved that this claim be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: CUTS IN

An application requesting permission to make a cut at 531 West Mt. Pleasant Road was submitted by the Evansville Indiana Water Department.

Mr. Guillaum said this cut has been inspected by Clarence Rueger and he thought it had already been checked out by the Commissioners and that Bond for Construction is attached.
Commissioner Ossenberg said that the Commissioners had approved this cut by telephone previously.

An application requesting permission to make a shoulder cut at 6700 Upper Mt. Verno Road was submitted by the Evansville Indiana Water Department for Robert McKinney to install water service. The Bond for Construction is attached and the cut has been approved by Mr. Stephen and was inspected by Mr. Rueger.

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

RE: POOR RELIEF

Mary Cox.....952 Ravenswood Dr.....Pigeon Township.....Ms. Anslinger, Investigator

The Notice of Poor Relief Action from the Pigeon Township Trustee's office indicated that Ms. Cox requested help on her hospital and doctor bill was denied because her income exceeds limitations allotted by the Department of Public Welfare.

The report that the Pigeon Township Deputy Trustee received from the Social Security Administration, where Ms. Cox was a temporary employee, reads as follows:

Dear Sir:

Mis Mary Ellen Cox has given me signed permission to release the following information to you.

She is a temporary employee. Her appointment is up in July this year. Under Civil Service rules, it is impossible to extend her appointment no matter what happens.

She has exhausted her sick leave and is now using her annual leave. If she does not come back at the termination of her annual leave, I have absolutely no choice but to terminate her even before the July date. Again, she is not a permanent employee but a temporary appointment.

Temporary employees are not eligible for health insurance--she does not have any health insurance through her employment here.

I have also verified that she does not belong to the Federal Credit Union.

In 1976 she earned a gross amount of $9,689.10. Her net was $7,392.53. (She had a small amount of overtime in 1976).

Her current check (every other week) amounts to a net of $282.59.

As I mentioned, she is still entitled to some annual leave. She will be entitled to a full pay on May 10 and also on May 24. For the next pay (due June 7,) she will be paid for only one week--approximately one half of a full pay.

She is now in Welborn Hospital and from the reports I have--there seems no chance that she will ever come back to work--even for the short time remaining in her temporary appointment. Of course, I do not have any written medical opinions.

I am attaching a written release from Miss Cox to enable you to obtain any information you may need.

Thank you for the consideration you have given to Mary Ellen. If any further information is needed from this office, please let me know.

Sincerely yours,
Dwight Swope, District Manager

Ms. Martha Jane Cox appeared for her sister who is in the hospital. She said that Mary is a terminal case as reported by her doctor and that she has six months and today she is having surgery on her lung, that she won't be able to work and she didn't know how they can make it, that they are making a biopsy. She said that her sister was 49 years old the first of April, that she has no bank account and no money to fall back on.

Commissioner Schaad asked her what Mary's marital status is and Ms. Cox said that she is single and has never been married.

Ms. Anslinger wondered if she could sell her house and Ms. Cox said the house belongs to the family and she thought she might move back there after her sister gets out of the hospital so she can be with her, since she can't be alone.

Commissioner Ossenberg asked how much her hospital bill is and Ms Cox said that her sister was in the hospital from 3/24/77 to 4/1/77 and that bill was $4,231.11, that she then went home and then went to St. Mary's hospital to have a brain scan and they found three tumors on her brain but after finding that she has only six months, she decided against an operation since she saw no reason for the extra expense. She said they then brought in a doctor from Barnes Hospital to do the biopsy today, also that Mary was up in Washington D.C. with her for three years and when she came back here, she was out of work for two years so she has no hospitalization and she lived on the money she withdrew from her retirement fund, that she worked for a church for awhile which paid $50.00 per week, that they said she made too much but the thing of it is, that the money she borrowed to live on is what she paid back loans with to survive when she didn't have a job.

Ms. Anslinger said she had no medical report on Mary, that the reason for denial was her income, that she made $282.59 every other week and for one person, the Welfare Department only allows $175.00 per month.

Ms. Cox said that after May 1, her sister will have no income at all and Ms.Anslinger said that she will have two more checks coming, that they have to work on the basis of their income and there is no way for this to pass since they have to go by their standards.

Commissioner Schaad asked Ms. Cox if her sister didn't have any savings accounts and she said no, that the cost of living in Washington D.C. was high and they tried to pay on the home place here so they would have a place to come back to when they retired.

She said by the time they paid their rent there and bought their food and then sent payments back here for the house, they didn't have much left. She said the heating bills have also been high, that her sister has been living alone, and she has been living where she does because it is closer to her work, so she may move back with her sister but she wouldn't move back until a fence is put up because since her sister has been in the hospital, someone took the battery out of the car which was the third one that was taken.
She said she owns the house she now lives in and her Mother and Father are living with her, that she also took in her sister this January but that it isn't very convenient for her and she may try to get rid of her house or rent it and go back to the other house.
She said she knows that not many people can save a great deal with the inflation of today, that the cost of living is hery high.

Commissioner Schaad said he didn't see how the Commissioners could really do anything today, not that they aren't sympathetic and understanding but unfortunately there is a criteria they must go by that can't be overlooked, but it looks like her money will soon be running out.

Ms. Cox said she could sell her car and in a matter of months, go through everything she has for her sister, since they don't know how long she will be hospitalized. He wondered if she couldn't be put on Social Security as being permanently disabled.

Commissioner Ossenberg said he was surprised this wasn't done before.

Ms. Cox said that at first she was turned down and then they said that she wouldn't be eligible to draw any of her social security for six months and since she moved to Washington D.C. she is ineligible because the law is that one must be on Social Security for five years before they can get it, but they did say something about starting some kind of check.

The Commissioners said that it must be a supplemental check.

Commissioner Ossenberg said that personally, he didn't want to dispose of the case and he would ask that it be referred back to the Pigeon Township Trustee, that for one thing, she should get a doctor's statement to Ms. Anslinger and he asked Ms. Anslinger if she would follow up on medicaid, since there is a chance that medicaid will pick up the insurance, retroactive, because he thought she was certainly entitled to it, that a terminal illness such as Ms. Cox has described is just not an overnight thing.

Ms. Cox said she would be willing to give everything she has for her sister's life but she could go through everything and not have anything left to live on.

Ms. Anslinger said she thought the solution would be to apply for medicaid.

Commissioner Ossenberg told Ms. Cox if she worked with Ms. Anslinger, he thought she would get this thing solved, that he was sure they would find out that she is entitled to medicaid and by the same token, he would like to see them keep this file open, since the next two checks won't take care of much and they may need to help her later.

RE: COMMENT BY MR. HOTZ

Mr. Hotz said that should the Commissioners sell or lease Pleasantview, it would take him ten days at the most to get everything out, also that if Boehne is leased or sold, that the caretaker should be notified.

The meeting recessed at 10:45 a.m.

PRESENT

COUNTY COMMISSIONERS
Tom Ossenberg
Bob Schaad

COUNTY AUDITOR
Alice McBride (Deputy)

COUNTY ATTORNEYS
Ed. Smith Jr.
Paul Wendel

Secretary: Margie Meeks

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MAY 2, 1977

The meeting of the County Commissioners was held on Monday, May 2nd. 1977, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

Deputy Sheriff John Lancaster opened the meeting, this being the first meeting of the month.

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

RE: AUTHORIZED TO OPEN BIDS RECEIVED

The County Attorneys were authorized to proceed with the opening of bids that were received for the Floor Scrubber needed by Burdette Park and for the Photocopy Machine needed by the County Clerk's office.

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

There were no bids on the County-owned Surplus Property today so the sale will continue next week.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

Betsy Detroy	101 Court Apt. 501	Ground Crew	$3.00 Hr.	Eff: 4/27/77

CIRCUIT COURT

Maxine Buchanan	1214 Tree Top Lane	Bailiff	$8,230.00 Yr.	Eff: 4/23/77
Brenda Boyd	738 E. Powell	Clk. Probation Dept.	$7,100.00 Yr.	Eff: 4/23/77
Karen Stewart	514 Lewis Ave.	Clk. Circuit Court	$6,740.00 Yr.	Eff: 4/23/77

COOPERATIVE EXTENSION SERVICE...123

Sondra H. Hester	1149 Burdette Ave.	Pt. Time Home Ec. Para-Pro.	$4,000 Yr.	Eff: 4/25/77

PIGEON TOWNSHIP ASSESSOR...115

Joane Greer	834 John Street	Deputy Clerk	$6,300.00 Yr.	Eff: 4/25/77

COUNTY SURVEYOR

Marvin Karch	4005 Hermann Rd.	Chainman	$7,900.00 Yr.	Eff: 5/2/77
Robert E. Kautzman	7019 Hogue Rd.	Instrumentman	$9,295.00 Yr.	Eff: 5/2/77
Paul Mindrup	2105 Hercules	Chainman	$7,426.00 Yr.	Eff: 5/2/77
Lloyd Rittenour	1404 MacArthur Cir.	Instrumentman	$8,416.00 Yr.	Eff: 5/2/77
Bridge-Claude C. Young	762 E. Virginia	Chief Bridge Insp.	$9,082.00 Yr.	Eff: 5/2/77

COUNTY TREASURER

Carol Frank	2200 W. Virginia	Clerk	$20.00 Day	Eff: 4/18/77
Yvonne Presley	733 Cross St.	Clerk	$20.00 Day	Eff: 4/18/77
Viola Schmahlenberger	1325 Fountain	Clerk	$20.00 Day	Eff: 4/25/77

RE: EMPLOYMENT CHANGES.....RELEASES

BURDETTE PARK

Michael Head	614 S. Red Bank	Ground Crew	$3.00 Hr.	Eff: 4/25/77

CIRCUIT COURT

Maxine Buchanan	1214 Tree Top Lane	Budget Clk. Prob. Dept.	$7,100.00 Yr.	Eff: 4/23/77
Brenda Boyd	738 E. Powell Ave.	Clk. Circuit Crt.	$6,740.00 Yr.	Eff: 4/23/77
Karen Stewart	514 Lewis Ave.	Clk. Prob. Dept.	$6,094.92 Yr.	Eff: 4/23/77

HIGHWAY DEPARTMENT

William C. Korff	7509 Meadow View Dr.	Foreman	$372.42 Pay	Eff: 5/7/77

RELEASES.....CON'T.

PIGEON TOWNSHIP ASSESSOR

Joane Greer	834 John St.	Deputy Clerk	$6,000.00 Yr.	Eff: 4/24/77

PLEASANTVIEW REST HOME

Lois VanWay	1322 Parrett St.	Bookkeeper	$6,267.00 Yr.	Eff: 5/6/77

SURVEYOR

Marvin Karch	4005 Hermann Rd.	Chainman	$7,426.00 Yr.	Eff: 4/29/77
Robert E. Kautzman	7019 Hogue Rd.	Instrumentman	$8,416.00 Yr.	Eff: 4/29/77
Paul Mindrup	2105 Hercules	Chainman	$7,093.00 Yr.	Eff: 4/29/77
Lloyd Rittenour	1404 MacArthur Cir.	Chainman	$7,900.00 Yr.	Eff: 4/29/77
Surveyor--Claude C. Young	762 E. Virginia	Instrumentman	$9,082.00 Yr.	Eff: 5/2/77
Bridge--John Singer	2424 W. Illinois St.	Chief Bridge Insp.	$9,082.00 Yr.	Eff: 5/2/77

RE: CHECKS RECEIVED

Vanderburgh County received a check from E.P.A. on the Boehne Sewer in the amount of $1,700.00.
Commissioner Ossenberg said this is the third check received on the sewer and that it is almost 90%.

Commissioner Schaad moved that the Commissioners endorse this check and that it be entered into County Revenue. Commissioner Willner seconded the motion. So ordered.

A check was received by the County Commissioners from the Torian Insurance Agency, in the amount of $490.75, which is an insurance check for recording equipment which was stolen from Superior Court.

Commissioner Schaad moved that the Commissioners sign this check and that it be entered into County Revenue. Commissioner Willner seconded the motion. So ordered.

RE: AUCTIONEER APPOINTED.....BOEHNE & PLEASANTVIEW PROPERTIES

Commissioner Ossenberg said that the first Auctioneer to be appointed is for the buildings and grounds at Pleasantview and for buildings and grounds at Boehne, that it isn't for the personal items.

Commissioner Willner moved that the Commissioners hire the firm of Curran Miller & Assoc. at a price of 5% to sell and auction or lease Boehne and Pleasantview.

Commissioner Schaad said he thought it was going to be a sealed bid.

Commissioner Ossenberg said that the Auctioneer is to handle a sealed bid as far as the properties are concerned, or an outright sale, but the final say-so is at the disgression of the Commissioners, as to whether the properties will be leased or sold.

Commissioner Schaad seconded the motion. So ordered.

Commissioner Ossenberg said for the personal properties, after the sale of the buildings and grounds, which are the items that will be left at Boehne and Pleasantview, will be sold. He asked Mr. Hotz if there was anything left at Boehne and Mr. Hotz said there were some things there that belonged to Criminal Justice but they have given them to the County, that they are waiting on a letter from Bob Brannon.

Commissioner Ossenberg said he did get a verbal committment from him but he told Mr. Brannon that he would also like to have it in writing.

Commissioner Schaad moved that the Commissioners hire the firm of Kurtz Auction & Realty Co. in accordance with the bid they put in, on all other surplus except for the real estate. Commissioner Willner seconded the motion. So ordered.

The proposal from Kurtz Auction & Realty Co. was for a 10% fee of the gross sale with an additional cost to the County of up to $3.50 per hour for workers who assist in the sale.

Commissioner Willner said besides local advertising, he thought they should advertise through the tri-state and maybe have some national advertising.
He asked Mr. Miller if he had any input on this and Mr. Miller said they have a course of plan to work with the Commissioners to discuss it and see what they recommend, that

it should be advertised in the tri-state, Indianapolis and probably St. Louis, but he wasn't sure about the New York area papers, that he would go along with what the Commissioners advise and do whatever they think, also they would need four or five weeks.

Commissioner Ossenberg asked County Attorney Wendel if he was ready with the specifications so they can advertise and County Attorney Wendel said the specifications are completed and he is ready for them to advertise, that they must advertise for four weeks and he found that they do have to specify a minimum price in the local papers.

Commissioner Schaad said he was working with the State Association of Health Care Centers that is in Indianapolis and all the health care centers in Indiana belong to it and he thought this would be a good place to advertise and they said they would be glad to publicize it to all their members if the Commissioners furnish him with the necessary information.

Commissioner Ossenberg asked County Attorney Wendel if it was safe to say that they can first advertise on May 12th.

County Attorney Wendel said yes, that the Council meets tomorrow and they need to approve the specifications also.

Commissioner Ossenberg said it would then be advertised on May 12th, 19th, 26th and on June 2nd, that they are funded at both, Boehne and Pleasantview through the middle of June and that the Commissioners would like to dispose of these properties by that time.
He asked Mr. Miller when the best time would be for the sale, since it must go in the ad. He also said that it was established at the last County Commissioners and County Council's meeting, that the sale and auction would be held on the grounds.

Mr. Miller said he would favor a Friday for the sale rather than the week-end.

Commissioner Ossenberg then asked Mr. Miller to work with County Attorney Wendel to get the legal times and other data set up.
He asked Mr. Miller if June 10th would then be okay and Mr. Miller said this would be fine as far as he is concerned.

Mr. Hotz asked the Commissioners how they wanted to handle the equipment such as the water fountains, the air conditioners, laundry equipment and said he has a complete inventory both ways and he has the equipment all listed separately.

Commissioner Schaad explained to Mr. Miller that there are certain things, especially at Pleasantview, that whoever would be interested in buying the facility would be more interested in things such as the laundry equipment, kitchen equipment, air conditioners, etc. that the sale of these things was held off for this reason.

Mr. Miller wondered if it shouldn't be decided what personal property should be sold with the building and advertise accordingly.
He suggested that someone look it over and make a decision or recommendation as to what should go with the building and go from there.

Commissioner Ossenberg said he was of the opinion that such equipment as the air conditioners, refrigeration and laundry equipment would be sold with the building.

Commissioner Schaad said the freezers and compressors would have to go with the building.

Mr. Hotz said he didn't list the freezers as equipment.

Commissioner Willner moved that Mr. Miller, the auctioneer, a County Attorney and Mr. Hotz all go out there and bring their findings back.

Commissioner Ossenberg said it is then up for bid and lease on June 10th and Mr. Miller can set the times.
He asked Mr. Miller if he intended to take one facility in the morning and one in the afternoon, or how he intended to do it.

Mr. Miller said he would think this would be the way to do it, that he would get with the County Attorney and establish which one would be taken care of in the morning and which in the afternoon.
He said he was a little confused about the lease and the auction of Pleasantview.
He asked if the plans were to advertise for the lease and also for the sale at the same time and Commissioner Ossenberg said this is correct.

Commissioner Schaad said this was a little confusing to him too, that what he thought they were going to do was to advertise for sealed bids, not an auction, on the leasing and then an auction for the selling and the auction would have to be done in such a way that they have the right to refuse either one so whatever bid they get at auction for the sale of it, they look at both, those and the bids on leasing and decide which they are going to take.

County Attorney Wendel said that also at the auction, there would be bids for lease purchase, that there would be bidding two ways at the auction, one to purchase outright and one for lease purchase and immediately after the auction and on the premises, the sealed bids for leasing only, will be opened and they will be taken under advisement.

Mr. Miller asked if they do not get satisfactory sealed bids by mail on leasing, if they then intend to offer the Pleasantview property at public auction.

Commissioner Schaad said no, that they take both at the same time and then they take them under advisement and decide which way they are going to go and this is why, in advertising, they have to be sure they don't get in a corner, that the sealed bids they receive on leasing are opened immediately after the auction and they are all taken under advisement and then they decide which they are going to take.

Mr. Miller said he would then get with the County Attorney and with Mr. Hotz in the near future.

RE: OPENING OF BIDS.....PHOTOCOPY MACHINE

There were two bids received on the Copy Machine that is needed by the County Clerk's office. They are as follows:

Business & Office Equipment, Inc.....$16,500.00 with purchase option at end of five year lease at $825.00. Monthly lease payments...$405.64.

Xerox Corporation.....$24,380 on lease purchase, plus Interest and Installation which makes the total to be $29,822.20. The total cost would be $30,400, with 20% credit on present machine which amounts to $6,020.00.

Commissioner Schaad moved that these bids be taken under advisement and referred to County Attorney Wendel and Anika Juras. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BIDS.....FLOOR SCRUBBER

There were two bids received on the Floor Scrubber that is needed by Burdette Park. They are as follows:

American Sanitary Supply Co. Inc. $3,475.00
Protexall Co. Inc.....$3,562.00

Mr. Wolf said he wants to make sure they guarantee service for a year, at Burdette Park.

Commissioner Schaad moved that the bids be taken under advisement for one week and said that the Burdette Park Board must also approve it.
Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

A claim was submitted from the Sheriff's Department for Det. Mark Mabrey and Lt. Mike Craddock for expenses incurred while traveling to Springfield, Virginia, for six days of schooling and training for the use of Psychological Stress Evaluators, in the amount of $592.31.
The Commissioners had approved the trip for the two men.

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

RE: COMMENT ON I-164

Commissioner Willner said that Ms. Osborne had called him and asked that Mr. Lawrence Stahl be on the agenda this morning for the discussion of I-164 and he thought them to be in the audience at the present time.

Mr. Stahl appeared and said he represented the Vanderburgh County Farm Bureau as Local Affairs Chairman and he would like to notify the Commissioners at the present time, that they are requesting another hearing, that the first hearing that was held here was not properly conducted from the standpoint that the funds that are allocated for the I-164, it was not specified that these funds could be used for other purposes and for that reason, this body, as County Commissioners, told him two weeks ago, that they did not know that these funds were even available and even though Mr. Gibson has been down two or three times, it was not advertised as a legal meeting and the public hardly knew the meeting was being held and one meeting they had when Mr. Gibson was down here, it came out in the newspaper that this meeting was not necessary, discouraging people to come to the meeting and he would also like to state that the meeting held on January 6th. 1976, there were no officials present or if there were, they didn't speak up in favor of the project at that time and there were at least fifteen to twenty persons that spoke in opposition to the I-164 and they had petitions of probably 2,000 names and at the present time, they have about 2,700 names on petitions besides some letters opposing the I-164 and for this reason, they have legal advice, that this meeting needs to be held to tell the public and the officeholders and the elected officials that these funds are available for other uses in the Evansville area and for this reason, they have taken this stand.
He said the letter should be on Mr. Gibson's desk this morning in Indianapolis, that they are requesting another hearing by the State Highway Commission who is supposed to hold the meeting.

RE: BIDS ON PARKING LOT AT THE AUDITORIUM

Mr. Hotz submitted two bids he received for the repair of the parking lot at the Auditorium. They are as follows:

Feigel Construction Corporation.....$1,700.00
Midwest Construction & Material Co.....Time and material basis, not to exceed $1,000. Estimated cost to be $745.00.

Commissioner said he understands that the bumpers will be removed by the County. He then moved that these bids be taken under advisement and that Mr. Hotz get with Bob Brenner for advice on them. Commissioner Willner seconded the motion. So ordered.

RE: ITEMS DECLARED AS SURPLUS

Mr. Hotz submitted a complete list of items to be declared as surplus. He said he thought the auctioneer should pick out the items to put in the ad since they are too numerous to mention.

Commissioner Schaad said that the County offices and the township offices can no longer get any more of these items since the time has been cut off, so everything they now have will be there for the auction.
He moved that all these items be declared as surplus. Commissioner Willner seconded the motion. So ordered.

Mr. Hotz said he has appraisals on all the large items except for the laundry equipment.

Commissioner Ossenberg said that the man from Pearl Laundry, that was going to look at it, told him it would probably be a couple of weeks before he could get out there to look at it.

Commissioner Schaad said he was wondering if it shouldn't be included in the sale of the building, also that he has had someone call who is interested in buying the boilers out there.

Mr. Hotz said he assumed that the boilers, the hot water system and the walk-in coolers and freezers must be established as a structural part of the building.

Commissioner Ossenberg said he would assume this and he would also assume that if the air conditioners were taken out, they would have to put new windows in.

Commissioner Schaad moved that these items be declared as surplus and that they be auctioned off with the building, including the kitchen equipment, the laundry equipment, the boilers, the coolers, freezers and the air conditioners. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg told Mr. Hotz if he hasn't heard from the gentleman from Pearl Laundry by Thursday, he should give him a call and tell him they are ready to dispose of the laundry equipment.

Mr. Hotz said in regard to the items at Boehne, that Criminal Justice gave the County, that he will be on vacation next week and he wondered about them being declared as surplus.

Commissioner Ossenberg said if they get the letter this week, they will just declare it as surplus next week.

Mr. Hotz said he would also like to take everything they have to Pleasantview for the sale.

Commissioner Schaad moved that they take everything to Pleasantview for the sale, and that the lists be combined for advertising. Commissioner Willner seconded the motion. So ordered.

RE: QUESTION OF ZONING ON BOEHNE AND PLEASANTVIEW

Commissioner Schaad said he thought it should be mentioned, as far as auctioning off Boehne and Pleasantview, as far as the rezoning is concerned, since it is perhaps zoned as residential and if someone should buy it and operate it as a nursing home, it would require different zoning and he was sure they would want some kind of guarantee that the County will rezone it the way they want it and this should be spelled out.

Commissioner Willner said it is zoned as agricultural now, that he isn't so concerned about Pleasantview because they are of non-conforming use.

Commissioner Ossenberg said if they sell it they must rezone it, that if anyone takes it over, they can't take it over on a non-conforming use. After thinking about it he asked if it shouldn't read, in the advertisement, that Pleasantview is of non-conforming use, operated right now by the County as a nursing home and that any new buyer would be subject to rezoning.

Commissioner Schaad said they would almost have to guarantee the buyer that the County would give the rezoning.

Mr. Brenner said the appraisal on Boehne was based on the zoning.

Commissioner Schaad said it just needs to be spelled out so there won't be any misunderstanding when bids are made.

Commissioner Ossenberg said that according to Mr. Angermeier, Boehne would be R-1, R-3 or R-4 and Mr. Brenner said this is what would be needed for a nursing home.

Commissioner Willner said he would like to see Boehne rezoned before they sold it and the Commissioners then discussed how long it would take to rezone it.

County Attorney Wendel said they could make the entering into the actual agreement contingent upon the zoning being completed, in other words, they wouldn't have to put any money up until the rezoning has been approved and they specify how it would be zoned.

Commissioner Ossenberg said County Attorney Wendel should talk to Jim Angermeier to see what the proper zoning is for a nursing home at Pleasantview and multiple residential on Boehne.

RE: ABSENTEE REPORT

Mr. Siebeking submitted the absentee report on the employees for the County Highway Department for the past week.
Report received and filed.

RE: OUTER ST. JOE

Mr. Brenner said that Priest Hazelwood has finally agreed to the County's figure, that they will accept it, that he will send them a form and Priest Hazelwood will sign it in writing instead of by phone and they will be done with him on Outer St. Joe.

Commissioner Willner asked Mr. Brenner, if before they make a final settlement, if he has a recommendation and if there are any changes there, since he knew Mr. Brenner looked at it.

Mr. Brenner said he thought the County would have to do the driveway or they may end up in a law suit, that he didn't know what to do with it.

Commissioner Willner said that Duncan Landscaping used to be part of a farm and they used the drive jointly into the field and to the home and they say the drive is on railroad property and they want it changed, also that they did threaten a law suit and before they settle the contract with Priest Hazelwood he thought they should settle it with the owner of the farm, since Priest Hazelwood put the driveway on part of the railroad property.

Mr. Brenner said they did survey it and the driveway isn't on railroad property, that the real problem is that they want to bring semi trucks in there, that he spent a whole day out there talking to them and finally he found what the problem was, that there is a telephone pole in the way and the telephone company quoted something like $800.00 to move it and he doesn't want to pay it.
He said he could open the driveway up wider but they would have to go on the railroad property, which they would have the right of way across and he thought if we have the right of way, the public has the right of way and the driveway could be on there anyway, that he could appease and get along with Duncan very well but the man that owns the farm, where this land goes through, is determined to be upset, no matter what they do, that the main problem with him is that St. Joe used to be a straight road and now it makes about an eight-inch jog to the right and he is upset and wants it straightened out and there is no way they are going to do that.
He said his recommendation to help Duncan would be to come up with some plans to cut a hill, that it is a minor job, that he talked to Ms. Duncan and there is a tree she wants moved and if he has it knocked out, they will move it and re-plant it and they can then make the swing without moving the pole, so the drive can then be widened and they can make the turn, if Mr. Siebeking agrees to go out and do it, that it really isn't a big job.
He said they are kind of hampering Duncan's operation, also that they could get any equipment in and out, farm or otherwise, if they can get a semi in there.

Commissioner Schaad moved, on Mr. Brenner's recommendation, to do what was necessary to give Duncan wider access. Commissioner Willner seconded the motion. So ordered.

Mr. Brenner said he would be back when he has received the signed form back from Priest Hazelwood.

RE: OHIO STREET BRIDGE AND MARYLAND STREET BRIDGE

Mr. Brenner said that as the Commissioners know, they posted a weight limit since the bridge was hazardous, that they have funds in the amount of $80,000.00 which was approved by the Council and he finds that the City wishes to replace the bridge in about three years.
He said there is something wrong with the County spending $80,000 to repair a bridge that they are going to take down within three years, that he has talked to Mr. Lochmueller, that he recommend to the City that they go ahead with their plan now if they are going to do it. He said they are going to route the bridge farther north to tie into Second Street.

Mr. Lochmueller said they are going to relocate it, that this has been in the plans and the Commissioners had agreed to do the bridge work, since they agreed to the annual element, in which this is included, but the question now is that the Commissioners know how long it will take if they use federal funds, that it will take some time for the environmental statement and what he thinks Mr. Brenner is talking about is that they go in with local R & S funds on this project and the bridge fund but the Commissioners want to go with federal funds.
He said if they go with federal funds, it will just take longer and they can't hurry that up, also that Mr. Brenner will be doing the engineering on the bridge.

Mr. Ossenberg said they are speaking of the County doing the bridge and Ohio Street is to come out at Fulton Avenue aside of the old L & N and shoot right into Second and Third Street, that the City will do the R & S, that all the County is doing is the bridge and if they go with federal funds, first of all, it is going to be from three to five years, if they go R & S with the City, and the County does the bridge, they will be getting something accomplished within the next eighteen months.
He noted, that as he has said all along, if they are going to use the Ohio Street Bridge with that base in there, they are throwing $80,000 down the river because that base is not going to last, so consequently, the City is interested in this, that it is in the annual element and if they are and they want to go R & S that way which is local, does the County want to go bridge fund and build the bridge.

Mr. Lochmueller said he has no idea as to if the City will go that way or not.

Commissioner Ossenberg said they have now indicated that they might, but the only thing he is saying is that if they are going to spend $80,000 right here on this bridge, that in two more years they are going to spend another $85.000 to $100,000 on it.

Commissioner Willner said it didn't seem to him like the Ohio Street bridge was as bad as the Maryland Street bridge.

Mr. Brenner said it is, that the stringers are good on the Maryland Street bridge, that it just looks bad, that he talked to the City since he would like to get those water mains off of there and they are looking into it.
He said that he brought the matter to the Commissioners in January when he said they had built a 36-inch line and tied it onto one of our bridges and blocked little Pigeon, that he worked with them and they insisted that it didn't block anything and they had to go out and clean the thing out four times and they are now going to move the pipe off the bridge because they just can't wriggle them under the creek because it did inhibit the flow and everytime it rained they had to clean the thing out.

Commissioner Ossenberg said if, in fact, the City is going this way and they indicated to him like they did to Mr. Brenner, he would rather go this way with the bridge fund.

Mr. Brenner said he would guess it would be $300,000 for the bridge.

Commissioner Ossenberg said he would also think it would be this amount. He said he don't want to hold this up if the City isn't going to do it.

Mr. Brenner said this is what he thought and if the Commissioners would send a letter of communication to the Board of Works, that we would be spending this money and it would be a waste and if we can speed this project up, since he would hate to see the Ohio Street bridge sit there for three years.

Commissioner Ossenberg said he would send them a letter.

Commissioner Schaad asked if the creek has been cleaned out.

Mr. Brenner said no, that the water has been too high, that they have been cutting trees down along the bank there and there will be a log jam and they can get the bid that way, that they can go in and see precisely what needs to be taken out, that it will be advertised this week.

RE: RIGHT OF WAY BUYER NAMED

Mr. Brenner said he needs a right of way buyer for two parcels of property at St. George Road and Oak Hill Road.
He said there is one on each side and that the engineering is done on the bridge project, that he has been fooling with them and he hasn't gotten anywhere.

Commissioner Schaad moved that Bob Goff be the right of way buyer. Commissioner Willner seconded the motion. So ordered.

Mr. Lochmueller said he didn't think this would create any problem, that the plans haven't come forth yet but St. George could also be one of the roads that they will want to build with federal funds but it isn't now in any plans.

Commissioner Ossenberg said it wouldn't have any affect, that all this would be doing is to widen the intersection.

Mr. Brenner said that at one time he did mention that there were people who were interested in donating the right of way from Oak Hill Road, all the way to Green River Road, that this appears to be true and in following it up, he went to talk to some people at Whirlpool. They own about twenty feet on the other side of the fence where the airport has fenced it and they are getting to where they are going to need some major repairs to their road and there is a good possibility that the County could acquire the right of way through Whirlpool, that if he could talk to them and the County would put a road in and give them access.
He said this would be a tremendous improvement, even with the tracks there, that they should be signalized now anyway since there is a tremendous amount of traffic across there.

Commissioner Ossenberg said that the previous County Commissioners petitioned to the Public Service Commission to build over those tracks and they were denied because of the airport being there, that this was done by Commissioners' Stofleth, Buthod and Willner and he knew that Tom Swain, at that time was County Attorney and he hand carried it up there but they denied it.

Mr. Brenner said he heard that it was because of height and he suggested going under it.

Commissioner Ossenberg said at that time, Whirlpool wasn't interested in this but it could be changed now.

Mr. Brenner said they would have to spend a pretty sizeable piece of change to bring their blacktop up, that the winter got them too.

Commissioner Willner said the reason they couldn't go under was because the drainage was so bad and they couldn't pump it out.

Commissioner Ossenberg told Mr. Brenner that he might go ahead and explore it with Whirlpool and see what happens.

Mr. Brenner said that even if they had a grade crossing with signals, it would be a great improvement.

Commissioner Willner said if they donate the land, there is no problem with getting the signals in.

Mr. Brenner said if the County Commissioners would commit themselves to using the R & S funds to go ahead and put that through and make a road out of it, that it is kind of a cow path right now.
He said he would talk to Whirlpool to see if they are interested.

RE: DISCUSSION OF FUEL PROBLEM AT AUDITORIUM

Commissioner Ossenberg said he had a conversation with John Warmack who is president of the Southern Indiana Gas & Electric Company and it is their suggestion that we go and change the boilers only to convert to gas and oil, to leave the air conditioners as they are and he thinks we will make it that way.
He said he thought our penalty to be $2,800 now and Mr. Warmack thinks this is the way to go and we could live with it, also that our summer allotment began April 1st. and he thought we were gradually paying them back some now and he was going to call Mr. Brenner and ask him what he thought, since we are going to have to do something to resolve it.

Mr. Brenner said he priced the equipment and the total price of all the equipment to go in there was $76,000.
He said the County would buy the equipment and we could get a contractor to put it in, that we are probably a premium that is double for the equipment.

Commissioner Willner asked if they had thought anymore about the Co-op or if it didn't help us since they lowered the price.

Mr. Brenner said that since they dropped the price, our price is the same as the Co-op.
He said he didn't see how they could miss in paying back the penalty through the summer.

Commissioner Schaad said that surely others are having this problem and he wondered what they were doing about it.

Mr. Brenner said that no one has quite the problem that we have at the Auditorium since the building we have is almost unique. He said heat-wise they have got to do something, that there is no way around it.

Commissioner Ossenberg said it looks to him like Mr. Warmack's suggestion was one he valued most since he thought it was a good suggestion, to forget the air conditioning and go in with the boilers and convert to oil and gas.

Commissioner Schaad said he guessed they would then use gas up to their quota and then shut if off and fire it up with oil.

Commissioner Ossenberg said a decision is going to have to be made, that they are hanging here in limbo and like Mr. Brenner said, they must do it for heat.

Mr. Brenner said he will come up with some recommendations and come back on it.

RE: BRIDGE FUNDS

Mr. Brenner said that on a lot of the County bridges they have a thick heavy concrete side-rail and he has been looking at what the contractors do when he gets one cut off, that they buy a hydraulic jackhammer and come in from the sides and they can cut them off in nothing flat and it is costing him right at $5,000 per bridge to get them cut off, so he priced them and he talked to Mr. Siebeking and found that he has good back-hoe operators and he can buy a piece of equipment to fit this and it would be a tremendous

winter time job for the highway crew, that it would cost $6,000 and they could buy it out of the bridge fund and they can use it for anything and there are approximately 100 bridges in the County that they could cut these things off of.

Commissioner Schaad asked Mr. Brenner if he could use bridge funds for capital equipment and Mr. Brenner said he didn't know but they should be able to because this is exactly what he wants to use it for.

Commissioner Ossenberg said he thought they could if they used it on their bridges and Commissioner Willner agreed.

Mr. Brenner said he would talk to Mr. Eades before he goes to the Council.

RE: CUTS IN

Mr. Brenner submitted a request from Floyd Staub to cut into Oak Grove Road. He said they have a bond and everything is in order, also that they would probably have to come before the Drainage Board too since this thing he is cutting across Oak Grove Road will dump right into Hirsch Ditch.

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

Mr. Brenner said that the Water Company has evidently cleaned house and they have sent one single copy of every cut they have had lying there. They are requesting to cut into the following streets:

Bob Court	Two on Old State Road	Darmstadt Road
S. Peerless Road	Arrowhead Drive	Millersburg Road
Oak Hill Road	Heckel Road	Barbara Drive
Radio Avenue	April Drive	

He said that the one on Darmstadt Road must go before the Darmstadt Town Board so he gave it to Bob Schuttler who is their attorney.

Commissioner Schaad asked if these were road cuts, push jobs or shoulder cuts.

Mr. Brenner said he hasn't looked at them but the inspector did.

Commissioner Willner moved that these cuts be deferred for one week until the President of the County Commissioners has the chance to talk to the Water Company.

Commissioner Schaad said his feeling is that he didn't think they should deny citizens the right to have water because they have an internal controversy.
He moved that all these water cuts be approved and that they work out the trouble later.

Commissioner Ossenberg asked Mr. Brenner when these cuts were delivered to him and Mr. Brenner said they were delivered last week.

Commissioner then asked Mr. Brenner how many he has had since the first of the year and Mr. Brenner said two that were turned down, that he has them in his office and that there were also two where the private persons bought the bond.

Mr. Brenner said what he doesn't understand is that if Staub wanted to make 100 cuts he would accept his one bond, so they are talking about $20.00 and if the Water Company would buy one bond, it would cut every road cut they made in the County.

Mr. Ossenberg said this is true and the reason he is bringing this out is the very fact that an explanation went out from the Water Company that the County Commissioners were the hold up.

Mr. Brenner said they have not held one of these cuts for one day, that every one they have gotten has gone out the same day and has been inspected, that they sometimes wait for the Monday meeting, such as these, that they were processed on April 27th, all the same day, except for the two that were denied and he is holding them.

Commissioner Schaad said they were likewise wrong to ask the citizens to buy a bond to get a water line to their homes.

Commissioner Ossenberg said there is a letter, that on April 20th, there was one where the individual supplied the bond and it was approved and then on April 22nd they maintained

they sent one up for a permit to cut at 6700 Mt. Vernon Road and they hadn't received an answer as yet but he understands that the bond was put up and came in later and they approved it in the week and that was sent to them on 4/26/77, that what he is trying to say is that the Commissioners have not seen any cuts and they have not been forwarded to the Surveyor's office so consequently, they, as County Commissioners or the County Engineer's office hasn't held up any cuts.
He said he intends to meet with the Water Company tomorrow.
He then seconded Commissioners Schaad's motion to approve these cuts, with the understanding of one thing, that he is going to make it perfectly clear that within ten days, if these road cuts are not fixed to the County Commissioners expectations and code, then the County Highway Department is going out and fix those cuts and the County Commissioners will bill the Evansville Indiana Waterworks Department. So ordered.

Mr. Brenner said he still has the two cuts in his office that were previously turned down and he asked if he should bring them down and Commissioner Ossenberg said that he should.
He said that he might also add that they had their meeting on Tuesday and he requested on Wednesday morning, through this office, that they supply him with a list of names so that he could write to those people and give the County's side of the situation and to date, he has not received that list of names.

RE: REQUEST TO OPEN PLATTED STREET

Mr. Brenner said it is a little unusual but he has a request from a Mr. Williams to open a platted street which is Syls Drive.
He said it is dedicated to the County and Mr. Williams wants to cut the grade down to make a flat road out of it and he sees no reason not to allow it.

Commissioner Ossenber said this was the gentleman that was here previously and he was told to get his own engineer.

Commissioner Schaad moved that Mr. William's request to open this street be approved. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO PARK COUNTY CARS OFF THE STREET

Mr. Brenner said they have been parking their three County cars out on the street at night and he didn't think this was the wisest thing to do and he would like permission to park these cars in the County Commissioners spots from 3:30 p.m. until 8:30 a.m.

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

RE: CONTRACT AWARDED ON PHOTOCOPY MACHINE

County Attorney Wendel said that he has checked the bids that were received from the Business & Office Equipment, Inc. and from Xerox Corporation for the Photocopy Machine for the County Clerk's office, that he has discussed them with Ms. Cox, the County Clerk, and they found that the bid from Business & Office Equipment, Inc. doesn't meet specifications and he recommended that the bid from Xerox be accepted. This will be paid for by the Courts.

Commissioner Schaad moved that the contract be awarded to Xerox Corp. at the price of $24,380.00. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZATION TO AMEND THE FA-2 FORM

Mr. Lochmueller said he received a letter from SIECO Engineering, that sometime ago the Commissioners had talked to them about the authorization to re-submit a federal aid FA-2 form for the pavement marking demonstration program, that Mr. Brenner had said that he didn't have enough staff to do the engineering for the pavement marking and at that time, he thought they said okay, they would go outside to get it done.
He said it is 100% funding outside by federal and state and he then submitted three copies of the authorization to do the re-submitting of the FA-2 form and also the engineering at $8,500. He said that Warrick County is using the same people.

The letter of authorization reads as follows:

Dear Mr. Bellinger:
This is to advise that the County Commissioners of Vanderburgh County authorize SIECO, Inc., Consulting Engineers of Columbus, Indiana, to amend the FA-1 Form submitted by the county in conjunction with the Pavement Marking Demonstration Program.

Preliminary Engineering was not included in the original submission. The County Commissioners desire that an amount of $8500 be authorized for Preliminary Engineering. Also it is requested that the construction estimate be increased from $24,116 to $30,000.
Thank you for your consideration in this matter.

Commissioner Willner moved that the authorization to amend the FA-2 Form be approved and signed. Commissioner Schaad seconded the motion. So ordered.

RE: CUTS IN.....CON'T.

Mr. Brenner brought in the two Water cuts that had been previously denied. They were -at 1600 Allens Lane and on Arla Jane Drive.

Commissioner Schaad moved that they both be approved.
Commissioner Ossenberg seconded the motion with the same understanding, that if they aren't fixed within ten days, the County Highway Department will fix the cuts and charge it to the Evansville Indiana Waterworks Department. So ordered.

RE: REQUEST FOR ELIMINATION OF CULVERT

The following letter of request was received by the Commissioners:

Dear Sirs:
Dr. and Mrs. Kent Fritch and Mr. and Mrs. Michael Toll of Boonville-New Harmony Road are formally requesting the County Commissioners for the elimination of the culvert that drains water unnaturally from properties North of Boonville-New Harmony via the improperly placed culvert to South onto our common property line.
Our homes are situated well below the level of the road because of this we have a considerable natural drainage of the South side of Boonville-New Harmony Road. This plea for the elimination of the culvert is intended to stop this added deluge of water that is being directed unnaturally and unfavorably onto our property and adding to our already "sensitive" land contour and its associated drainage.
We have consulted other well informed people on the matter, and they support our plea. The water from the North side of the road should remain or even be drained further North. We are, of course, liable for the water on the South Side of the road and are planning professional landscaping to improve our home sites and up-grade the home owners investments in the area. We strongly feel that the water that is flowing from the culvert onto our property is unnaturally being directed and causing considerable property damage to our investments. Please consider this as a formal request and please notify us formally to the decision of the County Commissioners.

Yours truly,
E. Kent Fritch
Michael Toll

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

Commissioner Willner said they have pictures also enclosed, and to give the Commissioners a little background, at one time, someone stuck some sacks in there to block the culvert and then the property owner on the other side complained and took the sacks out.

RE: COMMENTS ON BRIDGES AND CULVERTS

Mr. Brenner asked if an agreement has ever been worked out with Darmstadt on bridges and culverts.

Commissioner Schaad said it didn't matter as far as bridges and culverts were concerned, in his opinion, and that even in the City of Evansville, the bridges are our responsibility.

Mr. Brenner said he knows that but that the culverts and the little storm sewers are not, that once they take them over, we don't have anything more to do with them and he has one now that they want him to do.

Commissioner Ossenberg said there is only one technicality, that he thought they, at one time, asked the County to take them over and they would give Vanderburgh County their R & S money.

Commissioner Willner said that was for Inglefield only, on Green River Road where the boundary runs down the center of the road.

RE: COMMENTS ON ROAD REPAIRS

Commissioner Schaad said that it is getting late into spring and they are going to have to know pretty soon which roads they are going to repair and who can do it, whether the County Highway Department can do it or whether it will be a contract job, because they are going to have to go before Council next month, at the latest, for the money to do it and they need to know all of this so they will know which accounts the money will have to be deposited in.

RE: REPORT ON ROAD SURVEY AND DISCUSSION

Mr. Brenner said that the physical survey of the roads will be completed this week.

Commissioner Schaad explained that the Commissioners had established, sometime ago, a criteria for which road to do first, by looking at the condition of the street, as to the kind of cracks, chuckholes, etc. and then they got a certain rating, also on the traffic count.
Mr. Brenner said he has basically the same type thing and there isn't much difference, that it will take a month to finish the book but they can pick the streets they want to do. He asked how much they were going to do and how much they were going to spend.

Commissioner Schaad said they just start with the number one priority and they continue to do this until they run out of money.

Mr. Brenner said he would be honest, that he didn't know the Commissioners wanted him to do it but that he will be glad to make a priority list of the roads for repairs.

Commissioner Willner said, that just like a bridge, if they repair a bridge according to the traffic count, there will be many that wouldn't be repaired and likewise with the roads and streets.

Mr. Lochmueller said they sometimes have to look in on another merit, that on Burkhart Road, since they put in new signal lights between Division St. & Morgan Ave., the traffic has doubled.

Commissioner Willner said they were talking about the City's involvement on the Ohio St. Bridge and he understands there is a move afoot for some annexation in the near future.

Commissioner Ossenberg said the only thing he has heard or read is that they are going to be ready to go in June. He said he guessed this was the City Council's action but there will have to be public hearings and all. He said he was also told that it is at least a two-year process.

The meeting recessed at 11:15 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Bob Schaad Robert L. Willner	Alice McBride [Deputy]	Ed Smith Jr. Paul Wendel

Secretary: Margie Meeks

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MAY 9, 1977

The meeting of the County Commissioners was held on Monday, May 9th. 1977, at 9:40 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

There were no bids on the County-owned Surplus Property today so the sale will continue next week.

RE: AUTHORIZATION TO OPEN BIDS

The County Attorney's were authorized to proceed with the opening of the bids that were received today, for the Dump Truck that is needed by Burdette Park.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CIRCUIT COURT...(LAW CLERK)

David L. Jones 1226 Hatfield Dr. Law Clk. Ct. Comm. $12,239.01 Eff: 5/9/77

COUNTY TREASURER

Flora Rose 1105 Putnam Extra Part Time $20.00 Day Eff: 5/9/77

COUNTY SURVEYOR

John A. Koch R.R.8 Box 97A Rodman $7,093.00 Yr. Eff: 5/9/77

RE: EMPLOYMENT CHANGES.....RELEASED

CIRCUIT COURT...(LAW CLERK)

David L. Jones 1226 Hatfield Dr. Law Clk. Ct. Comm. $11,300.00 Yr. Eff: 5/8/77

RE: CONTRACT AWARDED FOR FLOOR SCRUBBER

There were two bids received last week for a floor scrubber that is needed by Burdette Park. They were from American Sanitary Supply Co. Inc. at the price of $3,475.00 and from Protexall Co. Inc. at the price of $3,562.00.

Mr. Wolf, the manager at Burdette Park said that he recommends Protexall Co. Inc. be awarded the contract, since this is the scrubber he wants and they guarantee service for one year.
Commissioner Schaad moved that the contract for the scrubber be awarded to Protexall Co. Inc. at the price of $3,562.00. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR USE OF THREE VOTOMATICS

The Commissioners received the following letter from the Student Council Sponsor at Mater Dei High School:

Dear Gentlemen:

Our Student Council is preparing for our Spring General Elections. In the past we have borrowed the portable voting booths from you. In a phone conversation with your office this morning I was asked to make our request in writing.

Would it be possible to borrow three portable booths to be used on May 13, 16, & 17? I would be able to pick these up at your office and return them personally. The booths would be set up only during the established time for voting. Our appointed Election Board and I will be present during the time of voting. Therefore I feel certain that there would be no damage to the booths.

We appreciate your co-operation in the past and thank you for consideration of our present request.

Sincerely, Sister Donna Marie,
Student Council Sponsor

Commissioner Willner moved that the request be approved, with the stipulation that they furnish the insurance as has been the practice in the past. Commissioner Schaad seconded the motion. So ordered.

The agreement, accompanied by the Certificate of Insurance, was signed by the Commissioners at this time.

RE: AMENDED XEROX AGREEMENT ON COURTS SIGNED

County Attorney Wendel submitted an amended xerox agreement, on the Courts, to the Commissioners and explained that they had the payments too high, that they were listed at about $450.00 and they are actually $418.00, so this is to amend that. This is on the photocopy machine for the County Clerk's office.

Commissioner Schaad moved that the amended agreement be signed and approved. Commissioner Willner seconded the motion. So ordered.

RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was submitted by McReynolds & Associates, Inc. on Insured, U. S. Sheet Metal & Roofing Co., Inc., which is standard for doing County work.

A Certificate of Insurance was submitted for the Convention Center activities by Sheep Shed, Mike Herron, Director, of Corydon, Kentucky.
Certificates received and filed.

RE: MONTHLY REPORTS

The Report of the Building Commissioner's office, as to the permits that were issued for the month of April, 1977 was submitted to the Commissioners.
Permit received and filed.

The Report from the Bureau of Traffic Engineering was submitted for the month of April, 1977.
Report received and filed.

RE: CHECK RECEIVED

A check was received from Blue Cross in the amount of $5.70, for overpayment of fees by John Bernard, the Union Township Trustee and Assessor.

Commissioner Schaad moved that the check be endorsed. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BIDS.... DUMP TRUCK

There were two bids received on the Dump Truck that is needed by Burdette Park. They are as follows:

Key Motors.....$6,999.00 less trade in of $399.00 or a net of $6,600.00
Vandeveer Inc...$8,756.41 less trade in of $1,199.00 or a net of $7,557.21

Commissioner Schaad moved that these bids be taken under advisement and referred to Ray Wolf, Manager of Burdette Park. Commissioner Willner seconded the motion. So ordered.

RE: DISCUSSION ...SPECIFICATIONS TO BE APPROVED
BY COUNCIL AND COMMISSIONERS FOR PLEASANTVIEW AND BOEHNE

Commissioner Ossenberg said they have the discussion of specifications to be approved by the County Council and the Commissioners on Pleasantview and Boehne, that the County Council is in the audience and he assumed they all received a copy of the specifications.

Mr. Dan Kollker, the President of the County Council, appeared and said as far as the filling in of the blanks on the proposal that the County Attorney's have drawn up on the lease specifications, he thought the main thing they would be interested in would be to move as rapidly as possible and said there is a blank in there as far as the minimum amount which he thought to be required by law and he thought that rather than saying a great amount to just put in a minimum of $1.00, that this would be his response to it.

Commissioner Ossenberg said they would be subject to have to accept that bid.

Mr. Kollker said they have to take it but they have a right to reject them all.

Commissioner Ossenberg asked the other Commissioners what their feeling was on this.

Commissioner Willner said they had talked about this earlier and there is a conflict there.

Mr. Kollker said he can see the possibility of their getting a bid of $1.50 or $5.00 but they still have the right to reject them and when they do use the assessors price, he thought they would be tipping them off, or even if they cut it in half, to which Commissioner Willner agreed.

Commissioner Schaad said what if they did get a ridiculously low bid, what would be their reason for rejecting it.

Mr. Kollker said he thought a legitimate reason would be that it just isn't enough and he asked County Attorney Wendel if there was a law that states they have to accept any one of them.

County Attorney Wendel said that the only problem is that the purpose of having the requirement of saying what the least price to be taken is to inform the bidders and if they did something like this and someone really wanted to object the procedure, they could have some legal aspect to that.

Mr. Kollker said they do want to inform the bidders but they don't want to tip them off and $1.00 is ridiculously low priced but yet fulfills the requirements of the law.

County Attorney Wendel said he isn't sure that it is, because they are stating a certain minimum price they will take and they know they won't take a small amount.

Mr. Kollker said they can't put a price they know they will take, but they do have the right to reject any and all bids.

Commissioner Schaad said that supposing they only had one person that was really interested in buying it and maybe he is willing to pay a minimum of $1.2 million or $1.5 million and if they come in with anything less, he is sure he won't bid what he would be willing to pay for it.

Mr. Kollker said he thought so too, if they come in at $500,000. but if they come in at $1.00, it is obvious that they don't want $1.00 for the piece of property. He said he thought the $1.00 is not tipping anyone off and he thought this is what they want to do.

Commissioner Schaad said that if they then reject the bids they have to go through it again.

Mr. Kollker said if they get a ridiculously low bid of say only $2.50, they are never going to get one at a minimum of $500,000 anyway.

Commissioner Schaad said that they could get less though, than they would normally get, than the man would be willing to pay.

Mr. Kollker said he didn't think so, that he thought when they put a minimum of somewhat of a low figure, he thought they would stand a chance of getting a low figure.

Commissioner Willner asked if they could approve the specifications now and discuss paragraph 8 at a later time, if everything else is okay.

Mr. Kollker said the rezoning would also be questionable.

County Attorney Smith said he would check into the law and do a little digging as far as the minimum price is concerned and that maybe he could make some contribution one way or the other, that there might be a question between them, as Mr. Kollker has said, that if they can reject a $1,000,000.00 bid, why couldn't they reject a $1.00 bid, theoretically and if there is some way they can avoid it, as he understands it, they would prefer not to have the minimum amount in there.

Commissioner Ossenberg asked if it is to be in cash or how is it to be paid for.

County Attorney Smith said they can set the terms any way they want to, in cash or so much down, etc.

Commissioner Ossenberg asked if this was spelled out in the specifications.

County Attorney Wendel said there is a Paragraph 3 that states if the bidder who is leasing it doesn't sign his agreement and pay his first lease payment within so many days, to be specified in here, from the time he is notified that his bid is accepted, he would forfeit his deposit and if someone wouldn't pay for it within that many days, he would lose his deposit.
He said he could add another sentence to really drive it clearer to the bidders and Commissioner Ossenberg agreed this should be done.

Commissioner Ossenberg said he thought Mr. Kollker was discussing Paragraph 9 where they said they would agree to initiate a rezoning request for a nursing home and if this was defeated, then the sale would be void, that on Boehne, for example, the Board of County Commissioners have the last say-so on that piece of property, but on Pleasantview, since it is in the City, he would imagine the City Council would have that priority, but that would be the condition, that if it wasn't rezoned according to their specifications, they could back out of the contract.
He said everything will have to be worked out.

County Attorney Wendel said they need some procedure so the Council can meet with the Commissioners again before the next meeting, if they come up with a different way to handle the minimum price.

Commissioner Ossenberg told Mr. Kollker that the Commissioners would have to get with the County Council sometime this week after County Attorney Smith researches the law on the minimum price.

Commissioner Schaad asked Mr. Kollker if they shouldn't again recess until they get together again and Mr. Kollker said he would take care of it after this meeting.

RE: COMMENTS ON AUCTIONEER FOR PLEASANTVIEW AND BOEHNE

Mr. Gerald Shaffer, a partner in the Kurtz firm, appeared and said that in-as-much as some of the Commissioners weren't at the County Council meeting last Tuesday, he would start at that point.
He said that on Tuesday morning when he got up and read in the newspaper that the bid had been let and stating, "Higher Auction Fee Chosen by County," then he read it and couldn't believe he was reading what he thought he knew something about, and the ones that read his formal protest, knows that he has been pursuing through a contact with President Ossenberg and with Mr. Hotz to keep informed on the disposition of the Boehne Camp property and the Pleasantview Rest Home, both the real property and the personal property.
He said, as it was stated on numerous occasions, he has confronted Mr. Ossenberg to keep him posted, to know the direction to go in order to stay abreast of a piece of valuable real estate that is going to be either leased or sold in the very near future.
He said he had handbills on at least two occasions showing that Kurtz Realty & Auction were a sizeable firm doing a reputable business in the tri-state area, showing where they had sold property in Evansville at auctions, also in the Posey County area, on personal property in the tri-state area and he mentioned several other sales they made in various places.
He said he mentioned these sales since some people didn't know the scope of activity they have had, that as far as bidding on this, he has tried to stay in close contact, that he has talked to two of the Commissioners, to Mr.Schaad some months ago and he thought the only way Mr. Schaad recognized him being there was because of the fact that he mentioned an old friend who was with the Evansville Press and used to do lay-out work for the County,and then he went back to see him about noon on Tuesday but he was at lunch and then he went to the County Council's meeting.
He said he found out this morning that Midwest was called last week by the Secretary to the County Commissioners who asked them for a bid to be submitted on the real property but they didn't get any notification or inclination that this was coming up at anytime prior to the time that the County was going to sell the personal property and at that time, if they had a good bid and were permitted to honor that contract and sell the personal property and had a good performance, then probably, they could be considered on the real estate.
He said he was shocked when he read in the paper about the auctioneer being named because it had been done, that they are capable and they are asking if all the County Commissioners and the County Council members are in accord, that at the Council meeting, it didn't sound like everything was in accord and he said he was open for questions.

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Commissioner Ossenberg said he would first like to state that if the Commissioners Secretary called Midwest, she had no authority to do this, that there was never a time suggested that a bid would be entertained for the real properties but that there was for the personal property and why she called out there, he didn't know, but that there was never a bid, that a verbal bid was given and that wasn't even requested of Mr. Miller, who was successful.
He said he came out of a meeting with the County Commissioners last Monday morning and an envelope was handed to him one minute before he went into this meeting and it was an envelope from Midwest, that he noticed Mr. Hotz's name on the back of that envelope and whether Mr. Hotz picked up the envelope or what, he didn't know, but he had no authority to do it, that it was clearly discussed by the County Commissioners and the County Council in one of the two meetings, that the Commissioners would make the decision on the real property, that they entertained bids for the personal properties, which Kurtz was awarded that contract,and this is his comment.

Mr. Shaffer said they are dealing with taking bids on the liquidation of possibly an estimated appraisal of $10,000 worth of property, not knowing how much of that is going to be left in the Rest Home and how much will be up for sale, versus not taking any kind of bids or making it open to the public to dispose of $1.5 million dollars worth of appraised property and he asked if this was true.

Commissioner Schaad said Mr. Shaffer made a statement that isn't true, that there is a list of the items that will be auctioned off with the property and there is a list of the items that will be auctioned off otherwise.

Mr. Shaffer said he got the list but asked if this is the same list the appraisal was made on and Commissioner Schaad said he couldn't answer this since he didn't know.

Mr. Shaffer said he was with Mr. Hotz after he was with the Commissioners and he wasn't sure which things would be sold with the building and which weren't.

Commissioner Schaad said he is now because there are two separate lists, one of what will go with the building and one of what will be auctioned off after that by Kurtz.

Mr. Shaffer said that in-as-much as the County Government Organization's Sale & Purchase of Land, "No sale or conveyance of any real estate of the County, of the value of $1,000 or more and no purchase by the County of any real estate of such value shall take place except prusuant to an ordinance of the Council, authorizing such sale or purchase and fixing the terms and conditions thereof."
He said this brings in the Council as he understands it and he asked if this is true.

Commissioner Ossenberg said that the Council is in on it by state statute, that their names are on the specifications.

Mr. Shaffer said the Council was not very well informed last Tuesday when he was at their meeting, as to what all had taken place.

Commissioner Ossenberg said that the Council had agreed, in a meeting with the Commissioners and the Councy Council,in this room on two different nights, that they would go with auctioneers and would do exactly as was stated before, that he didn't know which Councilman he was talking about but that there are Councilmen present now that were at that evening meeting and he can talk to them and see if they weren't in general agreement with the County Commissioners.

Mr. Kollker said he did receive Mr. Kurtz's letter and they did talk to and agree with the County Commissioners that they would decide on an auctioneer or whatever. He said he wasn't at the last meeting and the thing he thinks that concerns him is the fact that he understands there is going to be 5% of the sale, paid to Curran Miller, which could amount to some $75,000 and he was wondering if there could be a formal bid given, that he thinks, very likely, that Mr. Miller could have possibly taken it for less than the 5% and after receiving a letter from this gentleman, he would say there is a good chance that the people would have taken it for less than the 5%, although it is the Commissioner's decision, he would like to go on record by saying he would like to see them ask for bids for this because of the amount of money involved.

Commissioner Willner asked Mr. Kollker, if when he asks for bids, if he is then saying he wants to take the low bid.

Mr. Kollker said they don't have to take the low bid, that they may even end up taking the highest bid but at least they will get a few figures together and they can then decide, the same as the sale or lease of the property itself.

Commissioner Willner asked Mr. Kollker, if at the meeting with the County Council and the County Commissioners, if they didn't say they didn't want to do this and Mr. Kollker said he didn't know.

Commissioner Willner said the Councy Council did agree they didn't want to do this and he had said he felt they shouldn't take bids and then hassle about the low bid or the high bid.

Mr. Kollker said he honestly didn't recall saying that and he would like to see it in the minutes and if so, he does now see a problem with that, that possibly he didn't at the time, which would be his fault and his mistake.

Commissioner Willner said he feels about this property as if it were his own and he wouldn't take bids to sell his own property, that in his own mind he would find out which one he thought was more capable and the best possible company to handle it and then he would deal with him and that is what the Commissioners really did.

Mr. Kollker said he understands this and he thought the intentions were very good if he had gone along with what the Commissioners said, but looking back, he does see a problem with possibly even the man who got it might have taken it for less. He said this is his comment on it and if he did say it, he didn't see the problems that has arizen and if he did, then he made a mistake.

Mr. Shaffer questioned as to whether the Commissioners could do this or not and Commissioner Ossenberg said they have substantiated with the State Board of Accounts that they can do this.
He said that the previous Commissioners for years and years back would have been in total violation of the law, that the present Commissioners that even opened up anything in the line of bidding for auctioneers, that it has always been an appointed deal, whatever the Commissioners say, but if they did that, they would also be doing it on real estate, on right of way buyers, engineer firms, etc., that a service does not require it.

Mr. Shaffer then asked why the Commissioners would have some activity in the personal property auction when it was a very small amount of money that was involved and when it comes to something that is appraised near $1.5 million and not have any proposal of liquidation or auction.

Commissioner Ossenberg said he explained this the other day, that the Commissioners, in the past, have used Mr. Curran Miller on several occasions, that they have had experience with him and know his expertise, so he thought this is why they chose Mr. Curran Miller for this size sale.

Mr. Shaffer said if he had only moved in here some fifteen months ago, he would feel a little different but he thinks he owes this to his partner, that when they talk of it, his partner asks if he is on top of the Pleasantview Rest Home and he says he is right in contact, that he is also obligated to his family and the taxpayers in this County as well as to his partner, that they come up with the best net dollar return for this piece of property and Kurtz Auction & Realty can perform that service and render the County Commissioners, the County Council and the taxpayers in this County, that type of service.

Commissioner Willner said this is a hypothetical question, that in dealing with an auction, hind-sight will never do any good, that if the Commissioners would employ Kurtz, they will never know if Curran Miller could have done better and if they employ Mr. Miller, they will never if Kurtz could have done better, so that is absolutely untrue.

Mr. Shaffer said that as long as the Commissioners stay with the same man, they will never know what someone else can do in this community and this is the field that looks like they won't stay in.

Commissioner Willner said that is correct, that the Commissioners have made this judgement and as far as he can see, in his personal feelings, he believes they made the right judgement and this is all he can say.

Mr. Shaffer said they will pursue their field of endeavor, that he doesn't believe the Commissioners have been exposed to very many auction services but when they are satisfied with one, this is their stand and he has read their stand in the paper on other comments about this situation.
He said he is still of his own opinion and that of some other people in the county and the tri-state area, that keep saying why he didn't get in there and why someone else can get a sale when they can put on a better one.
He said they would like to perform for the county and show the Commissioners that

they are able to do that job and he thought that for the taxpayers of this County, this needs to be opened up and make it for an open bid for qualified people that have a sales force and a following to liquidate the property in Vanderburgh County.

Mr. Gene Dirks from the Midwest Auction Co. appeared and said according to a couple of statements made by Mr. Shaffer, he must have misunderstood him, that the Secretary to the Commissioners did tell them to bid on the real estate auction services but that she didn't call them, that he called her, since they had been in close contact with her, wondering when the personal property was going to come up and when the real estate was going to come up and this is the reason they turned in their bid, that they turned it in to Mr. Hotz on Sunday.
He said he agreed with Mr. Shaffer, that Mr. Miller is the best in town, according to Commissioner Willner's personal feelings and here again, stated in the paper, that he knew nothing about Midwest or other companies, but his thinking is, that by being County Commissioners, they should look into the situation, that two weeks before, they had the bids to the personal property and delayed them before making a decision on this and his thought was, why couldn't they spend a little more time making a decision on such a large amount of money, the $75.000 versus $1,000 as a possible commission, that it seemed to him that a hasty decision was made concerning that and then again, a decision was made on the personal property and it wasn't given to the lowest bidder.
He said his thoughts were, why wasn't Curran Miller given the personal property, unless, according to the rumors, that he didn't want the personal property, thinking it wasn't really enough commission to even bother with and he knew there were two lower bids on the personal property, of which they were one of them, that if they were investigated and they felt that Kurtz was the best auctioneer for the job, fine, but he thought they should have been investigated, but then, maybe they were.
He said this was his thought on the matter.

Commissioner Willner told Mr. Dirks that he made it sound as if the Commissioners delayed the personal property because of the auction coming up and that is absolutely untrue, that they delayed the sale of the personal property because they thought the bidder would want some of the equipment that was there, so they thought it best to delay the sale of the personal property until after the real estate and this was the only reason.

Mr. Dirks said that Commissioner Willner misunderstood him, and he thought if Mr. Willner would check back and look at the bid from Midwest on the personal property, they recommended to the Commissioners that they do not sell the personal property until the real estate was sold or leased because those would be the best bidders, that what he is saying is that the Commissioners delayed appointing the auctioneer to auction off the personal property, that they got the bids on a Monday about three weeks ago and they did not make a decision until two weeks later and this is perhaps a $10,000 sale with an approximate commission of $1,000 but they didn't delay the appointing of an auctioneer for the real estate, that they made the statement in approving the Curran Miller Auction Co.
He said he isn't arguing this point, that Curran Miller Realty is a good auction company.

Mr. Harvey Taylor, who represents the Fulton Area Planning Commission, appeared and said that the statement made that concerns him is the statement made about the same auctioneer being appointed all the time and he wondered if this couldn't set up a monopoly, that if he wants to bid on City property or whatever is coming up and he knows that the Commissioners is always going to get the same man because of his credibility, that he could just set up a deal with the individual and get the property at a lower rate.

Commissioner Ossenberg said he didn't think this was the case, that they opened and they allowed Mr. Shaffer and Kurtz to get a part of the business on the personalized items, that it has been in the past, that the Commissioners for many many years, have just openly appointed someone, but he didn't know what the City did.

Mr. Taylor said he meant the County property that he was speaking about and not the City property.

RE: TELEPHONE REQUEST FROM THE PROSECUTORS OFFICE

The following letter of request was received by the Commissioners from Mr. Hertzberger of the Prosecutors office:

Re: Installation of Intercom Telephone System

Gentlemen:

For the installation of this system there will be a service charge of $5.00 per phone, making a total of $35.00, a visit charge of $16.00 for a total of $51.00.

There will be a monthly charge on the telephone bill for a line charge of $1.65 per month. Ten buttons are to be installed at a price of .25¢ per button per month making a total of $2.50.

The total increase to the Prosecutor's phone bill will be $4.15 per month.

Very truly yours, Robert H. Hertzberger

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

RE: REQUEST THAT DUPLICATING MACHINE BE DECLARED AS SURPLUS

The following letter of request was received by the Commissioners from Mr. Robert Hertzberger of the Prosecutor's office: A.B. Dick #625 Duplicating Machine

Gentlemen:

Please be advised that the above mentioned item of equipment is in need of repair and this particular item could be replaced for what the cost of repairs would be. Therefore, we are requesting that this particular item be declared as surplus equipment.

Sincerely, Robert H. Hertzberger

Commissioner Schaad moved that this machine be declared as surplus and that it be taken to the Pleasantview Rest Home so it can be sold along with the other surplus items. Commissioner Willner seconded the motion. So ordered.

RE: BOND SUBMITTED ON U.S. SHEET METAL CO.

A bond was submitted on U.S. Sheet Metal Co. for the Air Conditioner for the Court Computer Room.
This Bond was referred to County Attorney Wendel.

RE: NOTICE OF REZONING

Commissioner Ossenberg said a Notice of Rezoning out near the County Garage has been received due to the fact that the County's property is contiguous to the area to be rezoned.
The letter reads as follows:

To the Neighbors in the Vicinity of 4902-5010 N. St. Joe Ave. Evansville, Indiana

Please be advised that our law firm represents Walter C. Young and Geneva B. Young and Gregory G. Kempf, who have filed a petition to rezone the real estate described above from zone District A to M-2, and the proposed use of the land is for an industrial park.

The Area Plan Commission will meet on Wednesday, June 1, 1977, at 7:30 p.m. in the City-County Building on the Third Floor. This meeting is open to the public, and you may, therefore, attend the meeting if you so desire.

The County Commissioners will meet on Monday, June 20, 1977, at 9:00 o'clock a.m. in the City-County Building for final action.

If you have any questions, please feel free to contact me at your convenience, and I will be more than happy to answer your questions. A copy of the petition and map are enclosed herein.

Very truly yours, Johnson, Carroll & Griffith
By Ed W. Johnson

Notice of Rezoning received and filed.

RE: CLAIMS

A claim was received from Robert J. Moran, the Veteran Service Officer, for expenses of round trip to and from Indianapolis including mileage, meals, lodging and dues, in attending the Service Officers School on April 25,26,27 & 28, in the amount of $137.49.

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

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

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

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RE: RESOLUTION AMENDING THE MASTER TRAFFIC CONTROL CODE OF VANDERBURGH COUNTY, INDIANA — AMENDMENT # 34

WHEREAS, on the 23rd day of October, 1972, the Board of Commissioners of Vanderburgh County, State of Indiana, did adopt by resolution the Master Traffic Control Code of Vanderburgh County, Indiana, providing for the establishment of certain traffic control devices upon certain public highways or parts of highways in said County, and

WHEREAS, the Board of Commissioners of Vanderburgh County have heretofore established a uniform speed limit for all county roads within the jurisdiction and control of the said Commissioners, and

WHEREAS, the Board of Commissioners of Vanderburgh County have made a further determination based upon an engineering and traffic survey that traffic congestion hazards along and upon Broadway and a portion of North Green River Road are greater than is reasonable and safe under the conditions found to exist upon such highways, and

WHEREAS, the highways hereinbefore described are a part of the Vanderburgh County road system and are under the jurisdiction of said Board of Commissioners;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Vanderburgh, State of Indiana:

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

"(A) It shall be unlawful to operate a motor vehicle in excess of forty-five (45) miles per hour upon and along any county road or highway within the jurisdiction and control of the Board of Commissioners of Vanderburgh County, Indiana, except those county roads hereinafter specifically designated as having a different applicable speed limit."

"(B) It shall be unlawful to operate a motor vehicle in excess of forty (40) miles per hour upon or along the following roads or highways, to-wit:

1. Broadway Avenue, from Evansville city limits west to the Posey County Line."

"(C) It shall be unlawful to operate a motor vehicle in excess of fifty (50) miles per hour upon and along the following roads or highways, to-wit:

1. Green River Road, from Heckel Road to Boonville-New Harmony Road."

PASSED by the Board of Commissioners of the County of Vanderburgh on the 9th day of May, 1977, and upon said date signed and executed by the members of said Board and attested to by the Vanderburgh County Auditor.

Commissioner Ossenberg explained that the feasibility study was done by the Evansville Urban Transportation, whereby all the roads in Vanderburgh County are listed as 45 miles per hour and that the Resolution has been approved, and they will now list Broadway Avenue, as stated above, at 40 miles per hour and Green River Road, at 50 miles per hour.
He said the Commissioners have passed the blanket 45 miles per hour speed limit and now Broadway and Green River Road will be the exceptions, with others to follow after studies and recommendations have been made.
The Commissioners had previously approved the Resolution and they signed it at this time.

RE: DEED SUBMITTED

Attorney Wendel submitted a Deed on a parcel of land, Tax Code # 21-69-30 that was purchased by Mr. Charles R. Swope.
Mr. Wendel said that Mr. Swope bought about 20 parcels but this is the one that the Redevelopment Commission wanted, so this is just for the one parcel and he is still trying to untangle the legal descriptions on the rest of them.

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

Commissioner Ossenberg said that Mr. Crooks couldn't be here this morning and that Mr. Hotz is on vacation.

Commissioner Schaad said that Mr. Judd's foreman wasn't there and he had to go out on a very important job, so he won't be able to be here either.

RE: LETTER RECEIVED FROM SEARS, ROEBUCK AND CO.

Commissioner Ossenberg said he has a letter for Mr. Judd from Sears Roebuck & Co. which reads as follows:

To Whom It May Concern:

With the recent level of occupancy in the Plaza East Blvd. Complex, it becomes increasingly difficult and dangerous to attempt passageway in or out of the area. It seems to me that the banning of parking on this thoroughfare would be in the best interests of area tenants as well as those trafficking in and out. As things appear now a fire at any of the businesses along the thoroughfare would present a serious challenge to contain.

Signed, C.F. Hooks, Evansville Group Mgr.
Sears, Roebuck & Co.

Commissioner Willner said that since Mr. Judd was unable to be here, he asked that the following letter be submitted, and said that it would be agreeable with the Traffic Department to stop the parking in this area:

County Commissioners.....Subject: Parking in Plaza East Boulevard Complex

The merchants of the Plaza East Boulevard Complex have requested banning of parking in that area due to increased level of occupancy.

It is my recommendation that there be a No Parking Anytime sign on East side of Plaza East Boulevard and on North side from Division to Greenriver Road.

The County Commissioner's approval is requested.

Signed William T. Judd
Traffic Director

Commissioner Schaad moved that Mr. Judd's recommendation be carried out. Commissioner Willner seconded the motion. So ordered.

RE: ABSENTEE REPORT

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

RE: RESIGNATION OF COUNTY HIGHWAY DEPT. FOREMAN

The following letter of resignation was received by the Commissioners from Mr. William Korff, Sr.

Gentlemen:

It has been a privilege to have been a Foreman at the Highway Department.

I have entered into a business that requires more of my time and I don't feel I can do justice to both jobs. I am, therefore, resigning my position and wish to thank you for the courtesy you've shown throughout my tenure of two years while here.

Very truly yours,
William Korff, Sr.

RE: MR. SIEBEKING....REPORT OF DISCUSSION ON RESURFACING ROADS

Mr. Siebeking said that last Friday afternoon, he, Mr. Brenner and Mr. Stephen had a meeting together and they discussed several things on the resurfacing of the roads, drainage, etc. and he thought Mr. Brenner brought up the question of drainage, that he didn't know why someone hadn't thought of it before, that in the spring, they have been getting quite a few calls from the A.S.C. and the Soil Conservation office on cleaning road ditches so that field tile will drain. He said he thought the three of them are in agreement and he asked if it is the responsibility of the County Highway Department to clean these ditches so the field tile will drain, that it is their responsibility to take care of the roads, that if the existing ditch is draining the water off the road, he thought this to be the Highway Department's responsibility but he didn't think it was their

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responsibility to go out there and maybe have to dig that ditch 18 inches deeper so that a field tile will drain into that ditch, because that is draining the ditch or the farm that is laying along side that ditch.
He said he hadn't really thought of this before, that they discussed it at length and he can think of one job that they haven't finished yet, that the road ditch was there and it filled in some over the winter from the rains and thaws and water coming out of the field but it was still taking care of the water from the road and it was draining okay.
He said the Soil Conservation got in touch with him and he went out and checked it and the field tiles weren't working so they have not cleaned the ditch and to get an existing outlet of a field tile to drain, the culvert under the road is going to have to be lowered and he asked if that was their responsibility.
He said he thought there were two ditch associations, that there is one in Union Township and Commissioner Willner said the other one is the Armstrong-Scott Ditch Association.

Mr. Siebeking said these people take care and maintain the ditches to drain their farm land and they do the same in Union Township and this is done with tax money and that Mr. Brenner has a ditch in mind right now that is out on Pruitt Road and it needs to be opened or cleaned so that the drainage from the field will be taken care of, that the road itself is okay.

Mr. Brenner said they may have a four-foot bottom ditch, that it isn't just to drain the roads and five-foot culverts run along the side which aren't big enough.

Mr. Siebeking said they are going to get a lot of mad people and a lot of bad telephone calls when this happens but he and Mr. Brenner are in agreement that they don't think it is the Highway Department's responsibility to open ditches so that field tile will drain.
He said if the road itself is okay and the ditch is completely filled up and the water is standing on the road, then this is what they do and if they are opening up the ditch so the field tile drains, fine, they are then doing two jobs at once, but to go out and clean a ditch just so the field tile will drain, he didn't think it was their responsibility.

Commissioner Schaad said it would seem to him that if they are going to clean it, they would have to get permission from the Commissioners to do it and if it is on the County road right-of-way.

Mr. Brenner said it should be a legal drain where the County pays a portion to clean it and they pay a portion of it.

RE: COMMENTS ON ROAD REPAIRS

Mr. Siebeking said the other thing they discussed was the resurfacing or doing what they can on the roads and they are also in agreement on this, that he doesn't see where there will be a lot of complete resurfacing because the money is not available.
He said they feel that certain roads such as St. Joe Avenue, Baseline Rd. and others where portions just went to pieces, that they may be able to go in there and repair that particular spot, that he, Mr. Stephen, and Mr. Brenner have some ideas on it so he thought they could work this out real easy but he thought this was what they were going to have to do because he didn't think the money is going to be available, that St. Joe really needs to be surfaced all the way, but Mr. Brenner said if they do this, they would use up all the money they had on just one road.

Mr. Siebeking said they are just going to have to concentrate, this summer, on what they call a smear job over some bad spots and try to take care of them so they don't break through between now and next spring.

Comimissioner Schaad asked Mr. Siebeking if he had a priority list on these roads and Mr. Siebeking said he really hasn't gotten together with Mr. Lochmueller's office but he didn't think they had much of a problem because what he calls main artery roads coming into town is probably where they will start and some work needs to be done on parctically every one of those and he thought these should be their priority roads, and after that they can start on secondary roads.

Commissioner Schaad asked Mr. Siebeking if he thought he could patch the road with blacktop on St. Joe, over the hill, just beyond Meier Road.

Mr. Siebeking said he thought they were going to have to do more than that on St. Joe, that he thought they would have to take some more out of there, that they had been out there and dug out two or three spots, four-feet deep out there, backfilling it and the last two weeks haven't really helped because of the rains and the ground hasn't really dried out that much but he feels that this is the only thing they are really going to be able to do this summer.

Mr. Brenner said that in a lot of the low traffic areas, they were talking about going in and chewing them up but they are so far gone they would be better off as gravel roads because when they face facts, they aren't going to get back out to blacktop it.

Mr. Siebeking said there are some secondary roads they can road mix and with the road report, they checked on one in particular and the three of them had ideas on it and they were all the same, so there are no problems there and as far as a lot of contractual work, he doesn't think they will have the money to do it and what would be done, he doesn't feel they would get their money's worth from it.

Commissioner Willner said if what Mr. Siebeking is saying is that they take one road at a time and patch it with hot mix and roll it and do the whole road, he is in complete accord with that, instead of by contract, but if they are going to cold mix it and then roll it with a truck wheel, they can forget him.

Mr. Siebeking said they have some areas that can't be patched and they have ideas as to what they can use to repair them.

Commissioner Ossenberg asked if it would help to re-activate the sealer machine by putting some money in that account and Mr. Siebeking said he really didn't think it would help, and he thought they had some roads where they could put down a solid cover and then just chip it over, that it would be a one-shot chip and seal and he thought they could seal the road enough, that maybe they could get another year or two year's use out of it before anything more needs to be done on it, also they have a couple of roads that have bad alligator cracks but still haven't broken through as yet and he thought they could get by with doing this, but they feel this will be the best way to approach this thing this year.

Mr. Brenner said if they made a list it would consist of one road because they don't have any money.

Commissioner Ossenberg said the reason he mentioned the sealer machine is because when they got it, they went out into Melody Hills, in the first section of it and sealed quite a few of the streets and they have held, otherwise, they would have been replacing these roads, that the sealer did the job and he can't understand why they haven't had more money in that account.

Mr. Siebeking said when it comes to sealing the cracks he thought it would take more than the sealer machine on some roads such as Henderson Road because he didn't think it would put out enough stuff to seal those cracks and they will probably have to use a pouring pot.

RE: REPORT ON MEETING WITH WATER DEPARTMENT PERSONNEL

Mr. Siebeking said he met with Mr. Mills of the Water Department and he asked what the problem so he told him that from the time they met on Tuesday afternoon and then on, that the permit for the cuts come to him, (Mr. Mills) and he okay's the permit for the cut but Mr. Siebeking thought that his department should be notified the day they made the cut, that this has been the hang up all along, that cuts were made and they didn't really know about it until someone called and complained about the cut being there and he also told Mr. Mills for them to backfill the cut with sand and rock up to the surface of the road and then his department would watch it and as soon as they feel it is packed enough, the highway department will go out and patch the hole over and bill the Water Company for time and material. He said they may be able to concrete some cuts but he didn't think they would be able to on an average cut across the road, that this would be hard to do because they can't stop traffic and concrete should set up for at least 24 to 36 hours and it doesn't pay them to concrete half of the road today and do the other half after the first half sets up.
He said this is what he asked of Mr. Mills and he said it was fine with him and he would have to take it back before his board and Jack thinks they meet tomorrow, and that this was the extent of their meeting.

RE: CUTS IN

Mr. Brenner submitted five applications from the Waterworks Department, requesting permission to make cuts on the following roads:

209 Barbara Drive to install 3/4" water service
7400 Huckelberry Lane to install 3/4" water service
Strawberry Hill for a water main extension
101 Bradley Drive off Darmstadt Road to install 1" water service
3150 E. Lynch Road to install 1" water service

Commissioner Schaad moved that these cuts be approved. Commissioner Willner seconded the motion. So ordered.

RE: RIGHT OF ENTRY SUBMITTED

Mr. Brenner said that he advertised for bids for the cleaning of Pigeon Creek, last Thursday, and he submitted a Right of Entry from Aubrey D. and Elna B. Ryals, which needs the signatures of the Commissioners.
The Right of Entry was signed by the Commissioners at this time.

RE: AUDITORIUM PARKING LOT

Mr. Brenner said the Commissioners had asked him to look at the Auditorium Parking Lot, which he did.
He said they have approximately one inch of asphalt on there and that is all, and he recommends they go with the bid from Midwest which was $745.00, not to exceed $1,000.00.
He said that Feigel, the other bidder, said he would come in and dig the asphalt up and put four inches of asphalt in the holes and he didn't see any sense in digging the rock out to put more asphalt in there than they have on top with cost at $1,700.00.
He said that Midwest will patch all chuckholes and put a slurry coat on it.

Commissioner Schaad moved, on the recommendation of Mr. Brenner, that Midwest be awarded the bid.

Mr. Stephen said here is one place, if they could get hold of the underlay which is the Petro-mat, he would recommend they lay down that Petro-mat first which would only cost an additional 65¢ or so per square yard.

Mr. Brenner said if they have to change the specifications, they will have to change both of them and Commissioner Schaad asked if they couldn't go through an engineering change.

Mr. Brenner said he has never seen a request for what they have done, that if the Commissioners want him to go down and write specifications for the lot, he would be glad to do that, and then ask them to submit a bid again.
He said he didn't really know what Midwest and Feigel bid on, he guessed they were just asked to go look at the lot to see what they could do.

Mr. Stephen said they actually let the contractors tell them what they recommended so one looked at it one way and the other bidder another way.

The Commissioners agreed that Mr. Brenner prepare the specifications and let them submit another bid.

RE: ROESNER ROAD CULVERT

Mr. Brenner said that the culvert they are putting in on Raesner Road is in place, that they are finishing up the work and negotiations with Mr. Nussmeyer will probably lower the price from $1,500 to $2,000 because they didn't have to put a runner out.

RE: REPORT ON REQUEST FOR ELIMINATION OF CULVERT

A letter was received last week from Dr. & Mrs. Kent Fritch and Mr. & Mrs. Michael Toll of Boonville-New Harmony Road, requesting permission for the elimination of the culvert that drains water on their property and the Commissioners referred this matter to the County Engineer.

Mr. Stephen, the County Engineer, said he went out and looked at the situation and found that right down the center of Boonville-New Harmony Road is the shed line of

the water where the north should stay on the north side and the south should stay on the south side.
He said from the looks of things, approximately some forty years ago they did put a culvert under the road, that it was undeveloped area and that on the south side did fall away much faster than that on the north side, so it was easy, apparently, for someone to put that culvert under the road and divert it to the south side than it was to let it run over a little flatter land before it found a hill to go down, so now the people have subdivided on the south side and two of those lots are being damaged by any water that comes under there.
He said they have put dirt in front of the culvert and stopped it up, that they did it before and were made to take it out and then someone on the north side complained and the water line had been put in there and they got the Water Company to come out and clean out the culvert and now there has been additional dirt dumped in front of the culvert, filling it up by at least two feet and the people on the north side have tiled completely past it, that there is an inlet and an outlet and if the water does not get out the one end it stands in there or it will be carried under if it is not opened up.
He said that Mr. Siebeking tells them that it is connected to the culvert by the pipe and that it really doesn't need to be, that the fellow on the north isn't being damaged very much but the people on the south side are.
He said they knew the water was coming down over them when they bought the place, that by the looks of the concrete and the condition of the headwalls, that it was probably forth years ago when this was put in, but the water should stay on the north side.

In summation, Mr. Brenner said our position is that we don't need the culvert and the County would be glad to block the culvert off, but the other guy has the right to put his water across there.
He said he thought they each need an attorney, that it is a private matter and the County doesn't care if the culvert is there or not.

Mr. Stephen said the culvert should have never been put in to start with, if it had been done right, that someone just had it put in there.

Commissioner Willner asked if the County could fill the ditch up so the water would run down equally instead of like it is doing.

Mr. Stephen said that what has happened on the south side is that the side ditch has been from up to the east, is carrying water down and they kept it in the side ditch against the road to about this same point and then the water finds it's way to dump off down across these two lots, that it would be a much better situation for all of them if that side ditch was graded from the road surface, the shoulder, and then down over the hill and let whatever comes off the road to be distributed equally. He said that right now, the road surface drainage is tending to compound their property by being concentrated on the south side into that locality.

Mr. Brenner said this is a private matter and we do nothing, that he could converse with them, that they have blocked the culvert, and the gentleman on the north can pursue it if he wishes, that he has not contacted us, the people that blocked it were the ones that contacted us. He said they should just let it lay, that the County might do some work on the road ditch but that doesn't affect them.

Mr. Stephen said that incidently, the County has a 45 foot right of way from the center of the road on the south side and if they have that on the other side, they have a 90 foot right of way but he didn't think they had it in all places.

RE: DECISION OF COUNCIL ON BIDS FOR AUCTIONEER

Mr. Kollker, President of the County Council, appeared and said that the Council met and with the six members that were present, it was unanimously agreed upon that formal bids be taken as far as the auctioneer for the sale or lease of Pleasantview and Boehne is concerned, that it is no more than their recommendation since it is the Commissioners decision, although they would like to recommend it and they are in total agreement of that.

RE: POOR RELIEF

William Charles Fenwick...521 Garfield...Pigeon Twp. Ms. Anslinger, Investigator

The Notice of Poor Relief Action from the Pigeon Twonship states that Mr. Fenwick requested help on a hospital bill but was refused because his income exceeds the limitations allotted by the Department of Public Welfare.

Ms. Anslinger said that Ms. Fenwick was in the hospital from April 8th to the 15th and was to go back on April 20th for surgery.

She said that Ms. Fenwick's bill on the first admittance was $812.60 and $570.00 of that was set up for Insurance, leaving a balance of $242.60, that there are just she and her husband in the home and he gets $106.00 from the Veterans and $284.00 Social Security-Disability per month which makes $390.00 per month which is over the amount allowed, that they are only allowed $250.00 per month for two people.

Ms. Fenwick said she would like to know how they are going to pay their hospital bill and their other bills, that this is the first time she has asked for anything but when it boils down to that point, they have to have a little help to make ends meet.

Commissioner Willner asked if they would be eligible on Welfare for medical.

Ms. Anslinger said it would have to be on a spin-down and they would have to pay the Welfare Department for medicaid, that she didn't mention this because of their income.

Ms. Fenwick said that neither of them are working so they have no income other than Social Security and what he gets from the Veterans and they have to live and pay their bills.

Commissioner Willner said he thought Ms. Fenwick was at the wrong agency.

Commissioner Ossenberg looked over their budget sheet and said they certainly aren't out of line as far as their expenses are concerned.
He said this, again, is a situation where the Welfare, he thinks, should be evaluated as to the amount they are allowed since the present amount is outdated.
He explained to Commissioner Willner, since he wasn't here at the time, that there was a woman here who had a terminal illness with no money and no income other than a small amount and she was over her income and here are two people who aren't allowed over $250.00 per month and they won't help them.

Ms. Anslinger said she wondered if it would do more good if Commissioner Ossenberg would talk to Mr. Work because they can't get anywhere and she agreed that it should be raised.

The Commissioners agreed that they should have a meeting with all concerned, since Commissioner Willner said they would have to comply with the state law anyhow on poor relief.

Commissioner Ossenberg asked if there is anything that Medicaid will do and Ms. Anslinger said that Ms. Fenwick would have to be totally and permanently disabled, but if she is able to cook meals or anything, she would say they wouldn't help.
He said to resolve this, the matter should be held in abeyance and he asked Ms. Anslinger to call the hospital and tell them that the Commissioners are going to have to meet with the Department of Public Welfare to see if they will allow her some more time and maybe they can resolve the case that way, because this is absolutely asinine. He said that they will try to meet with Mr. Work at 8:30 a.m. next Monday morning to see if they can re-arrange the schedule so Ms. Fenwick can possibly get some help.

Georgia Rowan.....205 E. Chandler....Pigeon Township, Ms. Vitatoe, Investigator

The Notice of Poor Relief Action from the Trustee, shows that Ms. Rowan asked for help on utilities but was refused because she failed to co-operate.

Ms. Vitatoe said her case is the fact that Ms. Rowan draws $246.00 per month from Social Security and V.A. and she has a $199.00 food bill at Star Market and she suggested that Ms. Rowan go into the Towers where she could get an apartment for $37.00 per month with utilities paid and she could go on food stamps, that her utility bill was $500.00 for two months and Mr. Morrison has issued a statement that they are to pay no more previous charges on utility bills because in 1976 they paid $16,196 for the first four months and in 1977 they paid $43,649 for the first four months this year, so their budget is almost gone.

Ms. Rowan failed to show up so no action can be taken by the Commissioners at this time.

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RE: ESCORT POLICY ADOPTED BY SHERIFF'S DEPARTMENT

The following letter was received from the Sheriff of Vanderburgh County:

Enclosed herewith is a copy of the policy which this department has adopted with reference to escort services. The Vanderburgh County Sheriff's Department will begin implementation of this policy thirty (30) calendar days from the date of this letter. After that date, any violations of this policy and/or other applicable statutes or ordinances will be subject to enforcement if discovered by officers of this department.

I am sending a copy of this letter and attachment to the Evansville Post of the Indiana State Police Department.

If you have any questions, please feel free to contact me.

Sincerely, James A. Degroote, Sheriff
Vanderburgh County, Indiana

The Escort Policy reads as follows:

Dated March 8, 1977

VEHICLE MARKINGS:

Vehicles and motorcycles used for escort service are not to be marked with the work "Police" and are not to be marked in any similar way to any vehicles or motorcycles of any law enforcement agency of this city, county, or state.

EQUIPMENT AND OPERATIONS:

1. Red lights, whether flashing or otherwise, will not be permitted if visible from directly in front of the center of the vehicle.
Flashing white or amber lights will be permitted.

2. Individuals operating escort vehicles or motorcycles are to carry regular police type whistles while performing escort services. Sirens, or similar devices, will not be permitted.

3. Funeral processions:
   a. The lead vehicle may be equipped with a flashing amber light which shall only be used while performing escort services.
   b. The procession must reasonably comply with all stop signs and traffic control signals. If the procession is proceeding through a traffic light and the light turns red, or if the procession is proceeding through a stop sign, the remainder of the vehicles may continue to proceed through the red light or stop sign if a guard has been posted to halt crossing traffic. If no guard has been posted, each car can proceed after exercising due caution with regard to crossing traffic. The vehicles shall follow the lead vehicle as closely as is practical and safe.
   c. Within the limits of Vanderburgh County, the vehciles in the procession shall drive as near to the right-hand edge of the roadway as practical.
   d. All vehicles in the procession must yield the right-of-way upon the approach of an authorized emergency vehicle.

4. Other escorts:
   a. No vehicle shall be driven at a speed greater than necessary and prudent under the conditions, and in no case shall the vehicle(s) be driven at a speed greater than the speed limit designated for that roadway.
   b. If a vehicle is being driven at such a slow speed and under such circumstances that three (3) or more other vehicles are blocked and cannot pass on the left, the vehicle shall yield the right-of-way by pulling off to the right of the right lane at the earliest reasonable opportunity and allow the blocked vehicles to pass.
   c. If the vehicle(s) is being driven at less than normal speed, then such vehicle(s) shall be driven to the right-hand lane or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking or passing another vehicle proceeding in the same direction or when preparing.
   d. When more than one (1) vehicle is involved in the caravan or motorcade, the vehicles shall be operated so as to allow sufficient space between each vehicle so as to enable any other vehicle to enter and occupy such space without danger.
   e. Truck caravans or heavy or wide loads must obey the truck route and "historic preservation" ordinances of the City of Evansville, and the County of Vanderburg
   f. The vehicles shall not be operated in such a way so as to force other vehicles of the road or to force the other vehicles from their proper course of travel.

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g. An escort vehicle may be equipped with lamps which may be used for the purpose of warning the operators of other vehicles of the presence of the escort. The lamps used to display such warning to the front shall be mounted at the same level and as widely spaced laterally as practicable, and shall display simultaneously flashing white or amber lights, or any shade of color between white and amber. Red lights shall not be permitted which are visible from directly in front of the center of the vehicle.

5. Escort vehicles should, at all times, act reasonably within the scope of all applicable traffic statutes and ordinances.

Commissioner Schaad moved that the Escort Policy of the Sheriff's Department be approved and signed. Commissioner Ossenberg seconded the motion. So ordered.

RE: COMPLAINT ON NURRENBERN DITCH

Mr. Urban Stahl appeared and said that he lives on outer Lincoln Avenue and he heard Mr. Siebeking speak about the problem with ditches and there are ditches laid out on the South side of Lincoln Avenue and the water drains through Nurrenbern Ditch from the road ditch.
He said he came down to see about his taxes getting paid and that we all have to pay our taxes but he wondered how they were going to pay their taxes if they don't get their farm ground drained and that when Mr. Biggerstaff was the County Engineer and he had stated that before they could do anything to that road, they would need an acre of ground, also that they got $33,000 from the state.
He said he deeded an acre of ground for that road, also that they have plenty of drainage out there but when it is blocked they don't have plenty of drainage.
He said he was told that if he gave that acre of ground that the ditch would be kept cleaned out.
He said the County came out there a year ago and took the dirt out of the ditch and put it in his field with his approval, so his ditch was open, then they put riprap on the south end, which they have done several times but the children won't leave it there, they put it in the ditch and something should be done, that they play in it and throw junk in there and he told Mr. Linzy that the riprap should be cemented in there and about six weeks ago, he talked to Mr. Linzy again about six weeks ago and he said he would be out but he hasn't been out there yet.
He also said that he was down here complaining to Mr. Siebeking and Mr. Linzy and they came out and then they went to talk to Larry Land who has a ditch leading back one-half mile to his farm and he took a big grader and graded it out, that he doesn't have it seeded and lets it open so the water washes down there and cuts the bank away. He said he has to make a living, that the culvert should have been twice as big as what was put in there.
He said he is proud of that road that was put in but he thought someone should be proud of these ditches and take care of them and something is going to have to be done with that mess where the children are throwing rock in there.
He also complained that since the Kirkwood Addition was built, the drainage has been messed up and has caused the water to be held higher on him and the other farms in the area and he was told that something would be done about it but nothing was ever done. He asked if it was right for someone to force water on him or for the County to let the riprap go down that ditch. He said the Commissioners ought to go out and see it and that from the building that is going on out there, boxes and crates have been blowing in the Nurrenbern Ditch, also that a short stretch of Lincoln Ave. needs widened, so Commissioner Schaad agreed and said they would look at it.
Mr. Brenner said that is a private sewer, that there is nothing the Commissioners can do about it, that Mr. Stahl can sue them so he should get an attorney.

After further comments, Commissioner Schaad said there are similar problems around the County but the Commissioners isn't a law enforcement agency and when he sees the children throwing these things in the ditch, he should call the Sheriff or the Police.
The meeting recessed at 11:40 a.m.

PRESENT

COUNTY COMMISSIONERS
Tom Ossenberg
Bob Schaad
Robert L. Willner

COUNTY AUDITOR
Alice McBride (Deputy)

COUNTY ATTORNEYS
Ed Smith Jr.
Paul Wendel

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MAY 16, 1977

The meeting of the County Commissioners was held on Monday, May 16th, 1977, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

There was no one in the audience that was interested in bidding on the County-owned Surplus Property today but three written proposals were submitted.

Mr. Shaffer of Kurtz Realty Company asked that the Commissioners explain, more in detail, what they had reference to.

Commissioner Ossenberg explained that this is property that has been turned back to the County for non-payment of taxes.

Commissioner Schaad said there is a list published of all pieces of property and it was advertised in the newspaper, to be auctioned off.

Mr. Victor Jackson of 1218 Judson Street bid on the following:

#4....21-74-12...822 Line St. Southern Enl. 12 Ft. L 12, 21 Ft. L 13 Blk. 20
Land & Improvement....Appraised at $575.50.....Bid of $35.00.

#18...29-93-22...1119-1121 W. Iowa St..Lamasco 6½ Ft. L 25 and L 26 Blk. 30
Land Only...Appraised at $328.00.....Bid of $50.00.

Commissioner Schaad also explained, for the benefit of the audience, that the County Assessor has appraised all the parcels and the Commissioners have, in the past, been taking bids and selling the parcels for almost anything they can get for them, since it is their feeling that they would rather have the properties back on the tax roles and collecting taxes on them rather than to have to keep cutting the grass and keep the junk off of them.

Commissioner Schaad moved that the bids of Mr. Jackson be accepted, that parcel #4 be sold to him for $35.00 and parcel #18 for $50.00. Commissioner Willner seconded the motion. So ordered.

A written offer was received from Francis P. Smith, Assistant Chief Housing Inspector, on the following:

#13...24-42-16...502 S. Evans...Ballard's Addition L. 34 Blk. 6...Land and Improvement ...appraised at $3,575.00.....Bid of $400.00.

Commissioner Schaad moved that the bid from Mr. Smith be accepted in the amount of $400.00 for parcel #13. Commissioner Willner seconded the motion.

County Attorney Wendel said this approval must be subject to the approval of the County Council since the appraisal on this property is over $1,000.

Commissioner Schaad then amended his motion to read, subject to the Council's approval. Commissioner Willner seconded the amended motion. So ordered.

RE: EMPLOYMENT CHANGES..... APPOINTMENTS

COUNTY RECORDER

Yvonne L. Presley	733 Cross St.	Photo Copy Deputy	$6,150.00 Yr.	Eff: 5/16/77

GERMAN TOWNSHIP ASSESSOR

Danny Nix	7001 Happe Rd.	Deputy	$20.00 Day	Eff: 5/9/77

HIGHWAY DEPARTMENT

Jayne A. Sheets	3307 Bayard Pk. Dr.	Clerk-Typist	$225.00 Pay	Eff: 5/16/77

APPOINTMENTS CON'T.

KNIGHT TOWNSHIP ASSESSOR

Linda M. Gehlhausen 308 S. Frederick Deputy $16.20 Day Eff: 5/16/77

VANDERBURGH AUDITORIUM

Patrick K. Conner 1120 Brookside Dr. Maintenance $3.00 Hr. Eff: 5/16/77

VANDERBURGH SUPERIOR COURT

Nadine Brady 530 S. Spring St. Pt. Time Crt. Reporter $3,493.00 Yr. Eff: 5/9/77

VETERANS SERVICE OFFICE

Susan Jane Rohner 2525 N. Heidelbach Ave. Vacation Clk. $20.00 Day Eff: 5/16/77

RE: EMPLOYMENT CHANGES.....RELEASES

CIRCUIT COURT

Louise Devoy 4915 Rolling Ridge Dr. Bailiff $8,230.00 Yr. Eff: 5/13/77

COUNTY RECORDER

Marie Evans 714 Jefferson Photo Copy Clk. $6,150.00 Yr. Eff: 5/13/77

COUNTY TREASURER

Yvonne Presley 733 Cross St. Part-time $20.00 Day Eff: 5/13/77

VANDERBURGH AUDITORIUM

Josephine Van Dyke 319 E. Walnut St. Maintenance $2.60 Hr. Eff: 4/27/77

RE: MONTHLY REPORT

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

RE: YEARLY REPORT

The Annual Report of the Board of Commissioners, Vanderburgh County, to the State Superintendent of Public Instruction was submitted for the year ending April 30, 1977, as to Report on Condition of School Funds.

Mr. John explained that this is just a questionnaire on the Anti-Recession Act, asking if the money received increased or decreased the tax rate and what affect it had on the fiscal policy of Vanderburgh County.

Commissioner Willner moved that the Annual Report be approved. Commissioner Schaad seconded the motion. So ordered.

RE: BIDS ON DUMP TRUCK REJECTED

There were two bids received last week for the dump truck that is needed by Burdette Park, which was from Key Motors in the net amount of $6,600.00 and from Vandeveer Inc. in the net amount of $7,557.21. These bids were taken under advisement and referred to Ray Wolf of Burdette Park.

Mr. Wolf said he has examined these bids and that the lowest bid didn't meet specifications and the higher bid is more that the amount of money they have for it, so he recommended that these bids be rejected and the Commissioners agreed.

Mr. Wolf said he would get with the Purchasing Department so they can re-advertise for bids on the dump truck.

RE: BELATED TRAVEL REQUEST

Commissioner Ossenberg said he has a request from Area Plan that they wanted to get in last week. The request reads as follows:

Dear Mr. Ossenberg:

I am requesting permission to attend a seminar at the University of Wisconsin-Extension on "Effective Zoning Administration Techniques Program". The seminar is to be held May 12-13, 1977 and there is an $80.00 fee due at the time of enrollment. This will be most beneficial to me in my job as Zoning Administrator.

Also, I will be traveling by air and the tickets will cost $138.00 round trip. The money for the tickets is a vailable in Acc. No. 124-213.

This letter was not submitted to the commission in time for their May 9, 1977 meeting but I would respectfully request your consideration on this matter.

Sincerely,
Jeffrey L. Wilson, Zoning Admn.

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

RE: REZONING PETITION.....VC-54-77 .....DENIED

Petitioner and Owner of Record.....William F. & Noral J. Shirley-1168 Wedeking Ave.

Premises affected are situated on the North side of Hogue Road, a distance of 100 feet East of the corner formed by the intersection of Vaness and Hogue Road, more commonly known as 3921 Hogue Road.
The requested change is from R-1 to M-2.
The property is presently vacant and the proposed land use is for a steel drum reconditioning firm.

Commissioner Ossenberg explained that this petition was passed by the Area Plan Commission and then came to the County Commissioners, at which time it was denied. It then went back to the Area Plan Commission and they held in view of the County Commissioners and denied it, so now it is before the Commissioners for third and final reading.

There was no one present to speak for or against the petition and no changes were made in the petition.

Commissioner Schaad moved that Petition VC-54-77 be denied. Commissioner Willner seconded the motion. The vote was unsnimous in the affirmative. The motion carried.

RE: REZONING PETITION.....VC-58-77.....WITHDRAWN

Petitioner and Owner of Record.....Mamie Rhoades of 7921 Newburgh Road.
Premises affected were situated on the South side of Newburgh Road.
The requested change was from R-1 to R-3, since the existing use is a child care home and is non-conforming and the proposed land use was for a child care home of a maximum of ten children.

Commissioner Ossenberg said this Petition was totally withdrawn at the Area Plan Commission.

RE: REZONING PETITION.....VC-64-77.....THIRD READING

Petitioner and Owner of Record.....Robert V. Lambert of 1215 Second St. Henderson, Ky.

Premises affected are situated on the East side and West side of Kentucky Avenue immediately contiguous with the Levee at that site, more commonly known as 2950 S. Kentucky Avenue.
The requested change is from A to M-1.
The present existing land use is for a solid waste land fill and the proposed land use if for a retail sales store for industrial forklifts and material handling equipment.

Mr. Stephen LaPlante,Attorney for the petitioners, appeared for the petitioner and said that the present zoning use for the area contiguous to this property is agricultural and the Family Drive In is immediately to the North and the area is outside of the levee. He said the Drive In is zoned as C-4 and there are other C-4 zonings and also some M-2 zonings located West of the property and for the past year it has been undergoing a fill process and the petitioner has raised the elevation of the property above the flood plain level and the petitioner seeks to put in the Levee Lift Company which is a retail sale of moving implements such as forklifts and other kinds for industrial and agricultural uses. He said this petition was passed by the Area Plan unanimously and it did get staff approval.

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He asked that the Commissioners move to approve this petition and also the proposed ordinance.
There were no remonstrators.

Commissioner Schaad moved that Petition VC-64-77 be approved. Commissioner Willner seconded the motion. The vote was unanimous in the affirmative. The motion carried.

RE: REZONING PETITION VC-65-77.....THIRD READING

Petitioner and Owner of Record.....Oak Meadow Village, Inc. of R.R.8 Browning Road
Premises affected are situated on the west side and adjacent to Oak Meadow Court, a private street and just northwesterly of the Oak Meadow Country Club and Lodge and is commonly known as R.R. 8 Browning Road.
The requested change is from R-1 and R-3 to C-1B.
The present existing land use is vacant residential lots and the proposed land use is for Structures to contain shops for the convenience of Oak Meadow and Oak Meadow Village residents.

Jim Marchand , attorney for the petitioners, appeared and submitted proposed plans of the petitioner and said this area is just north of the condominium area and also west of the Lodge, Parking lot and Tennis courts at the Oak Meadow Complex and is an area of about 500 feet in road frontage and about 200 feet in depth.
He said they plan to have some minimal commercial shops in the lower area of those buildings and to have offices and some suites for overflow from the lodge on the second and third floors as well as for guests of the corporation.
He said it will be three levels on the front facing east and two levels on the back facing the Beard property which is located immediately to the west, that this has been discussed thoroughly with the Beard's and they have a covenant signed by the petitioners, that will restrict the building to exactly what the plans indicate.
He said the Area Plan Commission approved the petition, also that the Beard's were the only adjoining residents and they have agreed to it.
There were no remonstrators present.

Commissioner Schaad moved that Petition VC-65-77 be approved. Commissioner Willner seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: RE: REZONING PETITION.....VC-66-77.....FIRST READING

Petitioner:....Walter C. & Geneva B. Young of 2612 W. Mill Road, Evansville, Ind.
Owners of Record.....Gregory G. Kempf of 2200 Lexington Avenue, Evansville, Ind.
Premises affected are situated on the southwest corner of the intersection of St. Joseph Avenue and West Mill Road, more commonly known as 4902-5010 North St. Joe Avenue.
The requested change is from A to M-2.
The present existing land use is vacant and the proposed land use is for an Industrial Park.
There were no remonstrators present.

Commissioner Schaad moved that VC-66-77 be referred to Area Plan on First Reading. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by County Attorney Ed Smith for May office expenses in the amount of $125.00.

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

A claim was submitted by County Attorney Paul Wendel for April office expenses in the amount of $125.00.

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

A claim was submitted by the Evansville-Vanderburgh County Building Authority to furnish labor and material to install approximately 18 feet of vinyl wall insulated with bats and 36" solid wood door, transom, hardware; completely stained and varnished in Computer Room 200, Courts, in the amount of $2,330.00, as per authorization of Tom Ossenberg on 3/17/77.

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

A claim was submitted by the Evansville-Vanderburgh County Building Authority to furnish labor and material to move 15 foot South wall of room 218-B 3 feet South and reframe 3 feet of corner to connect to present door, also to remove and reinstall all electrical and phone conduits, boxes, and receptacles and to furnish and hang new 4 x 6 wall blackboard in Court Room, Judge Brune's office as per authority of County Commissioners as stated in letter of 5/3/77, in the amount of $1,065.00.

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

A claim was submitted by Hunnicutt & Associates, Inc. on Account of Contract of the Knight Township Assessor on Reassessment for work completed April 1 thru April 30, 1977, in the amount of $12,093.75.

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

RE: REQUEST ON FUNDING...REFERRED TO COUNTY COUNCIL

The following letter was received by Commissioner Ossenberg from Mr. Paul R. Kinney:

Dear Tom:

Last year the Vanderburgh County Commissioners approved approximately $750.00 for the Evansville Freedom Festival Foundation for the rental of the Auditorium and the rental of the Gold Room. This year, while the Freedom Festival will not be using the auditorium, the senior citizens will be holding their dinner dance program to select the senior queen for the Freedom Festival. This is sponsored by the Council on Aging and it is my understanding that the cost of the rental is $175.00 for the Gold Room and 10¢ per chair set-up. I have no idea what the total charge would be, but the Freedom Festival would appreciate the Commissioners requesting $250.00 to apply toward this rental.

I believe this was handled through the Council, since you did not want to make a habit of giving the auditorium and Gold Room to organizations. Your cooperation and consideration will be greatly appreciated.

Sincerely, Paul R. Kinney

Commissioner Schaad moved that this request be submitted to the County Council for approval. Commissioner Willner seconded the motion. So ordered.

Mr. John said that before the Council can appropriate the money, they have to have a contract and before they can have a contract, they must have the money.

Commissioner Schaad said they have run into this a couple of times before and he wondered if the check should be made out to Vanderburgh County instead of to the Auditorium.

Mr. John said it was okay with him, also that they may want to go with that on the Revenue Sharing money and that the requirements are that they have to have a public meeting 7 days in advance of the County Council meeting and they have to get the information to the newspapers and to the Senior Citizens, that if the news media will put an article in the newspaper, that will be fine but if they don't, a legal ad must be put in the paper and they have to either call or write the Senior Citizens and inform them of the meeting, so the Commissioners must advertise 10 days before their meeting and their meeting must be 7 days before the Council has their meeting and he must advertise 10 days before the County Council's meeting.
He said this is for any additional appropriation or budget hearing just on Revenue Sharing, under the new federal guidelines.
He said they must now have the public meeting and proposed use of the money, at least 7 days before the County Council is to meet on it.

The following is the Public Hearing Requirements by Office of Revenue Sharing, from the State Board of Tax Commissioners:

The Office of Revenue Sharing now requires you, as Chief Executive Officer of a governmental unit receiving $10,000 or more of federal revenue sharing funds annually, at least seven (7) days before presenting your appropriating body your proposed annual budget and/or a proposed additional appropriation involving Federal Revenue Sharing money:

1. To hold at least one (1) public hearing where citizen views can be expressed on the proposed use(s).

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2. To inform citizens by news story or paid publication in at least one newspaper of general circulation in your unit, at least ten (10) days before the hearing(s) when, where and why such hearings will be held.

3. To specifically and additionally inform senior citizens of such hearings.

4. Make available for public inspection, at least ten (10) days before the hearing, during regular office hours at the principal office of your governmental unit, and where feasible at public libraries, a statement of proposed uses within the annual budget and/or additional appropriation.

Evidence of compliance with these federal requirements should be made available to the Hearing Officer of this Board at the time of the required budget/appropriation hearing held by this Board.

5. Within 30 days after your appropriating body adopts an annual budget and/or authorizes an additional appropriation, you are required to make available (as in #4 above) a summary of the adopted budget and/or additional appropriation and furnish this same information to citizens by news story or paid publication in at least one newspaper of general circulation in your unit.

For your information, ORS indicated that, for appropriating bodies, compliance with the Indiana Procedure for Obtaining Additional Appropriations meets federal requirements providing that advertisements and notices summarize the proposed budget and/or additional appropriation with indication of how revenue sharing funds are to be used.

References:

Statement of Assurances (ORSL-GSI January, 1977)
Undated memorandum from Intergovernmental Relations Division, Office of Revenue Sharing
ORS Interim Regulation, Sections 51.13 and 51.14
State and Local Fiscal Assistance Act of 1972 (as amended)
Sections 121(b) (1) and 121 (c) (1)

Mr. John said the State Board of Tax Commissioners told him that the federal government is very strict on this and they want to enforce the Commissioners having a hearing on it along with the County Council.
He said the Commissioners would have to let him know at least 19 days in advance because he will have to advertise 17 days in advance of the County Council Hearing to be sure he is getting it at least 10 days before the Commissioners Hearing.

Commissioner Schaad asked if there was any revenue sharing money that has already been appropriated.

Ms. Juras said there has been $170,000 already appropriated.

Commissioner Ossenberg said as he sees it, in the future, they can't budget the revenue sharing money.

Mr. John said they can if they have a hearing at least 7 days before the budget hearings. He said in order for the Council to put the federal revenue sharing money in next year's budget, the Commissioners will have to hold a public hearing at least 7 days before their first budget hearing at which time they will have to have already advertised that they want to spend the amount they propose for whatever they are going to spend it for.

Commissioner Schaad said they should advertise and have a hearing on the $170,000 since they need money so bad to bring back the County roads to some kind of decency.

Mr. John said it states that a news release will suffice and they then won't have to go through legal advertisement, but if they won't, it will have to be advertised.

Cathy Speegle, a reporter for the Evansville Courier, said there would be no problem in submitting a news release on it.

Commissioner Schaad moved, that since the County Council meets on June 7th, that the Commissioners set the date of May 31st for the news release. Commissioner Willner seconded the motion. So ordered.

Mr. John said it would be his suggestion that they notify the Council on Aging by letter.

County Attorney Wendel asked if there was a provision in there about posting it in public libraries.

Commissioner Ossenberg said it read that they must make available for public inspection at least 10 days before the hearing during regular office hours at the principle office of your governmental unit and where feasible, at public libraries, a statement of proposed uses within the annual budget or additional appropriations.

Mr. John said they could put this on the mailing list and on the first one, they may want to send a copy of the instructions with it, to show them why they are sending the statement of proposed uses for the federal revenue sharing monies.

RE: REPORT BY MR. JUDD

Mr. Judd reported that he now has the speed limit signs posted on the roads that the Ordinance was passed on last week, which was 40 miles per hour on Broadway Avenue, from Evansville City limits west to the Posey County Line and 50 miles per hour on Green River Road, from Heckel Road to Boonville-New Harmony Road.

RE: ABSENTEE REPORT

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

RE: PROBLEM OF NARROW ROADS

Mr. Siebeking said he and Mr. Schaad had calls on an area off Speaker Road where there has been some accidents on some narrow roads out there so he went out to look at them and then talked to Mr. Schaad, who called the lady back and they talked to her.
He said his suggestion for it would be a one-way road, also that he has received a letter and the gentleman out there also suggested a one-way road so he didn't know if the Commissioners wanted Mr. Judd to look at it and get his recommendation or what they would want to do.
He said the roads involved are Daniels, Noldau and Crestwood.

Commissioner Schaad said that Jack told him the lady out there has a hedge that is rather high and they can't see anyone coming from the other direction and it is only a one-lane road and the right of way is 30 feet so there is no way to widen it unless everyone out there donates the right of way because the County isn't going to buy any and he suggested the one-way and that the lady was in agreement if the one-way was in the other direction, since she would then be closer to the exit.
He thought if the hedge was cut down, it would help, that if it was made a one-way, the people on the North side of it will have to drive all the way around and it would be bad in the winter time because there is a hill they must travel.
He wondered if Mr. Koch who now works for the Surveyor's office, couldn't go out and talk to the people since they didn't want to just stick up one-way signs without the people being made aware of it, that if they did, the people would raise so much cain, they would have to take them back down.

Commissioner Willner said they would have to have an ordinance for a one-way road anyhow.

Mr. Judd said that he would post some slow signs up at both ends of the knoll out there until something is done about it.

Commissioner Schaad said he understands that the same person has had a second accident at the same location and for some people, it doesn't do any good to even post signs.

Mr. Siebeking said they could do some repair work on Noldau Avenue off Speaker Road, since there is a bad place there.

This matter was referred to the County Surveyor's office so Mr. John Koch can go out and talk to the people and the matter will be brought up again at a later date.

RE: CUTS IN

The Waterworks Department submitted applications for four cuts which have been inspected by Mr. Rueger. They are as follows:

R #2, Box 20, South Red Bank Road, to install 3/4" water service
Stacey Court in Echo Hill Subdivision, to install water line in shoulder of the road
Commercial Court..Water Main to provide service to St. Joe Ave. Business Park Subdivision Commercial Court
Old State Road to install a water main extension to provide service to property located in back of Lorenzo Foster's home located at 15440 Old State Road

Commissioner Schaad moved that these four cuts be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

Mr. Guillaum submitted a claim from Priest Hazelwood in final payment of the St. Joseph Avenue project in the amount of $8,166.16, Acct #203-3835.
He said they came to an agreement on it, that at first, they had a discrepancy but that Priest Hazelwood has now agreed to the figures and that it has been approved by County Engineer, Mr. Stephen.
He said he wasn't sure if it came within the amount of money that was appropriated for the job or not, since they had to add on about $2,000 but then they had under-runs in other areas so he knew it was within $2,000 of the original contract price.

Commissioner Schaad moved that the claim be approved, subject to the money being in the account to cover it. Commissioner Willner seconded the motion. So ordered.

RE: AGREEMENT WITH S.I.G. & E.CO.

Mr. Guillaum said he had an agreement with S.I.G. & E.Co. that he gave Mr. Kolb on Roesner Road since it had already been approved.

RE: BENDER ROAD BRIDGE

Mr. Guillaum was asked about Roesner Road Bridge and he said they have the plans drawn up and he contacted a number of contractors and has received some bids, that they will wait until they have four or five bids and they will then award the contract.

RE: DRIVEWAY ON ST. JOE AVENUE

Mr. Siebeking said they went out on the driveway of Mr. Duncan on St. Joe Avenue to do the work but Mr. Duncan couldn't be there and he wants to be there when they do it, so they will get the widening of the driveway done this week, which was the agreement.

RE: REPAIRS ON EAGLE SLOUGH

Mr. Siebeking said they also got the bad place done on Eagle Slough as agreed by the County Commissioners, to take care of it, that they got it all ripped out and concreted so it should hold.

RE: REQUESTS MADE BY COUNTY COUNCIL

Mr. Dan Kollker, President of the County Council appeared and submitted the following letters of request to the Commissioners:

1. Dear Sirs:
The Council requests your approval of their use of the Recorder's machine room as an office for Anika Juras. Estella Moss, County Recorder, has approved this proposed usage.
The Council also requests that an appropriation request of $1550. in account 130-710 Leasehold Improvements be placed on the June 7th Council agenda for modification to the above room.
Your cooperation in this matter will be greatly appreciated.

Sincerely Daniel C. Kollker
Vanderburgh County Council

Mr. Kollker said it will cost approximately $1,550.00 and they would like to have it on the June 7th Council Agenda.

2. Mr. Kollker submitted a letter of request from the Council to transfer $190.00 from Acct. #130-241, Legal Services to Acct. #130-241, Council Intern.
He explained that this is for a ten-week program, where they will get an intern from the University of Evansville for $19.00 per week, that this is someone who can help Ms. Juras in preparing the budgets and the Job Evaluation Study.

3. Mr. Kollker said his 3rd request is that they would like for the Commissioners to place on the Council Agenda, the amount of $2,600.00 for the Merit and Longevity Study, that this is to help implement and completed , that this is to help implement and complete Job Evaluation Study and hopefully, at the end of three years, they will have it all implemented, that it will have been completed in 1979.
He said they did apply for an IPA grant and they were refused, that it would be done by the Indiana University of Evansville along with Dr. Gugin.

Ms. Juras said it would go to him and his assistant.

Commissioner Ossenberg asked if they would be refused if they put up some local money.

Mr. Kollker said that Ms. Juras made all of the attempts to get some funding but it was completely refused under any conditions.

Commissioner Schaad moved that all three requests be approved. Commissioner Willner seconded the motion. So ordered.

RE: SPECIFICATIONS ON PLEASANTVIEW AND BOEHNE

The specifications for the sale or lease of Pleasantview and Boehne had been submitted last week for the County Council's approval but the blanks hadn't been filled in, so it must be decided as to what they are going to put in the blanks.

County Attorney Wendel said these are the same specifications that were previously presented except for Item #3 where he has added that the full purchase price must be paid by certified check at the time of the closing of the purchase, in case of a straight purchase, since he was asked to make it more clear, that it is going to be a cash sale, that the only other change was on the part concerning zoning and on that, he added the provision, "that if the signing of either, a lease or lease purchase or the closing of the sale is delayed because the zoning hasnt been completed, that the successful bidder should deposit an additional security 10% of the bid", so while the Commissioners are in the process of getting the zoning changed, the bidder is tied down to stick with the bid.

Commissioner Schaad asked what would happen if they didn't get the zoning changed.

County Attorney Wendel said if the zoning isn't changed, the successful bidder can escape.

Commissioner Schaad said that on Paragraph 8, page 6, where it asks for the least price for which said real estate would be sold, it was the suggestion of Mr. Kollker to put in $1.00 as the least price, that they had discussed this and County Attorney said his understanding was that if they put in $1.00 as a minimum price, the Commissioners couldn't refuse the bids.

Commissioner Schaad said it was the consensus that they would rather go along with the idea of $1.00 if the Commissioners could write into it that the final bid is still subject to the approval of the Council and the Commissioners, but legally, they were wondering if they had a bid of just $1.00 or $2.00, if they would be bound by it and have to take it.

County Attorney Smith has checked into the law on this matter and said the Commissioners wouldn't have to take it since they wouldn't be bound by it.

Commissioner Schaad said they would have to spell it out pretty clearly that any bid would be subject to the approval of the County Commissioners and the Council.

After further comments by County Attorney Smith and more discussion, Commissioner Willner moved that they delete Section 8 altogether. Commissioner Schaad seconded the motion. So ordered.

The date and time was then discussed and it was agreed that the auctions be held on the site, one at 9:00 a.m. and the other at 2:00 p.m.o on June 17th. with the approval of Mr. Curran Miller.

Commissioner Schaad then said that on Page5, they need to fill in the amount of time needed to consider the bids before accepting or rejecting any of them.

Mr. Kollker said he thought they needed two weeks so the amount of time was ggreed upon, that it be 14 days.

Commissioner Schaad said they also need to fill in how long the successful bidder has to submit payment for the property.

County Attorney Wendel said this would depend on how many days the Commissioners would have from the time they are told they are the successful bidder and it was decided that they be given 7 days after the decision is made, and also 7 days on Page 6, Paragraph 6, that the County will be responsible for insurance and maintenance costs from notification of bid acceptance.

The Commissioners agreed that all of the same changes made here will hold true in the specifications for Boehne also.

County Attorney Wendel also said that the Council needs enough time in there to pass an ordinance approving the sale so they will need to know which bid they have accepted at the time they have the meeting so they will know the Commissioners are ready to sign.

RE: EXPLANATION MADE ON COUNTY SURPLUS PROPERTY

Commissioner Ossenberg told Mr. Kollker that the Commissioners took a bid that is pending on the surplus property today, that the appraised value of the property was $3,500 and the bid for the property was $400, but anything appraised over $1,000.00 must be approved by the County Council, so they will have to approve it at their next meeting.

RE: CHECK RECEIVED

A check was received by the Commissioners from the State of Indiana, from the Account of the Federal Topics Program, in the amount of $79,550.57, which is partial payment for engineering services for the St. Joe widening, environmental impact statement, etc.

Mr. John said that federal reimbursements are received for certain projects that have been done and has already been paid for and it goes back into the account that it was paid from, that this is the return on an application made out by Mr. Hinton and Mr. Lochmueller.

Commissioner Schaad moved that the check be endorsed and credited to the proper account which is #216-3775, Federal Aid Program. Commissioner Willner seconded the motion. So ordered.

RE: PUBLIC HEARING SET ON BOEHNE

County Attorney Wendel said that in going back through the records he noticed that the Commissioners had a public hearing as to what the best use of Pleasantview would be in case they leased it but they haven't had one on Boehne, that those hearings are held at the Commissioners regular meeting which must be held at least ten days after it is advertised and he suggested publishing a notice of a public hearing on it, so it will be published on May 19th & 26th with the hearing to be held at the Commissioners meeting on May 31st as to the best use of Boehne.

Commissioner Schaad said he felt that they only had to have the hearing if the property was going to be leased and he wasn't at the meeting when the Commissioners agreed to advertise for lease on Boehne.
He said they did have a hearing on Pleasantview as to the best use but they didn't have one on Boehne, that he didn't know they ever discussed leasing Boehne but he understands it was discussed when he wasn't here so they apparently need to have the meeting.
The Commissioners agreed on the date of May 31st. to have the meeting.
The meeting recessed at 11:00 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg	Curt John	Ed Smith Jr.
Bob Schaad		Paul Wendel
Robert L. Ossenberg		

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

Robert L. Ossenberg

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MAY 23, 1977

The meeting of the County Commissioners was held on Monday, May 23, 1977, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

There were no bids submitted on the County-owned Surplus Property today. The sale will continue next week.

RE: LETTER SUBMITTED ON U.S. SAVINGS BOND PROGRAM

Mr. John, the County Auditor submitted the following letter:

TO ALL OFFICE HOLDERS AND DEPARTMENT HEADS:

There will be a meeting on Monday, May 23, 1977, at 2:00 p.m. in the County Commissioners Hearing Room. This meeting will concern County employees' participation in the U. S. Savings Bond Program. The meeting will be relatively short and we would appreciate everyone being present if at all possible.

Sincerely, Curt John

Mr. John said some gentlemen are coming down from Indianapolis to discuss the U. S. Savings Bonds and their advantages.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CENTER TOWNSHIP ASSESSOR

Julie Lynn Kloke	1344 Laubscher Rd.	Deputy Assessor	$20.00 Day	Eff: 5/17/77

COUNTY TREASURER

Ruth Calhoun	723 Bayard Pk. Dr.	Part Time	$20.00 Day	Eff: 5/16/77

HIGHWAY DEPARTMENT

Tony Harvey	5300 First Ave.	Equipment Operator	$4.63 Hr.	Eff: 5/23/77

PIGEON TOWNSHIP ASSESSOR

Arthur W. Miller II	711 S. Alvord	Clerk	$20.00 Day	Eff: 5/16/77

RE: EMPLOYMENT CHANGES.....RELEASES

CENTER TOWNSHIP ASSESSOR

David W. Gulledge	3605 Debbie Lane	Office Deputy	$20.00 Day	Eff: 4/15/77

HIGHWAY DEPARTMENT

Tony L. Harvey	5300 First Ave.	Equipment Operator	$4.18 Hr.	Eff: 5/23/77

RE: MONTHLY REPORTS

The Report of the Evansville Association for Retarded Citizens was submitted for the month of April, 1977.
Report received and filed.

The Report for the Legal Aid Society of Evansville, Ind. Joint Department of Legal Services for the month of April, 1977, was submitted to the Commissioners.
Report received and filed.

CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by James L. Will Insurance Agency, Inc. on Insured, Jan's School of Dance, Inc. for the Dance Recital on June 3rd. & 4th. 1977, at the Auditorium.
Certificate received and filed.

RE: CHANGE ORDER

Mr. Brenner submitted a Change Order on the Project of St. Joseph Avenue over Penn Central Railroad, Contract No. BC-3-76, with an increase of $634.17, since it was necessary to increase the slope area in order to obtain the desired roadway width and to satisfy the bottom of slope with the pipe location.

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

RE: LETTER AND CHECKS RECEIVED FROM BLACK EXPO' 76 INC.

The following letter was received from Ora L. Ogburn of Black Expo' 76, Inc.:

Re: Contract between the Board of Commissioners and Evansville Black Expo' 76, Inc.

Dear Sirs:

As Chairperson for Evansville Black Expo' 76, Inc., I signed an agreement with the Board of Commissioners of Vanderburgh County. The Expo received the sum of $705.00 (Seven hundred and five dollars) from the Board of Commissioners for the purpose of using the Vanderburgh County Auditorium during May 29, June 9 and 10, 1976.

Due to the cancellation of the Expo Luncheon, the cost incurred for the use of the Auditorium was $310.00. This amount was paid by the Black Expo Chairperson on March 23, 1977. The balance of the $705.00 (Seven hundred and five dollars) in the amount of $395.00 (three hundred and ninety-five dollars) is being returned to the Board of Commissioners of Vanderburgh County as per agreement.

The Evansville Black Expo' 76 Board of Directors would like to take this opportunity to express our thanks and appreciation for your assistance in the past year which helped to make the Evansville Black Expo a successful event.

Respectfully, Ora L. Ogburn
Chairperson

There were three checks submitted, one in the amount of $310.00, one in the amount of $83.00 and the third check in the amount of $2.00, which makes the total of $395.00.

Commissioner Schaad moved that the three checks be accepted and signed. Commissioner Willner seconded the motion. So ordered.

RE: TRAVEL REQUEST

The following letter of request was received from the Center Township Assessor:

Honorable County Commissioners:

I hereby request $20.00 per diem which allows for each day of attendance, the instructional sessions of the State Board of Tax Commissioners on June 27, 28 & 29, 1977.

I am also requesting the mileage allowance for traveling to and from French Lick, Indiana, where this session is to be held.

I request these for myself as Assessor of Center Township and also one deputy.

Thank you for your consideration.

Alvin E. Stucki,
Center Twp. Assessor

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

RE: TRAVEL REQUEST

The following letter was received from Charles Osterholt of the Area Plan Commission:

Dear Mr. Ossenberg:

I am requesting permission to attend a seminar of the International Downtown Executive's Association Training School in Cincinnati, Ohio, June 1st. to June 4th. 1977.

The following will be discussed; Urban Economics, Grantsmanship, Developement Strategy & Planning, Organizational Management and Marketing.

I will be traveling by automobile.

Thank you for your consideration on this matter.

Signed, Charles D. Osterholt, Executive Director

Commissioner Ossenberg said this is out of the Area Plan Commission's budget.

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

RE: REIMBURSEMENT REQUESTED

A reimbursement was submitted in the amount of $209.70, that was paid by the National City Bank, through the Vanderburgh County Jail.

County Attorney Wendel said that the National City Bank wants the County to pay him back, that there was a federal prisoner in the County jail in 1974, that had a federal disability check and someone in the jail commissary had him to endorse and then the man at the jail signed it and took it over to the National City Bank, then last year, he filed a claim with the Federal Government, saying that his signature has been forged on that.
He said the Treasury Department made National City Bank pay back the $209.70 to the Federal Government and now that the jail has endorsed it below the prisoner's signature, the County will have to pay the money back to National City Bank.

Mr. John asked who got the money.

County Attorney Wendel said that he didn't know if the Federal Government has collected the money back from him, whether they are still trying to, or whether they are still investigating it, but the County is liable, since we are secondary endorser on it.

Commissioner Willner asked why the Commissioners have to endorse it and County Attorney Wendel said that on the back of the check under the man's name, it reads Jail Commissary and the personnel from the jail got the money.
He said that he had talked to Mr. John about it and he had said if the County had to pay the money back, they would take it out of the Account of Refunds, Awards & Judgements.

County Attorney Wendel said that he would talk to the Sheriff's Department and to the man that signed it and see what he could find out so the matter will be taken up next week.

RE: NEWS RELEASES ON MEETING DATES

Commissioner Ossenberg read the following news release for a matter of record:

The Board of County Commissioners of Vanderburgh County, today, set 9:30 a.m. Tuesday, May 31st. 1977, for a public hearing in the Commissioners Hearing Room, Room 307, Administration Building, Civic Center Complex, on a proposal to spend $113,000.00 of Federal Revenue Sharing Funds, (amount corrected from that stated in last week's minutes) for road repair and improvements.

Any citizen including senior citizens can come and verbally and/or in writing, on the proposal at the hearing. Following the hearing, the Commissioners will then present the original modified proposal to the County Council for consideration at a date to be set by the appropriating body.

Likewise, the Board of County Commissioners of Vanderburgh County, today, set 9:30 a.m. Tuesday, May 31st. 1977, for a public hearing in the Commissioners Hearing Room, Room 307, Administration Building, Civic Center Complex, on a proposal to spend $45,000.00 Federal Revenue Sharing funds for Lease Rental Payment.

Any citizen including senior citizens can come and verbally and/or in writing, on the proposal at the hearing. Following the hearing, the Commissioners will then present the original modified proposal to the County Council for consideration at a date to be set by that appropriating body.

Commissioner Ossenberg said these are under the new federal guidelines. He explained that the $45,000 is money that is budgeted by the County Council but under the new guidelines, Frank Eades came in and informed the Commissioners that they must do this.

Mr. John said that Mr. Eades does not believe that the State Tax Board in Indianapolis is going to pass that $45,000 so they are re-advertising in case they don't. He said this is the County's portion of the budget for the Health Department.

Commissioner Ossenberg said it was explained to the Commissioner's as lease rental.

Mr. John said it really doesn't matter but that it is for the Health Department, which is the County's regular share of 21%.

RE: ABSENTEE REPORT

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

RE: REQUEST TO TRAVEL

Mr. Siebeking said that he would like the permission of the Commissioners to travel to Indianapolis, Indiana, next Wednesday, since Werner-Swazy Corporation is having a Midwest Steel meeting on their new 440 gradall and since this is the only County in the State of Indiana that owns one, they want Mr. Siebeking to come there and to bring an operator with him, that operates the machine, so they can be a part of the program on the new machines.
He said they will be traveling by private car, at no expense to the County, that they are going up Wednesday morning and coming back Wednesday night.
He said he is going to ride up with his son, as well as the operator, since his son must go up that day on business anyway.

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

RE: COMPREHENSIVE ZONING ORDINANCE

An Ordinance Amending Article XXXVIII of the Comprehensive Zoning Ordinance for Vanderburgh County, Indiana, Ordinance Number 1053, as Amended, reads as follows:

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF VANDERBURGH COUNTY as follows to wit:

Section 1. That the Comprehensive Zoning Ordinance for Vanderburgh County, Indiana 1963, that Article XXXVIII be amended to read as follows:

ARTICLE XXXIII VIOLATIONS AND PENALTIES

Any person, firm or corporation, or anyone acting in behalf thereof who shall violate or fail to comply with any of the provisions of this Ordinance by the erection, construction, enlargement, conversion, moving or maintenance of any building which is continued, operated, or maintained, or land or water used in whole or in part, contrary to any of the provisions of this Ordinance is hereby declared to be in violation of this Ordinance. The County Attorney or an Attorney who has been appointed by the plan commission to represent them, shall, immediately upon any such violation being called to his attention, institute injunction, abatement, or any other appropriate action to prevent, enjoin, abate, or remove such violation. Such action may also be instituted by any property owner who may be especially damaged by any violation of this Ordinance. The remedy provided for herein shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law.

Section 2. This Ordinance shall be in full force and effective from and after its passage by the Board of County Commissioners of Vanderburgh County, State of Indiana.

Mr. Wilson of Area Plan said they want to get the Ordinance amended so that violations can be acted upon, that last year, Judge Lensing allowed Tim Dodd who is the City Attorney, to prosecute all zoning violations and Mr. Dodd is working with Mike Mitchell but Judge Kissinger has altered that policy in any County violation and he wants the County Attorney there or he will dismiss the cases.

Commissioner Schaad moved that the Amendment of the Comprehensive Zoning Ordinance be approved and referred to the Area Plan Commission for third reading, after which it will be returned to the Commissioners for their signatures. Commissioner Willner seconded the motion. So ordered.

RE: ROADS TO BE DELETED FROM COUNTY MAINTENANCE LIST

Mr. Brenner presented a drawing of two of Guthrie May's Subdivisions and said that the Commissioners have accepted these roads for County maintenance and during their road study, they found that the roads were never built and he would like them to be taken off the list of County accepted roads.

Mr. Brenner submitted the following:

Dear Sirs:

The following roads are incompleted or do not exist as of this date:

Incomplete

King's Run: going East from Saratoga Drive is only 25% completed.

Does not exist

Ripplewood Lane: running East & West from Saratoga Drive.

Rockingham Way: running North and South from Pirates Alley to Ripplewood Lane.

Pirates Alley: running East from Saratoga Drive to Rockingham Way.

Foxcroft Way: running East from Saratoga Drive to Rockingham Way.

Printers Alley: running East from Saratoga Drive to Rockingham Way.

You are requested to remove the above roads from the accepted road list.

Sincerely, Robert W. Brenner
Vanderburgh County Surveyor

Commissioner Schaad said if they ever complete Kings Run they will have to come back and ask that it then be accepted.
He moved that these roads be deleted from the list of County accepted roads.
Commissioner Willner seconded the motion. So ordered.

RE: REPORT ON BENDER ROAD BRIDGE

Mr. Brenner said that as the Commissioners know, they have had problems with the Bender Road Bridge, that the County is doing part of the work and they kept it under $5,000.00 so they don't have to advertise.
He said they did solicit three bids, that Key Construction bid $4,390.00, Southwest Engineering bid $2,788.00 and then Deig Brothers came in and was awarded the contract for their bid price of $1,785.00, that he has signed it and the Commissioners signatures were stamped. He also said they have an excellent contract here.

Commissioner Schaad moved that the contract to Deig Brothers be approved, that the Commissioners had their names stamped on it but it wasn't approved in the meeting, so it is being approved at this time. Commissioner Willner seconded the motion. So ordered.

RE: ADLER ROAD BRIDGE

Mr. Brenner said that on the Adler Road Bridge, they are working with Soil Conservation and that it will be done this week.

RE: MT. PLEASANT ROAD...COMPLAINT

Commissioner Willner said he received a call on Mt. Pleasant Road, that it has never been fixed yet either.

Mr. Brenner said this was Staub's project and he can take care of it, that this is the one they sent the Sheriff out on and they have agreed to fix it.

RE: LETTER TO BE SENT TO ALL CONTRACTORS AND UTILITY COMPANIES ON CUTS

Commissioner Willner moved that a letter be sent to all the Contractors and Utility Companies, stating that in the future, the Commissioners will frown on this sort of thing very seriously, also that it is against the state law. Commissioner Schaad seconded the motion. So ordered.

The Commissioners agreed that in the future, private contractors and utility companies that make cuts in county roads will be prosecuted if they do not receive a road cut permit first.

Commissioner Ossenberg said the policy will be effective after the Contractors and Utility Companies have been notified by letter.

RE: ILLEGAL ROAD CUT MADE ON LYNCH ROAD

Mr. Brenner said that on Lynch Road at Oak Hill, where they are putting in the bank,

they made a big road cut across the road, no request, no nothing, that he does have the law on his side, that he talked to Charles Saletta, the architect, who said they didn't do it, but that it runs right into the sewer line.
He said this is a misdemeanor and carries a fine up to $1,000 for cutting a County road and if the Commissioners are in accord, he will pursue it.

Commissioner Ossenberg asked Mr. Brenner if he knew who did it and Mr. Brenner said he thought the Sewer Department did it but he wasn't really sure, that the construction people said there was a sewer line in it and the architect said they didn't do it.
He said they must find out who did it and make them come in and take care of it, since if they don't, they will have no way of making them fix it.

Commissioner Ossenberg said he thought the letter to be sent to all contractors and the utilities will take care of this and he thought their recourse is to go from now, forward, on any of this sort of thing.
He said the letter will be sent from the Commissioners office and he asked Mr. Brenner to get him a list of the contractors and others to which the letter should be sent.

RE: ST. GEORGE AND OAK HILL ROAD INTERSECTION ...ADVERTISING APPROVED

Mr. Brenner said he had received permission from the Commissioners to advertise for the widening and new culvert on St. George and Oak Hill Roads but it wasn't done at a regular meeting and he wondered if the Commissioners wanted to mention it.

Commissioner Ossenberg said he thought it should be in the minutes and he asked Mr. Brenner when he advertised for bids.

Mr. Brenner said that bids were advertised for on May 21st and will be advertised again on May 28th. with the bids to be opened on May 31st.

Commissioner Schaad moved that the advertising for bids be officially approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

Mr. Brenner submitted a claim from James and Martha Rode for right of way on St. George Road and Oah Hill, Acct. No. 203-3841, in the amount of $154.30.
He said they didn't use a right of way buyer for this project.

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

A claim was also submitted from Raymond and Dorothy Schmitt for this project, in the amount of $64.80.

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

Mr. Brenner said that in order to finish this up, he took the deeds to the Recorder's office to have them recorded and they told him he had to pay $6.00 or so to have this done and he wouldn't do it, so he went back and read the statute and found that if any officeholder doesn't want to pay these costs, they can submit a petition to the Circuit Court Judge, which he did, to waive any further payment of recording fees from the County Commissioners or the Surveyors office for recording instruments in the County's favor.
He said he didn't think they should have to go through all this paper work just to record a document.

A claim was submitted by G. H. Allen, Inc. on Acct. # 203-2250, Structures # 44A, 94, 98A, Schutte and Kansas, in the amount of $23,903.33 which was approved and signed by Mr. Stephen, the County Engineer.

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

Mr. Brenner said that G. H. Allen is about 80% complete on these five projects.

RE: BOONVILLE NEW HARMONY ROAD

Mr. Brenner reported that on the Boonville-New Harmony Road, they have it torn up right now at Kansas Road, that they do have a problem here, that they have come to it, the last of the six jobs and they don't have the right of way for him yet and he thought that if G. H. Allen has to take his equipment back to Vincennes, they will have a problem with him.

He said that Dan Riddle is the right of way buyer and he just hasn't gotten around to it and as of today, he has contacted Mr. Stahl which is who we have to buy the right of way from.

Commissioner said he would make a call to Mr. Riddle on this matter and Mr. Brenner said he would appreciate it.

RE: DRIVEWAY ON DARMSTADT ROAD

Mr. Brenner said they had previously had a rezoning and they required a gentleman on Darmstadt Road to close a driveway, that they gave him 90 days until June 1st., that it isn't done, in fact, they have opened another driveway.

Commissioner Willner said they have closed both the driveway's and put a new one right in the center and thought that they should have Area Plan look at it.

Commissioner Ossenberg said he wasn't at the meeting when this was discussed, so he really didn't know what happened.

Mr. Brenner said they had a driveway on a curve and the rezoning was approved, but on condition of the permit, they requested that he close one driveway and he was to leave the other one open, but now he has one between them which is still on the curve, which defeated the purpose of what was required.

Commissioner Ossenberg asked Mr. Osterholt of Area Plan to investigate this matter.

RE: OUTER LINCOLN AVENUE

Commissioner Schaad asked Mr. Brenner if anything was being done on that short section of road on Outer Lincoln Avenue that Mr. Stahl talked about a couple of weeks ago. He said that the road is wide in Warrick County and in the City but that there is just a short section that belongs to the County and it is very narrow, that this was looked into some time ago and something needs to be done and he thought that the plans may have been prepared for it.

Mr. Brenner said he would look at it to see what needs to be done.

Mr. Lochmueller said he drove it Sunday, that he wasn't sure they would even have to widen the shoulders, that what it really needs is to be resurfaced.

RE: MR. LOCHMUELLER'S REPORT ON MEETING

Mr. Lochmueller said that he, Mr. Hinton and Mr. Franklin went to Indianapolis on the Environmental Review and they talked about St. Joe & Meier Roads, also about Boonville-New Harmony and both of these fell under what they call non-major actions at this point and this is the way they will be writing the statement which should be rather quick and in the meantime, they do need, from the County Engineer's office, the exact information on the right of way, that they ran into this problem in Indianapolis since they wanted to know if they had the right of way for Boonville-New Harmony, for those two culverts, so he would hope they get this information plus the information on the right of way for St. Joe and Meier Roads.
He said this was really the key question at the meeting, that they also discussed two City projects that could affect County work and these are on Ohio Street and on Green River Road, inside the City, also that they went down to see the programming of St. Joe Avenue, that they have been concerned about federal funding, that last year, they turned in and requested for 1977, more projects than they had money available for and maybe they will get in on the windfall of money that can occasionally come down, that apparently there is a transitional quarter that is taking place the fiscal year of July 1 to October 1 and the St. Joe project was showing some $1,200,000 and he was told that the programming by the Indiana state highway Commission is stating that they will give us transitional quarterly money, that it isn't Federal aid Urban money, that it is monies that the state had been spending on their projects so it looks like we are getting a windfall of $1,200,000.
He said that in the meantime, they have been having the field inspection with the Engineers and apparently there aren't a lot of revisions taking place so a public hearing could be taking place on St. Joe rather shortly and they could be letting the contract late this year and possibly start on the construction early next year.

RE: LYNCH ROAD

Mr. Lochmueller said that a field inspection on Lynch Road is scheduled for June 8th. so it would be good if the Commissioners had the County Engineer there.

Commissioner Schaad said that for a long time the County didn't have an engineer,

per se and now we do have one and they wanted our County Engineer to look over the details of the plans on both, the Lynch Road and St. Joe projects.

Mr. Lochmueller said that he was told that the man from the state has about 100 jobs that he has looked over the state of Indiana and he thought that the County or City that is participating in that project, that their Engineer should look at the project first and have it reviewed and then maybe submit the notes and his concern was that Lynch Road should be looked at by the County Engineer so he should get with Engineer Associates before June 8th.

Mr. Brenner said he didn't really want to participate on Lynch Road, that there is a good question of whether it will be funded or not by the Council and they just don't have the time to do it.

RE: OHIO STREET BRIDGE

Commissioner Ossenberg asked Mr. Lochmueller if he has been at any of the Board of Public Works meetings and if anything has been brought up from his letter in regard to Ohio Street.

Mr. Lochmueller said that nothing official has been brought up, but they are trying ro resolve it and are considering a short-range proposal.

Mr. Brenner said he hasn't heard anything on it either.

Commissioner Ossenberg said this had been discussed, that they are talking about re-aligning this street and he wondered why the County should spend some $80,000 on that old bridge if they are going to have a new bridge in three or four years.

RE: LYNCH ROAD...CON'T.

Commissioner Ossenberg asked what would happen to the money they have spent on Lynch Road if they don't build Lynch Road.

Mr. Lochmueller said that the federal monies would have to be paid back, that the check they received from the Federal Highway Administration would have to be paid back to them, that the County Council would have to go back and appropriate the money.

Mr. Hinton said that after the County has billed for the first time, any money they have received then, would have to be paid back to the Federal Highway Administration, that if they have a federal project and haven't billed for it, the money just stays there, but the County has billed for the engineering.

Commissioner Willner said he is really interested in seeing what is going to happen to the City as far as the boundary line is concerned before they go any further.

Mr. Lochmueller asked Commissioner Willner if he is saying that they should drop the project and Commissioner Willner said "no" not yet, that it should be co-ordinated with the City

Mr. Lochmueller said they have a field inspection coming up and they have requested that the local people review the drawings and if we don't show any interest in reviewing the drawings, is that in essence saying that we want to drop the project, because he will be questioned, that they hit him pretty hard on this, that it is up to the Commissioners as to what they want.

Commissioner Ossenberg said he didn't want to drop the project.

Mr. Lochmueller said then, that someone should review the drawings.

Commissioner Willner asked if Lynch Road is included in the annexation.

Mr. Lochmueller said he didn't know, that he knew nothing about the annexation.

Commissioner Ossenberg said if they were going to wait for that, they would be waiting for from six to eight years, that there will be class action suits and everything else will set up that Melody Hills has already begun to form to file law suits.

Commissioner Willner wondered if Melody Hills isn't on a deal where they can't stop the City from annexing them because of their deed or something, that he understood from Lensing that there is a restriction in their deeds to keep them from filing law suits because of the City sewer.

Commissioner Ossenberg said he thought they should have someone there on June 8th. because they don't want to totally abandon the proposal and if no one is there,

they might take the attitude that it looks as though we are going to abandon it.

Commissioner Schaad moved that Louis Stephen be at the field inspection to be held on June 8th. on Lynch Road. Commissioner Ossenberg seconded the motion. So ordered.

Mr. Lochmueller said the drawings should be reviewed before the meeting.

Commissioner Schaad said they have come this far and don't know where they are going, that they just can't back off now, the way he looks at it, regardless of what annexation does, that this money has been stuck into it and in good faith, he thought they need it and that we should have it, that Bob went along with it up to this point and if he is going to back off, he didn't think this to be the time to do it.

Mr. Brenner said he has no objection of going on a field but they aren't going through a detailed review of their engineering, that this is what he really wants and they are going to kill every other project they have.

Commissioner Ossenberg asked Mr. Lochmueller what the detail would be and Mr. Lochmueller said they would go in and go over the drawings and review them in detail sheet by sheet to see that they conform to state standards and to have a good idea of the design and plans to see if it really meets the needs.
He said he has been told that the state goes over them in great detail and that they are having some questions on the drainage, and he thought the questions should be answered if they are going through with it and the local Engineer should review the drawings.

Mr. Brenner said he would not do it and if everything is correct, they are going to do it in detail, that they are going to do it one way or the other and if they could do it in 30 days he would be amazed.

Commissioner Schaad moved that Mr. Stephen get together with Engineer Associates so he can see what is necessary and get on top of it so he will be knowledgeable when he goes out to the field check and can talk intelligently about it. Commissioner Ossenberg seconded the motion. So ordered.

RE: FULTON AVENUE

Mr. Lochmueller said that the City is in the process of starting engineering on Fulton Avenue for the approaches, that the County will do the engineering on the bridge, that the federal money has been approved and the local match by the City is in and the only match they don't have is that of the County, which he thought to be around $16,000 and when the match is put in for the engineering, it will go down to the Auditor's office and Mr. Brenner could start the engineering and then bill for it when the money is available.
He said there is money that has been approved, federally, for that project and the procedure the City and County has been using is to put the cumulative bridge money in that specific account and they only have the 30%, that they should bill every month and then if they get low they can request the money.

Commissioner Schaad said they will have to go to Council for an approval of the $16,000 from the Cumulative Bridge Fund for our matching funds.

Mr. Lochmueller said he would get with Mr. Brenner in order to get on the July Council call.

RE: SALE DATE SET FOR BOEHNE AND PLEASANTVIEW

County Attorney Wendel said he has the Notice for the sales to be published on the Boehne and Pleasantview properties, that the only difference on Boehne is the provision where someone wants to inspect the property, they may also make an appointment with Herman Hotz as well as with Curran Miller Auction & Realty Co.
The sale will be on June 17th beginning at 10:00 a.m. D.D.T.
Sealed bids will be received in the Auditor's office until June 15th. 1977 at 4:00 p.m. C.D.T.
The Commissioners and the County Council reserve the right to take the highest bid of each bidder under advisement for a period of at least 14 days from the date of public auction and bid opening before rejecting or accepting any said bids.
The check of the bidder whose bid is accepted will be forfeited by said bidder in the event said bidder fails to sign a lease agreement or lease-purchase agreement amd make the first rent payment or fails to purchase within 7 days of notice of bid acceptance.
Vanderburgh County shall be responsible for insurance and maintenance costs occurring up to the time of the date of possession of the successful bidder which will be 7 days from notification of bid acceptance, if all other terms of these specifications are met; the successful bidder will be responsible for all insurance and maintenance costs incurred thereafter.

Commissioner Schaad moved that the Notice for the sale of Boehne be approved and that the Auditor be authorized to advertise the sale on May 26th, June 2nd, 9th, and 16th. 1977. Commissioner Willner seconded the motion. So ordered.

County Attorney Wendel said that on the Notice for the sale of Pleasantview he made the same change in it as to if anyone wants to inspect it, they may make an appointment with Herman Hotz, the Superintendent of County Buildings, or Curran Miller Auction & Realty Co., that also on the copy of this notice he submitted last week, he, by mistake, put in that Pleasantview could be rezoned as multi-residential and he put it back to Nursing Home.
The sale will be on June 17th beginning at 2:00 p.m. C.D.T.
Sealed bids will be received in the office of the County Auditor until the 15th day of June, 1977, at 4:00 p.m. C.D.T.
The Commissioners and the County Council reserve the right to take the highest bid of each bidder under advisement for a period of at least 14 days from the date of public auction and bid opening before rejecting or accepting any said bids.
The check of the bidder whose bid is accepted will be forfeited by said bidder in the event said bidder fails to sign a lease agreement or lease-purchase agreemetn amd make the first rent payment or fails to purchase within 7 days of notice of bid acceptance.
Vanderburgh County shall be responsible for insurance and maintenance costs occurring up to the time of the date of possession of the successful bidder which will be 7 days from notification of bid acceptance, if all other terms of these specifications are met; the successful bidder will be responsible for all insurance and maintenance costs incurred thereafter.

Commissioner Schaad moved that the Notice for the sale of Pleasantview be approved and that the Auditor be authorized to advertise the sale on May 26th, June 2nd, 9th, and 16th. 1977. Commissioner Willner seconded the motion. So ordered.

RE: SUIT FILED BY KEY FORD

Mr. John said that Key Ford is suing the Township Assessor, the County Auditor, the County Treasurer, the County Assessor, the Board of Review and the State of Indiana. He said that he suggested to them that they contact the State Tax Board since they are contesting whether it is legal or not to put a personal property assessment on automobiles since they claim it is double taxation, that when an individual goes out and buys a car, they go out and pay excise tax on the car also.
He said he was sure that the State Tax Board will be represented at the meeting and maybe there will be something to work out on it.

County Attorney Smith asked if the state would appear for all of them and Mr. John said yes.

Mr. John said it would be a good idea to call Carlton Phillippi or Gordon McIntire.

County Attorney Smith said he would check with them.

RE: ORDINANCE TO BE PREPARED

Attorney Smith said he was asked to look into the C.I.C. account similar to that of the City, that he has checked Burns Statute and thought it applied to only Cities and Towns.

Commissioner Ossenberg wondered if they couldn't set up an account like that under the Home Rule.
He said the money would come from Pleasantview and Boehne and he would rather set up a C.I.C. account instead of putting it in the General Fund.

County Attorney Smith said his opinion is that they could have the same authority and he would draw up a resolution, following the same format for the County that the City is using and he will have it ready for the Commissioners next week.

RE: AUTHORIZATION TO OPEN BID ON LOG JAM

The County Attorneys were authorized to proceed with the opening of the bid that was received for the Removal of the Log Jam in Pigeon Creek.

RE: PROGRESS REPORT ON LIST OF ROADS TO BE REPAIRED

Commissioner Schaad asked Mr. Brenner how he was coming along with the list of County roads they are going to improve, patch, repave or resurface, as to their priority.

Mr. Brenner said they are doing well in preparing the priority list.

RE: BID OPENED FOR REMOVAL OF LOG JAM

Mr. Brenner said he received only one bid for the removal of the log jam over Pigeon Creek and that is from Floyd I. Staub, Inc.

County Attorney Wendel said that the bid is in proper form, that Staub has one bid with the County burning the logs, at $6,400 and if they burn the logs, the bid price is $8,150, so they are charging $1,750 to burn the logs.

Mr. Brenner said that Staub gave an original estimate price of $5,600, that he had three people look at it but only got the one bid and he only got $5,600 from the Council.

Commissioner Ossenberg asked Mr. Brenner if he has the facilities to burn the logs and Mr. Brenner said they have.

There was discussion of where they could get the extra $800.00 to have the logs removed and Mr. John said this is under the Commissioners budget and there is an account where they could transfer the money and then if they ran short in the account they take the money from they could then go back to Council.

Commissioner Ossenberg asked Mr. Brenner to work with Mr. John and if he can find some place to take the money from, he has the approval of the Commissioners to go ahead and let Staub remove the log jam and the County can burn the logs.

Commissioner Willner moved that if Mr. John can find an account where the $800 can be transferred from, that the Commissioners approve Staub's bid of $6,400.00. Commissioner Ossenberg seconded the motion. So ordered.

The meeting recessed at 10:45 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg	Curt John	Ed Smith Jr.
Bob Schaad		Paul Wendel
Robert L. Willner		

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MAY 31, 1977

The meeting of the County Commissioners was held on Tuesday, May 31st. 1977, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

There were no bids submitted on the County-owned Surplus Property today. The sale will continue next week.

RE: AUTHORIZATION TO OPEN BID

The County Attorneys were authorized to proceed with the opening of the bid that was received for the St. George and Oakhill Road Intersection Improvements.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AREA PLAN COMMISSION

Lance A. Lothamer	1908 Waggoner	Drafting Technician	$7,350 Yr.	Eff: 5/30/77

BOARD OF REVIEW

Lisa M. Deering	616 College Hwy.	Clerk	$20.00 Day	Eff: 5/23/77
Nancee L. Scheible	532 E. Meade Dr.	Clerk	$20.00 Day	Eff: 5/23/77

LURDETTE PARK

Jean Griffin	4518 Tremont Rd.	Life Guard	$23.00 Day	Eff: 5/3/77
Dean Hart	726 Plaza Dr.	Life Guard	$23.00 Day	Eff: 5/3/77
Judy Oberhausen	4218 Tremont Rd.	Life Guard	$23.00 Day	Eff: 5/3/77
Janet Hudson	4240 Bellemeade	Pool Cashier	$ 3.00 Hr.	Eff: 5/3/77
Mike Ginger	1419 Hillside Terr.	Life Guard	$24.00 Day	Eff: 5/3/77
Sharra Gourley	322 Shamrock Ct.	Life Guard	$24.00 Day	Eff: 5/3/77
Anne Ensner	5338 Nottingham	Life Guard	$23.00 Day	Eff: 5/3/77
Robin Winstead	4801 Hogue Rd.	Life Guard	$23.00 Day	Eff: 5/3/77
Debbie Erwin	601 Colonial Ave.	Life Guard	$23.00 Day	Eff: 5/3/77
David Schuler	100 S. Ruston Ave.	Life Guard	$23.00 Day	Eff: 5/3/77
Keith Milling	1900 E. Michigan	Life Guard	$23.00 Day	Eff: 5/3/77
Barb Koressel	1719 Conlin Ave.	Life Guard	$23.00 Day	Eff: 5/3/77
Susan Buthod	703 S. Willow Rd.	Life Guard	$23.00 Day	Eff: 5/3/77
Jennifer Oberhausen	4218 Tremont Rd.	Life Guard	$23.00 Day	Eff: 5/3/77
John Lawson	6711 Hogue Rd.	Life Guard	$23.00 Day	Eff: 5/3/77
Julie Hudson	4240 Bellemeade	Life Guard	$23.00 Day	Eff: 5/3/77
Martha Riffle	205 S. St. James	Life Guard	$20.00 Day	Eff: 5/3/77
Kim Knapp	3407 Sweetser Ave.	Life Guard	$20.00 Day	Eff: 5/3/77
Sally Tuholski	6213 Newburgh Rd.	Life Guard	$23.00 Day	Eff: 5/3/77
Cindy Peter	9613 Petersburg Rd.	Life Guard	$23.00 Day	Eff: 5/3/77
Carol Hewig	2640 N. Heidelbach	Manager	$27.00 Day	Eff: 5/21/77
David Waltz	5710 Hogue Rd.	Head Guard	$24.00 Day	Eff: 5/21/77
Scott Maley	6314 Hogue Rd.	Head Guard	$24.00 Day	Eff: 5/21/77
Spencer Evans	1369 Chandler Ave.	Life Guard	$20.00 Day	Eff: 5/21/77
John Vorhees	2166 Adams Ave.	Life Guard	$23.00 Day	Eff: 5/21/77
David Hunter	1729 Ewing	Rink Guard	$3.00 Hr.	Eff: 5/21/77
Anita Glover	802 Line St.	Ground Crew	$3.00 Hr.	Eff: 5/23/77

CIRCUIT COURT

Harris Howerton	1707 S. Vann Ave.	Bail Bond Interv.	$3.00 Hr.	Eff: 5/7/77
David Hatfield	632 S. Willow Rd.	Bailiff	$4.00 Hr.	Eff: 5/11/77

COOPERATIVE EXTENSION SERVICE

Julie A. Schmidt	9304 Damstadt Rd.	Pt. Time Office help	$2.40 Hr.	Eff: 5/9/77

KNIGHT TOWNSHIP ASSESSOR

Linda Gehlhausen	308 S. Frederick	Pt. Time Deputy	$20.00 Day	Eff: 5/16/77

APPOINTMENTS.....CON'T.

PIGEON TOWNSHIP ASSESSOR

Joane Greer	817 John St.	Clerk	$6,635.00 Yr.	Eff: 5/23/77

VANDERBURGH AUDITORIUM

Paul Bronaugh	712 Line St.	Maintenance	$2.50 Hr.	Eff: 5/19/77
Scott Grubb	720 S. Meadow Rd.	Maintenance	$2.50 Hr.	Eff: 5/24/77

RE: EMPLOYMENT CHANGES.....RELEASES

AREA PLAN COMMISSION

Elizabeth Anderson	1901 Audubon Dr.	Drafting Tech.	$7,350.00 Yr.	Eff: 5/27/77

BURDETTE PARK

Carol Hewig	2640 N. Heidelbach	Ground Crew	$3.00 Hr.	Eff: 5/21/77
David Waltz	5701 Hogue Rd.	Ground Crew	$3.00 Hr.	Eff: 5/21/77
Scott Maley	6314 Hogue Rd.	Ground Crew	$3.00 Hr.	Eff: 5/21/77
Spencer Evans	1369 Chandler Ave.	Ground Crew	$3.00 Hr.	Eff: 5/21/77
John Vorhees	2166 Adams Ave.	Ground Crew	$3.00 Hr.	Eff: 5/21/77

CIRCUIT COURT

David Elmeier	1824 Cass Ave.	Bail Bond Interviewer	$3.00 Hr.	Eff: 5/20/77
Marguerite Harding	1509 Lincoln Ave.	Grand Jury Reporter	$200.00 Pay	Eff: 6/4/77
David Hatfield	632 S. Willow Rd.	Bailiff	$3.00 Hr.	Eff: 5/12/77

VANDERBURGH AUDITORIUM

Patrick K. Conner	1120 Bookside Dr.	Maintenance	$3.00 Hr.	Eff: 5/16/77

Commissioner Willner moved that the Commissioners dispense with the reading of the appointments and releases at Burdette Park, but that they be incorporated into the minutes of this meeting. Commissioner Schaad seconded the motion. So ordered

RE: ALEXANDER LEICH.....CONRAD BAKER FOUNDATION

This matter was to be taken up today but Commissioner Schaad said that Mr. Leich called him too late for it to be taken off the agenda, that he would like for it to be postponed for one week, since it will take the extra time to prepare it. This matter will be taken up next week.

RE: CHECK RECEIVED

A check was received by the Vanderburgh County Commissioners in the amount of $2,385.00, which is for the Support Program Reimbursement, from the Prosecutors office.

Commissioner Schaad moved that the check be signed and accepted. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BID.....ST. GEORGE & OAK HILL RD. INTERSECTION IMPROVEMENT

County Attorney Smith said there was only one bid received for the Intersection Improvement at St. George and Oak Hill Road and that was from Feigel Construction Corp. in the amount of $26,224.30.
The Engineer's estimate was $25,000.00.

Commissioner Schaad moved that the bid be referred to the County Highway Engineer for study and advisement. Commissioner Willner seconded the motion. So ordered.

Mr. Brenner said he would take the bid to the County Engineer immediately so some action can be taken up later in this meeting.

RE: CONTRACT AWARDED....LOG JAM OVER PIGEON CREEK

Mr. Brenner said that the only bid received last week on this project was from Floyd I. Staub and it was $800.00 more than the engineer's estimate, also $800.00 more than the amount they had appropriated, and it was decided they would award the contract to

Staub if they could find the funds to make up the difference but they couldn't. He said that in the meantime, they acquired a bid from G & N General Construction which was in the amount of $4,975.00 which includes the burning of the logs and is also under the $5,000.00 maximum limit where they have to bid for a public works contract. He said he cleared this with the State Board of Accounts, so they do have an acceptable bid here and he does have a bond and is insured.

Commissioner Schaad moved that the bid of Floyd I. Staub be rejected and that the contract be awarded to G & N General Construction Co. on the recommendation of Mr. Brenner, subject to a new bond being issued. Commissioner Willner seconded the motion. So ordered.

County Attorney Wendel said there is a conflict on whether the limit before they have to take bids is $2,000 or $5,000. He said he has a statute that says 5,000 and the State Board of Accounts statute says $2,000 and the State Board of Accounts says $5,000.

Mr. Brenner said if this is true, he is already in deep trouble since he has already rebuilt two bridges for something like $4,800.00 each, without bidding them, with their approval.

Commissioner Schaad said the Commissioners were always under the impression that it was less than $5,000 and not $2,000.00.

RE: REPORT ON BOEHNE & PLEASANTVIEW FUNDS RESOLUTION

County Attorney Smith submitted a proposed Resolution which is tailored after the comparable Resolution that is in the process of being enacted by the City which is the direct statutory authority for the enactment of such a Resolution by the City but not as far as the County was concerned, so he is taking the position that the County will be given the authority to adopt such a Resolution, so he submitted the Proposed Resolution at this time to submit to the State Board of Accounts for approval.
The Proposed Resolution to establish a Cumulative Capital Improvement Fund Pursuant to IC 17-2-2.5-1 through IC 17-2-2.5-8 reads as follows:

BE IT RESOLVED BY THE COUNTY COMMISSIONERS of Vanderburgh County, Indiana, that it is deemed desirable and necessary to proceed with the proposed plan to establish a Cumulative Capital Improvement Fund for the following purposes:

1. To purchase, build, construct, equip, and maintain buildings for county purposes;
2. To acquire land and improvements for the construction of county buildings;
3. To acquire land or right of way to use for streets, roads, or sidewalks, and for access to any county buildings;
4. The acquisition of property or rights of way for the construction of public ways;
5. For the maintenance of public ways;
6. Acquisition and maintenance of sewers;
7. Acquisition, lease, or partial acquisition of a utility;
8. Acquisition of buildings, property, or right of way for the use of the utility;
9. The purchase, or lease, of motor vehicles for the use of the sheriff department;
10. For the retirement in whole or in part of any general obligation bonds of the County issued for any of the preceding purposes;
11. For any other purposes permitted under the terms of IC 17-2-2.5-1 through IC 17-2-2.5-8.

BE IT ALSO RESOLVED by the County Commissioners of Vanderburgh County that said Fund shall be funded by, through, and from the net money proceeds realized from the sale of Pleasant View Rest Home property, 700 Senate Avenue, Evansville, Indiana, and the Boehne Camp property located off of Upper Mount Vernon Road, Vanderburgh County, Indiana, and that such Fund shall be under the control and supervision of the County Commissioners of Vanderburgh County who shall have the authority and powers to determine for what purpose such funds shall be used, and to make the necessary appropriations therefrom pursuant to law.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be submitted to the State Board of Tax Commissioners of the State of Indiana, as provided by law.

Commissioner Ossenberg said that under the Home Rule Bill, the Commissioners are attempting to set up a C.I.C. Improvement which would take this money and rather than put it back in the County General Fund, would specifically put monies into a separate account, where this money wouldn't just be spent because they have an x number of dollars.

He said he thought that Ms. Mooney, a member of the County Council, had indicated that night of the first public hearing, that if some type of account could be set up in County Government such as in City Government has, that this money wouldn't be foolishly spent, therefore, they are going to submit this Resolution to the State Board of Accounts and let them tell us, under the Home Rule Bill, whether it is permissable or not.

Commissioner Schaad asked if the interest from the money would be put in the General Fund.

Commissioner Ossenberg said that it should be accumulated in this particular fund.

County Attorney Smith said it isn't spelled out here but he would assume this, however, the State Board of Accounts will probably give them some information on it.

Mr. John said the new Jack Pot Law allows the Treasurer to invest all funds on hand and put the interest in the General Fund if they want to.

Commissioner Ossenberg then asked if the Treasurer can supersede and take a C.I.C. account and Mr. John said they could ask him to invest that money.

Commissioner Schaad moved that this Resolution be submitted to the State Board of Accounts for their approval. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM THE AUDITORIUM ON PARKING

Mr. Fred Dewes, the manager of the Auditorium issued the following statement of policy for parking at the Auditorium:

During the past winter and spring months, the parking situation at the Walnut Street entrance to the Auditorium has presented a number of problems.

Two automobiles have been damaged by unknown drivers.

Three automobiles have been struck by westbound traffic while backing onto Walnut St.

Parking two and three deep has resulted in delays and inconvenience to drivers desiring to leave.

These are but a few of the complaints being reported to the manager's office. In every case the Auditorium (the management) is being blamed. We have previously requested that parking be restricted to those with service delibery business. This was ignored.

Effective May 28, 1977 parking on the Walnut Street side of the Auditorium will be limited to:

SERVICE VEHICLES This includes Catering Delivery or mobile kitchen units, water conditioning service, air conditioning and heating service, plumbing service, electrical service, etc.

DELIVERY VEHICLES This includes truck line vehicles, show transport units, U P S, band trucks and trailers, decorating vehicles, etc.

Once loaded or unloaded, delivery and service vehicles are to be moved from the area.

Catering service vehicles will be permitted parking for a reasonable period of time before and after the meal being catered. ALL catering employees should seek parking on the Auditorium lot, the public parking lot or elsewhere.

All delivery vehicles are requested to contact the office for admission to the delivery and receiving area.

Parking on the sidewalk is a violation of city ordinance.

Vehicles in this area will be towed away at the owner's expense.

A chain barrier will be placed along the restricted area.

The shaded area on the diagram designates the NO PARKING zone. The area immediately in front of the exit doors is a Fire Lane and restricted to all blockage.

We are asking your cooperation in this matter. Please do not ask for exceptions.

RE: LETTER FROM TB CONTROL OFFICER

Re: Rachel A. Greenwell, DOB 4/1/31
1101 Chestnut Street
Evansville, Indiana

Commissioner Ossenberg received the following letter from the Vanderburgh County T.B. Control Officer:

Dear Mr. Ossenberg:

The above referenced individual was admitted to Deaconess Hospital under the care of Dr. C. L. Patterson with the possible diagnosis of active pulmonary tuberculosis with effusion on March 15, 1977.

This individual is a Vanderburgh County resident and totally indigent. An application for Medicaid is pending, but if the application is rejected the patient has no possible resources for these medical expenses.

If there are any questions, please feel free to call me.

Sincerely, Mildred M. Knodel, R.N.
Vanderburgh County T.B. Control Officer

Commissioner Ossenberg said this is required by law and that Dr. Leich came before the Commissioners some time ago and said that Deaconess Hospital would take the patients now, since the T.B. portion of the hospital in Vincennes is no longer in operation.

Commissioner Schaad moved that if it becomes necessary, the County will pay the medical expenses for Ms. Rachel A. Greenwell. Commissioner Ossenberg seconded the motion. So ordered.

RE: REQUEST TO TRAVEL.....MR. GEHLHAUSEN

The following letter of request was received by the Commissioners from Mr. Roman Gehlhausen, the Knight Township Assessor:

Dear Sirs:

I respectfully submit this request for travel for myself and deputy to attend the 2nd Annual Indiana Assessors School which will be held June 26-29, 1977, at French Lick, Indiana. We will both be going by car.
The State Board of Tax Commissioners has agreed to order all Township Assessors to the School and will approve per diem for both.
Your favorable consideration to the above will be appreciated.

Sincerely, Roman J. Gehlhausen,
Kinght Township Assessor

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

RE: REQUEST TO TRAVEL.....MR. DORSEY

The following letter of request was received from Mr. Robert Dorsey, the Pigeon Township Assessor:

Gentlemen:

I hereby submit this letter to request permission and approval for myself and my Deputy to attend the Indiana Tax Assessor's School to be held at the French Lick Sheraton Hotel on June 27, 28, and 29.
Both myself and my Deputy will be driving to and from the convention.

Sincerely yours, Robert T. Dorsey,
Pigeon Township Assessor

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

RE: TELEPHONE REQUEST.....SUPERIOR COURT

Commissioner Ossenberg received the following letter of request from Mr. O'Connor of the Vanderburgh Superior Court:

Dear Mr. Ossenberg:

We would like to request that a telephone be installed in the Computer Room, Room 200 B, Vanderburgh County Courts Building.

The telephone will need a cord approximately twenty to twenty-five feet. That is, the cord connecting the phone to the plug-in.

It would be appreciated if this matter could be placed on Monday's agenda.

Very truly yours, Maurice C. O'Connor
Court Administrator

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

RE: MR. LOCHMUELLER.....PROPOSED ANNUAL ELEMENT

Mr. Lochmueller, the Director of the Evansville Urban Transportation Study, submitted the following letter:

Dear Members:

Please find enclosed the proposed Annual Element for the Evansville Urban Area. The Annual Element is comprised of all transportation projects in Evansville, Vanderburgh County, Newburgh, and Ohio Township of Warrick County which require federal funding. It is required by federal regulation that any project for which a local or state agency requests federal financing be included in the Annual Element if any work is to proceed on that project. Therefore, it is important that you scrutinize this Element to ensure that it reflects your wishes as an elected official.

All figures enclosed are the most recent cost estimates available. From the form you should be able to examine the costs, proposed financing, and stage of work to be undertaken for projects in your jurisdiction.

I will be coming before your board or council at its next meeting to discuss the details of the program and to, hopefully, receive your approval of this Annual Element.

If you are having difficulties or need additional information, please contact me so that I can lend further assistance.

Sincerely yours, Keith Lochmueller,
Director

Mr. Lochmueller had submitted copies of the Annual Element and said they are at the time of year again, where if they are going to spend any federal money, they have to have an approved Annual Element by July 1st. meaning that any job that is in there has to be initiated by the proper officials, that they have the five-year plan but the Commissioners have to initiate the jobs for a particular year.
He then explained the details of the program and the various proposed jobs that involve Vanderburgh County.
He said the first phase being the project and programming of what is going to take place that year and the funding after the approval of the Annual Element, that the next phase would be the actual financial ordinance and how it will be financed, etc.
He said that the first project that Vanderburgh County will be involved in would be Ohio Street, that at this point, he knew the Commissioners sent a letter to the City but they still want this job in the Annual Element and if at a later date they decide not to go this route, they can pull it out.

Commissioner Ossenberg said he hasn't heard anything from the City as yet, that he did ask the City what they intend to do, but he agreed that the engineering should stay in there for federal monies but he will continue to pursue it with the City, since the County doesn't want to spend nearly $100,000 to repair a bridge and then four years later, have the bridge torn out.

Mr. Lochmueller then explained the proposed financing for the other proposed projects, a copy of which is on file in the County Auditor's office.

Commissioner Schaad then asked Mr. Lochmueller about Red Bank Road.

Mr. Lochmueller said that they haven't started any phase of it but they want to continue to carry it in the Annual Element because they have federal funds that is committed to it, that they don't know the exact corridor but they still want to carry the engineering, that they have $473,200 that is obligated but they do need $202,000 of R & S funds for the local match which could come any time if they moved into that project.

Commissioner Schaad asked when a study would be started on it to try to select a corridor.

Mr. Lochmueller said they are at the stage finally, now since they selected the I-164 corridor, that they will be in Indianapolis in two weeks testing out the Red Bank Road corridor and then they will be coming with a series of other alternatives of which they would like participation by the Council and the Commissioners and they will come back before the Commissioners with results so they are in alternative testing right now.

Commissioner Schaad then moved that the Annual Element be approved.

Commissioner Willner asked if Red Bank Road had ever been approved by the County Commissioners to be on this program and Mr. Lochmueller said it was on the Annual Element that was approved last year.

Commissioner Willner said he has some problems with it and Mr. Lochmueller said they do too, with the project but they are trying to hold the federal money that has been allocated but could be re-allocated to a different project.

Commissioner Willner seconded the motion. So ordered.

RE: CONTRACT AWARDED.....ST. GEORGE & OAK HILL RD. INTERSECTION

Mr. Brenner arpeared and said that the bid from Feigel Construction for the St. George Rd. and Oak Hill Road Intersection Improvements has been checked out and found to be satisfactory, that the bid is $1,224.30 over the $25,000.00 that was appropriated and they have the extra money in other funds and can transfer it over, which he will take care of by letter.
He recommended that the bid of Feigel be accepted, as is.

Commissioner Schaad moved that Feigel Construction Co. be awarded the contract for the St. George and Oak Hill Road intersection improvement at the bid price of $26,224.30, subject to the $1,224.30 being transferred. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

Mr. Brenner submitted a claim from G.H. Allen Inc. for final payment on the Marx Road Structure #64, BC-9-76, in the amount of $7,469.48. This has been approved by the County Engineer.

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

RE: ROADS TO BE DELETED FROM COUNTY MAINTENANCE LIST

Mr. Brenner submitted the following letter to the Commissioners:

Dear Sirs:

The following roads have been accepted for County maintenance but as of this date they have not been constructed.

Salem Drive: running North from Lincoln Avenue to dead end.
Burlington Drive: running North from Lincoln Avenue to dead end.
Winchester Drive: running North from Lincoln Avenue to dead end.

We request that these roads be removed from the accepted road list.

Sincerely, Robert W. Brenner
Vanderburgh County Surveyor

Commissioner Schaad moved that the above named roads be removed from the list of County accepted roads. Commissioner Willner seconded the motion. So ordered.

RE: CUTS IN

Indiana Bell Telephone Co. requests permission to cut into Trapp Road to bury a telephone wire.

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

The Evansville Indiana Water Department requests permission to make cuts at the following locations:

3101 Koring Road to install 3/4" water service
9501 Darmstadt Road to install 3/4" water service
2500 Anthony Drive to install 3/4" water service
400 East Meade Drive to install 3/4" water service
5601 Hogue Road to install 3/4" water service
1711 Heinlein Road to install 3/4" water service

Commissioner Schaad moved that these six cuts be approved. Commissioner Willner seconded the motion. So ordered.

RE: PROPOSAL FROM WARRICK COUNTY

Mr. Brenner said he did receive a proposal from Warrick County, that they are going to reconstruct Coal Mine Road from St. John Road to the Warrick County line at a cost of $100,000 and they wish for the Commissioners to consider re-building Coal Mine Road all the way to Indiana 57 which is about a half-mile of road.

Mr. Stephen said the road will have to be built for truck traffic.

Commissioner Schaad said it seemed to him if Warrick County is going to spend that kind of money to do it, the Commissioners should co-operate and he asked Mr. Brenner if he had an estimated cost.

Mr. Brenner said just based on their cost, that it would probably cost about $60,000 if they were lucky, that he thought this was a lot of money to spend for a low traffic road.

Commissioner Schaad asked Mr. Brenner if he knew what motivated them to do it.

Mr. Brenner said it was because of the Wasson Coal Company.

Commissioner Ossenberg said that Commissioner Gerhardt stopped him in an Urban Mass Transportation meeting one night and he told Mr. Gerhardt to have their engineer get in touch with our County Engineer, that he didn't know what they were speaking of and whether they would have the money to do it or not.

Mr. Brenner said the coal trucks are now on Seven Hills Road and they want to move to Coal Mine Road.

Commissioner Schaad said that anyone that needs money as badly as we do to repair roads, he couldn't see spending $60,000 for one-half mile of road.

Mr. Brenner told the Commissioners that they could think about it since Warrick County will want an answer.

Commissioner Ossenberg asked Mr. Brenner how Seven Hills Road was holding up and Mr. Brenner said it is holding up well, that they can't even tell where the trucks were on it, since it is a gravel road.

Mr. Brenner said the County does have funds on Coal Mine Road, but they have nothing on Seven Hills Road.
He did say that Seven Hills Road was subject to flooding and Mr. Siebeking dug the ditches out and fixed it quite well.

RE: MARX ROAD BRIDGE

Mr. Brenner said that there is another bridge coming down on Marx Road and he thinks they can replace it with a pipe, that they talked to the farmers out there and evaluated everything including the watershed, so they can do it for less than $6,000, and hopefully, under $5,000, that he has the funds in his repair account.

Mr. Stephen said they would need Mr. Siebeking's help, plus possibly some equipment.

RE: BENDER ROAD

Mr. Brenner said that Bender Road was supposed to have started this morning, that Deig Brothers said they would start on it, so they have advertised and notified the newspapers and the radio stations that the road would be closed.

RE: BRIDGE AT HEDDEN & MILLERSBURG ROADS

Mr. Brenner said there is a bridge right on the corner of Hedden & Millersburg Rd.

where the school buses can't get through, that it has very little water under it and they are going to replace it with a pipe the same way and he would say that it will cost under $3,000.00.

RE: ADLER ROAD

Mr. Brenner said on Adler Road where they put the culvert in, they have one piece of pipe to put in yet and they need dirt to get the crane down where they can lift the thing up.

RE: FRUITT ROAD

Mr. Brenner said this project is very close to the previous one, that Mr. Siebeking has it scheduled and will do it when they can get him out there to dig it, that there is a road ditch that needs digging out and they can get adequate dirt from here to finish the Adler Road job and they will need a priority on that.

RE: INVITATION TO BUSINESS CONFERENCE RECEIVED

Two ladies from David Cornwell's office attended today's meeting and submitted the following letter from the Congressman:

Dear Friend:

I would like to invite you to a small business conference that I am sponsoring on June 15 in Evansville.

The Conference entitled, Getting the Edge In Dealing With The Government, will feature representatives of different Federal and State agencies discussing government procurement and services to small businessmen. Each year, the Federal government spends $60 billion for goods and services. This Conference will show you how to sell effectively to the government so that you can compete for government procurement.

As a businessman, I am sure you have often have to deal with cumbersome government programs and regulations. Too often adequate information is unavailable about these programs. I have therefore asked that representatives of the Commerce Department, OSHA and the State Insurance Department discuss current rules and regulations in order to illustrate ways to comply with them while minimizing paperwork and problems.

I have enclosed with this letter a sheet detailing the program and participants. If you plan to attend, I would appreciate your enclosing the return card or the bottom of page three with a check for $5.00 to cover the luncheon costs.

Should you have any further questions, please do not hesitate to contact me or Steve Brennan of my staff at our Toll-Free number 1-800-742-3674.

Looking forward to seeing you on June 15, I remain.

Sincerely yours, David L. Cornwell
Member of Congress

Invitation received and posted.

RE: PUBLIC HEARING.....REVENUE SHARING FUNDS

Commissioner Ossenberg said that the new Federal Revenue Sharing guidelines now states that any monies that are spent for any Federal Revenue Sharing projects, publication must be given to various groups, posted in public libraries and given to senior citizens.
He said they have complied to all of this and there is a question of $113,000 that is left in the Federal Revenue Sharing account and the Commissioners propose that the $113,000 be spent for highway improvements.
He asked if there was anyone in the audience that would like to discuss it before he reads a letter from the Southwestern Indiana Regional Council of Aging Inc. which received a copy of all the federal guidelines.
He asked if anyone had any comment on the proposal of the Commissioners $113,000 proposed expenditure.
There wasn't anyone who had anything to say.

Commissioner Ossenberg then read the letter he received from the Southwestern Indiana Regional Council on Aging, Ind., which is as follows:

Dear Mr. Ossenberg:

We wholeheartedly thank you for the opportunity to review and comment on your proposed plans of spending $113,000 of Federal Revenue Sharing Funds for road repair and improvements and an additional $45,000 from the same source for lease rental payments. More likely than not the County Commissioners have thoroughly investigated

the situations mentioned in connection with the needed allocations of $113,000 and $45,000 respectfully, and at this point (for those expenditures) we will put faith in your sound judgement.

We would also like to take this opportunity to request that the County Commissioners look favorably toward providing funds to support direct services for elderly citizens. You could grant funds (Federal Revenue Sharing) to SWIRCA or Vanderbergh County Council on Aging or both. As you may well know, SWIRCA and the Vanderburgh County Council on Aging generate over $700,000 of federal money for support of elderly services, but have had a somewhat difficult task in generating the necessary local match needed in order to earn the right to spend the federal portion. SWIRCA and the various agencies providing services to the elderly (Title VII Nutrition Program, Visiting Nurse Associatio Retired Senior Volunteer Program, Salvation Army, CAPE, Volunteer Action Center, etc.) could easily use $100,000 or more of Federal Revenue Sharing Funds to support some of our existing services.

Thank you for taking the time to give the elderly needs some consideration. We would welcome the opportunity to make a formal request for the use of Federal Revenue Sharing monies for support of services to the elderly of our county. Thank you again.

Sincerely, Robert J. Patrow,
Executive Director

Commissioner Ossenberg said that it looks as though the balance of $113,000 has been endorsed by the Southwestern Indiana Regional Council of Aging, and consequently, in the future, they would like to be considered for Federal Revenue Sharing money.

Commissioner Willner moved that the Commissioners use the $113,000 for road and street repairs. Commissioner Schaad seconded the motion. So ordered.

Commissioner Ossenberg asked Mr. John about the $45,000 they are to have a public meeting on and Mr. John said this is the County's portion of the Health Department's Budget and it will be on the July Council Call.

RE: PUBLIC HEARING.....USE OF BOEHNE PROPERTY

Commissioner Ossenberg said that the state law requires that the Commissioners have a public hearing for both the Pleasantview and the Boehne Camp properties, that they have had a public hearing on the Pleasantview property but they failed to have a public hearing on the use of the Boehne property.
He then asked if anyone in the audience had any comment they would like to render in the use of the Boehne property in the leasing of it. There were no comments.

Commissioner Ossenberg said there being no further comments, the Commissioners would pursue as they had planned.

RE: CLAIMS

A claim was submitted by Brink's, Inc. for services rendered to the Clerk of the Circuit Court in the amount of $94.80 for the month of June which is by contract.

Commissioner Ossenberg explained that Brink's is the only individual carrier of monies from the Treasurer's and the Clerk's offices, in the County, that there is no other source they know of that could carry this money.
He said the Commissioners had hopefully worked out a plan whereby the Sheriff would pick up the money because this contract is fast becoming very expensive and he wondered if they could afford it or not, and in talking with the officeholders involved and with the Sheriff, who was very willing to go along with it, the Treasurer, Mr. Volpe, would not go along with it but the Clerk would go along.
He said there seems to be some doubt in Mr. Volpe's mind which he thought to be appropriately so, that once, possibly $2,000,000 to $3,000,000 per day would leave this building and signed by Brink's and then if something has happened to that particular armored truck, if it were robbed, we would immediately be reimbursed our money, therefore there would be no waiting and the money could be dispensed to the different agencies of government, consequently, if we had the Sheriff and had the same coverage on him, there would be some question as to whether there was some negligence on a department of County government and there could be a possibility that that money could be tied up in the courts and a law suit for two to three years, therefore they have asked that the Commissioners keep the contract with Brink's, Inc., so with respect to their wishes, he supposed they would have to renew that contract.

Commissioner Schaad moved that the Claim from Brink's in the amount of $94.80 be approved. Commissioner Willner seconded the motion. So ordered.

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A claim was submitted by Delta Air Lines, Inc. for Jeff Wilson of the Area Plan Commission for Airline tickets from Evansville on May 11 to Madison, Wisconsin and back to Evansville on May 14. to attend a seminar on "Planning and Zoning for Organized Community Growth" at the Wisconsin-Extension University, in the amount of $138.00, which will be paid from the Area Plan's account.

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

A claim was submitted by the Evansville Press for legal advertising by the County Auditor on Notice to Ditch & Maintenance Contractors from July 29, to August 5, 1977, in the amount of $22.12.
A claim was submitted by the Evansville Courier for the same thing, in the same amount.

Commissioner Schaad moved that these claims be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the Evansville-Vanderburgh County Building Authority for labor and material to mount a new 4 x 6 ft. wall blackboard in room 223 of the Courts Building - Small Claims Court, in the amount of $63.33.

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

A claim was submitted by Jeff Wilson from the Area Plan Commission for travel expenses that the Commissioners had approved, in attending the Seminar at the University of Wisconsin on Effective Zoning Administration Techniques, also for food and lodging, which will be paid for from the Area Plan's budget, in the amount of $81.75.

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

RE: ABSENTEE REPORT

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

RE: REQUEST TO MOVE A HOUSE

The following letter of request was received from Jesse C. Crooks, the Building Commissioner:

Request has been received from Elmer Buchta, Inc. for permission to move a house from the Gene M. Kennard property, Route 8, Box 186, Baseline Road, to property ½ mile east, (just past woods on left - north side,) owned by Howard Oagley.

The move will probably be made the week of June 6th.

The routing has been checked and the house which is a one and one-half story frame has been checked. We see no difficulty in making the move.

It is my recommendation that permission be granted.

Commissioner Schaad moved that permission be granted to move this house. Commissioner Willner seconded the motion. So ordered.

RE: MR. STEPHEN.....SPECIFICATIONS ON BOILER

Mr. Stephen, the County Engineer, said that Mr. Dewes, the Manager of the Auditorium, asked him to draw up the specifications so he revised the old specifications for one boiler only which is what they had talked about doing and the water heater is included.

Mr. Dewes said that after ninety days of consideration on the best plan for the Vanderburgh Auditorium, he thought it has been resolved that they replace one boiler, remove one of the gas boilers and replacing it with a boiler where they will either go to No. 2 fuel oil or gas which is the best solution for the time being.
He said as he sees it and he thought Mr. Stephen would agree, that this isn't a short range solution but it is an expensive solution, also in addition to that, he is requesting that they install a separate water heater for their domestic water, that right now, the only time they have hot water available for their maintenance use and patron use of the Auditorium is to fire either one of the boilers and this is about the most expensive operation in town as far as he is concerned and he thinks it is the fault

of the designers of the building but it is something that has gone wanting for a considerable period of time so Mr. Stephen has included the gas water heater in this request.

Mr. Stephen said it hasn't been included yet, that it hasn't been established as to when the Commissioners want to bid it and when they want the boiler to be completed. He said some of the work can be started right away, that they can call for the work to commence within seven days, the water heater can be ordered and delivered but can't be installed until about the time the cooling season ends, when they can shut down both boilers, also that the completion date can be as late as the later part of October.

Commissioner Schaad asked Mr. Stephen how much money he was talking about and Mr. Stephen said he was talking about somewhere in the vicinity of $50,000.

Commissioner Schaad said they have to get the money from the Council first, so it will have to be advertised to get on the July Council call, that they could advertise for bids but they couldn't let a contract until the money has been appropriated.

Mr. Dewes asked if when they previously advertised to replace the complete system, if they at that point had approval of Council for funds.

Mr. Stephen said they didn't, that if the bids came in they could go up to $200,000 and it was on the agenda so they could approve it but they did not, so things were dropped and they are really starting from scratch again.

Commissioner Ossenberg said the Council meets next Tuesday and they might see if the Council will go with that agreement but he is assured that the County Attorney's will tell them that they can't expend anything they don't have and this is something that must be done, so he recommended that Mr. Dewes send a letter to Council and ask that he be heard next Tuesday at their meeting.

The meeting recessed at 10:50 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Bob Schaad Robert L. Willner	Curt John	Ed Smith Jr. Paul Wendel

Secretary: Margie Meeks

Tom Ossenberg

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JUNE 6, 1977

The meeting of the County Commissioners was held on Monday, June 6th. 1977, at 9:35 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

Deputy Sheriff Terry Hayes opened the meeting, this being the first meeting of the month.

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

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

There were no bids submitted on the County-owned Surplus Property today. The sale will continue next week.

RE: AUTHORIZATION TO OPEN BIDS

The County Attorneys were authorized to proceed with the opening of the bids that were received by the Purchasing Department, for the dump truck that is needed by Burdette Park.

RE: REQUEST FOR LEAVE OF ABSENCE

The following letter was received from the Clerk of the Circuit Court, in requesting approval of Leave of Absence for Ms. E. Imogene Haney, Superior Court Clerk:

Dear Sirs:

I would like to submit for your consideration and approval a request for a Leave of Absence for E. Imogene Haney, an employee of the Vanderburgh County Clerk of the Circuit and Superior Courts Office.

One of her children received burns in an accident and she is needed at home at this time.

I have assured her that, pending your approval of the leave, her insurance benefits will be carried by the County for ninety (90) days provided she pays the premium directly to the Auditor's Office.

She has been one of my Deputy Clerks since January 1, 1973, has proven to be a good employee and I sincerely hope the request for a Leave of Absence will be granted.

Most Sincerely, Shirley Jean Cox
Clerk of the Circuit Court

Commissioner Willner moved that the Leave of Absence for E. Imogene Haney be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

Jill Dike	R.R.#2 Box 34A	Pool Cashier	$3.00 Hr.	Eff: 5/31/77
Roger Rice	1414 Jeanette	Ground Crew	$3.00 Hr.	Eff: 5/9/77
David Garrett	5917 Rockford Dr.	Ground Crew	$3.00 Hr.	Eff: 5/31/77
Dan Waltz	6710 Hogue Rd.	Life Guard	$3.00 Hr.	Eff: 5/21/77
George Hollander	2510 W. Maryland	Life Guard	$3.00 Hr.	Eff: 5/21/77
Jean Browning	1375 E. Chandler	Life Guard	$3.00 Hr.	Eff: 5/21/77

CENTER TOWNSHIP ASSESSOR

Linda A. Westfall	309 W. Maryland	Deputy Assessor	$25.00 Day	Eff: 5/31/77

CLERK OF THE CIRCUIT COURT

Temp. Sharon Yunker	5313 Sherbrooke Rd.	Sup. Ct. Dep. Clk.	$268.53 Pay	Eff:6/6/77
Debra Schmitt	417 Read St.	Deputy Clerk	$243.11 Pay	Eff: 6/6/77
Charlene Appman	2709 Edgar St.	M & T Dep. Clerk	$243.11 Pay	Eff: 6/6/77

APPOINTMENTS.....CON'T.

CIRCUIT COURT.....SUMMER INTERN PROGRAM

Loren Gabe	R.R.#4, Box 293A	Summer Intern	$1,172.17	Eff: 5/16/77
Don Fuchs	522 E. Boeke Rd.	Summer Intern	$1,172.17	Eff: 5/16/77
Dave Gehlhausen	113 S. Ruston Ave.	Summer Intern	$1,172.17	Eff: 5/16/77
Shelia M. Corcoran	2412 E. Chandler Ave.	Summer Intern	$1,172.17	Eff: 5/30/77

HIGHWAY DEPARTMENT

Robert W. Eberhart	R.R.7, Box 79A	Summer Help	$2.43 Hr.	Eff: 5/31/77
Richard R. Lehr	3313 Allen Road	Summer Help	$2.43 Hr.	Eff: 6/6/77

PROSECUTORS OFFICE

Carl Heldt	2032 Polaris	Deputy	$12,500 Yr.	Eff: 6/6/77
Doug Knight	8521 Larch Lane	Deputy	$12,500 Yr.	Eff: 6/6/77
Michael Hayden	6519 Whetstone	Deputy	$ 8,500 Yr.	Eff: 6/6/77
David Shaw	1112 W. Mill Road	Deputy	$ 7,500 Yr.	Eff: 6/6/77
Robert Carithers	5361 Stonehedge Dr.	Deputy	$14,400 Yr.	Eff: 6/6/77
Sarah McCray	Part Time	Investigator	$1,062	Eff: 5/31/77
Robert Pigman		Deputy	$8,500 Yr.	Eff: 6/6/77

SCOTT TOWNSHIP ASSESSOR ... 249-116.1

Norma M. Miller	R.R.6 Box 320	Deputy	$20.00 Day	Eff: 5/7/77
Leona M. Hudson	R.R.5 Hoing Rd.	Deputy	$20.00 Day	Eff: 5/20/77
W. Marvin Lundy	R.R. 8	Field Deputy	$20.00 Day	Eff: 5/20/77
Harley Seybold Sr.	R.R.5 Hoing Rd.	Field Deputy	$20.00 Day	Eff: 5/20/77

VANDERBURGH SUPERIOR COURT

Jay H. Picking	68 Oak Meadow	Bailiff for summer	$295.61 Pay	Eff: 6/1/77
*Dennis Avery	912 Stewart Ave.	Summer Intern	$300.00 Pay	Eff: 6/6/77
*Gregory Server	640 S. Dexter	Summer Intern	$300.00 Pay	Eff: 6/8/77
Susan Metz	4957 Fairmount	Summer Intern	$300.00 Pay	Eff: 6/8/77

*Not Approved.....There is an opinion that the Attorney General will have to come down to render an opinion before Mr. Avery and Mr. Server can be hired. All other appointments have been approved.

RE: EMPLOYMENT CHANGES.....RELEASES

BURDETTE PARK

Melissa Schenk	416 Adams Apt. C.	Ground Crew	$3.00 Hr.	Eff: 6/1/77

CENTER TOWNSHIP ASSESSOR

Mark Bradley	2705 Adams Ave.	Deputy Assessor	$25.00 Day	Eff: 5/31/77
Linda A. Westfall	309 W. Maryland	Deputy Assessor	$20.00 Day	Eff: 5/31/77

CLERK OF THE CIRCUIT COURT

LOA..E. Imogene Haney	316 N.W. 3rd.	Sup. Ct. Dep. Clk.	$268.53 Pay	Eff: 6/6/77
June Cosgrove	205 W. Buena Vista	M & T Dep. Clk.	$243.11 Pay	Eff: 6/6/77
Jennifer Wagemann	8215 Pollack	Deputy Clerk	$243.11 Pay	Eff: 6/6/77

PROSECUTORS OFFICE

Carl Heldt	2032 Polaris	Deputy	$12,000 Yr.	Eff: 6/6/77
Douglas Knight	8521 Larch Lane	Deputy	$12,000 Yr.	Eff: 6/6/77
Michael Hayden	6519 Whetstone	Deputy	$ 8,000 Yr.	Eff: 6/6/77
David Shaw	1112 W. Mill Rd.	Deputy	$ 7,000 Yr.	Eff: 6/6/77
Robert Carithers	5361 Stondhedge Dr.	Deputy	$12,000 Yr.	Eff: 6/6/77
Robert Pigman		Investigator	$ 8,241 Yr.	Eff: 6/6/77

SCOTT TOWNSHIP ASSESSOR...116-113

Norma M. Miller	R.R.6 Box 320	Deputy	$20.00 Day	Eff: 5/7/77
Leona M. Hudson	R.R.5 Hoing Rd.	Field Deputy	$20.00 Day	Eff: 5/20/77
W. Marvin Lundy	R.R.8	Field Deputy	$20.00 Day	Eff: 5/20/77
Harley Seybold Sr.	R.R.5 Hoing Rd.	Field Deputy	$20.00 Day	Eff: 5/20/77

RE: OPENING OF BIDS.....CONTRACT AWARDED

There were two bids received on the dump truck for Burdette Park. They are as follows:

Key Motors Corporation.....$6,457.35.....with trade
Kenny Kent Chevrolet.....$5,850.00.....with trade

County Attorney Wendel said that the bid of Key Motors doesn't conform with the specifications, since it doesn't have power steering, as was requested, also that the non-collusion affidavit was signed the smae day the rest of it was signed.

Commissioner Willner then moved, on the recommendation of Ray Wolf, Manager of Burdette Park, that Kenny Kent be awarded the contract in the amount of $5,850.00 with trade. Commissioner Ossenberg seconded the motion. So ordered.

RE: MONTHLY REPORT

The County Treasurer's Report was submitted for the month of April, 1977. Report received and filed.

RE: ALEXANDER LEICH.....CONRAD BAKER FOUNDATION.....RESOLUTION SIGNED

Mr. Leich who represents the Conrad Baker Foundation, appeared and said that the Foundation preserves the Old Vanderburgh County Court House, which is owned by the County Commissioners.
He said the reason he is here is because they have been offered a $15,000 grant from the Department of Interior of the United States, National Park Services, through the Indiana Department of Natural Resources and they are also applying for a second $15,000 grant which must be in by June 15th. and the conditions of the grant require that they notify the Commissioners of the grant being made and of being applied for, so they can get their approval and permission to spend the money, since they are the owners of the building.
He said he will assure the Commissioners that the money will be spent in accordance with very strict guidelines of the Department of Interior, that they make quite a survey of historic buildings and they don't allow anyone to do anything that would deviate from the original pattern and design of the building, so the money will be spent wisely and would not harm the property in any way.
He said that Tim Dodd, their Attorney and the President of the Board, has prepared a Resolution suggesting that the Commissioners sign it.

The Resolution reads as follows:

RESOLUTION OF THE COUNTY COMMISSIONERS
OF VANDERBURGH COUNTY, INDIANA, APPROVING
THE USE OF GOVERNMENT FUNDS FOR THE MAINTENANCE
AND RESTORATION OF THE OLD VANDERBURGH COUNTY
COURTHOUSE.

WHEREAS, the Conrad Baker Foundation, Lessee under a ninety-nine (99) year lease of the Old Vanderburgh County Courthouse desires to apply for and accept certain Federal funds, and

WHEREAS, the Conrad Baker Foundation is engaged in the maintenance, operation, and restoration of the Old Vanderburgh County Courthouse, and

WHEREAS, it is in the best interests of the citizens of this County and the Tri-State Area for the Conrad Baker Foundation to continue in its efforts, and

WHEREAS, the County of Vanderburgh wishes to encourage the Conrad Baker Foundation to achieve its goals.

NOW, THEREFORE, BE IT RESOLVED that the County Commissioners of Vanderburgh County, Indiana, authorizes the Conrad Baker Foundation to apply for and to receive Federal funds that have heretofore been available and that might be available at anytime during the term of its Lease, without regard to the source of those Federal funds whether that source be the National Park Service, the Department of Housing and Urban Development, or any other source, and further without regard to the nature of the Agency that disburses such funds.

BE IT FURTHER RESOLVED that any such funds shall be used in accordance with the guidelines of the funding Agency.

Commissioner Willner moved that the Resolution of the Commissioners of Vanderburgh County, Indiana, Improving the Government's funds for the restoration and maintenance of the Old Vanderburgh County Courthouse be approved.
Commissioner Ossenberg seconded the motion. So ordered.

Mr. Leich said he would like for the Commissioners to know that they appreciate the trust the Commissioners have put in the Foundation, in giving them the Ninety-nine (99) year lease and they sincerely intend to maintain the building in it's proper style.

Commissioner Ossenberg said that Mr. Leich is doing a very good job, to which Commissioner Willner agreed.

RE: REQUEST TO TRAVEL.....MR. WAGNER

The following travel request was received by the Commissioners from Mr. Gary W. Wagner, the German Township Assessor:

County Commissioners:

German Township Assessors Office would like to request permission to travel to French Lick for Assessors Convention.
This will be from June 26 to June 29 and will include the Assessor and one Deputy.

Thank You, Gary W. Wagner
German Township Assessor

Commissioner Willner moved that the travel request from Mr. Wagner be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIMS AND LETTER FROM THE BUILDING AUTHORITY

There were two claims received by the Commissioners from the Evansville-Vanderburgh County Building Authority, one for the fixed rental due June 30, 1977, which is for the last six months of 1977, in the amount of $331,285.00 and the other claim for additional rental that is also due on June 30, 1977, for the last six months of 1977, in the amount of $362,679.00, as per contract.
The following letter from Mr. Ruston accompanied the claims:

Dear Mr. Ossenberg:
In accordance with Article III, Section 3.01 Fixed Annual Rental and Section 3.02 Additional Rental, the following amounts will be due and owing as of June 30, 1977:

Lessee	Fixed Rental	Additional Rental
City of Evansville	$170,734.50	$186,914.00
County of Vanderburgh	$331,285.00	$362,679.00
Evansville-Vanderburgh School Corporation	$ 52,980.50	$ 58,001.00
	$555,000.00	$607,594.00

The Fixed Rental check should be made payable to the National City Bank of Evansville, Trustee, and the Additional Rental check should be made payable to the Evansville-Vanderburgh County Building Authority.

Sincerely, C. G. Ruston, General Manager

Commissioner Willner moved that these claims be approved. Commissioner Ossenberg seconded the motion. So ordered.

A claim was submitted by County Attorney, Paul Wendel, for his May of 1977 Office Allowance, in the amount of $125.00.

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

A claim was submitted by Hunnicutt & Associates, on Account of Contract Knight Township Reassessment for work completed from 5/1/77 thru May 31, 1977, 1/16 of Total Contract less 10% holdback, in the amount of $12,093.75.

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

RE: MR. CROOKS

Mr. Crooks said that sometime back they had two or three dilapidated houses and the Commissioners had given the people an extension of time to get some work done on them, and the time is about up but in most cases they haven't made too much progress.
He said that the one on Petersburg Road has junk in the yard and is very bad, that they were suppose to start on the new house in June, but no attempt has been made to wreck the old house.
He said that the house on Harmony Way, there has been no progress made what-so-ever, that supposedly, by July, that should be in pretty decent shape and he proposes to write them to tell them that they have thirty days left, but that it will be back before the County Commissioners for condemnation if it isn't done.
He said there is also one on Burkhart Road and he asked the Commissioners if it is their plans to now go full force ahead on these houses and take some action.

Commissioner Ossenberg said this is his intention and Mr. Crooks said he would pursue it .

RE: ABSENTEE REPORT

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

RE: CUTS IN

The Waterworks Department requests permission to cut into 110 thru 200 North Woods Avenue to repair water main breaks and also to cut into 6011 Felstead Road to install 3/4" water service..

The Telephone Company requests permission to push a telephone cable under Lynch Road.

Commissioner Willner moved that these cuts and the boring be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: COMMENT ON CUT MADE ON MT. PLEASANT ROAD

Commissioner Willner said that he has had several calls on the cut that was made on Mt. Pleasant Road, that it hasn't been repaired as yet and the gravel has disintegrated, has washed away and the hole is there.

Mr. Brenner said that he called Staub three times and he has promised that he would go out and repair it, that they really have more work than they can handle.
He said that he would call Staub again.

Commissioner Willner moved that the Commissioners give Staub one week and if he doesn't do it, that the County garage go out and repair it and bill Staub.
Commissioner Ossenberg seconded the motion. So ordered.

RE: BENDER ROAD BRIDGE

Mr. Brenner said they have re-done the floor in the Bender Road Bridge and that the job is basically complete and it went in at their estimate of $1,750 so they got it done for a real bargain price.

RE: LOG JAM OVER PIGEON CREEK

Mr. Brenner said the work was started this morning on the Log Jam over Pigeon Creek.

RE: KANSAS ROAD

Mr. Brenner said they have about completed the culvert on Kansas Road and he thought the road would be open by Wednesday.

RE: AUTHORIZED TO ADVERTISE.....BRIDGES

Mr. Brenner requested permission to advertise for bids on four bridges located on Ohio Street, Maryland Street, Columbia Street and First Avenue, since these bridges are in bad need of repair. He said they have already been before Council on them.

Commissioner Willner moved that bids be advertised for the repair of these bridges on June 9th and June 16th, with the bids to be opened on June 20th, 1977. Commissioner Ossenberg seconded the motion. So ordered.

RE: ALEXANDER LEICH.....CONRAD BAKER FOUNDATION...CON'T.

Mr. Leich said he might mention that the Resolution also covers grants by the local Metropolitan Development and any funds that the Housing Urban Development might grant them, so it is quite broad and it is go.
He thanked the Commissioners for processing the Resolution so quickly.

The meeting recessed at 10:10 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Robert L. Willner	Alice McBride (Deputy)	Ed Smith Jr. Paul Wendel

Secretary: Margie Meeks

Tom Ossenberg

Robert L. Willner
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING,
JUNE 13, 1977

The meeting of the County Commissioners was held on Monday, June 13, 1977, at 9:35 in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

There were no bids submitted on the County-owned Surplus Property today. The sale will continue next week.

RE: ORDINANCE APPROVED BY COUNCIL TO SELL COUNTY OWNED PROPERTY

Commissioner Ossenberg said that the Commissioners accepted a bid of $400.00 on Parcel #13, Tax Code 24-42-16 sometime ago from Francis P. Smith and they were told by the County Attorney that this also had to be approved by the County Council and on June 7th. they adopted the Ordinance accepting the $400.00. This had to be approved by the County Council because the appraisal value was over $1,000.00.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BOARD OF COUNTY COMMISSIONERS

Jan Cavanaugh	1310 E. Walnut	Law Library Vacation Clk.	$80.50 Wk.	Eff: 6/18/77

BURDETTE PARK

Donna Bowers	722 Mels Drive	Extra Guard	$3.00 Hr.	Eff: 6/3/77
Kim Lilly	2601 Magnolia	Extra Guard	$3.00 Hr.	Eff: 6/3/77
Robert Myer	3725 Waggoner	Extra Guard	$3.00 Hr.	Eff: 6/3/77
Fred Creech	631 College Hwy.	Extra Guard	$3.00 Hr.	Eff: 6/3/77
Dan Kamman	400 Kings Valley	Extra Guard	$3.00 Hr.	Eff: 6/3/77
Patricia Altman	10000 Old State Rd.	Receptionist	$5,899.00 Yr.	Eff: 6/13/77

CENTER TOWNSHIP ASSESSOR REASSESSMENT

111.1-113 Barbara A. Stephens	915 Canterbury	Office Dep.	$18.00 Day	Eff: 6/13/77

CIRCUIT COURT

Ortega Irwin	1261 Washington Ave.	Summer Intern	$1,172.17	Eff: 6/6/77

HIGHWAY DEPARTMENT

Robert B. Hollman	18 N. Alvord Blvd.	Road Foreman	$372.42 Pay	Eff: 6/6/77
Stephen E. Burch	1271 Cross Gate Dr.	Summer Help	$2.43 Hr.	Eff: 6/13/77
Mark C. Stocker	Martin Rd. R.5 Box 167-C	Summer Help	$2.43 Hr.	Eff: 6/13/77
Catherine Frick	5300 Washington	Clerk-Typist	$225.00 Pay	Eff: 6/13/77

KNIGHT TOWNSHIP ASSESSOR REASSESSMENT

Eleanor Crowe	214 E. Maryland	Pt. Time Deputy	$20.00 Day	Eff: 6/13/77
Elizabeth Sapp	1401 N. Villa	Pt. Time Deputy	$20.00 Day	Eff: 6/13/77

PERRY TOWNSHIP TRUSTEE

Betty J. Hempfling	2401 Harmony Way	Supervisor Invest.	$7,658 Yr.	Eff: 6/4/77

RE: SHERIFF'S DEPARTMENT

Sara Klein	2107 W. Michigan	Civilian Nurse	$11,117.00 Yr.	Eff: 6/4/77
Dennis E. Daniel	1321 S. Roosevelt	Pt.Time Intern (12 wks)	$900.00	Eff: 6/4/77
Mark A. Holsapple	1763 S. Boeke Rd.	Pt. Time Intern(12 wks)	$900.00	Eff: 6/4/77
Ronald McDonald	1800 Lincoln Ave.	Pt. Time Intern(12 wks)	$900.00	Eff: 6/4/77

SUPERINTENDENT OF COUNTY BUILDINGS & PLEASANTVIEW REST HOME

Bennie Gossar	750 E. Columbia	Carpenter	$8,891.00 Yr.	Eff: 6/6/77
Oliver Lawson	Boehne Camp Road	Painter	$7,854.00 Yr.	Eff: 6/18/77

RE: EMPLOYMENT CHANGES.....RELEASES

BOARD OF COUNTY COMMISSIONERS

Oliver Lawson N. Boehne Camp Rd. Caretaker at Boehne $7,445.00 Yr. Eff: 6/18/77

BURDETTE PARK

Cheryl Gentry 1122 MacArthur Cir. Receptionist $5,899.00 Yr. Eff: 6/13/77

CIRCUIT COURT

Harris Howerton 1707 S. Vann Ave. Bail Bond Interviewer $3.00 Hr. Eff: 5/30/77

PERRY TOWNSHIP TRUSTEE

Betty J. Boyd 1723 S. Bosse Supervisor Investigator $7,658.00 Yr. Eff: 6/4/77
Betty Hempfling 2401 Harmony Way Investigator $7m448.00 Yr. Eff: 6/3/77

SUPERINTENDENT OF COUNTY BUILDINGS

Bennie Gossar 750 E. Columbia Painter $7,854.00 Yr. Eff: 6/6/77
Edwin Zenthoefer 701 Sentate Ave. Caretaker-Pleasantview $238.50 Pay Eff: 7/1/77

TREASURER'S OFFICE

Carol Frank	Part Time	$20.00 Day	Eff: 6/6/77
Viola Schmahlenberger	Part Time	$20.00 Day	Eff: 6/6/77
Flora Rose	Part Time	$20.00 Day	Eff: 6/6/77
Ruth Calhoun	Part Time	$20.00 Day	Eff: 6/6/77

PIGEON TOWNSHIP ASSESSOR REASSESSMENT

Ruth Calhoun 723 Bayard Park Dr. Part Time $20.00 Day Eff: 3/25/77
(This release went through the Commissioners meeting of 6/6/77 but effective date was in error.)

RE: MONTHLY REPORTS

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

The May Convention and Visitors Bureau monthly status report was submitted to the County Commissioners with their budget sheet attached. Report received and filed.

RE: SHARON BRACE & MARY FREEMAN...TRAFFIC SIGNS

Ms. Mary Freeman appeared and submitted a petition with residents signatures and the following request:

In order to preserve the safety and well-being of the 26 children who reside at the 16 residences of Kahre Lake Subdivision, we the undersigned, request that a speed limit be imposed by the Vanderburgh Board of County Commissioners.

She said they want to get a speed limit sign on Hillsdale Road which is a part of the Kahre Lake Subdivision, that at this time there is no speed limit sign there at all and they feel there is danger to their children because cars and trucks speed through there at speeds of at least 45 miles per hour.

Commissioner Schaad said he has been back in there several times and what Ms. Freeman says is true and he suggested that there be a study made to see what would be necessary to make it safe and then action would be taken as to what recommendation is made.

Commissioner Schaad moved that this matter be referred to Mr. Lochmueller's office so it can be studied and a recommendation made to the Commissioners as to what needs to be done to solve the problem. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg explained to Ms. Freeman and Ms. Brace that the procedure will be that the Traffic Engineer and the Urban Mass Transportation will go in and make a study & recommend what speed limit should be enforced, also that it will take awhile, since an ordinance will have to be passed.

Commissioner Willner asked Ms. Freeman if they are exceeding 45 miles per hour out there and Ms. Freeman said there is a lot of construction going on out there and it is really hard to say but it looks to her like they are flying since they skid around corners and their tires are squealing and they have had to stop very quickly several times to avoid hitting a child, but she would say they were going at least 45 miles per hour.

RE: OLD PERSONAL PROPERTY FOUND

Commissioner Schaad said that Mr. Volpe, the County Treasurer, found a box full of old property belonging to various people which included two $25.00 war bonds belonging to a Mr. Lively, a watch belonging to a Mr. Townsend Smith and various other things.

Mr. Volpe told him that he thought this matter should be made public and something should be done with these items.

Commissioner Ossenberg said that Mr. Volpe submitted a note with the items, which reads as follows:

In reference to the things the Treasurer's office has been holding in custody for twelve years, the State Board of Accounts said they should be turned over to the Commissioners and the attorney's should decide what to do with them, that he thought these things were taken from the Clerk's safe and that it was property of people that have passed away

RE: TRUCK TURNED BACK TO COUNTY

A 1961 Ford Truck was turned over to the County by the Alcoholic Help Inc. and the Title must be put in the Commissioners name, since Burdette Park can use the truck.

Commissioner Schaad moved that the truck be accepted and the Title be obtained in the Commissioners name, and that the truck be sent out to Burdette Park. Commissioner Willner seconded the motion. So ordered.

RE: LETTER TO MR. BRANNON ON EMERGENCY LIGHTS

Commissioner Ossenberg sent the following letter to Mr. Robert Brannon of Criminal Justice Planning:

Dear Mr. Brannon:

The Board of County Commissioners gratefully accepts 7 emergency lights used at Boehne Camp by Alcoholic Help, Inc., as per your telephone conversation Friday, June 10, 1977, with Herman Hotz, Superintendent of County Buildings.

These lights can be used in other county-owned buildings at a considerable savings to the county. Again, thank you.

Sincerely, Thomas L. Ossenberg, President
Board of County Commissioners

Commissioner Ossenberg said these emergency lights were owned by Criminal Justice Planning, that they are giving them to the County and that Burdette Park has use for them.

RE: C.C.I. RESOLUTION SUBMITTED FOR APPROVAL

Commissioner Ossenberg explained that two weeks ago, the Commissioners approved a Resolution whereby a C.C.I. Account would be set up for the monies acquired from the sale of Pleasantview Rest Home and Boehne, that it was set up with the idea in mind that the money would not go back into the General Fund, that the money would be for capital improvements and that the County Commissioners would have input along with County Council in saying where that money would be spent.
He said they passed it, specifically giving the power to the Board of County Commissioners and the County Council kind of balked at that, so therefore, a new Resolution has been drawn up but they virtually say the same thing.
He said he thought it was pursuant to law, the way the Resolution is drawn up, that the only thing he was concerned about was where the control of the money would go and who would have the power of that money, that Council, by law, has the power to appropriate, however the way both Resolutions are drawn up, is the fact that the Commissioners will have input as to where the money will be spent, jointly with the County Council.
He said that pursuant to law, the County Council does have the power to appropriate the money and our Resolution that was adopted two weeks ago gave the sole responsibility to the County Commissioners and according to law they just can't do that, however the Commissioners do have an input in it, that it is a joint venture, so he personally sees no reason why the Commissioners shouldn't sign it.

The Resolution reads as follows:

A JOINT RESOLUTION TO ESTABLISH A CUMULATIVE CAPITAL IMPROVEMENT FUND PURSUANT TO IC 1702-2.5-1 through IC 17-2-2.5-8

BE IT RESOLVED BY THE COUNTY COMMISSIONERS OF Vanderburgh County and the County Council of Vanderburgh County, Indiana, that it is deemed desirable and necessary to proceed with the proposed plan to establish a Cumulative Capital Improvement Fund for the following purposes;

1. To purchase, build, construct, equip, and maintain buildings for county purposes;
2. To acquire land and improvements for the construction of county buildings;
3. To acquire land or right of way to use for streets, raods, or Sidewalks, and for access to any county buildings.
4. The acquisition of property or rights of way for the construction of public ways;
5. For the maintenance of public ways;
6. Acquisition and maintenance of sewers;
7. Acquisition, lease, or partial acquisition of a utility;
8. Acquisition of buildings, property, or right of way for the use of the utility;
9. The purchase, or lease, of motor vehicles for the use of the Sheriff department;
10. For the retirement in whole or in part of any general obligation bonds of the County issued for any of the preceding purposes;
11. For any other purposes permitted under the terms of IC 17-2-2.5-1 through IC 17-2-2.5-8.

BE IT ALSO RESOLVED BY THE County Commissioners of Vanderburgh County and the County Council of Vanderburgh County that said Fund shall be funded by, through, and from the net money proceeds realized from the sale of Pleasantview Rest Home property, 700 Senate Avenue, Evansville, Indiana, and the Boehne Camp property located off of Upper Mount Vernon Road, Vanderburgh County, Indiana, and that such Fund shall be under the control and Supervision of the County Commissioners of Vanderburgh County and the County Council of Vanderburgh County who shall have the joint authority and power to determine for what purpose such funds shall be used, and the County Council of Vanderburgh County shall have the power to make the necessary appropriations therefrom pursuant to law.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be submitted to the State Board of Tax Commissioners of the State of Indiana, as provided by law.

Commissioner Schaad asked if this wasn't a little premature, that it is entirely possible that Pleasantview might be leased.

Commissioner Ossenberg said this is possible, however, if it is not leased, this is on record that they do have it, that if it is leased for a considerable amount of money, it might go into this particular type of fund.

Commissioner Schaad said that provision isn't made in the Resolution.

Commissioner Willner said he also thought it should state in the Resolution that these funds shall be invested and also what the funds shall be used for.

Commissioner Ossenberg said they could be added in here to simplify it but we are protected by the eleven uses listed in the Resolution that comes under capital improvements.

County Attorney Smith said those are the statutory provisions and he thought the Commissioners to have the power or authority to invest it or do whatever they wanted to do with it.

Commissioner Ossenberg said they may have been a little premature but he would like to point out to the County Council that it was the initiative of the Commissioners to set up the C.C.I. Account, that he didn't even know if the Council has that power, he imagined they did but all the Commissioners want to do is to protect the money and like Commissioner Willner had said, they want to invest the money and they want the investment to come back to this particular fund and not go into the General Fund and he asked if this could be spelled out in the Resolution.

He asked Mr. John what account Cumulative Bridge goes into and Mr. John said he believed that now, they are using the Jack Pot Law which gives them the right to invest it and the County Treasurer invested all money on hand or any portion of it and they put it into the General Fund.

County Attorney Smith said the wording could be changed in the Resolution to provide that this fund or accumulated interest from this fund should be put back in this account.

Commissioner Ossenberg said the Commissioners feel as though the interest from the money in the Cumulative Bridge Account should go back into the Cumulative Bridge Fund but that it doesn't, that the Treasurer has the right to Jack Pot it and put it back into the General Fund, all in one grouping.

Commissioner Schaad said he thought at one time the State Board of Accounts stated that the money goes back into these accounts.

Mr. John said they did but he thought it was last year that they passed the Jack Pot Law.

Commissioner Schaad said it seems to him that the Cumulative Bridge Fund is a separate assessment and it seems like any money from that should go back into that particular account.

Commissioner Ossenberg said he would like to see that law and he wondered if the Board of Finance which constitutes the County Commissioners would have some input as to how that money should be invested.

Commissioner Schaad said it seemed to him that the previous County Treasurer used to bring before the Commissioners, in a public meeting, bids that he received on investing money as to interest rates and it seemed to him they haven't had this for some while and they should get the most out of anything so why not invest the County's money by taking bids on it and get the most they can from it.

Mr. John said they do that anyway, that by law, they must take bids to invest it and what they do now is to take the higest bid from three large banks who agree to pay the highest interest rate and they then take a proportionate share.

Commissioner Schaad said they probably do it then but the Commissioners just weren't aware of it.

Mr. John said that the present County Treasurer is investing a lot heavier than the Treasurer's in the past have.

Commissioner Ossenberg said specifically that this is a different account and he doesn't see any qualms about this being added to the Resolution.

Ms. Juras said the Resolution must be sent to the State Board for approval and they may run into problems.

Commissioner Ossenberg said he thought it could be added and then if they have a problem, they will have to amend it and go back to the original deal but specifically, this is what the C.C.I. account is used for and he would hate to see something that they might get $40,000 to $50,000 back in interest to go back into the General Fund when it is set up as this type of account, that this was the purpose for the C.C.I. Account.

Commissioner Schaad moved that the Commissioners authorize County Attorney Smith to add to the Resolution, that this money shall be invested and the interest therefrom be put back into that account. Commissioner Willner seconded the motion. So ordered.

County Attorney Smith said he would reword the Resolution and have it ready for the Commissioners next week.

RE: TELEPHONE REQUEST FROM AREA PLAN

The following request was received by Commissioner Ossenberg, from Mr. Osterholt of the Area Plan Commission:

Dear Mr. Ossenberg:
Due to an increase in the staff of the Area Plan Commission I feel it would be

beneficial to all employees of Area Plan to install the dial-intercom system. The system would enable an employee to talk on the system to another employee therefore saving time which would better the performance of the office.

The additional cost of the system would be $10.00 per month and the installation cost would be $75.00 as quoted by Ms. M. Pyle of the Indiana Bell Telephone Company.

Your consideration on this matter would be greatly appreciated.

Respectfully, Charles G. Osterholt,
Executive Director

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

RE: CLAIMS

A claim was submitted by Szabo Food Service, Inc. based on 6,172 meals served to inmates of the Vanderburgh Jail from May 16 thru May 31, at a cost of .65 per meal, in the amount of $4,011.80 and it has been approved by Sheriff DeGroote.

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

A claim was submitted by Szabo Food Service, Inc. based on 348 meals that were served to the Jailers from May 16 thru May 31, 1977, at a cost of .65 cents per meal, in the amount of $226.20 and has been approved by Sheriff DeGroote.

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

A claim was submitted by Szabo Food Service, Inc. based on meals that were served to inmates of the Vanderburgh Jail from 3/15 to 3/31, 4/1 to 4/15, 4/16 to 4/30, and from 5/1/ to 5/15/77, at a cost of .65 cents per meal and the claim in the amount of $698.75 and has been approved by Sheriff DeGroote.

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

A claim was submitted by Szabo Food Service, Inc. based on meals that were served to inmates of the Vanderburgh County Jail from 4/1 to 4/15, 4/16 to 4/30, 5/1 to 5/15, 3/1 to 3/14 and 3/15 to 3/31, at a cost of .65 cents per meal and the claim is in the amount of $20,252.70 and has been approved by Sheriff DeGroote.

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

Commissioner Ossenberg said the Council appropriated the money to feed the Jailers and Commissioner Willner said he understood that the Council had to approve the money before these bills could be paid, so he understands, but what he would like to know is what the food is costing the County per month.

A claim was submitted by LaBarge, Inc. Concrete Products Division for mastic and materials for replacements on the Adler Road Bridge. This has been approved by Mr. Stephen, the County Engineer and the claim is in the amount of $2,071.65.

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

A claim was submitted by Evansville Crushed Stone Co. for crushed stone needed for the Adler Road Project, in the amount of $179.56. This was approved by Mr. Stephen.

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

A claim was submitted by James L. Angermeier for Registration, Lodging, Meals and parking, in attending the I.A.A.O. Seminar on the evaluation of shopping centers that was held in Chicago, in the amount of $207.15.

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

A claim was submitted by Torian Insurance Agency, Inc. for corrected charge for Continental Binder on Boehne Hospital property, in the amount of $713.00.

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

A claim was submitted by Torian Insurance Agency, Inc. for General Fund Insurance, Continental policy #WC6 17 41 69 - Workmen's Compensation Annual Audit, in the amount of $4,371.00.

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

A claim was submitted by Torian Insurance Agency, Inc. for Insurance on Hillcrest & Washington Homes, Continental policy #WC 6 17 41 69 - Workmen's Compensation Annual Audit in the amount of $687.00.

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

A claim was submitted by Torian Insurance Agency, Inc. for Insurance for the Welfare Department, Continental policy #WC 6 17 41 69 - Workmen's Compensation Annual Audit in the amount of $971.00.

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

A claim was submitted by Torian Insurance Agency, Inc. for Insurance-General Fund, Hartford Steam Boiler Inspection & Insurance Company policy #CN901182702 covering Boiler & Machinery in the amount of $3,673.00.

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

A claim was submitted by Torian Insurance Agency, Insurance for the Highway Dept. Continental Policy #WC6174169, Workmen's Compensation Annual Audit, in the amount of $1,156.00.

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

RE: DEED SIGNED

County Attorney Wendel submitted the deed he had prepared on two parcels of Surplus property that was purchased by Mr. Victor Jackson a few weeks ago. They were parcels 21-74-12 which is located at 822 Line Street and code 29-93-22 which is located at 1121 - 1119 W. Iowa Street.
The Commissioners signed the deed at this time so it can now be recorded, after which Mr. Jackson will be notified to come in and pay for the parcel and recording fee and pick up his deed.

RE: MR. HOTZ

Mr. Hotz said he would like permission to take the truck from Alcoholic Help, Inc. out to Burdette Park.

Commissioner Schaad said that the Commissioners have already approved this and that a title and plate will be applied for in the County's name.

RE: EMERGENCY LIGHTS

Commissioner Ossenberg said that the Criminal Justice Planning have given the County seven emergency lights that were used by the Alcoholic Help, Inc. and he wrote Mr. Brannon of Criminal Justice Planning the following acceptance letter:

Dear Mr. Brannon,

The Board of County Commissioners gratefully accepts 7 emergency lights used at Boehne Camp by Alcoholic Help, Inc., as per your telephone conversation Friday, June 10, 1977, with Herman Hotz, Superintendent of County Buildings.

These lights can be used in other county-owned buildings at a considerable savings to the county. Again, thank you,

Sincerely, Thomas L. Ossenberg, President
Board of County Commissioners

Mr. Hotz said that Burdette Park would like to have four of the emergency lights that were used at the Alcoholic Help Inc. three for the pool and one for the Bishea Building and he suggested that the other three be put in storage until some department in the County could use them.

Mr. Hotz said that Mr. Wolf told him that the lights are a state requirement and they purchased three earlier this year.

Commissioner Schaad moved that Burdette Park be given four of these lights. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad said that Mr. Siebeking and Mr. Dewes can check to see if they can use the other lights.

RE: COMMENT ON AUCTION TO BE HELD NEXT FRIDAY

Mr. Hotz said that on the Auction that will be held on the Boehne and Pleasantview real estate on Friday, he will have arrangements set up in case it rains, for it to be held inside the buildings.
He asked if the Commissioners will be there to open the sealed bids, since the specifications read that they will be opened at the time of the auction.

Commissioner Willner said he thought that legally, the Commissioners will have to be in session at that time, which will be at 10:00 a.m. at Boehne and at 2:00 p.m. at Pleasantview, so it was agreed that everyone be there.

RE: ABSENTEE REPORT

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

RE: REPORT ON ROAD REPAIRS

Mr. Siebeking reported that they have started some road mixing of their own on S.E. Browning Road, Heddon Road, a section of Bayou Creek that was real bad and West Franklin Street.
He said they have been trying to figure some average costs this year as compared to past years and with increased costs on labor and everything, they are about $600.00 per mile higher than they were last year, that they are still doing it for about $10,000 per mile.
He said they went before the Council last week and they approved the transfer of funds into their Contractual Account and he would imagine it to be about time to get some specifications drawn up so they can be letting some bids if the Commissioners suggest any contractual work, because it is getting late in the season.
He said that the roads they have driven and talked about, they will work them, however the Commissioners want them to, that the Surveyor's office usually draws up the specifications on them and the money that was approved by the Council also has to come back now from the state but he imagined that by the time the bids could be advertised, they would have work back from the state, but the Council did transfer $100,000 for them and with the money he has, they probably have about $150,000 in the Contractual Account for contract work.
He said the roads they have driven are ready to go, that the shoulder work has been done and the one out on Boonville-New Harmony, East of Green River Road, has the ditch work done and they just have a couple of spots they have to finish, but the majority of the work has been done.

Commissioner Ossenberg asked that Mr. Siebeking get with the County Surveyor and the County Engineer in order to prepare specifications on the repair of the roads.

RE: REPORT ON ROAD CUTS - COUNTY TO REPAIR CUT ON MT. PLEASANT RD.

Mr. Siebeking said he visited probably eight or nine water cuts this past week with Don Mills and every one of them has been repaired and are in excellent condition..
He said the one on Mt. Pleasant Road that was made by Staub has not been finished, that he has contacted Bobby Staub three times on it and he said he would get to it but he hadn't the first of last week.

Commissioner Schaad said it was decided last week, that Staub have one week to repair the cut they made and if he didn't do it, the County would repair it and bill them.

Mr. Siebeking said that the Water Company made three cuts in the roads, that one was across Arrowhead, that the permit called for a push job but they hit solid rock so they cut the road but it has been repaired and the rest of them were mostly shoulder cuts, but they were taken care of.
He said that Mr. Mills suggested that they would drive out and view the various cuts periodically but he wanted to report that the water cuts have been repaired according to county specifications.

Commissioner Willner said it did his heart good to read in the printed media, the other day, where the Public Service Commission in Texas was arrested and jailed for cutting the roads, also that he received another five calls last week on Mr. Pleasant Road.

The Commissioners agreed that the County crew repair the cut on Mt. Pleasant Road and that Floyd I. Staub be billed for it.

RE: CUTS IN

The Water Company requests permission to make four cuts on the following roads:

6600 Little Schaeffer Road to install 3/4" water service.
4016 Kings Hill Drive to install 3/4" water service
R.R.#1, Box 368-D Nurrenbern Road to install 3/4" water service
4900 Cynthiana Road to install 3/4" water service.

Commissioner Schaad moved that these cuts be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIMS

Mr. Brenner submitted a claim from Deig Brothers for final estimate on the Bender Road Deck Repair No. 17, in the lump sum of $1,785.00.

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

A claim was submitted by Southwest Engineering, Inc. for payment in the amount of $11,278.86.
Mr. Brenner said that everything is done here but the blacktop.

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

A claim was submitted by G. H. Allen, Inc. for the five bridges located on Schutte Rd., Boonville-New Harmony Rd., Kansas Road and two on Baseline Road, in the amount of $25,220.47 for final payment.
Mr. Brenner said that the original contract price of this project was $64,664.00 and they came in at $63,560.00, so they are $1,103.94 under the contract price.

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

RE: HEINLEIN ROAD

Commissioner Willner said he had a call from Ms. Heinlein who said her driveway tile had been broken by the County trucks and she wondered if they could repair it.

Mr. Siebeking said he didn't think they broke it but they fixed it back, but what she wants is for the County to dig it out and put all new pipe in, but they did back in there and she didn't even like the idea of them turning around in her driveway, so they fixed it back the best they could for what he thought they had done, but she really wants new pipe, abutments and the whole bit, but he couldn't see any sense in doing it because he didn't think they damaged it that bad but that he will go back out and look at it.

Commissioner Schaad asked if that job has been finished and Mr. Siebeking said they finally got all the stumps out and have the rock on it and what they want to do now is to get some oil on the section they widened and now the people that live on up the road are calling and they want it widened all the way through, but we don't have the right of way and they want to get the guard rail up on the ditch side when they get the road solid enough for traffic.

Commissioner Ossenberg said he thought the Commissioners agreed that the road be widened all the way and he feels as though if the people out there want the road widened, they should donate the right of way. He said there is a lot of building

going on out there, that it is a one-lane road and they are really tearing it up.

RE: STRIPING CONTRACT REVIEW REQUESTED

Mr. Lochmueller said that some time ago the Commissioners had agreed on a striping program and that they should go out to a consultant on the engineering. He said it is 100% federal money and nothing has really been done and at this point, he asked that the Commissioners request the State Highway Commission to review a contract and after it has been reviewed, it is to be sent to the Attorney General's office and then it will come back to be executed.

Commissioner Schaad moved that the request for review of the contract be signed. Commissioner Willner seconded the motion. So ordered.

The letter that is being sent to Mr. Hallock, Chief Engineer, to the attention of Mr. Don Epp, Engineer of Consulting Services, reads as follows:

Dear Mr. Hallock:

The Board of County Commissioners of Vanderurgh County desire to have pavement markings placed on eligible county roads under their jurisdiction in compliance with the Manual on Uniform Traffic Control Devices and in conjunction with Section 205 (Pavement Marking Demonstration Program) of the 1973 Federal Aid Highway Act. The request for programming has been approved.

Transmitted herewith, please find a contract between the County and SIECO, Inc., Consulting Engineers, for the development of the demonstration program. The contract includes four phases of work to be accomplished by the engineering firm, including preparation of Plans, Specifications and Estimate (Phase I), Layout of No Passing Zones (Phase II), Contract Administration (Phase III), and Evaluation (Phase IV). This is to request that the contract be approved for funding by FHWA using Section 205 funds.

The County finds it necessary to employ a consultant to prepare the plans and specifications because this expertise is not available on county staff. The County has evaluated the qualifications of the consultant and finds that he is adequately qualified to perform the work as outlined in the contract. Furthermore, the County is of the opinion that the proposed payment for the work as outlined in the contract is acceptable and reasonable.

Thank you for your consideration and prompt attention to this matter.

RE: AUTHORIZED TO ADVERTISE FOR BIDS

Mr. Dewes said that on May 31st, he and Mr. Stephen presented the latest in specifications for the boiler at the Auditorium and at that point the Commissioners suggested he present it to the County Council, which he did on June 7th and it was their approval that they follow the same procedure they did before, that they advertise for bids, accept a bid but not award the contract until they again appear before the Council for funds. He said the specifications are now available and the only thing they have to do is to insert the date the bids are to be opened and the completion date and he recommended that the completion date be on or before October 31, 1977.

Commissioner Schaad moved that the specifications be approved and that bids be advertised for, on June 16th and June 23rd, with the bids to be opened on June 27th. 1977. Commissioner Willner seconded the motion. So ordered.

Mr. John told Mr. Dewes that he would need a letter sometime this week so Mr. Dewes can be on the July Council Call and to also state the amount of money needed.

Mr. Dewes said they have a rough estimate of $50,000 and Mr. John said they can go ahead and do it and if it comes in at more, they will have to transfer some funds.

RE: POOR RELIEF

Georgia Mae Hobby....734 Bayard Pk. Dr....Pigeon Township, R.M. Morrison, Trustee

The Report of Poor Relief Action from the Pigeon Township Trustee shows that Ms. Hobby requested help on her utilities but she was advised by the Trustee to find a cheaper place to live within her means.

Ms. Hobby failed to show up and Commissioner Ossenberg said that she called and told him that she couldn't be here, so no action could be taken at this time by the Commissioners.

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The Commissioners meeting recessed at 10:50 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Bob Schaad Robert L. Willner	Curt John	Ed Smith Jr. Paul Wendel

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS
JUNE 17, 1977

The Vanderburgh County Commissioners were in session today for the purpose of disposing of the real estate at the Old Boehne Hospital and the Pleasantview Rest Home, either by Lease Purchase or outright sale of them.

RE: BOEHNE PROPERTY ...10:00 a.m.

Mr. Hugh Miller conducted the auction for Curran Miller Auction & Realty Co. on the Boehne property which was appraised at $320,000.00.
He distributed specifications and the names of the people who were interested in bidding on the property were recorded and their checks, in the amount of $5,000.00 were submitted to the Chief Deputy Auditor.

Introductions were made and Mr. Miller proceeded to conduct the auction.
He explained that this property covers 40.08 acres, that it has all city utilities, and sewer, also that the light system has been removed, since it didn't go with the property.
He said that the purchaser will assume taxes on the property after date of closing, also that zoning is important and the County may need to rezone the property which must be requested by bidders at the time their bid is submitted, that a new abstract that was certified on June 10, 1977, has been prepared by the Vanderburgh Abstract Corporation and will be furnished to the purchaser, also that the purchaser will be expected to pay for the cost of preparing the abstract which is $500.00 and that the purchaser will also be responsible for the Insurance ten days after the purchase of this real estate.
He also said that Oliver Lawson, who is the maintenance man at Boehne, has a garden on the premises and that he will be allowed to harvest it, also that the South property line is in error on the plat and should be 100 feet North.

County Attorney Smith said the sale will not be completed until it has been approved by the County Council and the County Commissioners.

Dr. Arendell asked for an explanation of the tax assessment on the Boehne property, so Mr. Angermeier, the County Assessor, explained that the property would be assessed in March of 1978, payable in May of 1979.

Mr. Miller said he would take bids on the Lease Purchase first and then on the outright sale, that the bids will be recorded and then submitted to the County Council and the County Commissioners for their approval.

There was only one bid on the Lease Purchase and this proposal was from Mr. Mike Miller, a pastor with the Light of the World Fellowship, Inc. located at 5801 Pollack Avenue.
His proposal was for a ten-year lease of $1,000.00 per month with a lump purchase payment of $130,000.00 after ten years, making a total of $250,000.00 for the property.
He asked that the property be rezoned properly for Bible Study and Dormitory use if his bid is accepted.

Bids for the outright purchase of the Boehne property were received from Mr. Robert Brenner, Mr. W. C. Bussing Jr. and Dr. Robert Arendell for DELLAREN INC.
DELLAREN INC.'S
~~Dr. Robert Arendell's~~ bid was high in the amount of $335,000.00, contingent upon the property being rezoned to R-4 for residential for apartments and a nursing home.

Mr. Brenner then withdrew his bid on the Boehne property.

Mr. Hugh Miller said that the standing bids would be recorded and submitted to the County Council and the County Commissioners for their review of the bids.
He also said that he would like for everyone to attend the auction at Pleasantview this afternoon and that their deposit checks will be held until a decision is made.

Commissioner Schaad said that he would try to get with the County Council and the County Commissioners on Monday so they could make a decision as soon as possible.

RE: PLEASANTVIEW REST HOME.....2:25 p.m.

Mr. Hugh Miller conducted the auction for Curran Miller Auction & Realty Co. on the Pleasantview property which was appraised at $1.2 million dollars.
He introduced ~~introduced~~ those present and explained that this property consists of 20 acres more or less, that the purchaser will be responsible for taxes on the property after the closing date, that the purchase may be subject to rezoning and

if so, should so be stated in the bid and will require a 10% deposit of the bid price and that the purchaser will be furnished an abstract that was prepared by the Vanderburg Abstract Corporation and the purchaser will be responsible for the cost of the abstract in the amount of $304.00.
He also said that the property has city water, gas and electricity.

There were no bids considered on the Lease Purchase for the Pleasantview property.

There was an interested party but Attorney Gary Gerling objected to it being considered, since they made no deposit before the auction began.

There were two bids on the outright purchase of the Pleasantview Property. They were from W. C. Bussing Jr. and Robert Brenner, who both had submitted their deposits. The highest bid was from Mr. Robert Brenner in the amount of $180,000.00.

Commissioner Schaad said he didn't want to see Pleasantview sold for this low price and Commissioner Willner said he thought the property would bring at least $500.000.00.

Mr. Miller said the bids will be recorded and furnished to the County Commissioners and the County Council for their consideration.

The auction was over at 3:00 p.m.

Those present at the auctions of Boehne and/or Pleasantview were as follows:

COUNTY COMMISSIONERS OFFICE	AUDITORS OFFICE	COUNTY ATTORNEYS
Commissioner Schaad	Alice McBride-Chief Dep.	Ed Smith Jr.
Commissioner Willner	Margie Meeks-Secretary	Paul Wendel
Ms. Marsha Smith-Exec. Ass't.		

James Angermeier-County Assessor
Jesse Crooks-Building Commissioner
Herman Hotz-Co. Bldg. Superintendent
Bob Lutz-County Council
Paul Ahrens-County Council
Bidders and other interested parties.

Secretary: Margie Meeks

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JUNE 20, 1977

The meeting of the County Commissioners was held on Monday, June 20, 1977, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: AUTHORIZED TO OPEN BIDS

The County Attorneys were authorized to proceed with the opening of the bids that were received today for the repair of bridges located on Ohio Street, Columbia Street, Maryland Street and First Avenue.

RE: COMMENTS ON BOEHNE ...Sale approved by Commissioners

Commissioner Ossenberg said, for the benefit of those who are in the audience, concerning the two auctions, the Commissioners, as a body, can approve on their side of the ledger but the County Council must be in session to approve on their side of the ledger, therefore, what action the Commissioners take today, depends on what the County Council does when they go into session tomorrow.
He said as far as the Commissioners are concerned in regard to Boehne Camp, they have all heard what the bids were and he asked if there is anyone in the audience that would like to comment before the Commissioners make their decision.

Attorney Gary Gerling, appeared on behalf of Mr. Bussing, one of the bidders, and said they would move that the Commissioners set aside the acceptance of any bids on Boehne Hospital because the sale wasn't conducted in accordance with the advertising nor in accordance with the representation made prior to bidding, that it was his understanding that the successful bidder's offer was subject to the utilization of the property as a Nursing Home which would require a conditional use under R-3 and the advertisement specifically states that the Board agrees to provide zoning for the use of the real estate up to and including multiple dwellings and make the signing of the Lease Purchase or Purchase, dependent upon such zoning.
He said this same announcement was made prior to the bidding, he understands, since he wasn't there, but he heard that it would be subject to zoning changes up to and including apartments and the utilization of the property for a nursing home and medical facilities would require at lease a conditional use application approval, consequently the other bidders on the project were uninformed or unaware that the property could be used for something other than multiple family dwellings and the bid from those individuals was based on an apparent mistake of fact which was fostered by an advertisement that may now turn out to be untrue, that the notice on Boehne specifically said up to and including multiple family dwellings and the notice on the Pleasantview property specifically stated that it could be zoned and changed to be used as a nursing home facility and he thought this to be misleading and would require the re-establishment of bids based upon every bidder who posted his certified check, having the information as to what the property can be utilized for with the approval of this body and without that change, they have conducted sale that isn't in accordance with the advertisement nor with the representations that were made that day.

Dr. Arendell, an officer of the Dellaren Nursing Home, who apparently has the successful bid on Boehne, stated that his impression was that nursing homes and apartments were in the same zoning and if it disturbs Mr. Gerling, he will withdraw the demand for a nursing home and let it stand as a multi-level apartments, that this isn't a problem.
He said he is interested in a three story zoning or whatever the modern apartments are and if that is going to create a problem, he will just strike nursing home from the stipulation.

Mr. Gerling said, as a matter of law, the time for a change for bids is not today, that they should have been changed at the time of the sale, for the record.

Commissioner Ossenberg said the condition was on an R-3 as Mr. Gerling has stated and he thought, at that particular time, Dr. Arendell said, after the sale, that he was hopefully to obtain a nursing home but he has now withdrawn that request, so therefore he is looking for a zoning of R-3 only and he thought they could entertain that bid.

Mr. Gerling said that he simply wants to say for the record that he understands the Commissioners position and respect it, however, they want to make it of public record to the extent that the action of the Commissioners, in the acceptance of a changed

bid is tantamount to the re-opening of bidding under new terms and conditions on which only one person was permitted to bid and that is Dr. Arendell.

Commissioner Ossenberg asked County Attorney Wendel for his opinion and Mr. Wendel said that he doesn't see any problem with the procedure that the Commissioners followed.

Commissioner Schaad moved that the bid of ~~Dr. Arendell~~ DELLAREN INC., in the amount of $335,000.00 be approved and that the Boehne property be sold to him for this amount and said that they will rezone it at R-3. Commissioner Willner seconded the motion. The vote being affirmative unanimously, the motion carried.

Commissioner Ossenberg told Mr. Arendell that the Boehne property has been sold to him for $335,000.00, based on Council's action at their Wednesday night meeting, which will be held at 7:00 p.m.
Dr. Arendell asked what the time table was on the zoning, assuming the minimum time.

Commissioner Ossenberg said if the Council takes action on Wednesday night, that it will come before the Commissioners in July and before the Area Plan at their August meeting and then back to the Commissioners on the third Monday in August and will, hopefully, be completed at that time, so they are talking about the first of September for Dr. Arendell to take possession.
He said the Commissioners will have to initiate the rezoning petition, with the County Attorney's and with the co-operation of the Area Plan Commission.

RE: COMMENT ON PLEASANTVIEW BIDS

Commissioner Ossenberg said that under the Pleasantview bid, in discussion with the Commissioners, they are going to take it under advisement for two weeks, until such a time after they have done more research on it.

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

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

RE: DEED SUBMITTED FOR COMMISSIONERS SIGNATURES

County Attorney presented the Commissioners with a deed he had prepared on a parcel of Surplus Property that was sold to Mr. Francis P. Smith. It is located at 502 S. Evans- Code 24-42-16.
The sale was approved by the Commissioners and the County Council.
The County Council had to approve the sale of this property since Mr. Smith's bid was $400.00 and the appraisal was over $1,000.00.

The deed was signed by the Commissioners at this time.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

Martha Riffle	205 St. James Blvd.	Extra Guard	$3.00 Hr.	Eff: 5/21/77
James Guntel	R.R.4 Barton Lane	Security	$3.00 Hr.	Eff: 6/13/77
Charles Lawrence	1309 Diefenbach	Security	$3.00 Hr.	Eff: 6/13/77
Corey Brunck	R.R.3 Petersburg Rd.	Security	$3.00 Hr.	Eff: 6/13/77

PIGEON TOWNSHIP TRUSTEE

Jacquelyn R. Brown	228 S. Barker	Clerk	$6,052.00 Yr.	Eff: 6/13/77

VANDERBURGH SUPERIOR COURT

Edith Rosenblum	5700 Jefferson Ave.	Summer Intern	$300.00 Pay	Eff: 6/20/77
Aaron Pippin	810 E. Sycamore	Summer Intern	$150.00 Pay	Eff: 6/20/77

RE: EMPLOYMENT CHANGES.....RELEASED

BOARD OF COUNTY COMMISSIONERS

Jan Cavanaugh	1310 E. Walnut St.	(Vacation Clerk) Law Library	$80.50 Wk.	Eff: 6/25/77

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RE: MONTHLY REPORTS

The Monthly Report of the Legal Aid Society, Joint Department of Legal Services was submitted for the month of May. 1977.
Report received and filed.

The Report of the Building Commission was submitted for the month of May, 1977.
Report received and filed.

The Report of the Evansville Association for Retarded Citizens, Inc. was submitted for the month of May, 1977.
Report received and filed.

RE: ZONING AMENDMENT SIGNED — VC-70-77

An Ordinance amending article XXXVIII of the Comprehensive Zoning Ordinance for Vanderburgh County, Indiana, Ordinance Number 1053, as amended, was submitted to the Commissioners on May 23, 1977, and was referred to the Area Plan Commission for their approval and now comes back for the Commissioners signatures.

Commissioner Schaad moved that the Zoning Amendment be signed. Commissioner Willner seconded the motion. So ordered.

RE: CETA AGREEMENT AMENDMENT SIGNED

A CETA Agreement Amendment was submitted for the Commissioners signatures. The purpose of the modification is to increase the amount of this subgrant by $7080, from $53,286 to $60,366. The operational period remains unchanged at 2/4/77 - 9/30/77. The Prime Sponsor shall not be obligated to reimburse the subcontractor/subgrantee for costs incurred in excess of the amount currently available and funded.
By reason of the foregoing, the total amount of Title VI funds available is $60,366.00.

Commissioner Schaad moved that the agreement be signed by Commissioner Ossenberg. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Evansville Materials, Inc. for 204.65 tons of sand fill used on the Adler Road Culvert, in the amount of $266.12. This was approved by Louis Stephen, the County Highway Engineer.

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

A claim was submitted by the Evansville-Vanderburgh County Building Authority, for labor and material to install 25 feet of floor to ceiling double vinyl wall with aluminum door frame, no door, in Treasurer's Office, Room 210-212, Administration Building, in the amount of $550.00.

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

RE: CLAIM FOR REFUND

A Claim for a refund was submitted by the Corbett Electric Company for refund of permit 8064 for 2500 Anthony Drive, Corrected permit 8791 was received. The amount of the claim is $25.00.

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

RE: REZONING PETITION...THIRD READING...VC-67/77

Petitioner - Gregory G. Kempf of 2200 Lexington Avenue
Owner of Record - Walter C. & Geneva B. Young of 2612 W. Mill Road

Premises affected are situated on the southwest corner of the intersection of St. Joseph Avenue and West Mill Road, more commonly known as 4902-5010 North St. Joe. Ave.

The requested change is from A to M-2.
The present existing land use is vacant and the proposed land use if for an Industrial Park.

Mr. Ed Johnson Jr. the attorney for the petitioner, appeared and submitted a drawing of the area and showed the Commissioners the neighborhood of the proposed rezoning so they could better understand what adjoins the property.
He said there is a request for three curb cuts along St. Joe, that Area Plan has requested two cuts and they were approved by Area Plan, so they can live with two cuts. He said there would be a cut on West Mill Road and on Locust Creek Drive which the Empire Development Co. will put in at their own cost and that there are no problems with the sewer or drainage indicated in any of the surveys or study that have been done, that this Development Co. has developed several other Industrial Parks including the one along St. Joe Avenue, also that the Area Plan Commission has required as a condition to passing the rezoning, that the Developer have a tree line along the Northern edge of the property because of the single family residential area across the street and this is agreeable with the developer.

Commissioner Ossenberg said he believed this rezoning was passed by the Area Plan with only one negative vote and Mr. Johnson said be believed this to be correct. There were no remonstrators present.

Commissioner Schaad moved that the Rezoning Petition VC-66-77 be approved, having only two curb cuts on St. Joe. Avenue and three on Mill Road and putting the screen of trees along the South side of Mill Road across from the residential area. Commissioner Willner seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: REZONING PETITION...FIRST READING...VC-67-77

Petitioner and Owner of Record...Stockberger Machinery Inc.of 2222 Highway 30 W Bypass, Ft. Wayne, Indiana.

Premises affected are situated on the West side of Hwy 57, a distance of 930 feet Northeast of the corner formed by the intersection of Kansas Road and Hwy. 57, commonly known as 9820 Hwy. 57 North.

The requested change is from C-1B to M-2.
The present existing land use is vacant and the proposed land use is for Heavy equipment sales and service.
There was no one present to speak for or against the Petition.

Commissioner Schaad moved that Petition VC-67-77 be referred to the Area Plan Commission on first reading. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION...FIRST READING...VC-68-77

Petitioner...Oak Meadow, Inc. of R.R.8 Browning Road.
Owner of Record...Ross, Inc. of R.R.8 Browning Road

Premises affected are situated on the west and east side of Petersburg Road, a distance of 1500 feet,more or less, formed by the intersection of Browning Road and Petersburg Road, known as R.R.8 Petersburg Road.

The requested change is from A to R-1.
The present existing land use is residence and vacant acreage and the proposed land use is for a Subdivision composed of single family residences.
There was no one present to speak for or against the Petition.

Commissioner Schaad moved that Petition VC-68-77 be referred to the Area Plan Commission on first reading. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION...FIRST READING...VC-69-77

Petitioner - Citizens National Bank of 19 N.W. Fourth Street.
Owner of Record - Empire Development Corp. of 2200 Lexington Avenue.

Premises affected are situated on the Northeast corner of the intersection of State Road 57 and U.S. Highway 41, more commonly known as 7100 State Hwy. 57 and 7401 U.S. Hwy. 41, North.

The requested change is from A to M-2.
The present existing land use is vacant and the proposed land use is for an Industrial Park.
There was no one present to speak for or against the Petition.

Commissioner Schaad moved that Petition VC-69-77 be referred to the Area Plan Commission on first reading. Commissioner Willner seconded the motion. So ordered.

RE: RESOLUTION PROPOSED TO ESTABLISH A C.C.I. FUND

County Attorney Smith said he has reworded the Resolution to establish a Cumulative Capital Improvement fund that the Commissioners had requested him to do after it was approved by the County Council.
He said that he and Mr. John talked to Mr. Eades who had a question of whether or not it was proper to do this but he suggested submitting it to the State Board of Accounts, since this was just his opinion.
Mr. John said it had been sent up to the State Tax Board and they felt as though it wasn't proper for them to rule as to whether or not this Fund would be legal so they said to sent it to the State Board of Accounts.
He said this was just a question of whether they can put a County General Fund receipt and then set up a separate fund for it but if the State Board of Accounts approves it, there is no trouble.

Commissioner Willner moved that the Resolution be approved, subject to the approval of the State Board of Accounts. Commissioner Schaad seconded the motion. So ordered.

RE: OPENING OF BIDS

There were four bids received for the repair of the four bridges located on Ohio Street, Columbia Street, Maryland Street and First Avenue, all located at Pigeon Creek, which are as follows:

G. H. Allen, Inc.....$161,103.00...Not in proper form
Deig Brothers.....$191,690.
Southwest Engineering.....$145,247.50
Robert F. Traylor Corp.....$252,837.00

Commissioner Schaad moved that these bids be referred to the County Highway Engineer for study and recommendation for one week, so the contract can be awarded at the next Commissioners meeting. Commissioner Willner seconded the motion. So ordered.

RE: NOTICE OF CLAIM

County Attorney Wendel explained that a Notice of Claim has been filed against the County by B & M Construction Company, Inc. through their attorney, J. Douglas Knight, concerning an easement they had and subsequently, the land was sub-divided and sold when the street was built and the County accepted the street for maintenance and they claim we are trespassing on their easement.
He said he would like to investigate this further.

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

RE: MR. HOTZ- COMMENTS ON SURPLUS ITEMS AT PLEASANTVIEW

Mr. Hotz said there are two things they need to discuss in regard to Pleasantview, that if Mr. Brenner's bid on Pleasantview is accepted and if there is no zoning required, he can have possession in seven days and they have the surplus property out there to get rid of, that it requires two weeks to advertise and they must have the sale ten days from the last advertisement.

Commissioner Schaad said they held up the advertising since they wanted to see if someone that might lease the facility would want to bid on some of the items.

Commissioner Willner moved that they postpone the selling of the surplus items at Pleasantview until a later date. Commissioner Schaad seconded the motion. So ordered.

Mr. Hotz said he just wanted the Commissioners to keep in mind that he does need two weeks plus the ten days before they can have the sale.

RE: NEED FOR NIGHT WATCHMAN AT PLEASANTVIEW

Mr. Hotz said that Mr. Zenthoefer, the maintenance man at Pleasantview, will be going to Hillcrest-Washington on July 1st and he will have no problem maintaining the grounds at Pleasantview with his men, that the problem would be night security and he wondered what could be worked out.

The Commissioners agreed that Mr. Hotz try to find someone and pay him from the Pleasantview budget.

Commissioner Ossenberg asked Ms. Juras that she make a note of this to the County Council.

RE: ABSENTEE REPORT

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

RE: SPEED LIMIT RESOLUTION REQUESTED...KAHRE LAKE SUBDIVISION

Last week, Sharon Brace and Mary Freeman submitted a petition signed by residents of Kahre Lake Subdivision, requesting that speed limit signs be posted in the area and the matter was referred to the Traffic Director for study and recommendation.

Mr. Judd now submits the following recommendation:

We are asking for a Resolution to post Streets in the Kahre Lake Subdivision with 30 Mile per Hour Speed Limit restrictions.
Paul Eggink of Urban Transportation and I, William T. Judd, Traffic Engineering have investigated the Area and so recommend.
The County Commissioners approval is requested.

William T. Judd, Traffic Director

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

Commissioner Willner said the Speed Limit Ordinance will have to be amended and Commissioner Ossenberg said this is the way it was originally set out, that they were going to blanket 45 miles per hour and if it was too fast in certain areas, they would amend the Ordinance and that 45 miles per hour is probably entirely too fast in most subdivisions as it is in this area.

Commissioner Schaad moved that the Ordinance be so amended. Commissioner Willner seconded the motion.

Commissioner Willner said that he isn't too sure this will stop the thing that Ms. Freeman was complaining about, that this would be a matter of enforcement.

Commissioner Ossenberg asked Mr. Judd if he would get in touch with Sheriff DeGroote on this matter.

County Attorney Smith said what they need then is a Resolution amending the Master Traffic Control.

Commissioner Willner said they will need to pin it down though, since some of the streets out there aren't County accepted and some are even gravel.

Mr. Judd said the speed limit signs are to be placed on West Hillsdale Road in Kahre Lake Subdivision and that it deadends into Darmstadt Road.

Commissioner Ossenberg asked Mr. Judd to get a description of the street to be posted so County Attorney Smith can prepare a Resolution. So ordered.

RE: PAVING CONTRACT SIGNED

Mr. Brenner submitted the Paving Contract with Jerry David for the five bridges, two of which are located on Baseline Road, one each on Schutte Road, Kansas Road and on Bender Road, for $3,000.00 and said he would like for the Commissioners to sign it.

Commissioner Willner moved that the Commissioners sign the Paving Contract. Commissioner Schaad seconded the motion. So ordered.

RE: CUTS IN

The Waterworks Department requests permission to make the following cuts:

Baumgart Road to provide service to Korte Brothers
8421 Holly Hill Court to install 3/4" water service.
5601 Old Boonville Hwy. to install 3/4" water service
Mattingly Court to install Main Extension
513 & 509 Red Bud Lane to install 2-3/4" water service
Mill Road off St. Joe by County Garage to repair water main break
7617 Meadowview Drive to install 3/4" water service
5512 Hogue Road to install 3/4" water service
Krueger Avenue, Upper Mt. Vernon and Halsey Ave. to install water main extension

10351 Browning Road to install 3/4" water service
2101 North Red Bank Road -Water Main Break-Leak on 2" Tap for Barbara Jane Lane
6701 Seeger Drive in Seeger Heights to install 3/4" water service
5300 New Harmony Way to repair water main break

Commissioner Schaad moved that these cuts be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: ST. JOE AVENUE

Commissioner Schaad said the inspection was made on St. Joe Avenue and he wondered how they were coming along.

Mr. Lochmueller said they are making the corrections on the drawing, that the corrections are minor, so after they are made, that there has also been a request made for more information on land acquisition, that apparently they have a problem with a piece of property that was bought sometime ago that had a house on it, so this will have to be taken care of and they might have to pay for re-location, but they don't know at this time, that the man has moved and they don't know where he is, but they should be having a public hearing relatively shortly.

Commissioner Schaad said that apparently there were two parcels of property, as he understands it, out on St. Joseph Avenue that were purchased and now since there is federal money involved, there is some question of whether those people were treated properly, did the County pay for their moving and other things. He said that the people were apparently satisfied but he understands that the federal government is questioning it.

Mr. Lochmueller said this is what the gentlemen are doing now and this is why they have to have the hearing so it will be resolved at that time.

Commissioner Willner said since the house has been torn down, he couldn't see why it would come under their study now.

Mr. Lochmueller said no, other than they might have to pay the man re-location payments, that they are using federal money on the project and when property is purchased, their rules must be abided by and this was what they failed to do.

Commissioner Schaad said he was wondering if there was anything the Commissioners could do to expedite it and Mr. Lochmueller said he would get the Commissioners a status report on it and let them know next week.

RE: REQUEST FOR A CODE A PHONE

The following request was received from the Cooperative Extension Service:

We would like permission to install a code-a-phone in the Extension Office. This unit will not be used to record incoming calls. It will be used to answer the phone at night and weekends on home and garden problems. Example, Fireblight on fruit trees. When this problem starts, we will get 20 + calls a day about the disease. If the horticulture specialist is not in the office, our office manager can switch person to code-a-phone, and they can get information on control. This unit also can be used for home economics, agriculture, and 4-H youth programs.

Sincerely, Jack D. Wade
Extension Agent

It was explained that this will be on an existing telephone, that the line is already there and Mr. Wade said they didn't have any idea that they must have permission to do it, but they then found out they needed the approval of the Commissioners to get it hooked up.
He said he understands that the only thing it requires is a plug in on the existing line to plug the unit in.

Commissioner Willner moved that the code-a-phone be approved, subject to the approval of the Building Authority. Commissioner Schaad seconded the motion. So ordered.

RE: TRAVEL REQUEST

Mr. John, the County Auditor, requested permission to travel to Indianapolis on June 29th. to attend a seminar on budgeting that is being sponsored by the State Board of Accounts.

Commissioner Schaad moved that Mr. John be permitted to travel to Indianapolis to attend the seminar. Commissioner Willner seconded the motion. So ordered.

RE: POOR RELIEF

Georgia Mae Hobby...734 Bayard Pk. Dr. Pigeon Township...Mr. Olsen, Chief Dep. Trustee

The report submitted by the Pigeon Township Trustee states that Ms. Hobby requested help on her utilities but was advised to find a cheaper place to live within her means.

Ms. Hobby said she did want help on her utilities but that Human Relations assisted her in finding help and that some church paid the utility bill for her, that she was told to appeal the case since the Trustee refused to help her and in the meantime her utilities were paid, so she no longer needs help.
She said she was told to move into a cheaper place, that she has tried but she was told that she could only get a one-bedroom apartment in a project and she has furniture for more than a one-bedroom apartment so she was told that the only thing they could assist her in then was to help her get back home.

Commissioner Schaad said that in-as-much as her bill has been paid and she doesn't now need help, that it wouldn't have been necessary for her to come before the Commissioners today.

The meeting recessed at 10:30 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg	Curt John	Ed Smith Jr.
Bob Schaad		Paul Wendel
Robert L. Willner		

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JUNE 27, 1977

The meeting of the County Commissioners was held on Monday, June 27, 1977, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

The minutes of the previous meetings that were held on June 17th. and June 20th. were approved as engrossed by the Auditor with the following corrections:

In the minutes of the Commissioners meetings that were held on June 17th. on Page 2 and the minutes of June 20th. on Page 1, where it mentions Dr. Arendell as the bidder on the Boehne property, it should read Dellaren, Inc. as the bidder, of which Dr. Arendell is President.

The reading of the minutes of both meetings were dispensed with.

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

There was one bid received on the County-owned Surplus Property and this was from Constance Robinson who bid on Parcel #9, Tax code 22-76-9, located at 1824 S. Elliott Street, which was appraised at $218.75 and her bid was $100.00.

Commissioner Willner moved that the $100.00 bid from Constance Robinson of 1820 S. Elliott Street be accepted. Commissioner Schaad seconded the motion. So ordered.

There were no further bids today so the sale of the County-owned Surplus Property will continue next week.

RE: OPENING OF BID...BOILER AT AUDITITORIUM

There was only one bid received on the Boiler at the Auditorium and that was from Goedde Plumbing & Heating, Inc. in the amount of $49,876.00.
The bid was in proper order and the Engineer's estimate on the boiler was $50,000.00.

Commissioner Schaad moved that the bid be referred to the County Engineer for study and recommendation. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg said they will also have to go back before the County Council for the money before a contract can be awarded.

RE: CONTRACT AWARDED ON BRIDGE CONTRACT BC-2-77

Mr. Brenner said that the low bids received for repair of four bridges are as follows:

Ohio Street Bridge.....Southwest Engineering, Inc.....$64,370.00
Maryland St. Bridge.....Southwest Engineering, Inc..... $31,024.50
First Ave. Bridge.....Deig Brothers Lumber & Constr.....$13,305.00
Columbia St. Bridge.....Deig Brothers Lumber & Constr.....$19,700.00

He said they have combined low bids of $128,399.50 which is a great deal lower than the Engineer's estimate, but because it is repairs, they expect over-runs, but that this is the cheapest way to go and this is his recommendation.
He said they only lost about $800.00 on G.H. Allens bid on Maryland Street that was thrown out and this is the only one they would have gotten, but their bid wasn't in order, also that he has the contract prepared for both of them which he drew up together.

Commissioner Schaad moved that the contract be awarded to Southwest Engineering for Ohio Street and Maryland Street bridges and to Deig Brothers for the First Avenue and the Columbia Street bridges. Commissioner Willner seconded the motion. So ordered.
The contract was signed at this time.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AREA PLAN COMMISSION

Sherilyn Brandenstein	1641 E. Division	Part-time	$2.75 Hr.	Eff: 6/27/77

AUDITOR'S OFFICE

Jennifer Elbrink	6716 Upper Mt. Vernon	Part-time	$20.00 Day	Eff: 6/27/77
Teresa Riney	6221 Broadway	Part-time	$20.00 Day	Eff: 6/27/77

APPOINTMENTS.....CON'T.

BURDETTE PARK

Janet Ulrey	130 E. Mill Road	Guard	$3.00 Hr.	Eff: 6/18/77

COOPERATIVE EXRENSION SERVICE

Patty Ann Purtzer	218 Charmwood Crt.	Part-time	$2.30 Hr.	Eff: 6/9/77
Dennis A. Brazelton	R.#6 Box 322	Part-time	$2.30 Hr.	Eff: 6/9/77
Catherine E. Stott	R.#8 Box 141	Part-time	$2.30 Hr.	Eff: 6/9/77

HIGHWAY DEPARTMENT

Mark T. Tuley	1524 S. St. James	Equip. Oper.	$4.63 Hr.	Eff: 6/22/77
Larry Rebstock	4108 Cort St.	Summer Help	$2.43 Hr.	Eff: 6/27/77

PIGEON TOWNSHIP REASSESSMENT

Ruth Calhoun	723 Bayard Pk. Dr.	Clerk	$20.00 Day	Eff: 6/20/77

UNION TOWNSHIP REASSESSMENT

Evelyn Bernard	R.R.2 Box 152		$20.00 Day	Eff: 6/16/77

RE: EMPLOYMENT CHANGES.....RELEASED

UNION TOWNSHIP ASSESSOR

Evelyn Bernard	R.R.2 Box 152	Dep. Assessor	$20.00 Day	Eff: 6/15/77

RE: MONTHLY REPORT

The Report from the Bureau of Traffic Engineering was submitted for the month of May, 1977.
Report received and filed.

RE: $4,000.00 WILLED TO COUNTY

It was stated that $4,000 was willed to the County by Walter M. Clark, deceased and the following letter was submitted as Notice on final account to all persons interested in his estate:

A.D. 75-471...In the matter of the Estate of Walter M. Clark, Deceased.
Notice is hereby given that Ralph M. Koehne as Personal Representative of the above named estate, has filed report of final accounting together with petition to make distribution of remaining assets to the parties believed entitled thereto. The same will be acted upon by the Superior Court on the 12th day of July, 1977, unless written objections are presented to the Court on or before that date.
Dated this 21st day of June, 1977.

Shirley Jean Cox, Clerk

Commissioner Schaad moved that the County accept the $4,000 and that it go into the General Fund. Commissioner Willner seconded the motion. So ordered.

RE: PETITION SUBMITTED

A petition that was signed by several people was received by the Commissioners and reads as follows:

We, the undersigned, request that energy conservation planners on all levels of government consider the discontinuance of all new road constructions, except that vital to new energy installations and national defense. Monies now designated for highway construction should be diverted to improvement of existing roads and highways, and to subsidizing railways, particularly for passenger use.
We believe this would save a good percentage of the gas and oil used for vacation travel as well as that used by many commuters who now have to use their cars to get to work.

This matter was taken under advisement and referred to County Attorney Wendel.

RE: REQUEST FOR OFFICE ENLARGEMENT

The following letter was received from Judge Robert Lensing of the Vanderburgh Superior Court, Juvenile Division:

Dear Mr. Ossenberg:

We are desirous of enlarging the office occupied by Mr. Greg Combs here at Juvenile Court.

This will require labor and material to remove approximately 8 1/2 ft. of 1/2 wall and turn present swinging door into new partition across the previous corridor in the rear of Room 126, Courts Building.

The Building Authority has quoted a price of $240.00.

We ask your approval to proceed with this alteration by issuing a purchase order or authorization guaranteeing payment.

Sincerely, Robert W. Lensing, Judge
Vanderburgh Superior Court

Commissioner Ossenberg said they will need to go before County Council for the money.

Commissioner Schaad moved that the request be approved, subject to Council's approval of the money. Commissioner seconded the motion. So ordered.

RE: SPEED LIMIT RESOLUTION ADOPTED...KAHRE LAKE SUBDIVISION

Commissioner Ossenberg said that last week the Commissioners instructed County Attorney Smith to prepare a Resolution amending the Master Control Code of Vanderburgh County in Indiana and specifically of Section 1, Paragraph B, that it shall be unlawful to operate a motor vehicle in excess of 30 miles per hour upon and along roads, streets, and highways to wit; Kahre Court, Hillsdale Road and Ridgeknoll Drive
He said the people in this particular Subdivision came in and requested that the speed limit be lowered, so consequently, this Resolution was prepared.

Commissioner Schaad moved that the Resolution be adopted. Commissioner Willner seconded the motion. So ordered.

RE: REPORT ON OLD PERSONAL PROPERTY

On June 13th. Mr. Volpe, the County Treasurer, submitted some old personal property to the Commissioners that included two war bonds, a watch and various other things and said that something should be done with them, that the State Board of Accounts had told him to give them to the Commissioners and the County Attorney's should decide what to do with them.

Commissioner Ossenberg said that on June 22nd. County Attorney Smith wrote to the Federal Reserve Bank of St. Louis in regard to the items found. The letter reads as follows:

Gentlemen:

Pursuant to a telephone conversation with your office last week, I am herewith returning War Bond Series E #Q339 481 479E, payable to John J. Lively, 3210 Iglehart Avenue, Evansville, Indiana dated February, 1944, in the sum of $25.00 and War Bond Series E #Q338 929 497E in the name of John J. Lively, 3201 Iglehart Avenue, Evansville Indiana, payable on death to Mrs. Jesse Lee Smith, dated January 1944 in the principal sum of $25.00.

By way of explanation: These bonds were originally in the custody of the Vanderburgh County Coroner's Office back in 1965 and were subsequently referred to the Vanderburgh County Treasurer's office pursuant to law since there was no one to claim said bonds. Since we are unable to locate the payee or beneficiary and they have been in the County Treasurer's office for more than one year and no one has claimed ownership of same, I am returning these bonds to your office pursuant to your instruction.

Thanking you very much, I remain,
Very cordially yours, Edwin R. Smith Jr.

RE: COMPLAINT ON DRAINAGE.....WARD ROAD

Mr. Anthony Faccone of 5715 Ward Road appeared and said that with the heavy rain we had yesterday, the water came down Ward Road right into his house and he had to shift it out the back door, that there are no sewers or ditches made on the west side of Ward Road to take care of the water that comes into his driveway and through his house.

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He said the matter has been before the previous Commissioners and former Commissioner Stofleth was out there and watched him sweep the water out his back door. He said something can be done about it, that it is usually from 5700 Ward Road, North, up to Knob Hill, that all the water comes off the hill, off of the street west of Ward Road and between those houses and right now, all the gravel from their driveways is on Ward Road, that they can see where the water has come through and he asked that someone look at it.

Commissioner Ossenberg asked that Mr. Siebeking get with Mr. Faccone to look at the problem so he can see what can be done.

RE: CLAIMS

A claim from Robert Hargrave, Trustee, Citizens Bank, was received for the balance of retirement contributions for 1977, for the Sheriff Department, in the amount of $47,652.00. This is by contract and has been approved by the County Auditor and Sheriff DeGroote.

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

A claim was submitted by the Evansville-Vanderburgh County Building Authority, to furnish labor and material to run a separate 208 volt 3-phase power line direct to computer 5-Electrical wall outlets @ $40.00 ea., 1-phone outlet, new swing gate and installation on Room 200 counter, in room 200-B of the Courts Building, as per authority of Tom Ossenberg 3/17/77, in the amount of $1,130.00. This was approved by Maurice O'Connor.

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

A claim was submitted by Torian Agency, Inc. for continental policy #YC02 13 23 covering the Sheriff Department's Boat & Trailer, in the amount of $190.00.

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

A claim was submitted by Torian Agency, Inc. for continental bond #BND2058118, $5,000, Public Official Manager Bond for Fred G. Dewes of the Vanderburgh County Auditorium, in the amount of $20.00.

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

A claim was submitted by Feigel Construction Corp. for the resurfacing of the roads at Burdette Park, in the amount of $13,886.83, which is an underrun.

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

RE: F.H.A. TO INSPECT GERMAN TOWNSHIP WATER LINES

Commissioner Schaad said he was advised that tomorrow, Tuesday, June 28th. the F.H.A. will inspect the German Township water lines for final okay, so if there are any complaints or if anything needs to be done, it should be done right away, before they get their final payment.

Mr. Siebeking said he received a letter to this effect and he understands that they are responsible up to one year and if anything would happen within that time, they will come back in and take care of it.

RE: MR. CROOKS

Mr. Crooks, the Building Commissioner, said that he will be on vacation next week.

RE: FLOOD INSURANCE STUDY

Commissioner Ossenberg submitted the Flood Insurance Study, that he had received, to Mr. Crooks.

RE: COMMENT ON NIGHT WATCHMAN AT PLEASANTVIEW

Mr. Hotz said that Mr. Zenthoefer who has been maintaining the Pleasantview building, will be moving to the Hillcrest-Washington Home, that they have been wondering about who they were going to get as a night man at Pleasantview and that Mr. Zenthoefer has agreed to spend his nights at Pleasantview so some one will be there, if his mileage will be paid.

Commissioner Ossenberg asked if there wasn't money for mileage in the Pleasantview Account and Mr. John said that if there isn't, that money can be transferred to the mileage account.

RE: ABSENTEE REPORT

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

RE: F.H.A. TO INSPECT GERMAN TOWNSHIP WATER LINES....CON'T.

Mr. Siebeking said that Mr. Milligan called him and asked for a letter for the final report. He said he didn't know if it was necessary for the Commissioners to sign it or not.

Commissioner Ossenberg asked how long this project has been finished and Mr. Siebeking said they have been done since late last fall and they came back this spring and re-worked anything they had complaints on and this has been completed.
He said that he understands though, that within a year of final payment, they will still come back and take care of anything major that happens.

Commissioner Ossenberg said this is what he was curious about, that he didn't know if it was a year from when they quit or a year from the final letter and Mr. Siebeking said he didn't really know but that he could call Mr. Milligan and find out but he imagined the letter is needed before Mr. Milligan can submit the request for final payment.
Commissioner Ossenberg asked Mr. Siebeking to call Mr. Milligan and find out before he sends the letter to him.

Mr. Siebeking said he would do this and he would also find out if he wants the Commissioners to sign it.

RE: REPORT ON BRIDGE ON OLD HENDERSON ROAD

Mr. Siebeking said that the Union Township Trustee and his Advisory Board came to him on Saturday, that there is a bridge down on the Old Henderson Road, which is Structure #127, and at this particular bridge, whenever the river comes up, they go in there and fill in on the river side and levee it off so the water can't come across when they are trying to hold it out of the township, that the bridge is getting bad underneath and it really needs to be replaced and they are willing to use some township funds to help pay for replacement of some pipes, that they would like to have some pipes put in so they can put some gates on them so when the river comes up, they can close the gates and keep the water from coming in.
He said that the water comes from the river, goes under the bridge and then across the township and back into the river, that it isn't really a bridge where the water goes toward the river, that it runs in the opposite direction, so they have some funds and are willing to help pay for this if anything can be done, so he told them he would bring it up this morning and see what could be done rather than a bridge and they feel that since there is no more water that goes out, that maybe a pipe or two would do the job instead of a bridge.
He said this bridge is on the Old Henderson Road, down by the Seminary Farms and it is the only bridge left down in there, that the rest of them have been taken care of, so he told them he would bring it up before the Commissioners and the Surveyor to see what they thought, but he thought this should be looked into since they are willing to help pay for it.

Commissioner Schaad said he could see the problem but he wondered if it could legally be done, since it wasn't a legal drain and if the bridge is adequate for traffic to go over it and it isn't damaging the County road, what would be the justification for spending the taxpayers money.

Mr. Siebeking said that the bridge is very bad underneath and needs to be replaced and Commissioner Schaad said that it is another matter then, if the bridge needs to be replaced.

Mr. Brenner said they will go look at it and then make a recommendation.

RE: PROBLEM ON WEED CUTTING IN THE COUNTY

Commissioner Willner said there is a very serious problem in the County on weed cutting and he talked to the County garage about it and most of their equipment is down for repairs and there are some places that are actually going back to a forest and one such place is next to I-64 and trees are growing up within two or three inches of the pavement and he thought they should look into the possibility of some new weed-cutting equipment for the County.

Commissioner Schaad said he has also had some complaints and he talked to Mr. Siebeking about it who said his equipment is down.

Commissioner Willner said he understands that the County is now responsible for the johnson grass along the side of the roads on the County right of way by the State Legislature and in many places, it is growing up and is turning to seed, that he has received many calls and he agrees that something must be done about it, so he is mainly interested in spraying the johnson grass and weed mowing and if it takes a new truck with spray equipment on it, he thinks they should entertain the idea.

Mr. Siebeking said he has the spraying equipment for it, that he had a couple of men to get sick from the fumes, that it is a bad drifting agent and has to be watched but it does the job.
He said, in reference to the mowing, that he has talked to several other counties and a couple of them have went to contract mowing, that they have went out in the townships and talked to farmers who have tractors and mowers and got a price from them and they are doing the mowing and he is wondering if this wouldn't be cheaper but said that he doesn't have any money in new equipment accounts what-so-ever and this is the reason they have just got to keep going with what they have and when they break down, they have to wait for parts but he is wondering if it wouldn't be cheaper for the County, in certain areas, to hire it done by a farmer or anyone who would want to go out and mow the roadsides.
He said he has talked to people and found several that were interested and would do the job but he hasn't talked to them about what the cost would be but he thought they would be paid by the mile and maybe give them the job of maybe mowing it three times per year and then letting them send in a claim at the end of the year and pay them for it.

Commissioner Willner said he thought something must be done along these lines because if it wasn't for the farmer, the County would be in a lot of trouble.

Mr. Siebeking said that there is a lot of age on the one mow trim they have left and when it goes down, they are setting at least three weeks waiting for parts to come in, that the other one they had, there is no longer any sense in trying to keep it on the road because it has just worn too bad so they are trying to make one out of the two and he has tried to do the same with the mowing machines.
He said he would check further into it and see if they could get anyone that is interested in doing it if the Commissioners want him to, that he thought it would actually be cheaper to have it done by someone in certain outlying areas and he thought he could get someone to mow the roads in Union Township, in Armstrong Township and the Northern part of Scott Township.

Commissioner Schaad said, in his opinion, this is an example of what Revenue Sharing money is all about, to use it for buying capital equipment and that sort of thing, rather than for operating expenses and he thought that Mr. Siebeking should come up with what he needs and they should ask the County Council for it.

Mr. Siebeking said they haven't had any money for new equipment for the past two years.

The Commissioners agreed that something should be done and Mr. Siebeking said that as far as the johnson grass is concerned, they can take care of it because they do have the spray equipment and the material that will kill it so they can start this program, that it is no problem and he can even fix an arm on it for spraying it, but the mowing has caused him more problems than anything.

Commissioner Schaad suggested that Mr. Siebeking make a list of the equipment needed and that they ask Council for Revenue Sharing Funds in next years budget to buy it.

Mr. Siebeking said they need a wrecker very badly since it is one of the oldest pieces of equipment they have and it is in bad shape but they try to keep it patched together the best they can.

RE: DRAINAGE PROBLEM

Commissioner Schaad said he has had a complaint from a Mr. Wagner at 6801 Oak Hill Road, on a drainage problem and Mr. Brenner said they have already been out there since Mr. Wagner also called him.

RE: CLAIM

A claim was submitted from Jerry David, on the four bridges located on Schutte Road, Kansas Road and two on Baseline Road, Acct. 203-2250, in the amount of $2,900.00. Mr. Brenner said these bridges have been inspected .

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

RE: CUTS IN

The Waterworks Department requests permission to make the following cuts:

7411 Oak Hill Road to install 3/4" water line.
Fleener Road and St. Joseph Avenue to insatll 1,650' 12" Water Main to Provide water service.
3117 West Mill Road to install 3/4" water service.
3110 to 3117 West Mill Road to install 1,085' 6" Water Main to provide water service.
3300 Oak Terrace Avenue to install 3/4" water service.

Commissioner Schaad moved, on recommendation of Mr. Brenner, that these cuts be accepted. Commissioner Ossenberg seconded the motion. So ordered.

RE: MT. PLEASANT ROAD...QUESTION OF CUT BEING REPAIRED

Commissioner Willner asked Mr. Siebeking if the road cut on Mt. Pleasant Road has been repaired.

Mr. Siebeking said that according to Bob Staub, it has been repaired but that he hasn't had a chance to drive out there to check it.

RE: COUNTY TO REPAIR BRIDGES

Mr. Brenner said that he has five bridges they were going to let out on contract, but they are going to do them all themselves, that they are located on Cypress Dale Road, Inglefield Road, Marx Road, No. 3 School Road and at the junction of Heddon Road and Millersburg Road. that they are all in sad need of repair and they are going to replace them all with pipes.

RE: PROBLEM ON GREEN RIVER ROAD

Mr. Brenner said they have one more problem at the residence of a Mrs. Hildebrand at 6703 N. Green River Road, that this was brought up some three months ago, that this is a driveway and a turnout for her mailbox and it still isn't fixed and she called early one morning last week and she said that if it isn't fixed this week, that she will have to get legal assistance, that according to her contract, the County does owe it to her.
He said he thought this was something the County garage could do.

Mr. Siebeking said they went out there and told her what they could do but she didn't want it done that way and said she has a contract but she wouldn't let him see it so he told Mr. Staub that they wouldn't do anything until they saw the contract since he didn't know how it read and what they were supposed to do.

Commissioner Ossenberg said that Lillian Carnaghi was the right of way buyer for Green River Road and that the Auditor should have a copy of it.

RE: STATUS REQUESTED ON ST. JOE RIGHT OF WAY

Commissioner Schaad said that Mr. Lochmueller was suppose to have a report today on a couple pieces of right of way on St. Joe Avenue.

Mr. Hinton said he wasn't familiar with the report but he does know that Mr. McGillam is interested in a couple of pieces for some re-locations but he isn't aware of the status of them at this time.

Commissioner Schaad said this is why it was brought up, so they could see what the status is, because it is delaying going ahead on the thing, and he got a call from Guy Cantrell who wanted to know where we stood on those two parcels and he understands

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these are the parcels where they wondered if those people were given money to relocate or whether they weren't and this still hasn't been established, that it needs to be done and this is delaying it and Mr. Lochmueller said he would have a report this week.

Mr. Hinton said an appraiser from McGillam Associates came in to the office and they sent him to Don Cox who handled the right of way on this job originally. He said he was totally unaware that a report was to be given on it today and he could check into it for the Commissioners and report to them informally before the next meeting.

Commissioner Schaad said he thought they should have the report in a meeting since it was brought up in a meeting.

RE: DISCUSSION OF SIGNS NOT MEETING NEW COUNTY ORDINANCE

Mr. Brenner said he got a call on St. George Road, that there is a 20 m.p.h. speed limit posted on it and he didn't think they could back it up with an Ordinance, that he couldn't find it anywhere.

Commissioner Ossenberg said he thought the sign should be removed.

Mr. Brenner said he thought so too, that they appeared about three months ago and to be truthful, he didn't really know if they were County signs or not.

Commissioner Schaad said that since the County has a new Ordinance, he would venture to say that there are a lot of signs that don't meet the new Ordinance and they couldn't be backed up and he thought that all the County roads should be brought up to the new Ordinance.

Commissioner Willner said that with the grass cutting detail, the grass is higher than the signs and they can't be seen.

Commissioner Ossenberg asked Mr. Judd to check into the signs.

Mr. Judd asked if the new Ordinance over-rides the previous speed limits.

Commissioner Ossenberg said that under the new Ordinance, all County roads have a 45 m.p.h. speed limit unless the Ordinance is amended such as it was today in the Kahre Lake Subdivision.

RE: COMMISSIONERS MEETING DATE CHANGED

Commissioner Ossenberg announced that due to the July 4th holiday next Monday, the next Commissioners meeting will be held on Tuesday, July 5th. 1977, and he wished everyone a happy holiday.

RE: PUBLIC HEARING ON REVENUE SHARING FUNDS

Commissioner Ossenberg said this Public Hearing on the Revenue Sharing Funds is to the tune of $158,000.00 of which $113,000.00, the Commissioners have decided to use for road repair and to now hear the discussion on it and the $45,000.00 which is the County's share to the Health Department, that they had originally advertised this and had public hearings and since the Council meets at a later date to take this up, it was advised by the State Board of Accounts that the Commissioners should have another Public Hearing so he asked, at this time, if there was anyone in the audience that wanted to speak pro or con on the decision of the Commissioners which is to use the $113,000.00 for road repairs and the $45,000.00 as the County's share of the Health Department.

There was no one present that had any comments for or against the Commissioner's decision on the uses of the Revenue Sharing money.

RE: PROBLEM AT BOEHNE CAMP ROAD & MIDDLE MT. VERNON ROAD

Mr. Stephen said that Mr. Brenner called him about a problem that a Mr. Miller has at Boehne Camp Road and Middle Mt. Vernon Road, that he went out there and found that he has a drive across a small stream and a truck pulled across it and broke it down, then All State Insurance Co. came out and hired someone to put a new slab in to get across it, which lasted a few years and then last year, an oil truck went across it and broke the slab and he wanted to know if the County could help him, so he made some recommendations, that if he puts in a tube, there isn't enough for the amount of area draining down through in front of his place and they can't get in the ditch, so the ditch itself is probably a little small and they want to do something so the

oil truck can get across to fill his tank in the winter time.
He said one recommendation he made was to cast a new slab on top of the existing one but Mr. Miller doesn't particularly like this idea, that he wants footers put in, down below, to hold it up.
He said that he didn't know if Mr. Miller thought this would make it stronger or not, also that Mr. Miller knows that if he furnishes the material, that the County puts it in the ditch for him to get across and the size of the tube is such that the County doesn't even have the equipment big enough to handle it if he does buy it.

Commissioner Schaad asked if they put in a large pipe to handle the water, would the ditch be adequate enough and said they could use highway funds if it is going to protect the County roads even though it is on the County right of way, that they can go off the right of way if it is necessary.

Mr. Stephen said the road is beginning to come apart and actually the ditch should be moved back a bit and enlarged in size, that this gentleman has already cut down some trees that were planted next to the ditch that were undermined and leaning toward the road and they were possibly on the road right of way and he had them cut down with out any help, back aways and didn't realize it at the time, but it was on his side of the ditch.

Commissioner Schaad said when he talked to the gentleman, he was willing to supply the pipe or whatever was recommended and maybe they could contract the job to put it in if it is too big for the garage to handle.

Mr. Brenner said the County doesn't owe anyone but the County puts the pipe in as a courtesy, to see that it is put in right and Commissioner Schaad said this is a policy the County has always had.

Mr. Stephen said if they put in a pipe that is too small, even though the ditch is too small also, that it can backfire on them later on, by the fact that it could cause flooding because they put a pipe in that is too small so he is reluctant in putting anything smaller in, when he knows it is too small.
He said his recommendation is to go in there and use the existing slab and put in enough reinforcement at this time to make it hold and use it as a basis for casting a new slab but the man wants better footers under it, but he don't see how that is going to help any other than the fact that some of these days, he thinks the whole ditch is going to have to be rebuilt so he thinks from what is out there and at the smaller cost, is to cast a new slab and this would be the better way to go but the gentleman doesn't want to go along with this.

Commissioner Schaad asked how big the new slab would be and Mr. Stephen said it would be about 12 to 15 feet long and the width about 12 feet, that the existing one is too narrow and there are no guard rails.

Commissioner Schaad said what he was trying to determine is if the bridge belonged to the man or to the County.

Mr. Siebeking said it belongs to the man, that it is a private drive and he didn't think that it is the responsibility of the County to go out there to do anything for him.

Commissioner Schaad said the County has always helped where there was a ditch and someone wanted to get to their property, by putting in the tile if the person bought it, but this is just a big tile.

Mr. Siebeking said if the County agrees to help him, he didn't think they should do it like he wants it, that he thought they should tell him what they can do and he can take it or leave it.

Commissioner Schaad said he would go along with that, but he just couldn't see leaving the man high and dry when they do help other people to get to their property off a County road and he asked Mr. Stephen what he thought the cost would be for the slab and could the County do it.

Mr. Stephen said he thought they could do it and the cost would be $500.00 or greater.

Commissioner Schaad said if it is agreeable, they should get an estimate as to what the material would cost and ask the gentleman if he will come up with that much and then the County will supply the labor to put it in, that he agrees that it is a big job and an unusual situation but they have had a policy in the past to help anyone to

get onto their property from the County road.

Mr. Stephen said he would see what the cost of the material will be.

RE: PROBLEM OF DRAINAGE ON SCOTT ROAD

Mr. Stephen said that on Scott Road, near the Interstate & Cynthiana, that about a year ago, Mr. Siebeking went out and cut the side ditch along there to get better drainage and keep the water off the road and a man wanted to get into his field, that the man could have gone up the road, less than a quarter of a mile to the other end of the field, that this is on the new section that they rerouted from Scott Road to the overpass and that field to the south drains down into the side ditch and east to a culvert under the road and he put in two 8-inch tiles side by side across and filled it up with dirt to get onto his property and the area indicated a 24-inch tile but what happened when we had heavy rain about three weeks ago, was that they ended up with so much mud coming down on the road for about a quarter of a mile, that one man, coming into it that evening, almost lost control of his car, so he called the owner first and then the farmer that put the drive in and he said he would take care of it but it hasn't been taken care of yet and he is asking if there is any objection if Mr. Siebeking goes out there and pulls the thing up, because if that drain was left in there yesterday, they have the same condition again.

Commissioner Schaad said it should be put in writing, that he be given ten days to do it and if he don't, that the County will do it.

RE: COMMENT ON DRAINAGE PIPES FOR SUBDIVISION

Mr. Stephen submitted the plans for the Jasper Land Co. Inc. Industrial Subdivision Plans and said he found that they were putting too small a pipe at the entrance on the road out of the Subdivision onto Mt. Pleasant Road.
He explained the drainage and what size pipe was needed and said he got some static when he said they needed a 36" pipe and he was asked to check it over again, which he did but said that it still needs a 36" pipe and he explained the drainage plans.

Commissioner Ossenberg said that Mr. Stephen should stick with his recommendation as to the size pipe to be used, that by doing otherwise, he is just asking for trouble and he doesn't have to worry about the Commissioners not backing him up and he might as well meet it head on right now because he has seen too many problems in this County existing because of this very thing.

RE: AUTHORITY TO MAIL BACK DEPOSIT ON BOEHNE PROPERTY

Commissioner Willner moved that the $5,000.00 check deposit on the Boehne property that was submitted with a bid, be mailed back to Mike Miller of the Light of the World Fellowship. Commissioner Schaad seconded the motion. So ordered.

RE: CARL AHRENS.....SOUTHERN INDIANA HEALTH AGENCIES

Commissioner Ossenberg said that in his telephone conversation with Mr. Carl Ahrens, the Executive Director of the Southern Indiana Health Agency, he explained to him that the Commissioners are selling the Boehne property as well as the Pleasantview property and that there was some interest in the Pleasantview property from Nursing Home operators.
He said however, it seemed as though they were confronted with at least one individual from Illinois who was interested and in calling Mr. Ahren's office, there was some doubt that certification could be obtained for intermediate care and economically feasible, from what the Commissioners have heard from Nursing Home operators, it seems that to operate Pleasantview profitably, that with the 15-bed care that they had and an extension from 30 to 45 more beds would be essential for them to make a profit but in calling his office, they were somewhat given the understanding that such a certification would not come through probably and after discussing it, they decided to talk to him to see what verification that this is possibly true, since the Commissioners must make a decision very soon as to what they are going to do with Pleasantview.

Mr. Carl Ahrens said that the involvement of the Southern Indiana Health Systems Agency in this process is one of fulfilling relationship with the Social Security Administration the Department of Health, Education and Welfare, having to do with the allocation of Title 18, Medicare and Title 19, Medicaid type funds and in the process of fulfilling the regulations associated with the Social Security legislation, before the Social Security Administration will participate in reimbursing a health facility for their capital expenditure and their depreciation, they must have a determination of need before that reimbursement can occur and in determining where there is a need, his agency is required to do the assessment of the situation,

make a recommendation to what is called the designated planning agency which, in Indiana, is the Indiana State Board of Health, and then their recommendation is either accepted or rejected by the State Board of Health, as they make their decision and forward that decision to the Social Security Administration and H.E.W. so in effect, if an applicant chooses to take care of the capital expenditure and they do not choose to request reimbursement for that capital expenditure through Medicare and Medicaid funds, currently they have no responsibility at all, that Indiana does not have what they call State Certificate of Need Legislation, so at this point, the only thing that is involved is the Section 1122, the Reimbursement Program, with the Social Security Administration, so in effect, if the purchaser did not intend to use this, obviously they would have no role, but he is assuming from the introduction, that the one party that is interested, would want to know not only the possibilities of being reimbursed for the current number of beds that were utilized at Pleasantview but also what the possibilities would be of being reimbursed for an expansion of the facility by getting into more nursing home beds.
He explained then, that they are only involved if someone is asking for federal dollars through reimbursement of Medicare-Medicaid, that they serve as an advisory group to the State Board of Health.
He said that the staff that is involved in order to participate is an early warning of intent that has to be expressed and this must be done in the planning process before a binding obligation is incurred by the potential applicant, so this bidding process does involve a bit of a different kind of approach, but he thought with the bid and then some discussion, etc. going between the bid and the time they make a determination, he thought there would be time to initiate the appropriate planning steps, so he thought that part could be worked out.
He said he thought the more difficulties applicants would have as far as with what they are facing, that the rules of the game are that the designated planning agency establishes what they feel is the need for nursing home beds in each county, that they do this in a rather complicated formulistic way which is based upon existing number of beds, the utilization of the existing beds and other things that were transferred from the hospital bed need field to the nursing home field, so they are obligated to take into consideration that formula and the need for beds that are established by the Department of Public Health and by the way the formula and the need approach has been accepted by his Board of Directors in the Health Systems Plan and whether the Board has agreed that they will use that formula until such a time as the State and his Board agrees that something better has been established, so at this point and time, as they review an application, they are obligated to review it on the basis of that formulistic approach and the need numbers that are established.
He said they have some problems that are rather unique in Vanderburgh County, in that the Board has previously approved several rather large nursing home proposals, which haven't as yet been implemented and he knows from talking to Mr. Ossenberg, there was concern that they don't, at the present time, show a need for nursing home beds, that the occupancy is indeed high in this county but it is due to the fact that they have prior approval of a lot of beds which haven't as yet been constructed.

Ms. Barbara Stolz, who is the Planning Director of the Southern Indiana Health Agency, appeared and explained what the current status is as to what now is approved, what the formula shows as the total need and the status of where they are at this point and time as to the need and factor.
She said that the situation in Vanderburgh County right now is that there are 1533 long-term care beds in operation, that the County with that number of beds is maintaining consistently 96% occupancy and the trouble with bed need projections is based on front utilization projected population, they show a total need for 1711 beds, that they are obviously now 178 beds under in actuality but they have on the books by prior planning, the approval of a total of 1818 long-term care beds approved, which puts this county, at least on paper, 107 beds over the projected need for 1982.

Commissioner Schaad asked if the beds at Pleasantview are included in these figures and Mrs. Stolz said they are in the total number of beds but there were only 20 beds from Pleasantview that were included in this count.

Commissioner Ossenberg asked, in the future bed requests that have been approved, would Medco by Deaconess Hospital be included here and if it is, in fact, going to become a reality.

Mr. Ahrens said it is included and that he inquired last week and they have received, verbally, every assurance that they do intend to proceed but this is all he knows at this time.

Commissioner Willner asked how long they have to implement their bed requirement or lose it.

Mr. Ahrens said this is one of the problems with the law and they have been extremely sensitive about it because once an agency gets approval under the law, there is no in-point to their approval and they think this is a significant deficiency in the legislation and the Board has expressed their feelings on it to the Social Security Administration.
He said they have now passed a Board Resolution, that once they get approval, that if substantial action has not occurred within one year, that the approval will be declared non-existant as far as his office is concerned.
He also said that just because their plans show that there is no need, that doesn't keep anyone from applying, that the application will be received and processed, that there is no way to indicate to the applicant what the situation is but it will become a Board decision, that first it will go before the project review committee for their decision as to what their recommendation will be to the Board and the Board will then review the application and will be in a position to make their recommendation at that time.

Commissioner Ossenberg asked what the time element would be, once an application is made with his office and the procedure they go through.

Mrs. Stolz said that under federal law, the minimum that the state, and they have con-jointly, is 60 days, that applications have been processed sooner than that but the applicant must allow the minimum of 60 days, also that 90 days is the maximum time under certain circumstances.

Commissioner Willner asked if there was any stipulation in their requirements where the facility is already built and the beds are available and they are ready to go, if that could be switched over in the number of beds needed, to a facility that is ready to go.

Mr. Ahrens said not without submitting an application, and if the application had been submitted, this is where the Board and the committee would have to use their logic, that if they feel they already have the problem of over-bedding, this wouldn't make it worse, that it would just maintain the current level of the over-bedding situation and it would certainly be within their prerogative to do this and it could happen.
He said they have had the problem in the past of determining the need on the basis of serving a certain geographic area and moving it whatever distance they could in Vanderburgh County, it would possibly bring up the problem of whether they are still serving that same geographic part of the community but this again, would have to be part of what would be in the new application, if they move from one facility to another, that they can't transfer without submitting a new application before this could be done.
He said state and federal regulations would make Pleasantview an unlikely location for use as a profitable nursing home and when asked about the chances of Pleasantview operating profitably, he replied that it would be impossible unless the view out there is a lot better than he thinks it is.
He explained that anyone seeking to operate Pleasantview as a nursing home would find it difficult to receive federal subsidies for capital improvements that would upgrade it to meet state nursing home requirements, also that since projections show that by 1982 there will be enough nursing home beds in Vanderburgh County, the federal government would be reluctant to grant any aid to provide any additional beds.
He said that he is sure from the financial feasibility standpoint, it certainly is helpful to receive that reimbursement for the capital expenditure and it sometimes makes the difference between profit and loss unfortunately.

Commissioner Schaad said they say they can't make money on residential care beds, that there is not enough income to justify it and he heard this professional advice when he first got into this.

Commissioner Ossenberg said that is because Welfare pays for the residential care.

Mr. Ahrens said that is obviously a problem with their national health care system, that the nursing homes procedures were obviously intended to take care of sick people and he didn't think they have sufficiently dealt with the problem of those who need residential care but aren't necessarily ill and he hoped that very soon the federal government will deal with that issue and come up with a more suitable reimbursement formula to take care of that which maybe isn't an illness need but it certainly is a community need.
He said that the Agency will be happy to work with the Commissioners in any way they can and if any potential applicant is interested in meeting with Ms. Stolz or with him, they will be happy to do so.

County Attorney Wendel asked if a person must own the facility before they can get their application approved.

Ms. Stolz said theoretically, in this case, the person should not own the facility before they apply.

There were other questions dealing with requirements of a nursing home and it was explained that the requirements are completely up to the State Board of Health.

Mr. Ahrens said he does know that there are efforts being made to strengthen the fire requirements as far as the safety requirements are concerned and there are some potential changes as far as federal rules and regulations having to do with that but again, that is in the State Board of Health's prerogative and not theirs.

The Commissioners thanked Mr. Ahrens and Ms. Stolz for appearing today and said they would be in touch with them.

The meeting recessed at 11:30 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
Tom Ossenberg Bob Schaad Robert L. Willner	Curt John	Paul Wendel

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JULY 5, 1977

The meeting of the County Commissioners was held on Tuesday, July 5, 1977, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

Deputy Sheriff Larry Barchet opened the meeting since this is the first meeting of the month.

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

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

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

RE: EMPLOYMENT CHANGE.....APPOINTMENT

PERRY TOWNSHIP TRUSTEE - 206.5

Norma J. Smith	309 S. Woods	Investigator	$7,448.00 Yr.	Eff: 7/2/77

RE: MONTHLY REPORT

The County Treasurer's Report was submitted for the month of May, 1977. Report received and filed.

RE: CONTRACTS TO BE SIGNED FOR BOVINE BRUCELLOSIS

Two copies of a contract was submitted to the Commissioners for their approval and signatures, whereby an agreement is made between the Indiana State Board of Animal Health and the Vanderburgh County Commissioners, each year. The following letter was attached:

Please find enclosed the contracts for Bovine Brucellosis and Tuberculosis Eradication Programs in your county.

The contracts are in the amount of $1,000 which includes the Brucellosis and Tuberculosis Programs - the same amount, asked for last year. If funds have been used from last year's appropriation, please bring the amount up to the full $1,000.00.

The contracts are to be signed by at least two (2) members of the Board of County Commissioners and returned to this Office immediately after the Board of County Commissioners meet for their first session in July, after which the Secretary of the State Board of Animal Health will sign the contracts. One copy of the contract will be returned for your file. (Indiana Code, Title 15, Article 2.1, (Animal Health) Chapter 7 and 8.)

If any question should arise in regard to this matter or if this office can be of assistance to you in any matter, please feel free to contact us.

Sincerely, H. K. Foster, D.V.M.
Director, Brucellosis Eradication

Commissioner Schaad moved that the contract be signed by the Commissioners. Commissioner Willner seconded the motion. So ordered.

RE: DATA ON PREDICTION OF TAX LEVIES

Mr. John submitted an information sheet that was provided by the Purdue University, which gives the predictions of tax levies through 1978 and the impact that the reassessment will have on it.
He said he would go over it with the Commissioners at a later time, to explain it in detail.

RE: BULK MAILING PERMIT REQUESTED

Mr. Jack Wade, the County Extension Agent, requested that the County Commissioners purchase a Third-Class Bulk Permit.

He said that he has enough funds in Account 213-Travel, to buy the Permit and that it would let anyone who has more than 200 pieces of mail to be mailed at Third Class Bulk Rate, instead of 13¢ each, hopefully, if they can convince the Post Office that the County is a non-for-profit organization, and if so, it would cost less than 3¢ each.

Commissioner Ossenberg asked what the permit would cost and Mr. Wade said that the permit would cost $20.00 and $40.00 to use the permit, $60.00 total per year.

Commissioner Schaad asked Mr. Wade if any County organization could then use it and Mr. Wade said this is correct, that the County Treasurer has one for a First Class Bulk Permit which is used for Tax billing, but not a Third Class Permit.

Commissioner Schaad moved that the Commissioners allow Mr. Wade to get the Permit. Commissioner Willner seconded the motion. So ordered.

RE: STREET NAME CHANGES REQUESTED

Mr. Osterholt said when Mr. Bussing platted in a section of Evergreen Acres, he had Red Bud Lane and Berry Court on the same street and he had planned on taking Red Bud Lane all the way around and connecting it, so what he wants to do now is to change Red Bud Lane to Berry Court and change Berry Court to Berry Circle.
He said they have his approval as well as the approval of the property owners, so he is waiting on the official action of the Commissioners and then, he will re-plat Section K.

Commissioner Schaad moved that the street name changes be approved as proposed. Commissioner Willner seconded the motion. So ordered.

RE: DISCUSSION OF PLEASANTVIEW REST HOME

Commissioner Ossenberg said that he received word from Mr. Curran Miller, that the gentleman from Illinois who was interested in Pleasantview, is no longer interested. He said he did receive a call yesterday from a gentleman, who along with some backers, who are in the Nursing Home business who still have interest amd more-so now since they were told by someone that there was a total of 20 beds for both, residential care and intermediate care, in the home, but he assured them that they could document certification in the County Auditor's office, that there was 130 beds in the county-operated home, that 110 of them were residential beds and 20 of them were intermediate care beds.
He said that the gentleman is going back to the two principle owners of the Nursing Homes they operate now and he has asked that the Commissioners give this further consideration, that they might be interested.
He said that he is still very much interested, personally, as one County Commissioner, in obtaining someone in the Nursing Home field, to run that facility out there as a Nursing Home.

Commissioner Willner said he pretty much agrees with this idea, and if it can be done, they should do it and not lose time in talking about it.

Commissioner Ossenberg said that they asked this be considered until July 17th., to which Commissioner Willner said he thought this was fair enough and he suggested that Mr. Brenner, the high bidder, be asked if he will give them a month from today and they should contact Mr. Miller and tell him to keep on trying to sell it.

Commissioner Schaad said if they can find someone that they can derive some more money for the County, than the present bid they have, and still operate it as a Nursing Home, they should do it, also that he has had some interest on lease option.
He said that the gentleman said he would be willing to pay the Insurance and all the maintenance so there wouldn't be any expense to the County at all during that period of time.
He said he talked to Mr. Brenner this morning to see what his feelings were and said he would have no objection if the Commissioners wanted to postpone it so they would have more time to pursue the idea of trying to get someone to lease the facility or buy it as a nursing home so the County could get more money for it and he said he thought Mr. Brenner had a fine attitude about it .

Commissioner Schaad then moved that the matter of Pleasantview be taken under advisement for one month. Commissioner Willner seconded the motion. So ordered.

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Commissioner Schaad said they would just have to see what interest there is and if they do find someone that is interested in it, they will have to throw out Mr. Brenner's bid and re-advertise and take new bids on it and it will take four weeks for advertising.

Mr. Brenner suggested that the Commissioners go ahead and apply for the re-zoning of the property since they will have to do this, no matter what, and it will take two months to do this.

The Commissioners agreed that this was a good idea and Commissioner Schaad asked who should initiate the rezoning petition.

Commissioner Ossenberg said he thought it would be proper for the County to initiate the request for rezoning, so he asked Mr. Osterholt to work with Mr. Wendel, the County Attorney, in preparing the petition.
He said this petition will go through the City.

RE: COURT ORDER ON COMMISSIONERS RECOUNT

Re: In the Matter of the Petition of Norman "Red" Mosby, Candidate for Third District Commissioner of Vanderburgh County, Indiana.

Commissioner Ossenberg said that Judge Miller has ordered Mr. Mosby to pay half of the computer to Computer Election Systems, Inc. for repairs and the County is to pay half, so the County is paying $165.13 and Mr. Mosby is paying $165.00.
It was explained that there was no money in the 1977 budget for election repairs so Judge Miller ordered that the County and Mr. Mosby each pay half of the cost.
The check in the amount of $165.00 was enclosed for the Commissioners signatures.

Mr. John said that the check will be deposited in County General Fund and when the blue claim has been submitted, he will pay the full amount from Judgements.

Commissioner Schaad moved that the check be endorsed by the Commissioners.
Commissioner Willner seconded the motion. So ordered.

RE: LETTER ON ESTABLISHMENT OF C.C.I. FUND

The following letter was received by Mr. John, the County Auditor, from the State Board of Accounts:

Dear Mr. John:

This will acknowledge receipt of your letter dated June 20, 1977, concerning the establishment of a Cumulative Capital Improvement Fund by a resolution adopted by the board of county commissioners.

The approval of this board is not required to adopt an ordinance under the "County Home Rule Law, IC 17-2-2.5." We would, however, like to point out the following observations:

(1) The establishment of this fund should be by an "ordinance" as required by IC 17-2-2.5-2.

(2) In view of laws prohibiting the use of General Fund monies for county highway purposes and, since the revenues from the sale of county owned property would normally be credited to the County General Fund, consideration should be given to deleting items 3, 4 and 5, although sidewalks and ingress and egress to any county property or building would seem appropriate.

We suggest you refer this to your county attorney for his opinion and this department would respect the county attorney's opinion and an ordinance adopted by the county commissioners creating this fund in examining the records of Vanderburgh County.

Yours respectfully, Kenneth R. Beesley
State Examiner

This matter was referred to County Attorney Smith.

RE: REQUEST TO TRAVEL

The following letter of request was received by the Commissioners from Mr. Fred Dewes, the manager of the Auditorium:

Dear Mr. Ossenberg:

I am requesting permission to attend the International Association of Auditorium Manager's Conference to be held July 24th to July 28th in San Francisco.

A portion of my expenses will be underwritten from the Travel Budget of the Convention and Visitors Bureau.

The agenda of the conference is attached. I feel many of the subjects to be discussed will be valuable in view of the energy crisis plus other operational procedures.

Very truly yours, Fred G. Dewes,
Manager, Vanderburgh Auditorium

Commissioner Schaad asked Mr. Dewes if he had money in his budget to pay the rest of his travel expenses and Mr. Dewes said he did.

Commissioner Schaad then moved that Mr. Dewes be permitted to attend the Conference. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by County Attorney Paul Wendel for his June of 1977 office allowance in the amount of $125.00.

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

A claim was submitted by the Evansville-Vanderburgh County Building Authority for labor and material to install cable from Courts Computer Room #200-G to various locations as directed, as per authority of Mr. Ossenberg on March 17th. 1977, in the amount of $364.00, and approved by Maurice O'Connor.

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

A claim was submitted by Brink's Inc. for services rendered to the Clerk of the Circuit Court for the month of July, 1977, in the amount of $94.80, as per contract.

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

A claim for Refund was submitted by Don Garrett to the Building Commissioner for refund of Permit #8613 on 12900 Tiberand Drive, since he isn't going to build, in the amount of $68.00. This has been approved by the Building Commissioner.

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

A claim for Refund was submitted by George Schneider to the Building Commissioner for refund on overpaid permit #8634, in the amount of $2.00. This was approved by the Building Commissioner.

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

RE: REQUEST TO TRAVEL AND CLAIM

The following letter of request was received by the Commissioners from Sheriff DeGroote, accompanied by claim.

Dear Sirs:

We request your permission to send Sgt. Marlin Beck to the National Youth Workers Conference in Bloomington Indiana. It is being held on the I. U. Campus from Thursday June 30 through July 3.

Sheriff DeGroote, Sheriff
Vanderburgh County, Indiana

The claim for the registration fee of Sgt. Marlin Beck to the Conference was attached to the letter and is in the amount of $80.00.

Commissioner Schaad moved that permission be granted, after the fact, and that the claim be approved. Commissioner Willner seconded the motion. So ordered. This will be paid from the Sheriff's budget.

RE: CLAIM

A claim was submitted by Bauer Bros. General Contractors, Inc. for two pieces of Aluminum pipe for Adler Road from Cumulative Bridge, in the amount of $349.35. This has been approved by Louis Stephen, Highway Engineer.

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

A claim was submitted by P & H Construction Co. Inc. for labor and equipment to wreck bridge at Adler Road ½ mile West of St. Joe and Drag Line Rental w/fuel and operator 26 hours at $35.00 per hour, making the total of the claim to be in the amount of $1,610.00. This is to be paid from the Cumulative Bridge Fund and the claim has been approved by Louis Stephen, the Highway Engineer.

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

A claim was submitted by Szabo Foods for meals of the prisoners for the period of Feb. 1 thru Feb. 14th., Feb. 15th. thru Feb. 28th. and for June 1st. thru June 15th. 1977, in the amount of $10,878.40. This has been approved by Sheriff DeGroote.

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

A claim was submitted by Szabo Foods for the Officer's meals for the period of June 1st. thru June 15th. in the amount of $291.85. This has been approved by Sheriff DeGroote.

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

RE: AREA PLAN REQUESTED TO CHANGE BY-LAWS

Commissioner Willner moved that the Commissioners request the Area Plan Commission to change their By-laws to read that all subdivisions, both residential and commercial, be approved by the County Commissioners instead of by the Area Plan Commission. He said he made this motion last week, in the Drainage Board meeting, that they also come before the Drainage Board, and he is making the motion before the Commissioners this morning, that the Area Plan Commission submit all residential and commercial subdivision drainage plans to the Commissioners for final approval. Commissioner Schaad seconded the motion. So ordered.

RE: ....FAVORABLE COMMENTS ON SPEED LIMIT SIGNS

Commissioner Willner said that since some new speed limit signs of 45 miles per hour, have been going up, his phone has been ringing constantly from people who have favorable comments on the lower speed limit.

RE: COMMENTS ON ROAD REPAIRS

Commissioner Willner asked the other Commissioners if they decided to advertise for bids on patching the roads or if they were in the process of doing it.

Mr. Stephen said they are all working together on it and that he is writing specifications for two particular roads for repair, one being a resurface on Old Henderson Road, the other being Boonville-New Harmony Road, from Green River Rd. to the County line. He said they have some others like St. Joe but if they put a little surface on them so they look okay for the time being, it is just wasting money because it won't last and some of the roads desperately need attention this year.

Commissioner Ossenberg asked Mr. Stephen how much money he was talking about on Old Henderson and Boonville-New Harmony.

Mr. Stephen said there is a little over three miles of Old Henderson that really needs resurfacing since there is an increase of truck traffic out there and on Boonville-New Harmony, from Green River Rd. to the County line, there is planned reconstruction by recycling what is out there and improving the base with a surface on top of that. He said this shouldn't be too expensive but that there is such a long area to St. Joe Road that needs work done, since it is one of the main North and South roads in the County and really needs a complete reconstruction and anything they put on it now to help it out, possibly a chip and seal would help, but he didn't know how long it would last.

Commissioner Ossenberg asked Mr. Stephen if they weren't going to do some cut-outs on St. Joe, if this wasn't what they decided to do.

Mr. Stephen said that Mr. Siebeking has done a pretty good job of patching over some of the areas out there already and they don't look too bad, but he didn't know how they will hold up this next winter.

Commissioner Ossenberg asked Mr. Stephen how much money he was talking about on St. Joe Avenue.

Mr. Stephen said if they fix it like they should so strength can be put on it to do some good, they will put about $500,000.00 in it.

Commissioner Schaad said they won't know until after the Council Call, whether they are going to get any Revenue Sharing money or not and they almost have to know how much money they have before they know what they can do that they are asking for $113,000 for road repair.
Mr. Brenner said that Council meets this afternoon, also that there will be a $346,000 surplus in state highway rebate funds this year and if another proposed project is dropped there could be enough money available for the St. Joe Avenue project.

Commissioner Willner said widening and improving St. Joseph Avenue, along with improving and extending Baseline later, would result in a loop for West Side residents to use to reach U.S. 41 without going through the city.

The Commissioners asked that a cost estimate be made on rebuilding St. Joseph Avenue from Mill Road to Baseline Road and Mr. Stephen said it will be ready next Monday.

RE: ABSENTEE REPORT

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

RE: MR. SIEBEKING ...GERMAN TOWNSHIP WATER LINES

Mr. Siebeking said he talked to Jim Milligan to find out the date on the water project in German Township, that he has back-dated it and they are responsible up until Dec. 31, of this year, so it will be from Jan. 1 of this year until Jan. 1 of 1978, that if any work needs to be done during that time, Green Construction Co. will come back in to do it. He also said that Mr. Milligan told him that there was no need for the Commissioners to sign the final report.

RE: PROBLEM ON GREEN RIVER ROAD

Mr. Siebeking said he went out and talked to Ms. Hildebrand who had a problem with her drive that the County was suppose to fix but she didn't want it fixed the way they wanted to do it.
He said he now has talked to Mr. Hildebrand and they thought the problem to be solved, that Ms. Hildebrand does have the contract and it was pretty spelled out as to what the contractor was to do but that it hasn't been done and the County has agreed to put a tile under his driveway and a tile under the field entrance, also he wants a tile across his yard, so he is going to furnish the tile and Mr. Siebeking said he would see that it is put in.
He said he didn't think there would be any problems with the mailboxes, and they also got away from tearing the bituminous driveway up and putting in a concrete driveway, which the contract called for, and this is the reason he agreed to lay the tile across the yard, so he thought the problem has been resolved and that Mr. Hildebrand is happy.

RE: PROBLEM ON BASELINE ROAD

Commissioner Willner said he has a request on Baseline Road, between the railroad tracks and Old Princeton Road, since there is a place where the people are driveing out on the fields.

Mr. Siebeking said he wanted to bring this up that this is one of the roads that he, Mr. Stephen and Mr. Feigel drove and they thought maybe by letting those particular areas out on contract to be repaired but he didn't think Mr. Stephen figured on them. He asked the Commissioners if they wanted him to go in there and rework those areas like they did St. Joe Avenue, or did they think they should be worked out on a contractual basis.

Commissioner Willner said they would have to do something, even if it was to just patch that spot until they did something else.

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Mr. Stephen said it would be cheaper for the County to do it if the County's forces find the time.

Mr. Siebeking said if the Commissioners want him to do it, they will just take the time to do it.

Commissioner Willner asked how much money there is in the Road and Street Account and Mr. Brenner said there is about $700,000.00.

Mr. Siebeking said the stretch out on Lincoln Avenue could be done with Road and Street money, since they are going to have to get right of way and the whole bit. He said if the Commissioners wants him to do it, they are just finishing up on Cemetery Road this morning on road mixing and have a few more roads to do, but as soon as they finish, they can start on Baseline Road.

Commissioner Willner said even if they reaurface, it will have to be taken care of, so they won't be losing anything.

Mr. Siebeking said the way they have been letting the bids for the past year or two, they have been doing the patch work and the preliminaru work first and then they let the contract out for just the resurfacing.

The Commissioners agreed that it be done this way.

RE: REPORT ON ST. JOE RIGHT OF WAY ....LYNCH ROAD

Mr. Lochmueller said he should have had this report in last week on a couple pieces of right of way on St. Joe, that he called Mr. McGillam, the consultant, and also Fink, Roberts and Petrie since they needed progress there.
He said there will probably be a public hearing in September and in talking about the house, they are talking about relocation funds.

Commissioner Schaad asked if there weren't two of those and Mr. Lochmueller said at this point, they are having a hard time to determine whether the house was actually in the right of way and the feds are saying that until there is additional evidence so he wouldn't do anything as far as that goes, until they have a public hearing, at which time they should have definite proof that it was or wasn't in the right of way, but without definite proof, he didn't think they would see any relocation funds, so this is the progress, unless something else comes up at the hearing.
He said he was trying to get an estimated date and they are saying that it could be September, that what they did give him a date on was the submitting of the statement over to the feds.
He said they have already had the field inspection, so they are in the final phases, and after the engineering has been completed which they are revising now, and the environmental statement is very near completion, and the next thing is to get the feds approval and after they approve those two documents, then it goes to the hearing officer in the State Highway Commission and they advertise for thirty days.

Commissioner Willner said what Mr. Lochmueller is telling them then is that there will be no construction this year, to which Mr. Lochmueller said he would say so, and Commissioner Willner said he thought he read it right.

Mr. Lochmueller said that on the other item, the environmental statement has been approved on Lynch Road and the field inspection has been made, that it is ahead of the St. Joe project and is moving very rapidly.

RE: RAPID GROWING AREA IS OF GREAT CONCERN

Mr. Lochmueller said that the other item he has is something that he is gradually becoming alarmed at and he would say it is bounded by Stockwell on the West, Burkhardt Road on the East, 62 on the North and Division Street on the South, that there is no question but that this is the fastest growing area, that he has been working with Chuck Osterholt of the Area Plan Commission and they reviewed the subdivisions and this is when he became alarmed.
He then displayed a map showing all the activity in the area, including a shopping center that is larger than the one at Washington Square, and also some apartments and said that he sees apartments and commercial occurring through this whole area and he thought the Commissioners should take a long hard look at this and see if we need a circulation plan here since he thinks one square mile is too large to not have in-circulation streets and he can't believe how rapidly this area is developing, they are getting subdivisions in almost weekly.

Commissioner Ossenberg told Mr. Lochmueller that a motion has already been made and seconded, thereby ordered, that any final subdivision plats will have the final say-so by the County Commissioners. He said he knew their circulation plan but his concern is in this particular area and he is going to stand pat until he sees the drainage worked out in this particular area, that it is alarming and even though it is being worked on, he doesn't know what they are going to do with Harper Ditch. He said they were talking about it this morning and he asked what they were going to do if they opened that canal, and said they would flood the whole West side of Green River Road.

Mr. Brenner said if they don't flood it, they are going to flood the County's side. Commissioner Ossenberg said this is correct, but what he means is that there is a Shopping Center going up that is probably large as Washington Square and Lawnddale put together and they have a first ditch down to Vogel Road and they are probably going to have to tear out and build under Green River Road again,and he doesn't want to stop progress but at the same time, he doesn't want to sacrifice other people and flood our lands and that is what is going to happen and until these things are worked out, it is very easy to say, lets develop, but when the hell starts to be raised, it comes right back to the Commissioners.

Mr. Lochmueller said that is why he is down here and he has seen subdivisions in the past few weeks, filter back in his office and this is when he spotted that they should have a drainage plan, that the subdivisions are continuing to be approved, that he doesn't expect Columbia Street to ever go through and they will never be able to unload those apartments or that commercial back into this street so what he is really saying is that they not only need a drainage plan but before they approve any more subdivisions, or whatever, since some of these people already have rezonings and how do you stop those, that what is going to happen in the next few years is that someone is going to say they aren't only flooding these people but they have totally jammed up the circulation system.

Commissioner Schaad asked if they could come up with a circulation system with each subdivision as they come in and they would have to abide by it and they would have to dedicate the right of way.

Mr. Lochmueller said that internally, they can do what they want and this can't be done and this is what is alarming and he didn't think anyone really anticipated anything to move as fast as this has and he would like to submit this to the Commissioners.

Mr. Stephen said as the subdivision ordinance is now, the developers are not against giving ground for building streets for their own streets but they will object to giving additional ground for major collectors or arterials and such as that which requires more ground without some compensation and he thought they probably have a legitimate complaint there.

After further discussion, Mr. Lochmueller said they are creating that need and he was sure it wasn't being developed without profit as a motive and he didn't think the taxpayers should be burdened to solve some one else's problems.

Commissioner Willner said especially when they didn't create enough money to repair the roads they have, much less build new ones and Mr. Lochmueller said this is the way he feels.

Commissioner Ossenberg said he thought they were going to have to tie in a network and they were going to have to make them live with this network and he, for one, would back him all the way and this would be along with the drainage.
He suggested to the Area Plan Commission and to the Traffic Department that any rezonings or anything that comes in on subdivisions, he would like to see the preliminary plans of anything they have in mind, in writing, and they would make them stick with it and he can bring it back next week, that he knows there are dire needs and he knows it is being fast developed but by the same token, he isn't going to be responsible in a lot of individual cases and he said that if these individuals create the problems, they should solve the problems and this is the way he is going to stand as one Commissioner, to which the other Commissioners agreed.

Commissioner Ossenberg asked Mr. Lochmueller to stay on top of this problem.

RE: CUTS IN

The Waterworks Department requested permission to make the following cuts:

3624 Aspen Drive, East of Oak Hill Road to install 3/4" water line.
R.R.3 Box 233, Green River Road, in Daylight at the railroad to install 2" water line.
Mt. Pleasant Road & Kentucky Avenue to install a 12" water main.

P.& H. Construction Co. Inc. requests permission to cut into Mt. Pleasant Road, 100' East of U.S. 41, to install 12" sanitary sewer. Bond attached.

The City of Evansville, Board of Public Works, requests permission to cut into Upper Mt. Vernon Road, 100' West of Tupman Road to 400' East of Diefenback Road to make six cuts for installing a sanitary sewer.

Commissioner Schaad moved that all the cuts be approved. Commissioner Willner seconded the motion. So ordered.

Mr. Brenner said that it appears to him that one thing they should do on road cuts, that the Southern Indiana Gas & Electric Co. has elected not to file any application for cuts, that it is their attorney's opinion that they don't have to and he thinks they should press it, that they are pushing everyone else and he doesn't see any reason why they shouldn't deal with them, that the law they are basing it on says that utilities have the right to cut roads, which they do, but it doesn't say whether they require permission or not.

Mr. Stephen said they went out to inspect where the water line is going to be cut into a new house and they were next door cutting a hole in the road, trying to find their gas lines and he asked them if they had a permit.

Commissioner Ossenberg asked Mr. Cole of the Gas Co. if it would be too much trouble for him to furnish the Commissioners with information on where and when they are going to put in any gas lines, except for emergencies, in advance.

Mr. Cole said he would see that the Commissioners get a schedule of the proposed cuts, that he thought this was being done.

Commissioner Ossenberg said as far as he knows they have never had any trouble with the Gas Co. but by the same token, in all fairness, they should have a list of the permits.

Mr. Cole said he thought the schedules were furnished to the County, since they are furnished to the City.

RE: DISCUSSION ON ROAD WORK

Mr. Brenner said he has a precise accounting of what they have, pertaining to R & S, that he checked and what they have available right now with active projects, is $1,488,000.00 and including Lynch Road and St. Joe, they have pledged $1,141,000.00, with a difference of $346,000.00 as balance that is unpledged for the moment, which can be used on any road the Commissioners want to use it on, also, that if Lynch Rd. doesn't go, there is another $415,000.00 that will come back to be used somewhere else.

After further discussion, Commissioner Willner moved that they apply for R & S for the reconstruction of St. Joe Avenue from Mill Road to Boonville-New Harmony Road and to delete the section of the new road over the top of Meier Road and over the top of Penn Central where the road was just put in.

Commissioner Schaad said he would first like to see that the plans be drawn and see just exactly what they want to do with it before they allocate money for it and to get an estimate as to what it is going to cost and if it is feasible, they will see about providing the money.

Mr. Brenner said they would be willing to do this, that they wouldn't give them a detailed plan but he could show them what they are going to do.

Commissioner Willner said he would sure like to see a road comparable to Green River Road on the west side, that St. Joe Avenue runs from County line to County line.

Mr. Brenner said his only objection is that he would like to go to Baseline Road, that Boonville-New Harmony takes you to Darmstadt but to get to 41, Boonville-New Harmony is so conjested, it is hard to get through and if they want him to look at it, they should look all the way to Baseline Road, that the next plan would be from Baseline Road to 41 and all of a sudden, they have a loop out of the west side.

The Commissioners agreed to go along with this and Mr. Brenner said that he would look at all of the roads.

RE: COMMENTS ON ROAD CUTS

Mr. Stephen said he didn't see a certain cut from the Water Company, that they said they were going to turn in as an emergency last Friday.
He said he sent one of the men out about the time they were going to do it, that he was new on the job and he questioned them about putting the material back in but they did it anyway and it was a sloppy job and they even made the comment that the mailman would probably get a surprise when he had to drive through the area to get to a mailbox and he thought this to be a poor attitude, in his estimation, and he registered a complaint with them for that kind of background, even in an emergency cut, that it wasn't within the pavement area but it was off to the side of it and under those conditions they wanted it done right but he thought if enough pressure was put on them and someone to look over their shoulder, that it would be done properly.
He said they have another one where Mr. McKinney wanted to cut into a shoulder for a 3/4" water line, which the Commissioners gave him permission to do and this was one where he had to supply his own bond and they knew the Insurance Co. which was Farm Bureau and he later called in a receipt number and they still didn't have the Bond number because it hadn't been issued yet, but on the strength of this, they went ahead and did the work and he had a receipt number for $15.00 that he had paid for the bond and later on when it came in, it was for $20.00 and he refused to pay the extra $5.00 to get the bond and he didn't even pick it up and he didn't know if Mr. McKinney got his $15.00 back or not, but the work was done so he supposed the guy thought, what the heck, that he didn't need the bond any longer, so now the Farm Bureau would like a release from the County and he asked if they should sign a release.

Commissioner Schaad asked if it has been put back properly and Mr. Stephen said that it may not have been final inspected and he can have this done and if everything is okay and the Commissioners want the bond released, they will do so.

Commissioner Schaad moved that if it meets the approval of Mr. Stephen, the bond is to be released. Commissioner Willner seconded the motion. So ordered.

RE: LETTER REQUESTED BY MR. HEUGEL

Mr. Stephen said that on Section 24, Kenneth Heugel wants a letter stating that the County will take over and maintain a Section of Virginia Street, that they built it to the County's specifications, that just came up last Friday, since they have to have that letter to go to HUD to get a low-interest guaranteed loan, so until things get worked out, this kind of keeps them from writing the letter to him, until it is decided just what they are going to have to build that is acceptable.

Commissioner Ossenberg said he didn't know what HUD regulations are, unless they just take the County's code as to what they require.

Mr. Stephen said what the letter needs to state is that when they get the street built to the County's specifications, that the County would accept it for maintenance and he wants a letter to this effect so they will know they are not responsible.

Commissioner Ossenberg asked Mr. Stephen if he had seen his plans and Mr. Stephen said he hadn't, that he told them what he planned to do.

Commissioner Ossenberg said it would be his suggestion that Mr. Heugel bring his plans in to Mr. Stephen so Mr. Lochmueller can see if they tie in with the traffic network.
He said the rezoning has been approved but he didn't know if the subdivision has been approved or not.

RE: COMMENTS ON BIDS FOR BOILER AT AUDITORIUM

Mr. Stephen said he has looked over the bid from Goedde Plumbing and Heating Co. for the boiler at the Auditorium but that nothing can be done until the Council approves the money, that this was the only bid and he thought it was a little on the high side, but they are going to have to do something and there is only one other way around it and that is to advertise to buy the equipment and have someone to install it.

Commissioner Schaad asked how many picked up the specifications on it and Mr. Stephen said there were four or five people who picked them up.

Commissioner Schaad asked Mr. Stephen if he had checked with them to see why they didn't submit a bid and Mr. Stephen said he hadn't.

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Commissioner Schaad asked if Mr. Stephen didn't think he should, since he thought it didn't make sense to put out that many specifications to get only one bid.

Mr. Stephen said he didn't know, that he knew one of the manufacturer's representatives was a little perturbed with the contractors around here and he didn't know if they were afraid of the job or what.
He again said the only other way to attack this problem would be to buy the equipment and then to get someone to install it.

Commissioner Schaad said it would seem to him that Mr. Stephen should talk to these people to see why they didn't submit a bid on the boiler, that he didn't understand it, that something is wrong, that they can't do anything yet anyway, since the Council hasn't approved the money as yet and he can find out in the meantime and come back next week and report his findings.

Mr. Stephen said he will get the names of the people who picked up the specifications and check with them.

Commissioner Ossenberg said he would go in front of the County Council and ask for the money anyway. He asked Mr. Stephen to keep the bid from Goedde Plumbing & Heating Co. until the Commissioners decide what to do on the boiler.

RE: POOR RELIEF

Patricia Underhill...113 E. Eichel.....Pigeon Township....Ms. Anslinger, Investigator

The Report on Ms. Underhill from the Trustee's office, states that she requested help on her hospital bill but was denied due to excessive income.

Ms. Anslinger said that Ms. Underhill did live alone and she filed for disability on Medicaid with the Welfare Department but that was turned down since they were unable to verify medical, but now she is back home with her husband and children and they have a total income of $687.85 per month.
She said that Ms. Underhill was in the hospital and is suppose to go back, and she has one bill from Deaconess Hospital that is pending which is over $1,000.00 and the Trustee will pay it since Ms. Underhill was alone at the time of hospital confinement but now she has to go back to the hospital and wants the Trustee to pay that bill too, but she is now back home with her husband.
She said that Mr. Underhill is on disability and also on VA and the children are on Social Security. and she explained that Ms. Underhill was in an auto accident. and there is a suit pending on it.
Ms. Underhill said that her income shouldn't be added to Mr. Underhill's, since she is no longer married to him, that their divorce is final, and she is just staying there, that she is buying her own food stamps. and paying him for living there.

Toni Reitz of the Welfare Department said Ms. Underhill was denied help by them, that the doctor wouldn't return their forms to them and they are under a federal mandate to complete them within 60 days. She said that when Ms. Underhill made an application, she was living by herself which did give a different light to her eligibility but she is now living in the home with her ex-husband and her children and the medical review team in Indianapolis would question her eligibility since there is a home-making clause within the frame work of what they classify disability on and since this is related to an accident, if she would be eligible on their program, and she got any money back from the suit, they would expect repayment of what they paid out. She said they could take another application on her if the doctor would complete their forms and the Commissioners agreed that this is what should be done.
Commissioner Willner moved that the case of Ms. Underhill be referred back to the Pigeon Trustee's office. Commissioner Schaad seconded the motion. So ordered.
The meeting recessed at 11:15 a.m.

PRESENT

COUNTY COMMISSIONERS
Tom Ossenberg
Bob Schaad
Robert L. Willner

COUNTY AUDITOR
Curt John

COUNTY ATTORNEYS
Paul Wendel

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

Robert L. Willner

COUNTY COMMISSIONERS MEETING
JULY 11, 1977

The meeting of the County Commissioners was held on Monday, July 11, 1977, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

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

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

Gail A. Fleming	1217 Lincoln Park	Extra Guard	$3.00 Hr.	Eff: 7/3/77

CIRCUIT COURT

Harris Howerton	1707 S. Vann	Bail Bond Interviewer	$3.00 Hr.	Eff: 7/2/77
Edward Marske	2214 E. Illinois	Corrections Co-ord	$147.67 Pay	Eff: 7/1/77

HIGHWAY DEPARTMENT

Mark Tuley	1524 S. St. James Blvd.	Road Insp.	$296.57 Pay	Eff: 7/11/77

SUPERIOR COURT

Margaret Burt	1106 Parrett	Summer Intern	$250.00 Pay	Eff: 7/5/77
Ronald Barron		Bailiff	$5,470.00 Yr.	Eff: 7/5/77
Marlon H. Lowe		Bailiff	$5,470.00 Yr.	Eff: 7/5/77
Jo Ann Stevens		Court Reporter	$10,603.00 Yr.	Eff: 7/5/77

RE: EMPLOYMENT CHANGES.....RELEASES

AREA PLAN COMMISSION

Sherilyn R. Brandenstein	1641 E. Division	Pt. time	$2.75 Hr.	Eff: 7/8/77

CIRCUIT COURT

Harris Howerton	1707 S. Vann	Bail Bond Inter.	$3.00 Hr.	Eff: 7/5/77
Edward Marske	2214 E. Illinois	Corrections Co-ord	$5,250 Yr.	Eff: 6/30/77

HIGHWAY DEPARTMENT

Mark Tuley	1524 S. St. James	Equipment Opr.	$4.63 Hr.	Eff: 7/11/77
Clarence Rueger	3901 N. St. Joe	Road Inspector	$296.57 Pay	Eff: 7/1/77

SUPERIOR COURT

Ronald Barron	Bailiff	$7,686.00 Yr.	Eff: 7/5/77
Marlon H. Lowe	Part time Bailiff	$3,254.00 Yr.	Eff: 7/5/77
Jo Ann Stevens	Riding Bailiff	$8,223.00 Yr.	Eff: 7/5/77

RE: CONTRACT SIGNED....FREEDOM FESTIVAL FOUNDATION

Commissioner Ossenberg said the Commissioners have a contract to be signed for the Freedom Festival Foundation, that this is where the Vanderburgh County Council gave them $215.00 to be utilized by the Foundation in the performance of their services and the Commissioners have to enter into an agreement with them.

Commissioner Schaad moved that the contract be signed. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by the Southwestern Indiana Mental Health Center, Inc. for the second half of Vanderburgh County's Share of their operational expenses, as per contract, in the amount of $75,457.50. This has been approved by the County Auditor.

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

A claim was submitted by the Southwestern Indiana and Kentucky Regional Council of Governments for the second half of Vanderburgh County's 1977 appropriation for the operation of the Council local match, less ½ year rental for office space, utilities and furniture. The claim is in the amount of $6,763.50 and has been approved by the Auditor's office.

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

A claim was submitted by Hunnicutt & Associates, Inc. on account of Contract for Reassessment of Knight Township for work completed June 1 thru June 30, 1977 which is 1/16 of Total Contract less 10% holdback. The claim is in the amount of $12,093.75. This was approved by Roman Gehlhausen, the Knight Township Assessor.

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

RE: ABSENTEE REPORT

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

RE: MR. SIEBEKING

Mr. Siebeking said they have had a lot of complaints from people since it rained, that they are calling in on their storm sewers.
He asked the Commissioners if it was an agreement with them or if it is the responsibility of the County to clean and take care of all those storm sewers out in the County, since a lot of them are caving in everywhere.
He said that Mr. Brenner just gave him one on Keeneland Drive, that it is stopped up going under Keeneland and he needs someone to help get it cleaned out.
He said that if it goes under the curb inlet, it would naturally be the County's responsibility but he asked about the ones that have backed up into the yards, have broken and have caved down, that a lady fell in one, while cutting her grass, the other day and skinned her leg all up and called his office to complain about it.
He said he told her that he would bring it before the Commissioners but that he didn't think it was the County's responsibility, since it would be private property, getting up there.

Mr. Brenner said he asked Sam Biggerstaff how he used to do it and Mr. Biggerstaff said he cleaned them, that he was able to have a figure in the appropriating of highway funds, that he always put $15,000 to $20,000 in there for the cleaning of ditches off the road and he justified it through a law that says you can clean a ditch between two bridges and it is very easy to construe anywhere they want to clean and they can find a bridge somewhere along the line, but there are no funds in that account now.

Mr. Siebeking said there are a lot of storm sewer ditches, that there is no way the County can even get to them with a machine of any kind, but if it is damaging the street or the road, he thought it to be the responsibility of the County to take care of anything within the County's right of way, but he thought when they get out of the right of way, that they get on private property, also that it is kind of hard to explain to some of these people who have expensive homes, and they have a hole in their front yard where it has caved in, that there is a lot of this in Melody Hills, on Westchester Drive and now Mr. Brenner gave him one on Keeneland Drive and they have a couple up on Ridgecrest, off Oak Hill Road.
He said he would work within the County's right of way, and do whatever it takes to repair or clean the ditches but he thought they should stop here.

Commissioner Schaad said that when a developer puts in a new subdivision, he puts in storm sewers across their property and not the County road and he asked if it isn't required by any agency of government, where they will guarantee that they will maintain those storm sewers from then on, since they sell the property and then they are gone. He asked who then will take care of the storm sewers, that it isn't the responsibility of the County.

County Attorney Wendel said he would think that it would be the property owner's responsibility, that he assumed that liability when he purchased the property.

Mr. Siebeking said they are cleaning a couple of them out this morning, that the catch basin, itself, was filled in with mud and naturally, nothing will work, so they are cleaning them out but they are affecting the street and he has been holding up on the rest of them until he got an answer from the Commissioners as to what he should do.

Commissioner Schaad said the County should take care of it if it is in the County's right of way, but if not, it is the property owner's responsibility.

Mr. Brenner said that private culverts are also their responsibility, that is what they are forcing them to do right now.

Mr. Siebeking said that the County cleans them if it is affecting the ditches and the flow of water since it could damage the county roads.

Mr. Brenner said they aren't having to make many of them do it, since most of them are co-operating with him and that they have one-hundred or more culverts cleaned out already, just by asking the people and explaining it to them.

The Commissioners agreed that the County take care of the storm sewers if they are in the County right of way.

Commissioner Willner said he had another call from the woman in Evergreen Acres where they went out and looked at that culvert and lake, that it is stopped up again.

Mr. Siebeking said that he just looked at it and the overflow drain was open, and he asked if they picked up the man hole cover.

Commissioner Schaad said the woman thinks it is the responsibility of the County because the lake overflows and drowns the people on the other side.
He said he told her that it isn't the responsibility of the County.

Mr. Brenner asked if it was possible for the County to have an ordinance, where they could require people to clean out a ditch across their property.
He said he has complaints where people tell him that their neighbor fills a ditch in and then he floods and there isn't much that the county can do, but that there should be an ordinance, and he asked if there couldn't be something that would require them to leave the natural drains open.

Commissioner Willner said it is a statute that no one can block the natural flow, but in order to enforce it, they must go to court and an ordinance wouldn't help, that they would still have to go to court.

Commissioner Schaad said, in regard to the lake in Evergreen Acres, the lady told him that she couldn't get anybody to help her and his suggestion to her was for her to get an attorney, to find who is responsible and to sue them.
He said it isn't the fault of the County that the lake floods, that she is calling everyone, hoping to find someone to carry the ball for her and she hasn't found that person as yet and it aggravates her and he can see why, that he doesn't blame her for being upset.

Commissioner Ossenberg said the lady called him and she thought that perhaps the Commissioners could enter into it because the lake comes over and goes on into the street.

Mr. Siebeking said he hopes it doesn't but if that dam ever breaks and the lake would empty, he didn't think it would hurt the county streets, because it is a long way from the street, so by the time that dam would break and got down to the street, it would go right on down the street and dump into the big ditch at Heather Court and he didn't really think it would hurt the streets.

Commissioner Ossenberg said that he did receive a complaint about a lot of rock on Larch Lane from the trucks, that a car came up to one of the intersections and slid through it since he couldn't stop because of the pea gravel and stuff in the street from the construction out there.

Mr. Siebeking said he thought this was one reason they are having so many complaints and the lady is so concerned about the lake because he has developed all up in the west now and is diverting a lot more water into the lake than it was originally built for.

Commissioner Ossenberg said that with a situation like yesterday, with all the flooding, that dam is going to give way but it is on private property, so he didn't know what to do, since the Commissioners can't let the County workers in there.

Mr. Crooks said he has also had calls on the problem but the lake belongs to them and the water has always came down through that lake area and the only change has been that there have been greater run-offs and Mr. Bussing has made a pretty good effort in helping the situation by putting in some partitions in there. He said that the upper one worked pretty good but the lower one just wasn't big enough and that he told Mr. Bussing if there was any more development, that he would have to require of the people who buy the lots, to build retainers around every one of them to hold that mud back, since this was the original complaint, that the mud came into the lake, but the lake belongs to them and as far as he can see,it is totally their responsibility to maintain it.

Commissioner Schaad said that water comes down into the living room of the house that belongs to the lady on the low side and he told her that the only recourse she has is to sue someone but not the Commissioners.

Mr. Crooks said they signed a release on that particular piece of property, stating that when they built that house, they would not hold anyone responsible for any damages.

RE: MONTHLY REPORT

The Building Commissioners Report was submitted for the month of June, 1977. Report received and filed.

RE: CLAIM

Mr. Brenner submitted a claim from Southwest Engineering for final payment on the Roesner Road Project, Acct. # 203-3843, in the amount of $3,058.62. The claim was approved by Mr. Stephen, the County Highway Engineer.

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

RE: CUTS IN

The Waterworks Department requested permission to make the following cuts:

R.R. #8, Box 429A - Boonville-New Harmony Road, West of Hwy. 57, off outer Green River Road at Daylight, to cut into the shoulder of the road to install 3/4" water service.

4200 Oak Hill Road at Cloverdale Road to repair water main break. (Emergency - talked to Mr. Stephen on this, and tentative approval was given to do this.)

Commissioner Schaad moved that these cuts be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: ROAD SIGNS MISSING

Mr. Brenner said he has sent each of the Commissioners a letter but they obviously haven't received them yet, but that approximately 100 road signs are missing in the County, which they also sent to Mr. Judd and he asked that the Commissioners try to help them get the replacement of them done in an expeditious manner.

RE: ST. GEORGE ROAD AND OAK HILL ROAD

Mr. Brenner said that on St. George and Oak Hill Road, they have had zero progress because they can't get the water line moved.

He said he has tried everything and he just can't get it done and he needs help, also that the contract was awarded almost 40 days ago.

Commissioner Ossenberg said he would see what he could do to help.

RE: MR. LOCHMUELLER

Mr. Lochmueller submitted a drawing of an East side area that is of great concern and is bounded by Stockwell on the West, Burkhardt Road on the East, Indiana 62 on the North and Division Street on the South and when discussed last week, it was described as the county's fastest developing section.
He said there are drainage problems and an inadequate feeder road system in the area.

The Commissioners agreed that more control over subdivision development was needed to insure proper roads are built and drainage problems corrected by developers.

Mr. Lochmueller presented a plan to the Commissioners on where feeder roads should be built in the area and asked that he might use it as a guide.

Commissioner Schaad moved that the Commissioners go along with this plan as a guide-line for the time being, until they can come up with something on drainage. Commissioner Willner seconded the motion. So ordered.

RE: SUBDIVISION PLANS TO BE VIEWED BY COMMISSIONERS

Commissioner Ossenberg said that the state statute sets up that the Area Plan Commission has the final say on approval of subdivision ordinances, however the Area Plan Commission has agreed to present those subdivision plans to the Commissioners, that a reviewing committee will be set up, where the Commissioners can have their input.

Mr. Brenner said that the statute also says that the Drainage Board have an input also, and Commissioner Ossenberg said he thought this to be where they can come along and get the Commissioners involved and this is fine with him, because as long as they have some type of involvement, they will have some type of final say.

Commissioner Ossenberg said he intends to involve every one of the Commissioners, that his pet gripe is that they never see any of the subdivision plans and this is going to stop, also, as far as he is concerned, the developers are going to develop those roads, that it isn't going to be the County.

RE: PLANS FOR INSTALLATION OF CULVERT

Mr. Eifler submitted plans for the installation of a culvert for the East Side Drainage and Water Improvement Project, that the County is participating in, for the Commissioners signatures.
The Commissioners signed the plans at this time.

RE: REQUEST FOR MEETING ON REVENUE SHARING FOR NEXT YEAR

Mr. John said that he would like, if possible, for the Commissioners to get together with the County Council, at the Commissioners next meeting, and discuss what will be advertised for next years budget, to be in revenue sharing.
He said he wants the public hearing to be on the first of August, which means they have to advertise at least ten days in advance of that, so if they meet on July 18th. He can get it in the paper on the 20th, which gives them plenty of time, since he must know what to advertise as to what the revenue sharing money will be spent for next year.

Commissioner Ossenberg said that the notifications will also have to be sent out to the Senior Citizens groups and Mr. John said this is why he wants it by the 18th. so they can be sent out by the 20th of July.

County Attorney Wendel asked what date the entire budget is submitted to the Council, if it is the first Wednesday in August.

Mr. John said that the Council don't actually have their hearings until the first Tuesday following the first Monday in September.

County Attorney Wendel asked if the first Wednesday in August the official date, and Mr. John said he believed it was.

County Attorney Wendel said, in looking back over it, he still believes that the

hearing must be seven days before the date of submission, but the State Board of Accounts told Mr. John that it is seven days before the advertising.

Mr. John said that at the meeting he was at two weeks ago, they said the last chance for the Commissioners to publish their hearing for the use of the Revenue Sharing Funds was August 2nd. which means their meeting could have been on August 12th. and the legal publication for the county budget is August 19th. which gives them ten days before the Commissioners meeting, which is seven days before the publication of the Council.

Commissioner Willner said he didn't think it would do any good anyhow and asked why they didn't dispense with it.

Commissioner Ossenberg said they couldn't do this, that the County wouldn't get any Federal Revenue Sharing money and he didn't think we could operate without it.

Mr. John said he didn't think the County was in any position to where they can't apply it somehow, whether it is capital improvements or whatever, but somehow, it must be applied to the budget.

Commissioner Schaad said that the equipment at the County garage is deteriorating rapidly and this is what Revenue Sharing money was originally intended and he thought the equipment should be upgraded with it.

Commissioner Ossenberg said he agrees with this, but unfortunately, it was spent other ways before the present Commissioners assumed the office.

Commissioner Schaad said the point of it is that they have to ask for it and advertise it and if the Council turns it down, they have done everything they can do to keep the county roads and equipment up to par and if they don't do it, thinking they won't get it, they won't have tried.

Commissioner Willner said that maybe they should hire a bus and take the Council members out in the County to some of the problem areas.

Commissioner Ossenberg said he thought there were some County Council members who were aware of what is out in the County but then he thought there are others who don't.

Commissioner Schaad asked, that since they didn't get the Revenue Sharing money they asked for, what were they going to do with the County roads. He said they were waiting to see what money they were going to get so they could plan on what roads to do, but they didn't get any money and he wondered what they were going to do.

Commissioner Ossenberg asked Mr. Brenner and Mr. Wendel if they thought it would warrant the Commissioners to once again ask for the $113,000 at the Council's next meeting, that he knew they probably wouldn't get that much, but that this is a critical situation.

Commissioner Schaad said the $113,000 is needed and they really need more than that.

Commissioner Ossenberg said it seems a little ridiculous that they are operating the County Highway Department with the same annual budget that it was operating with ten years ago, and how in the heck do they expect the Commissioners to fix roads with the cost of everything skyrocketing, and they are still operating as they did ten years ago, on the same budget, which is $1.1 million.

Commissioner Willner said what is so ridiculous about it is, that we sent tourism to San Francisco, that we have money for that but we can't fix our roads so the tourists can get here, that we have a conflict of good common sense, that's all.

RE: ROADS NEED TO BE UPGRADED

Mr. Stephen submitted a list of roads that they thought needed to be upgraded because of the increase in traffic, especially the truck traffic, and the approximate cost of them.
He said with only one inch of cover on the Old Henderson Road from Dogtown or the Cypress-Dale Road to the Dixie Flyer, 3.03 miles which will run about $57,000 to put one inch of surface on that road, and he was told that the road would need three inches of surface for truck traffic, so it would cost over $150,000.

Commissioner Schaad said just to spend $57,000 to do it inadequately would just be wasting money and they should do it right or not do it at all, to which the other Commissioners agreed.
He asked how much money they have to work with at all.

Mr. Siebeking said they have about $130,000 to $135,000 in the contractual account, where they let out on bids for someone to do their work.

Commissioner Schaad asked Mr. Stephen if he had $130,000, what roads in Vanderburgh County would he pick first for repairs. He said he thought they should take the worse road and fix it properly, rather than to spread it thin and try to get more done, which would really be wasting the money, but they need to do something.

Mr. Stephen said that St. Joe is very bad, that it has farm to market type traffic on it, truck-wise, but there isn't enough money to make a good start on that one.

Commissioner Schaad said he thought it was agreed that they would use R & S funds on St. Joe, which they would have to come up with 10% local funds.
He said he drove Baseline Road and that it is terrible from one end of the county to the other and that there are other roads just like it.

Mr. Stephen said if they want to try to handle the coal trucks over a road that is just about the shortest one, to put in good condition, would be to rebuild Boonville-New Harmony for that mile out of Warrick County.
He said they are presently using County Line Road and it is getting so bad that he doesn't know if they will be able to continue driving it.

Commissioner Schaad said that several years ago they had a formula and if they were going to spend the taxpayers money and the gas tax money, they should try to benefit the most people possible, and not just a few truck haulers, that the formula was the amount of traffic over the road, the condition of the road, etc. and they came up with what road should be done first.

Mr. Stephen said that Mr. Brenner is getting that study finalized and that information will be available very shortly, that there has been some work done in the past, that they are looking at, for St. Joe, so they can see what can be done clear out to Baseline Road, also that Baseline from Hwy. 41, West, which is the one that will probably be used more, is in bad shape in spots and he thought Mr. Siebeking planned to go out and patch the bad spots like he did on St. Joe Avenue.
He also said they haven't done anything about fixing the edge of Darmstadt Road, that this road also needs some patching and some grading on the berms.

Commissioner Schaad said this work will be done with Mr. Siebeking's crew and what he is talking about is the contractual work.

Mr. Stephen said the only reason for the center coat on the Old Henderson Road was the fact that there is concrete underneath, that this would primarily be to improve the riding quality on the smoothness of it, since once they start getting bumps on a road, that the trucks tend to pound the next section as they bump over one bump and the road becomes progressively worse,, so they aren't really adding any strength with a one-inch cover, that they are really improving the smoothness to eliminate the pounding of the road.

Commissioner Ossenberg said there are some sections of that road that just sunk this past winter,and Mr. Stephen said that Mr. Siebeking patched two places and this was one of them.

Commissioner Willner asked what if they would rebuild St. Joe Avenue like they have Green River Road, next year, that if they do, he wouldn't want to put any money in it this year, that this is what they need to do first, that he thinks St. Joe is a road from County line to County line and the one with the most traffic on it, so he thought this to be the road they should concentrate on, but if they are going to rebuild it, he doesn't want to spend any money on it this year.

Commissioner Schaad said that the one chuck hole on St. Joe was so bad that something had to be done, that he isn't talking about more than just that.

Commissioner Willner said the County garage will patch that, and they won't use any contractual money on that, and he asked where they should use the contractual money this year, that if they aren't going to rebuild St. Joe next year with R & S funds, then he thought they must patch it now with the contractual money.

There was a question of what this money could be used for and Commissioner Ossenberg said that the R & S money can be used for reconstruction but can't be used for repairs. He said there wouldn't have been any attachment what-so-ever on the 2¢ gas tax, as he read the bill, that they could have just taken it and approved the roads, if the bill would have passed, but it didn't and the Indiana highways are going to suffer.

Commissioner Ossenberg said he thought they should wait until the report comes in next week and see whats what.

Mr. Stephen said he hasn't been in the County too long but he thought the Commissioners were on the right track, that St. Joe is the road of all the roads that he has seen, that would do the most good for the most people, by rebuilding it, that it couldn't possibly be done this year, but by letting the money build up, they will probably have enough for the County's share, to do the work next year.
He said they may have to put a chip and seal over the top to hold the pieces in place for the year, since if they don't, they will have such a deterioration between now and next spring, until they get ready to rebuild it.

Mr. Brenner said that St. Joe will take some work before they know what they can do, within reason.
He said he just picked up the list of priority roads that Dave has been working on, that St. Joe was No. 1 and the estimated cost is $500,000, the second one was Lincoln Avenue at $12,000, Allen Lane at $40,000, Koressel Road at $50,000 and Boonville-New Harmony Road at $250,000, that alltogether, there are 50 roads that will need emergency repair during the next five years and that the projects will require $3.4 million.
He said there is $300,000 uncommitted and the County receives from $30,000 to $40,000 per month from the state, also that the decision will be reached by the Council, as to if Lynch Road will be done or not.
He said the study will be filed in order next week, also that there was a lot of work involved in this, that every road was driven and photographed and they will have a report that is about twelve inches high.

Commissioner Ossenberg asked Mr. Brenner if he had any idea as to when they could widen the portion of Outer Lincoln Avenue, since he had to give them some kind of answer and he asked what amount of road they were talking about.

Mr. Siebeking said that the area that needs widened is from Fuquay Road into the City limits which is about 400 feet, and they will have to have right of way.

Mr. Brenner said if they are going to widen it, they may be able to get R & S funds for it. He said he would do some research on it and see what he comes up with.

Commissioner Ossenberg said he would tell them that it will be done sometime in September.

After further discussion, Commissioner Willner moved that they put the $113,000 back on the Council Call. Commissioner Schaad seconded the motion. So ordered.

Mr. Brenner asked the Commissioners if they wanted him to put the $15,000 on the Council Call, to go along with the City and Commissioner Ossenberg said yes.

Mr. John said these requests will go on the September Council Call because it takes 27 days to advertise for Revenue Sharing now.

Commissioner Schaad said they have already had a meeting on it, and it was advertised before.

County Attorney Wendel said that from the regulations he found, if the emergency appropriation is less than 10% of what we are entitled to for the year, we don't have to go through the advertising procedure.

The Commissioners agreed that they try it anyway.

The meeting recessed at 10:45 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Bob Schaad Robert L. Willner	Curt John	Ed Smith Jr. Paul Wendel

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JULY 18, 1977

The meeting of the County Commissioners was held on Monday, July 18, 1977, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

Mr. Charles Swope of 33 W. Maryland Street submitted bids to purchase the rest of the parcels of County-owned Surplus Property that are now for sale. The parcels and bids submitted are as follows:

#1...	Tax Code 21-28-1...	501 E. Sycamore St.....$15.00
#2...	Tax Code 21-66-20...	783 Judson St.....$15.00
#3...	Tax Code 21-70-15...	20 East Powell.....$20.00
#6...	Tax Code 22-68-19...	1804 Emmett St.....$20.00
#7...	Tax Code 22-68-20...	1802 Emmett St.....$20.00
#8...	Tax Code 22-73-7...	1919 S. Elliott.....$20.00
#10...	Tax Code 24-31-11...	418 S. Garvin.....$100.00
#11...	Tax Code 24-34-46...	750 E. Walnut.....$25.00
#12...	Tax Code 24-41-9...	427 S. Evans.....$20.00
#14...	Tax Code 24-64-14...	920 Canal St.....$10.00
#15...	Tax Code 27-67-16...	911 W. Tennessee.....$20.00
#19...	Tax Code 31-116-30...	2700 Block N. Evans.....$20.00
		$305.00

There was no one else in the audience that wanted to bid against Mr. Swope on any of these properties which, if sold to him, will complete the sale of County-owned Surplus Property for this year.

County Attorney Wendel said that Mr. Swope purchased a number of parcels of County-owned Surplus Property last year, but they were never recorded since Mr. Swope wouldn't accept the legal descriptions, that they are shaped so weird and he suggested to find out if Mr. Swope would agree to accept the deeds on these parcels, with legal description as given.

Commissioner Ossenberg asked Mr. Swope if he would be willing to accept the deed on these parcels with legal descriptions given, without surveys.

Mr. Swope said that he would accept this group with stated legal descriptions, that it would be no problem on these.

Commissioner Schaad moved, on this basis, that the Commissioners accept Mr. Swope's bid of $305.00 for these twelve parcels. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg told Mr. Swope to get with the County Attorney's, that they would get the papers made out for him.
Mr. Swope submitted a check for the amount of $308.50 which includes recording costs.
The chair now declared all bidding closed on all Surplus Property for 1977.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AREA PLAN COMMISSION

James W. Craig	1513 Bosse Ave.	Pt. Time Intern	$2.75 Hr.	Eff: 7/13/77

BURDETTE PARK

James Stewart	852 S. Alvord	Extra Guard	$3.00 Hr.	Eff: 7/6/77

CLERK OF CIRCUIT & SUPERIOR COURTS

Betty Burton	2812 Edgar St.	M & T Deputy Clerk	$243.11 Pay	Eff: 7/16/77

HIGHWAY DEPARTMENT

Henry T. Willingham	642 E. Maryland	Summer Help	$2.43 Hr.	Eff: 7/11/77

APPOINTMENTS...CON'T.

PIGEON TOWNSHIP ASSESSOR REASSESSMENT

Alvin W. Walther	5019 Division St.	Field Rep.	$30.00 Day	Eff: 7/18/77

PROSECUTOR'S OFFICE

108.1-115	Mary Jo Kingon	R.8 Box 132	IV-D Asst.	$9,132.00 Yr.	Eff: 7/18/77
108-113	Scott R. Bowers	1809 E. Powell	Supt. Dep.	$4,725 Yr.	Eff: 7/18/77
108.1-116	Scott R. Bowers	" "	" "	$14,175 Yr.	Eff: 7/18/77

SUPERIOR COURT

Aaron Pippin		Summer Intern	$300 00 Pay	Eff: 7/18/77

SURVEYOR'S OFFICE

John West	1721 Ravenswood	Chief Draftsman	$7,951.00 Yr.	Eff: 8/1/77

RE. EMPLOYMENT CHANGES.....RELEASES

CLERK OF CIRCUIT & SUPERIOR COURTS

Charlene Appman	1709 Edgar St.	M&T Deputy Clerk	$243.11 Pay	Eff: 7/16/77

HIGHWAY DEPARTMENT

Larry Rebstock	4108 Cort St.	Summer Help	$2.43 Hr.	Eff: 7/6/77

PIGEON TOWNSHIP ASSESSOR REASSESSMENT

Thomas P. Toon	1100 S. Grand	Reassessment	$7,500 Yr.	Eff: 6/30/77
Ruth Calhoon	718 Bayard Pk. Dr.	Clerk	$20.00 Day	Eff: 7/1/77

PROSECUTOR'S OFFICE

108.1-115	Mary Jo Kingon	R.8 Box 132	IV-D Asst.	$9,000 Yr.	Eff: 7/18/77
108.1-116	Scott R. Bowers	1809 E. Powell	Supt. Dep.	$18,900 Yr.	Eff: 7/18/77

SUPERIOR COURT

Aaron Pippin		Summer Intern	$150.00 Pay	Eff: 7/15/77

SURVEYOR'S OFFICE

Charles Davis	2182 Maxwell Ave.	Chief Draftsman	$9,665.00 Yr.	Eff: 8/1/77

RE: MONTHLY REPORTS

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

The Report from the Bureau of Traffic Engineering was submitted for the month of June, as well as the Report for January thru June of 1977.
Report received and filed.

RE: PETITION TO VACATE ROAD....JACK VANSTONE

Mr. VanStone said he would like to show that the petition to vacate Happel Road be filed today, that there will have to be notice published once a week for three weeks so they will need to set a date.
He said the parcel is at the end of the road and it has never been improved, that they aren't vacating the whole road, that it is just 25 feet, that it is an easement for a road that has been there for years and there is also a house on that easement that has been there for years, and that there is no particular hurry because there is nothing that is being done, that it is something that ought to be cleared up.
He said the decision is merely to receive it and order notice given and set the date for first hearing and he suggested the 22nd. of August.

Commissioner Schaad said he thought it best if someone went out to look at it and come back with a recommendation.

County Attorney Wendel said they have to send out three viewers anyway.

Mr. VanStone said that will come later, but if they want to send someone out preliminarily, that's okay, since there is no hurry and he has no objection, that they could even have the hearing on September 12th.

Commissioner Ossenberg said they could accept the petition preliminarily, send the people out there to look at it and they can always say no if it isn't right, also that he will be out of town on August 22nd.

Commissioner Schaad moved that the Commissioners accept the petition and that they send someone out to examine it and report back to them and in the meantime, Mr. VanStone can set up the advertising. Commissioner Willner seconded the motion. So ordered.
The date for the hearing was set for September 12th. at the Commissioners regular meeting for determination and ruling.
The Commissioners signed the ad for publication at this time.

Mr. Van Stone said that the procedure for September 12th, after notice has been given publicly to the adjoining land owners, if it is ordered then, the Commissioners will appoint viewers who will look at it and make a report back and those viewers will then say whether or not it is a public utility to vacate it, which will be after the 12th. of September, that the appointment of the viewers will come on September 12th. assuming that everything is suitable that day.

RE: CONTRACT TO BE SIGNED...MERIT LONGEVITY STUDY

Commissioner Ossenberg was presented with a contract on the Merit Longevity Study that is to be signed for Dr. David Gugin and Mr. Michael Huff.

Mr. John explained that it is a survey they are doing for the County Council on the Job Evaluation Study, that this is the final stages of it and they have contracted with Dr. Gugin and Mr. Huff to do it and the Commissioners must sign the contract since they are the executive body for the County.
He said they have already done about half the work which is a study of the number of years one has served with the County, the number of years they have worked in various offices and arrange to go with those salaries for those positions.

Commissioner Schaad moved that the Commissioners sign the contract for the Merit Longevity Study. Commissioner Willner seconded the motion. So ordered.

The Contract reads as follows:

WHEREAS, the Board of County Commissioners of Vanderburgh County is desirous of having a merit and longevity study conducted by qualified independent contractors; and WHEREAS, Dr. David A. Gugin of the University of Evansville and Michael Huff of Vanderburgh County, State of Indiana, are qualified independent contractors and are desirous of providing to the Board of Commissioners of Vanderburgh County a longevity and merit personnel study; and,

WITNESSETH that for the mutual convenants and considerations contained herein that the Board of Commissioners of Vanderburgh County, State of Indiana, and the said Dr. David A. Gugin and Michael Huff hereby mutually agree, that:

(1) Said Dr. David A. Gugin and Michael Huff will prepare, in an acceptable form, a merit and longevity study of the employees of Vanderburgh County governmental unit and that said study shall be completed and presented to the Board of Commissioners of Vanderburgh County, State of Indiana, prior to September 1, 1977.

(2) That for the services rendered herein, the Board of Commissioners of Vanderburgh County, State of Indiana, shall pay to Dr. David A. Gugin the sum of Fifteen Hundred Dollars ($1500) and to the said Michael Huff the sum of Eleven Hundred Dollars ($1100). One-third to be paid on or about the 11th day of July, 1977, and the remainder shall be paid to said independent contractors upon the completion of said study.

(3) Parties agree that said Dr. David A. Gugin and Michael Huff are independent contractors and are not employees of Vanderburgh County or the Board of Commissioners of Vanderburgh County, State of Indiana. As such independent contractors, said Dr. David A. Gugin and Michael Huff are not entitled to any benefits paid by said Board of Commissioners to the employees of Vanderburgh County, including but not limited to, Health insurance, Life insurance, PERF, Social Security, Withholding taxes; and further, said Dr. David A. Gugin and Michael Huff agree that they shall bear all expenses incurred by them in the preparation and presentation of this study.

IN WITNESS WHEREIN the parties have hereunto set their hand and seal this 18th day of July, 1977, at Evansville, Vanderburgh County, State of Indiana.

RE: REAL ESTATE TAX LIEN MATTER

Mr. John explained that the Penn Central Railroad Co. went into Bankruptcy last year

and he received a letter from the County Attorney, stating that they have to put in a claim to a bank in Chicago for a portion due the County in taxes, so he would like for County Attorney Wendel to make the claim to that bank.
He said he would be happy to sit down with him on the figures.

Commissioner Willner moved that this matter be referred to County Attorney Wendel so he can send an invoice to the Chicago bank. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST TO TRAVEL

Mr. John said there is a matter on the state where conrail took over some local property and the taxes are going to be made up, that there is a discrepancy between our records and those of the state.
He said he would like to travel up to Indianapolis on Friday to resolve our records, to get this straight with Dewey Gibson and to take the new tax bills for next year, that they are going to put a statement on there next year where they will be mailed only one time, which will save the County about $12,000 in postage and he must get the approval of the State Board of Accounts on the new bill, so he would like permission to go to Indianapolis for the one day to take both these matters to the State Board of Accounts.

Commissioner Schaad moved that Mr. John have permission to travel to Indianapolis on Friday. Commissioner Willner seconded the motion. So ordered.

RE: CHECKS RECEIVED.

A check was received from the Evansville-Vanderburgh School Corporation for rent at West Heights School from 9/3/77 to 9/2/78, in the amount of $1.00.

Commissioner Schaad moved that the check be accepted and endorsed. Commissioner Willner seconded the motion. So ordered.

A check was received for the Support Division for reimbursement of rent, in the amount of $795.00.

Commissioner Schaad moved that the check be accepted and endorsed. Commissioner Willner seconded the motion. So ordered.

RE: REVENUE SHARING BUDGET DISCUSSION

Mr. John said he would like to do the same as they have in the past, to put the Revenue Sharing money into the Sheriff's Department.
He said they will have estimates of about $1.4 million coming in and whatever the Commissioners cut, will have to go on the tax rate, also that there is a possibility of maybe exceeding the levy this year with the new legislation, that they give two catagories that he thinks they could possibly fall under to exceed our tax levy, that one is with the unemployment compensation and the other is under the legislative acts, the new courts system, that if they cause the County to exceed their levies from the past, they could be granted and there is a chance they could go over the freeze.

Commissioner Ossenberg asked Mr. John if he understood correctly, in that it is $60.00 per employee on unemployment compensation.

Mr. John said it is 1% on the first $6,000 per employee, so if there is an employee getting under $6,000, it would be 1% of it, but it is on a maximum of a $6,000 salary, so it would be an average of $60.00 per employee.

Commissioner Ossenberg said that the Commissioners, by phone vote, last week, authorized Mr. Siebeking, for the budget, to ask for $300,000 contractual and $100,000 for equipment, from the Revenue Sharing for the budget of 1978, and other than that, he didn't think they had any requests in for Revenue Sharing.
He then asked, under the new law, what the procedure is now.

Mr. John said they will have their ten-day notice which they will hopefully get in today, that it doesn't have to be a legal ad, that it can be by news article alone, plus the letter to the public libraries and the senior citizens, and then a week from next Monday, they will have the public hearing, which will be on August 1st, at which time any public participation is welcome, and then they will have at least a seven-day legal ad before the County budget session, so after a week from next Monday, the Commissioners portion of it will be over, at least the public hearings will be over and their participation will then only be in the Council action.

Commissioner Ossenberg asked the news media to please publicize today's action on the Federal Revenue Sharing, since notification on the new guide lines must be published,

either by legal ad or the generosity of the news media.

Mr. John said he would appreciate if it read that $300,000 of Revenue Sharing money will be requested for Contractual Services in the Highway Department, $100,000 towards the Capital Equipment Account of the Highway Department and at least $1.1 million towards the Sheriff's Department.
He said if it shows that they are not going to be able to get that amount with the surplus they will have this year, plus the income of next year, they can then cut it out of the $1.1 million.
He said he would see that the publication is sent to the Public libraries and the Senior Citizens.

RE: CLAIMS

A claim was submitted by Feigel Construction Co. for final payment on the resurfacing of roads at Burdette Park, in the amount of $1,542.98.

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

A claim was submitted by the Computer Election Systems, Inc. for ballot tab maintenance by CES representative, Greg Haines on February 7, 1977, in the amount of $330.13.
This was mandated by Judge Miller for repairs on the computer, in which the County was to pay half and Mr. Mosby was to pay the other half.
Mr. Mosby has already submitted his check, and this is the full amount on repair costs.

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

RE: REZONING PETITION.....VC-67-77.....WITHDRAWN

Petitioner Stockberger Machinery Inc. of 2222 Highway 30 W. Bypass, Fort Wayne, Indiana

Premises affected are situated on the West side of Hwy 57, a distance of 930 feet Northeast of the former formed by the intersection of Kansas Road and Hwy. 57, more commonly known as 9820 Hwy. 57 North.

This real estate is zoned as C-1B and the requested change is to M-2.
The present existing land use is vacant and the proposed land use was for heavy equipment sales and service.

Commissioner Ossenberg asked Mr. Osterholt of Area Plan, if he heard this petition and Mr. Osterholt said that no one was there on it and he understood that it was to be withdrawn.

Commissioner Ossenberg then asked Mr. Osterholt if he had received any notification as yet and Mr. Osterholt said he hadn't but that it was withdrawn by the Plan Commission, and final action is to be taken by the Commissioners this morning.

Commissioner Ossenberg said the petitioner had called him last week and said they were going to withdraw their petition and he told them to notify the Area Plan Commission, but until this time, they haven't, so the Area Plan Commission has taken the action and consider the petition withdrawn.

Commissioner Schaad moved that petition VC-67-77 be withdrawn. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....VC-68-77

Petitioner.....Oak Meadow, Inc. ... R.R.8, Browning Road, Evansville, Indiana
Owner of Record...Ross, Inc. ...R.R.8, Browning Road, Evansville, Indiana

Premises affected are situated on the west and east side of Petersburg Road, a distance of 1500 feet, more or less and formed by the intersection of Browning Road and Petersburg Road, more commonly known as R.R.8, Petersburg Road.

The requested change is from A to R-1.
The present existing land use is residence and vacant acreage and the proposed land use is for a subdivision composed of single family residences.

Attorney James Marchand, Attorney for the petitioner, appeared and showed the area where the Commissioners approved, for a golf course about 6 weeks ago, which is in the vicinity of area of this petition.

He said it is a large area located just south of Oak Meadow and crosses Petersburg Road and a small area goes all the way to Seib Road, that the petition is to rezone from Agriculture to R-1 residential and the area will contain approximately 333 lots which will surround the golf course and they will be sold as single family residential lots.
He said he thought the area to speak for itself, that it is a residential area and will be developed much the same as the original Oak Meadows.
This petition received unanimous approval by the Area Plan Commission.
There were no remonstrators present.

Commissioner Willner asked what the plans are, when they cross Petersburg Road.

Mr. Marchand said that in connection with the subdivision, there will be the entrances as shown on the drawing, of which there are four, but he didn't think there were any roads nearby.

Commissioner Willner said that he wasn't too sure that they shouldn't have some turn lanes here, since they are talking about at least 200 residents leaving and entering the area at one time, that they should have something.

Mr. Marchand said this is being worked out with Mr. Lochmueller's department.

Mr. Osterholt said they had a traffic engineering report and what was reflected on Petersburg Road was that there are some double frontage lots and they were asked not to allow ingress and egress on Petersburg Road but that they instead, use an interior road as an access road.

Commissioner Schaad said he was also concerned about the traffic being tied up when traffic wants to turn off, so if there are lanes to the right where someone can go around the people that want to turn left, so it won't create any traffic problems, it would be okay.

Mr. Marchand said this would be agreeable with him.

Commissioner Schaad moved that petition VC-68-77 be approved, subject to this study being made and recommends that this be complied with by the Traffic Engineer's Department. Commissioner Willner seconded the motion.
The vote being unanimous in the affirmative, the motion carried.

RE: REZONING PETITION.....VC-69-77

Petitioner.....Empire Development Corp. of 2200 Lexington Ave. Evansville, Indiana
Owner of Record.....Citizens National Bank as Trustee for the Sarah Jane Kinder Trust of 19 N.W. Fourth Street, Evansville, Indiana.

Premises affected are situated on the Northeast corner of the intersection of State Road 57 and U. S. Highway 41, more commonly known as 7100 State Highway 57 and 7401 U. S. Highway 41, North.

This real estate is zoned Agricultural and the requested change is to M-2.
The present existing land is vacant and the proposed land use if for an industrial park.

Mr. Johnson, Attorney for the petitioner, appeared and said that the Empire Development has an option to purchase the real estate, some 25 acres, more or less, subject to the rezoning to an M-2 classification for the purpose of constructing an industrial park. He then submitted a drawing and explained the location of area discussed and said that the property at 57 and 41 was rezoned by this body about a year ago, to an M-2 classification and the property they seek to rezone today surrounds this property, also that there are two cuts, one on 57, which will have to be constructed and the other one on 41, already exists, so as in any industrial complex that is planned, as this one is, under a large tract of land to be subdivided to smaller tracts, they have the advantage of having one developer, who can do the necessary work before the construction sites are ready and has the advantage of the single access on 41 and 57.
He said he thought everyone would agree that this is prime industrial land and should be used for industrial purposes because it is in an area that is already zoned M-2 to the South and to the North and the Airport is in the area, so industrial zoning is very compatible and they have one developer that can put in the service route, in the center with one access, also that this petition was approved by the Area Plan unanimously and the Area Plan Commission recommended the zoning, stating that the industrial zoning is compatible with the area.
There were no remonstrators present.

Commissioner Willner said he also thought this to be good zoning, that there is no problem, but he asked if there was any way to work out a single access for both these properties onto State Road 57.

Mr. Marchand said that this is under discussion and Mr. Kempf of Empire Development said he met with a gentleman from the State Highway Department and they are in the process of finding a joint entrance, so it is very possible that there will only be one on State Road 57.

Commissioner Schaad moved that petition VC-69-77 be approved. Commissioner Willner seconded the motion. The vote being unanimous in the affirmative, the motion carried.

Commissioner Willner said he might mention to the Area Plan Commission that he hopes the one entrance works out.

RE: MR. CROOKS

Mr. Crooks said that he has received the new revised set of Flood Plain maps for the Flood Insurance Program and have reviewed it with his department and have gone over some of it with the Area Plan and they also had Mr. Morley and Mr. Biggerstaff in to review them and there are some minor things that need to be changed, however if they do appeal these maps at this particular time, he wondered if the Commissioners want to help review these things again and try to match them up with the City, which is what they want to do.
He said he can resubmit them back to HUD if the Commissioners so desire or he can get with the Commissioners on them, or whatever the Commissioners want to do, that he must say, in nearly all cases, they did follow what had been recommended last year.

The Commissioners agreed that if Mr. Crooks is happy with it, that this is all that is necessary, so he should go ahead with it.

RE: MR. HOTZ

Mr. Hotz said he believed the Surveyor's office has two bids for the parking lot at the Auditorium and he thought they should discuss it this morning.

Mr. Stephen said they originally had two bids and on one there was quite a difference between what was recommended and what he offered and that he wrote a set of specifications so they would all be bidding on the same thing, so he invited four companies to submit bids, that two weren't interested and one wasn't returned.
He said he contacted Mr. David and Mr. Feigel and they haven't turned anything in yet, that they didn't have a deadline and he just told them what he would like to have, which included a slurry seal and none of them have a slurry seal machine and there is none in the vicinity, so another type of seal will have to be used, but he hasn't received anything since he sent out the letters and the two original bids he received attacked the problem two different ways, that those bids were from Feigel for $1,700 and from Midwest Construction for $745.00.

Commissioner Ossenberg asked Mr. Feigel why he hasn't rebid on the parking lot.

Mr. Feigel said they can't use slurry seal, that they can remove the bad areas and any stone that has deteriorated, fill the cracks and apply standard seal to correct the area in whatever amount that is fair, over the entire lot.

Commissioner Ossenberg said he thought September to be their down-time at the Auditorium anyway and he asked Mr. Stephen to try again.

RE: ABSENTEE REPORT

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

RE: WORKING HOURS CHANGED

Mr. Siebeking said that the working hours at the Highway Department have been changed from 8 a.m. until 4 p.m. to 6 a.m. until 2 p.m. during this hot weather.

RE: LYNN-BECKER ROAD

Commissioner Willner said he has a request for the County to grade and mow the weeds on Lynn-Becker Road, that they say it is so terrible that it is almost impassable.

Mr. Siebeking said that he will take care of it.

RE: WILLIAM JUDD...STOP SIGNS TO BE POSTED

Re: Request from Guthrie May to place Traffic Controls in the Valley Downs and Valley Downs II Subdivisions.

Mr. Judd submitted the following recommendation:

After checking the area my recommendation is to place stop signs as follows:

Ripplewood Lane stops for Saratoga Drive
Hunters Trace stops for Saratoga Drive
Deer Trail stops for Saratoga Drive
Spring Valley Road stops for Saratoga Drive
Saratoga Drive stops for Oxmoor Drive
Deer Trail stops for Oxmoor Drive
Crossbow stops for Hunters Trace
Saddlebrooke Lane stops for Saratoga Drive
Autumnwood Way stops for Spring Valley Road
Spring Valley Road stops for Greenriver Road

Therefore, I ask that the Board of County Commissioners approve these Stop Signs as listed.

Mr. Judd said he checked with the Surveyor's office and they said these are all County roads.

Commissioner Willner moved that these stop signs be approved as recommended. Commissioner Schaad seconded the motion. So ordered.

County Attorney Smith said they will need a resolution on this, so he will prepare it.

County Attorney Smith said there was a request for the street in the Kahre Lake Subdivision to be posted at 30 mile per hour speed limit restrictionsm before he went on vacation, that the request was for West Hillsdale Road that deadends into Darmstadt Road and he wondered if the Resolution that he prepared was adopted, since he didn't see it in the minutes.

Commissioner Ossenberg said he was sure that it was approved. This Resolution was adopted on June 27, 1977.

RE: CUTS IN

Indiana Bell Telephone Co. requests permission to make two different cuts in Boonville-New Harmony Road to bury telephone wires.

Indiana Bell Telephone Co. requests permission to make a cut in Williams Road to bury a telephone cable.

The Waterworks Department requests permission to make a cut at 580 E. Mt. Pleasant Road, east of Old State Road to install 3/4" water service.

The Waterworks Department requests permission to make a cut at 8219 N. Green River Road to install 3/4" water line.

The Waterworks Department requests permission to make a cut at 7820 Meadow View Drive to install 3/4" water line.

Commissioner Schaad moved that these cuts be approved. Commissioner Ossenberg seconded the motion. So ordered.

Mr. Brenner asked if it is necessary to bring the cuts up, formally, before the Commissioners, if not, they could get it off the agenda, that once the inspector has looked at them, it is not a controvercial item and he couldn't see that it's necessary, since his office keeps a record of them.

The Commissioners agreed that this would be okay with them, so Mr. Brenner said he will just stop bringing them in, unless there is a problem.

RE: ROAD INSPECTION SURVEY AND REPORT

Dave Guillaum, project engineer, submitted the Survey of County Roads that was prepared by the County Surveyor's office and explained that it is a three-volume report with maps and color photos of major road problems.

He said they had every type of deficiency they ran into, whether it be drainage, deterioration, visibility or whatever, it is all designated in the survey.

Mr. Brenner said they made a running start at the road sign deficiencies and they sent a letter to Mr. Judd on it and he will make sure the Commissioners get a copy of it.

Mr. Guillaum said the repairs needed in the next five years would total $3,369,650 and the repairs needed for the five years after that would cost about $1.3 million and for the period between the next ten to twenty years the county will have to spend $4,995,740 to bring and keep county roads up to standard.
He said the roads are falling apart faster than the money is coming in and that the past winter had a lot to do with it and that during the next two decades about 500 county roads will be needing some repairs or improvements, that it lists 156 roads in need of repairs during the next five years and 182 roads which will need repairs and improvements in the period of 5 to 10 years from now.
He also submitted a priority list for road repairs, based on present road conditions and the amount of average daily traffic on the roads.
He said a lot of major roads are carrying a lot of average daily traffic and need a lot of help, that the survey shows the county has 482.81 miles of roads of which 431 miles are paved and the remainder has a gravel surface, that the main problems are; Truck Traffic, Drainage, Road base, and Traffic Control, that some roads are carrying heavy truck traffic although the roads weren't originally designed to do so and a large number of county roads have sections where the road shoulders are higher than the roadbed and in some cases, drainage ditches along the side of the roads have been filled in.
He said the problem has been going on for many years and has not been carefully examined and in some cases, overplowing by farmers has resulted in ditches being filled in and fields extended to the side of the road, so the higher road shoulders result in water standing on the road and eventually eroding away the road bed and the asphalt and creating chuckholes, also that in some cases, the road base is inadequate to handle the heavy traffic on the road.
He said that more than 200 county roads are in need of traffic control signs, including stop signs or yield signs at major intersections and that the county could be liable in damage suits if signs aren't installed.
He said other problems encountered by the survey crews included a county road that was plowed up, a sudden curve to avoid a tree which was left standing in the road, three foot chuckholes and intersections where the view of motorists from either direction is blocked.

The Commissioners discussed various projects and various sources of funding to pay for them, such as local tax money, state gas tax money rebates and federal highway funds to help with the county's long range road problems.

Commissioner Schaad said they have about $140,000 available now in contractual and they have to see how they come out on revenue sharing, that they may knock it off again, but they should give it to them and if they get this $113,000, they can go on down the list, that they should get with it because August is almost here and he thought they should go ahead and advertise.

The Commissioners talked about using bridge fund money and Commissioner Ossenberg said they could have built a road from one end of the County to the other end of the County with cumulative bridge if there was a bridge in the middle but some guy passed an amendment on that because he said the first thing they would see is the bridge fund going up and that would be a way for the County to build roads.

Commissioner Schaad said he thought they have a lot of facts and figures, that this is a good survey and he thought the Surveyor's office did an excellent job from what he sees here, that they have a lot of work to do and they can use it now.

Mr. Brenner said that one sheet he submitted talks about cumulative bridge funds and he knows the Commissioners can act on this today, that there are four bridge projects that have been completed or abandoned .
He submitted the following for appropriation of funds that will be on the August agenda of the County Council:

1. Bergdolt Road to Hirsch Road connection.....#203-3844
   Cumulative Bridge.....$350,000.00
2. Fuquay Road 2 Culverts city project.....#203-3845
   Cumulative Bridge.....$ 15,000.00
3. Fulton Avenue Bridge at Pigeon Creek.....#203-3846
   Cumulative Bridge.....$ 16,115.00
   Federal.....$ 37,602.00

Mr. Brenner said they talked about the one on Fuquay Road last week, that has two culverts and $15,000 is our share of the City project, that the one on Fulton at

Pigeon Creek shows $16,115.00 as our share of the project and the number one project is Bergdolt Road to Hirsch Road and is an expensive item at $350,000 from Bridge funds, that this would be a tremendous project.
He said that Bergdolt Road runs from Hitch-Peters, right behind Whirlpool, that it is an excellent road, as is Bergdolt and it runs within 600 feet of Green River Road and if they skip that 600 feet and the creek, they catch exactly in line and the street name changes to Hirsch Road and Hirsch Road runs all the way to Burkhart and they build that 600 feet and a bridge and all of a sudden they have a connection extending west and the whole thing can be done from bridge money, that they have $1.7 million here and they couldn't go wrong in Evansville to build a bridge across Pigeon Creek and they tell him that the number one intersection is Oak Hill Road and Morgan Avenue and they take the Whirlpool traffic off Oak Hill that is trying to turn left and let it go out either Green River Road or across Green River Road to Burkhart and the $350,000 would do the bridge and all, including improvements on other parts of the road.
He said if this is approved, they will start the survey and engineering right now, in fact the survey has already been started.

Mr. Brenner is also going to take before the Council in August, a request to return the following funds to the Cumulative Bridge Account:

1. Kentucky Avenue.....203-3826.....$ 2,297.94
2. Mohr Road.....203-3834.....$40,000.00
3. St. Joe Penn Central.....203-3835.....$26,718.73
4. Boonville New Harmony.....203-3842.....$58,429.00

Commissioner Willner moved that the three projects, Bergdolt, Fuquay and Fulton Avenue, from Cumulative Bridge, be approved and that the four projects on Kentucky, Mohr Rd., St. Joe Penn Central and Boonville New Harmony, be repealed. Commissioner Schaad seconded the motion. So ordered.

Mr. Guillaum said that he went all over town to get estimates for printing the report and the best price he got was from the Letter Shop and he contacted the State Highway people and the man at Purdue that pretty well put together the bridge report, and he went over all the catagories and criteria they would have in it, because the road schools that he and Mr. Hartman attended had talked about making the reports mandatory and if this would ever come about, he wanted to make sure they had the information right so that maybe they could get the money back for them, that they talked about everything in the report being everything they would want if they would make it mandatory, so if this ever comes about, they may get the money back for it, that they have spent a lot of time and money putting it together.

Mr. Brenner submitted a Road and Street request that is to be placed on the August Council Call, for appropriation of funds for approval of the Commissioners, to advertise. They read as follows:

1. Construction St. Joe Avenue Diamond to Mill.....#216-3777
   Road and Street.....$572.400.00
   Federal $1,335,600.00
2. Boonville New Harmony and L & N R.R.....#216-3778
   Road and Street .....$ 3,800.00
   Federal.....$ 34,200.00
3. Nurrenbern Road & L & N.R.R.....#216-3779
   Road and Street.....$ 2,100.00
   Federal.....$ 18,900.00
4. Baseline Road & L & N R.R.....#216-3780
   Road and Street.....$ 300.00
   Federal.....$ 2,700.00
5. Hogue Road and L & N R.R.....#216-3781
   Road and Street.....$ 300.00
   Federal .....$ 2,700.00
6. St. Joe and Meier Road.....#216-3782
   Road and Street.....$ 31,035.00
   Federal.....$ 72,415.00
7. St. Joe - Mill Rd. to Baseline.....#216-3783
   Road and Street.....$500,000.00
8. Lincoln Ave. City Limits 0.2 Mile East.....#216-3784
   Road and Street.....$ 15,000.00
9. Baseline Road St. Joe to U.S. 41.....#216-3785
   Road and Street.....$200,000.00

Mr. Brenner said they could earn like 6% interest on the $700,000 from Numbers 7 & 9 if they decide not to do them, in the General Fund, which would make it worth while.

Mr. Lochmueller said they don't have any money matched on Red Bank Road and they already have the federal money down here and there are several jobs where they can take this approach and if they want to bring money down to hold, they can draw interest on it and transfer it later.

Mr. Brenner said if they improve St. Joe and go from Mill Road to Baseline Road and over to Hwy. 41, and all of a sudden, they have a route for the trucks and it looks like a way to move the traffic from the West Side, that they are going to have to do something, and they are going to have all the trucks running through the downtown area, that he is still trying to get across Evansville, since you can't get around or through it.

Commissioner Schaad said the whole thing needs to be coordinated with Mr. Lochmueller so they are all working through one channel to see how it fits with the overall plan.

After some discussion, Commissioner Schaad moved that numbers 1,2,3,4,5,6, & 8 be advertised and that they back off on numbers 7 & 9 and work together to see where they are going and what they can do about it. Commissioner Ossenberg seconded the motion. So ordered.
Mr. Brenner submitted a list of items for the August Council Agenda as follows:

1. Return funds to the Road & Street Account from the following completed projects.

A.	Middle Mt. Vernon West of Peerless	216-3743	$ 3,631.51
B.	Lynch Road and Hitch-Peters	216-3744	$ 8,657.70
C.	Nurrenbern Road	216-3748	$17,141.86
D.	Kuebler Road Bridge Construction	216-3765	$ 2,861.59
E.	Old Green River Road over Eagle Slough	216-3766	$ 3,491.53
F.	Allen Lane Bridge	216-3767	$37,945.51
G.	Lincoln Avenue & Burkhardt Road	216-3768	$ 147.74
H.	Cypress Dale Bridges	216-3770	$31,959.88
I.	Upper Mt. Vernon over Carpenter Creek	216-3771	$ 74.96
J.	Boonville-New Harmony Bridge	216-3772	$ 7,370.67
K.	Green River Hwy. 57 to Heckel Road	216-3774	$52,254.11
L.	Kentucky Avenue Bridge	216-3826	$30,730.26

2. Return funds to the Road & Street Account from the following cancelled projects.

A.	Highway 62 & Schutte Road	216-3742	$ 44,285.27
B.	Eichoff Road	216-3741	$490,711.08

3. Return $77,600.00 to the Road & Street Fund from the Lynch Road Account #216-3776.

Mr. Brenner said this money is currently here and these are not active projects, so the money should go back and the only one they won't want to do then is number 3.

Commissioner Schaad asked if this money must be returned or can it be transferred.

Mr. John said that the money can be transferred if they approve it.

Mr. Brenner said that if they approve the funds for Lynch Road and for St. Joe, they will need some of this money.

Commissioner Schaad said he couldn't see sending the money back when they could transfer it, rather than to have to go back and ask for it again. He said if 10% of it is Highway money, they wouldn't want to send that back anyway, that this would have to be clarified first.
Mr. John said they would have to go back on the appropriation cards and see if that amount was turned in.

Mr. Brenner said they should have Mr. John find out where the money came from and go from there.

Mr. John said when they repeal it, we can bill it to two accounts.

Commissioner Schaad said something that he doesn't understand is that, a long time ago, they were working on the Green River Road project and they were saying that the Eichoff Road project was bogged down and they were going to transfer the money.

Mr. John said he did that on this project, that he gave Mr. Nussmeyer and Mr. Ludwick all the information on it, showed every expense and showed where the money came from.

Commissioner Schaad said there is still money in the Eichoff Road project and Mr. John said he thought there used to be about $800,000 in there and Mr. Brenner said there is still about $57,000 left in the Green River Road project.

Commissioner Schaad said that on the list of projects where the funds are to be returned to the Road & Street Account, they would have to find out exactly what the amount of it is.

Mr. John said he would get the Commissioners a run-down on it.

The Commissioners then discussed the contractual work that needs to be done and Mr. Brenner said they may have some money for a match here.

Commissioner Schaad said that he would like to get some of the small jobs under contract that can be done, that the money is in the Highway Contractual account and they can advertise for bids and then award the contract and he asked if this must be approved by the Council.

Mr. Brenner said the money has been approved by the Council.

Commissioner Ossenberg said they should start on the list then and if they have the funds, to go ahead and do them.

Mr. Guillaum said the bigger part of the top group would be resurfacing with hot mix and they did have them pin-pointed and identified in the report but none of them are in that top group, that they are further on down.

Commissioner Schaad said they would be contractual then and they are the ones they should advertise and get them done, that they have $140,000 but they need to save some of it in case they need it for matching funds and they are going to hold off on Outer St. Joe Avenue anyway, as well as Baseline Road.

Mr. Guillaum said they tried to get as close as they could on the figures by getting them from contractors in town, as to what they would go with per mile, so these figures are pretty close.

Commissioner Schaad said that Mr. Siebeking stated that he could do the shoulders and cut the berm on the roads.

Mr. Guillaum said they figured for grading and drainage but he thought they tried, for the most part, to have a price where the contractor would come in and do the entire job but in some cases where they have a long stretch and they don't have any resurfacing to speak of, they could go that route.
He said that Union Township was one of the poorest examples, that there are places where there is no side ditch and it is plowed right up to the side road.

Commissioner Willner asked Mr. Siebeking if he did Coalmine Road and Mr. Siebeking said they just patched it out.

Commissioner said it is No. 7 on the list of roads to have wedging and patching.

Mr. Guillaum said that it was done partially but it is torn up again and needs repairing again, that it seems like a losing battle.

Commissioner Schaad said that if they get that $113,000 and put it with the $140,000 they have, that should get some of these roads done.

Commissioner suggested they take the contractual money and start with the work by doing Allens Lane, Koressel, Weinbach and Grove Street.

Commissioner Schaad said that when the specifications are written for these roads and they get ready to advertise for bids, he thought they should get together with Mr. Siebeking to see if he can do the berm or if they are going to have to put it in the contract.

Commissioner Ossenberg said he did it last year and he saved the County a lot of money and Mr. Feigel said he did a fine job.

Mr. Guillaum said he thought in areas where they have purely a drainage problem, he thought this was a good idea.

Commissioner Willner asked Mr. Siebeking to do the drainage work on Garrison this week, since that is all it needs and Mr. Siebeking said he would do it.
Mr. Guillaum said that Mr. Siebeking can also take care of Roesner since this is also drainage work.

Commissioner Willner asked about number 26 on the list which is Ward Road and calls for wedging and patching and wondered if Mr. Siebeking could do this work.

Mr. Guillaum said they had a poor utility cut there and it needs to be leveled out and filled in, plus they had shoulder problems where it is washed out and there is a place where the shoulder is higher than the road and it needs to be graded down, so he didn't see any reason that Mr. Siebeking couldn't do it.

Commissioner Willner then moved that specifications be prepared and that bids be advertised for No. 4, Allens Lane Resurfacing, No. 5, Korressel, Resurface/visibility, No. 6, Weinback, Wedging and Patching and No. 9, Grove Street for resurfacing and that they get together with Mr. Siebeking first, to see if he can do the berm on these roads, also that Mr. Siebeking take care of the drainage on No. 14, Garrison and No. 19, Roesner Road and the Wedging and Patching on No. 26, Ward Road.
Commissioner Schaad seconded the motion. So ordered.

There are 156 roads on the priority list for the first five years for some type of improvement. The first 30 are as follows:

1. St.Joe Ave for resurfacing at $500,000.00
2. Lincoln Avenue for resurfacing at $12,000.00
3. Allens Lane for resurfacing at $40,000.00
4. Boonville-New Harmony for resurfacing at $250,000.00
5. Lorressel for resurfacing/visibility at $50,000
6. Weinbach for wedging and patching at $1,000.00
7. Coalmine Road for wedging and patching at $10,000.00
8. Old Princeton Road for resurfacing at $90,000.00
9. Grove Street for resurfacing at $10,000.00
10. Eichoff for resurfacing at $25,000.00
11. West Franklin for resurfacing at $30,000.00
12. Boehne Camp Road for resurfacing at $50,000.00
13. No. 6 School Road for resurfacing at $70,000.00
14. Garrison for drainage at $1,500.00
15. Kansas Road for resurfacing at $70,000.00
16. Baseline Road for resurfacing at $300,000.00
17. Kasson Drive for resurfacing at $35,000.00
18. Fischer Road for traffic Control at $100.00
19. Roesner Road for Drainage at $200.00
20. Memory Lane for resurfacing at $10,000.00
21. Colonial Garden for Traffic Control at $700.00
22. Schlensker for resurfacing at $40,000.00
23. Denzer Road for resurfacing at $50,000.00
24. Schmuck Road for resurfacing at $40,000.00
25. Volkman Road for wedging and patching at $25,000.00
26. Ward Road for wedging and patching at $500.00
27. Old Mt. Vernon Road for resurfacing at $30,000.00
28. Little Schaefer Road for resurfacing at $30,000.00
29. Orchard Road for resurfacing at $60,000.00
30. Fischer Road for resurfacing at $50,000.00

Bids will be advertised for on numbers 4, 5, 6, & 9, and Mr. Siebeking will take care of numbers 14, 19, and 26.
Mr. Judd will take care of number 18, Fischer Road, on traffic control and the Commissioners decided not to do Coalmine Road at the present time because trucks are tearing it up.

The meeting recessed at 11:45 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg	Curt John	Ed Smith Jr.
Bob Schaad		Paul Wendel
Robert L. Willner		

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JULY 25, 1977

The meeting of the County Commissioners was held on Monday, July 25, 1977, at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

John Gildersleeve	1010 E. Chandler	Extra Guard	$3.00 Hr.	Eff: 7/18/77
Julie Horner	1411 Roosevelt Dr.	Extra Guard	$3.00 Hr.	Eff: 7/18/77

COUNTY COMMISSIONERS

Helen Franks	3105 W. Indiana	Vacation Clerk	$20.00 Day	Eff: 7/27/77

HIGHWAY DEPARTMENT

Philip Adcock	211 Blackford Ave.	Truck Driver	$4.26 Hr.	Eff: 7/19/77
Gerald Fuchs	R.R. 8 Browning Rd.	Summer Help	$2.43 Hr.	Eff: 7/14/77

VANDERBURGH CIRCUIT COURT

David Robinson	311 S. Barker	Summer Intern	$234.43 Pay	Eff: 7/18/77

VANDERBURGH COUNTY COOPERATIVE EXTENSION SERVICE

Florence Watkins	5801 Shelbourne	Para-Professional	$4,000 Yr.	Eff: 7/5/77
Kimberley Weatherholt	3108 Stratford	Part-time Clerk	$2.40 Hr.	Eff: 7/14/77

RE: EMPLOYMENT CHANGES.....RELEASES

HIGHWAY DEPARTMENT

Philip Adcock	211 Blackford Ave.	Laborer	$4.18 Hr.	Eff: 7/19/77

VANDERBURGH AUDITORIUM

Henry Overby	1915 S. Elliott St.	Parking Lot	$2.60 Hr.	Eff: 7/22/77

VANDERBURGH COUNTY COOPERATIVE EXTENSION SERVICE

Sondra Hester	1149 Burdette	Para-Professional	$4,000 Yr.	Eff: 7/1/77

RE: JIM HUBER - PETITION TO ACCEPT MILLER ROAD

Mr. Huber presented a petition to the Commissioners, requesting that the County accept the maintenance of 633 feet of road, an extension of Miller Road. He said the road presently serves three additional residences plus two undeveloped lots and that the newest portion of the road has been in use for over ten years, that it has a good bed of rock and that last year, he put chip and seal on approximately half of it and he is now asking that the County take over the maintenance of it. He said there is a 50 foot right of way for the entire length of it, that is reserved as a restriction on the deeds to the property.

Commissioner Willner moved that this matter be referred to Mr. Stephen, the County Highway Engineer, so he can run it down as to proper details and description and report back to the Commissioners. Commissioner Schaad seconded the motion. So ordered.

RE: BILL TAYLOR - BLACK EXPO 1977 FUND REQUEST

Mr. Taylor submitted an operational report of the Evansville Black Expo '77 to the Commissioners, with attached letter which reads as follows:

Dear Commissioner:

This is a request from Evansville Black Expo '77 Committee.

The Expo Committee requests of the county funds of $1,000.00 and rental cost of the Vanderburgh Counyt Auditorium on August 26, 1977 for the Annual Black Expo Dinner.

Your consideration would be greatly appreciated.

Respectfully submitted,
William P. Taylor, Chairman
Dinner Committee

Mr. Taylor explained that the operational report consists of what they have done so far this year, what they intend to do, the income and expense statement and their projected income and expense statement, also a number of major contributors. He said they ran into a little problem on the Black Expo last year, but not as a result of any of their doing's, that they have taken the ball over and that Black Expo is something that benefits the entire community and what they are asking for is $130.00 for rent of the Gold Room on the 26th of August plus $1,000.00 to help them with the dinner and a scholarship program.

Commissioner Ossenberg asked Mr. Taylor if he was still getting contributions from the City.

Mr. Taylor said this is correct, that he has given the City the same report as he has submitted here and the Mayor should be getting back with them shortly. He said it was suggested, this year, that they send a voucher.

Mr. John said the way it was suggested, was for the check be made out to the Commissioners, in care of the Auditorium, instead of being made out to the Black Expo.

Commissioner Ossenberg asked what the City's participation is.

Mr. Taylor said that the City has already given them some funds for the booth in Indianapolis and they paid for some of the publicity and they are suppose to get the other money as soon as the Mayor goes over the report and he hopes it will be by the first of August.

Commissioner Ossenberg asked when this could get on the County Council's agenda and Mr. Taylor said it would have to be in September since it is too late to get it on the August agenda.

Mr. Taylor said they are asking for more money this year but it eliminates the problem, also at the end of the year, the Commissioners will have a report of exactly where the money went.

Commissioner Willner moved that it be placed on the September Council call and that the rental be paid directly to the Commissioners and the $1,000 be paid to the Evansville Black Expo '77. Commissioner Schaad seconded the motion. So ordered.

RE: TRAVEL REQUEST - SHERIFF'S DEPARTMENT

The following letter of request was received by the Commissioners from Sheriff DeGroote:

Gentlemen:

I would formally request approval for Lt. James Moers, Jail Commander, and me to attend the AMA Conference on Medical Care and Health Services in jails, to be held in Milwaukee, Wisconsin, August 21 & 22, 1977.

Ways of economically improving health services in jails and the legal issues surrounding medical and health care in jails will be addressed, as well as other medical issues of interest and concern to jail administrators and jail commanders... and, of course, jail physicians. Dr. John Farquhar, Vanderburgh County Jail Doctor has agreed to attend at his own expense.

Expenses will be held to a minimum, with funds presently available in out travel and training accounts.

Respectfully submitted,
Jim DeGroote, Sheriff

Commissioner Willner moved that Sheriff DeGroote's request to travel be approved. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST FROM SHERIFF DEGROOTE TO REPLACE VEHICLE

The following letter of request was received by the Commissioners from Sheriff DeGroote:

Gentlemen:

Several months ago our Sheriff's Department Reserves purchased two (2) vehicles to assist us in serving civil process papers, home security checks, etc.

These vehicles were given to Vanderburgh County and are titled as such.

Due to mechanical difficulties I request the title on the 1966 Plymouth be signed back over to Sgt. John Lancaster, Director of the reserve program, in order that they can sell the vehicle, and purchase another. The new vehicle would then be donated to Vanderburgh County in place of the Plymouth.

Thanking you for your consideration, I am,

Respectfully, James DeGroote, Sheriff

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

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received from the State of Indiana Industrial Board, which is a certificate of employer's compliance with the Indiana Workmen's Compensation and Occupational Diseases Acts, carried by the Hartford Accident & Indemnity Co. on J. H. Rudolph Co. & Feigel Construction Corp.
Certificate of Insurance received and filed.

RE: CHECK RECEIVED FROM E.P.A.

A check was received from the E.P.A. in Chicago, EPA 180154 01, which is an additional grant on the sewer at Boehne Hospital, in the amount of $2,886.00, from the U.S. Treasury. The following letter was attached:

It is a pleasure to advise you that additional reimbursement grant funds have been allocated in an amount sufficient to increase all Section 206(a) reimbursement grants to the full (100%) entitlement. Consequently, in accordance with your standing request, the grant for your project--the one identified by the grant number contained in the upper right-hand corner of the enclosed EPA Form 5700-34 (Rev. 9-76)--has been increased. The amount of the grant increase, cumulative EPA grant, the January 31, 1974 eligible cost upon which the reimbursement grant increase is based, and corresponding grant payment information are also as reflected on the enclosed form.

This increases the total grant to the maximum statutory percentage of 50 or 55 percent of the January 31, 1974 verified, validated eligible cost, unless funds from another Federal Agency were provided for your project. Maximum reimbursement entitlement, which is the maximum statutory percent times eligible project costs as of Jan. 31, 1974, minus the actual amount of Federal nonreimbursement EPA grant funds awarded as of January 31, 1974, is included in the total increased grant.

A check from the U.S. Treasury Department in the amount reflected near the bottom of 5700-34 will be forthcoming in the immediate future, unless you have previously requested that payment be made to a State agency. If you did, the State agency payee is identified on the bottom of the enclosed form.

Todd A. Cayer, Chief
Construction Grants Branch

RE: SETTLEMENT CHECK RECEIVED

A check was received from the Hartford Insurance Co. made out to the Commissioners of Vanderburgh and Kuesters, in full settlement of all Claims, the Claimant being Joe Schnell and the amount of the check being $28.02.

Mr. Siebeking explained that the County crew damaged a mail box on Orchard Road and the Insurance Company is paying for it, that the Commissioners just need to endorse the check and mail it to Kuesters.

Commissioner Schaad moved that the check be endorsed by the Commissioners and mailed to Kuesters. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Patricia A. DeVault, of the Knight Township Assessor's office, for expenses in attending the second annual elected Township Assessor's Session in French Lick, in the amount of $82.68.

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

A claim was submitted by Robert T. Dorsey, the Pigeon Township Assessor, for expenses in attending the second annual elected Township Assessor's Session in French Lick, in the amount of $85.20.

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

A claim was submitted by Don Ice of the Pigeon Township Assessor's office, for expenses in attending the second annual elected Township Assessor's Session in French Lick, in the amount of $85.20.

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

A claim was submitted by French Brothers Excavating Co. for hand digging under Heddron Road Bridge, in the amount of $225.00. This was approved by the County Highway Engineer.

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

A claim was submitted by Diamond Equipment Company, for a new hydraulic jackhammer with necessary adjustments of backhoe and quick change hydraulic lines, also relieved moil, in the amount of $3,765.00. This was approved by the County Surveyor.

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

A claim was submitted by Brink's Inc. for services rendered to the County Treasurer's office for the month of July, in the amount of $253.20.

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

A claim was submitted by County Attorney, Ed Smith, for office allowance for the month of June, 1977, in the amount of $125.00.

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

A claim was submitted by Charles Davis of the Surveyor's office, for traveling expenses to and from Indianapolis on April 18 & 19, 1977, meals and lodging, in the amount of $70.20. This was approved by Dan Hartman.

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

A claim was submitted by Attorney Jeffrey R. Frank, a member of the Election Board, for legal services provided in the recount of a county commissioner's race last year, in the amount of $150.00.
Mr. John said this could be paid from the Awards and Refunds Account, since the court ordered that it be paid and the Election Board doesn't have any funds.

Commissioner Schaad said they should have something in writing, explaining this claim and he wondered if they couldn't get a copy of the mandate.

Commissioner Ossenberg said there is a letter from Mr. Frank that states it is in the matter of Petition of Norman (Red) Mosby, candidate, 3rd. District Commissioner of Vanderburgh County and reads as follows:

Dear Board Members:

Enclosed please find a statement I have prepared for my legal services rendered on behalf of Vanderburgh County Election Board in preparing responsive to certain subpoena's issued against the members of the board and the above referenced matter.

These legal services were rendered during a period where there is a vacancy in the office of the attorney for the Vanderburgh County Election Board.

I trust you will find the enclosure in order and I would request that upon your review and approval of same, it will be forwarded to the Vanderburgh County Commissioners for process. Your cooperation and consideration in these matters will be greatly appreciated.

Very truly yours, Jeffrey Frank

It also read that claims were submitted to Judge Miller's office for allowance.
This matter was referred to the County Attorney, so he could check into it further.

Claims were submitted by David Gugin in the amount of $1,000 and from Mike Huff in the amount of $734.00 for preparing a Merit and Longevity study of all County personnel.

Commissioner Ossenberg questioned as to whether the study has been completed or not and suggested that the claims be held until they know for certain that it has been completed. He said he was sure that the County Auditor would issue checks immediately upon completion.
These claims will be held until a later date.

RE: REAL ESTATE TAX LIEN MATTER

The Penn Central Railroad Co. went into bankruptcy last year and this matter was discussed last week.
Mr. John said he had received a letter from the County Attorney, stating that they have to put in a claim to a bank in Chicago for a portion due the County in taxes.
County Attorney Smith said this has been taken care of.

RE: RESOLUTION ON STOP SIGNS IN VALLEY DOWNS

County Attorney Smith was requested to prepare a Resolution, last week, for stop signs to be posted, as recommended by the Traffic Engineer, and approved by the Commissioners, in the Valley Downs and Valley Downs II Subdivisions.
County Attorney submitted the Resolution, Amendment #18.1, at this time.

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

RE: ABSENTEE REPORT

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

RE: AUTHORIZED TO ADVERTISE FOR BIDS

Mr. Brenner submitted a Road Project and requested the approval of the Commissioners to advertise for bids on Old Princeton Road Bridge.
He said there are three reasons for replacing the bridge, that it is extremely narrow and that it has been hit extremely hard in the center and on the end of it and has been severely damaged, that he has been trying to find out who hit it, since they would have a legitimate claim against the Insurance company, that it also hangs down, restricting some of the water flow in Pond Flat Main Ditch.
He said they are going to use the same abutments, but put in a new floor and sides, that he has money in his repair account, that it is a 50 foot bridge and should be around $50,000.
He said he has had very little luck with the Sheriff's Department in finding out who hit it, that it has been within the past year, but they file accident reports by date and not by the name of the road where the accident occurred.

Commissioner Schaad moved that the specifications be approved and that the Auditor be authorized to advertise for bids. Commissioner Willner seconded the motion. So ordered.
The bids will be advertised for on July 28th. & August 4th, with the bids to be opened on August 8th. 1977.

RE: COMMENT ON PIGEON CREEK CONTRACT

Mr. Brenner said a contract was let for the cleaning of Pigeon Creek and the contractor hasn't been there for roughly three weeks to work on the log jam, that he has 90 days to do it, but isn't doing anything.

Commissioner Schaad said that Mr. Brenner had better notify the bonding company and Mr. Brenner said he will then proceed to do so.

RE: LITTLE PIGEON CREEK DRAINAGE PROBLEM ... Petition for legal drain

Mr. Brenner said there was a petition at the last Drainage Board meeting to take in an area of Little Pigeon Creek and in reading the drainage law, they have to have 10% of the area drained, on a petition, that there are 830 acres and they have 19 on the petition, that the petition spells out precisely how it is supposed to be and they couldn't accept it anyway. He said in getting 83 acres is going to be a problem, that other people that petition, if they wish to do this, is that the County Commissioners petition, based on helping to drain the road which it would do.

Commissioner Schaad asked Mr. Brenner if they wouldn't have to have hearings on it and Mr. Brenner said Yes, but the petition must come first and must be in a particular form, that he would prepare it.

Mr. Stephen said that someone has been disturbing a section of that ditch and causing problems and Commissioner Willner said there is a tree in there now, catching all the debris and the property owners on either side won't let them in there to even get the tree out.

Commissioner Willner said it also drains Highway 41 and he thought they called in to try to get some relief on it.

Commissioner Schaad said that if the Commissioners petition to make it a legal drain, after the petition is prepared, there will have to be hearings on it and of course, all those people in the watershed will pay for the maintenance of the ditch, but it would help to drain our county roads, such as Old State Road and Hillsdale Subdivision.

After further discussion, Commissioner Willner moved that the Commissioners petition Hillsdale Ditch to be a legal drain. Commissioner Schaad seconded the motion. So ordered.
Mr. Brenner said that he will prepare the petition.

RE: ROAD TO BE BUILT BUT NOT MAINTAINED BY COUNTY

Mr. Stephen said that Mr. Andy Easley wants to build a road that meets the specifications, in McCutchanville Court, but the Commissioners may not want to accept it, that they may want to approve it but not accept it for maintenance, that there is a 15% slope which is about one foot of elevation and because of the conditions when there is snow or ice, the Commissioners may not want to accept it.
He said his recommendation would be to allow him to build the road if he wants to, but it should be noted that the road will never be accepted for county maintenance.

Commissioner Willner wondered why the Commissioners even have to approve it then, and Mr. Brenner said the Commissioners have to approve it because it enters into a county road.

Commissioner Willner said the Commissioners should then approve the curb cut and that is it, that he can put in his own road and let him do what he wants to and the Commissioners do nothing, in fact it will be better if the road is gravel because they will have better traction.

Commissioner Ossenberg said the Commissioners can then just approve the curb cut, and Mr. Stephen said they actually need a permit form of some type for these curb cuts.

Mr. Brenner said they have the road cut permit forms and they could make up something similar to these for curb cuts, that the guy out on Darmstadt Road, where they moved the driveway and put it right where he wanted to, not 20 feet from the one the Commissioners made him close, that he was suppose to report back to the Commissioners and nothing ever happened.

The Commissioners agreed that Mr. Easley be allowed to build the road but stated that the road will never be accepted by the County for maintenance.

Mr. Brenner said he will come up with some suggestions on curb cut permits.

The meeting recessed at 10:40 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Bob Schaad Robert L. Willner	Curt John	Ed Smith Jr. Paul Wendel

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
AUGUST 1, 1977

The meeting of the County Commissioners was held on Monday, August 1, 1977 at 9:30 a.m. in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

Deputy Sheriff Clarence Cotton opened the meeting since this is the first meeting of the month.

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

RE: EMPLOYMENT CHENGES....APPOINTMENTS

BURDETTE PARK

Pam Deig	7401 Mahrneholz	Groung Crew	$3.00 Hr.	Eff: 7/25/77
Mark Head	614 S. Red Bank	Extra Guard	$3.00 Hr.	Eff: 7/25/77

CLERK OF THE CIRCUIT & SUPERIOR COURTS

Elizabeth Kaiser	615 S. Craig	Dep. Clerk	$243.11 Pay	Eff: 8/1/77

RE: EMPLOYMENT CHANGES....RELEASES

HIGHWAY DEPARTMENT

Henry Willingham	642 E. Maryland St.	Summer Help	$2.43 Hr.	Eff: 7/29/77
Robert W. Eberhart	R. #7, Box 79 A	Summer Help	$2.43 Hr.	Eff: 7/29/77

GERMAN ASSESSOR

Dan Nix	Happe Rd.	Deputy	$20.00 Day	Eff: 7/26/77

CORRECTIONS COORDINATOR

Edward Marske	2214 E. Illinois	Corrections Coordinator	$147.67 Pay	Eff: 7/16/77

SURVEYOR

Joseph Chittenden	718 N. Baker Ave.	Draftsman	$7,093.00 Yr.	Eff: 7/22/77

BURDETTE PARK

Paul Werkmeister	2037 Clayton Ave.	Mechanic	$4.17 Hr.	Eff: 7/25/77
Anita Glover	802 Line Street	Ground Crew	$3.00 Hr.	Eff: 7/25/77
David Hunter	1729 Ewing	Rink Guard	$3.00 Hr.	Eff: 7/25/77
David Garrett	5917 Rockford Dr.	Ground Crew	$3.00 Hr.	Eff: 7/25/77
Charlie Lawrence	1309 Diefenbach	Security	$3.00 Hr.	Eff: 6/13/77

CLERK OF THE CIRCUIT & SUPERIOR COURTS

Deborah Mottley	1513 E. Illinois	Dep. Clerk	$243.11 Pay	Eff: 8/1/77

RE: RENEWAL CERTIFICATE....BLUE CROSS BLUE SHIELD

Commissioner Ossenberg said we have a renewal certificate from Blue Cross Blue Shield that must be given 30 days notice effective August 1 to September 1. There is no rate increase.

Commissioner Schaad moved that we continue with Blue Cross Blue Shield. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad said he only has one question about the insurance coverage. He said that in many instances there is double coverage. People have coverage at home through their spouse, and since they are getting the family plan for free, they are carrying it here also. He feels that this needs to be reviewed. He said maybe if the employee had to pay more, they might drop it since they are already covered by their spouse.

Commissioner Ossenberg said that he understands, according to Danny Koelker, President of the County Council, that the Council is going to make an in-depth study of this.

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RE: MONTHLY REPORTS

A monthly report was received from the Metropolitan Evansville Convention and Visitors Bureau. A copy of this report is filed in the Auditor's Office.

A monthly report was received and filed for the Vanderburgh County Treasurers Office. The total on the report incorrectly reads $14,123,091.19. It should read $6,414,638.14.

A monthly report was received and filed from Legal Aid Society.

RE: CERTIFICATE OF INSURANCE...WILLIAM R. NIX

A Standard Certificate of Insurance for liability for William R. Nix, Bill Nix Contruction Company, was received and filed.

RE: GEORGE BRENNER....YOUTH EMERGENCY SERVICE

Mr. George Brenner, of the Youth Emergency Service read the following letter to the Commissioners:

I, George B. Brenner, do request from the county financial support for the Youth Emergency Service, Inc. residential treatment facility.

Youth Emergency Service, Inc. provides residential rehabilitation services to those individuals who have drug problems and are not able to discontinue such usage without a supportive therapeutic environment. The clinic is located at 5600 Old Boonville Highway in Knight Township of Vanderburgh Co. The clinic houses a mixiumum number of seventeen individuals in treatment with an expected length of stay of 8 months in treatment. The house being located in Vanderburgh Co., we provide a priority service to this area.

By the Southern Indiana Health System Agency Sub-Area Subcommittee on Substance Abuse, residential treatment facilities have a second priority in this area. The first priority being out-patient treatment. We are currently listed within this second priority in the annual plan.

We are currently and have been for the past four years a Certified Residential Treatment Facility by the State of Indiana Department of Mental Health Division of Addiction Services. This certification is renewed each year after an on-site inspection by the State Certification Officers.

I believe we provide a valuable service to the county at a substantially reduced rate of what other residential facilities cost. We operate at the cost of $17 per client per day. A psychiatric unit at a local hospital will charge approximately $100 per day for room and board alone. The Evansville State Hospital's Substance Abuse Module operates at a cost of approximately $32 per day. We function as an alternative to incarceration in jail or prison in some instances. In these cases the costs of care would have to be picked up by taxpayer's dollars if the persons are places in jail or prison.

PRESENT FUNDING: Starting August 1, 1977 we will be entering our fifth year of funding by the National Institute of Drug Abuse which is a federal funding source. We are presently and will be for the next year on a cost reimbursement contract with NIDA. This contract requires a local match. Our 1976-1977 contract required a 65%-35% local match. Our new contract will require a 60%-40% local match.

FUNDING REQUEST: I will present three alternative funding requests. I feel this will be fair to you in assisting you to make a disposition on this request.

I.	Alternative One:		
	A. Total Operating Budget	$81,766	
	B. 60% NIDA Share	49,060	
	C. 40% Local Match	32,706	
	D. Projected Sources of Local Match:		
	1. In-kind Donations of Goods and Services		$5.000
	2. Client Fees and Third Party Payments		9,000
	3. Local Contributions and Foundation Support		10,000
	4. Request from County		8,706
		Total	$32,706

Alternative one includes an $8,706 request for funds. This will make up the difference between projected other sources of funding and the toatl amount of Match needed.

II. Alternative Two:

A.	Total Operating Budget	$81,766
B.	60% NIDA Share	49,060
C.	40% Local Match	32,706
D.	5% increase in Local Match from PY04 requested from County	

Alternative two includes a request of $4,088. Assuming we will be able to generate 35% of the local match as we were able to in the last year, the 5% increase in match may create a problem in generating new funds.

III. Alternative Three:

A.	Total Operating Budget	$81,766
B.	97.25% Mental Health Center Support (This includes the 60% NIDA monies)	79,516
C.	Request from County for Balance	2,250

Alternative three includes a request for $2,250 from the county. Assmuming the Mental Health Center is able to contribute to our support on the bases projected for the coming year. Youth Emergency Service, Inc. will have to generate $2,250 in the next contract year.

I assume the alternative presented give you some latitude in making a sound decision on the request for funding. I, therefore, request to have you place Youth Emergency Service, Inc. in your proposed budget for the next fiscal year.

Respectfully submitted,

George B. Brenner, M.S.
Y.E.S. House Director

Commissioner Ossenberg asked Mr. Brenner if he derived any money out of the City at all.

Mr. Brenner said they do at this point, and the money is primarily from CETA.

Commissioner Ossenberg asked what the percentage of drug-related problems the city has compared to the county.

Mr. Brenner said it would be probably Two (2) to one (1). He said the CETA money pays about $13,500 in salaries.

Commissioner Ossenberg asked if he will be able to keep these CETA people next year with the talk of elimination of CETA people in the city.

Mr. Brenner said he understands he will be able to keep them.

Commissioner Schaad asked if this is the first time that local money has been needed.

Mr. Brenner said they have always had to have local money, but the county hasn't been asked for money before. He said when the program started five (5) years ago the local match was 80 - 20. Then it went to 75 - 25. He said each year it increases 5% in terms of local match.

Commissioner Schaad said next year then the local match will be 40%.

Mr. Brenner said that is correct.

Commissioner Ossenberg asked if there are any drug abuse programs that they could derive any money from with Criminal Justice Plan.

Mr. Brenner said as he understands there are none because of the way residential treatment facilities for long term residential treatment facilities was written out at that time.

Commissioner Schaad asked Mr. Brenner if he understood that we can make the request, but it is the County Council who is going to make the decision.

Mr. Brenner said he understands that.

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Curt John, County Auditor, said that Mr. Brenner was in his office one day last week to ask how he would go about getting funding from the county for the matching portion, and he suggested that Mr. Brenner come before the Commissioners and explain his program and explain the request because before he could go before the council he would have to come to the Commissioners so they could put the request on the council agenda.

Commissioner Willner asked Mr. Brenner how many youths the Y.E.S. House has now.

Mr. Brenner said they are increasing their capacity for the coming year because in the last year they have had full capacity nine out of the twelve months. He said they have also shortened the program some. He said if previous years they have handled about 35 clients per year.

Commissioner Schaad asked what the cure rate is for the Y.E.S. House.

Mr. Brenner said they have not done a long term study for about two years; before that they had a partial cure rate of 50% of those individuals who stayed over three months. He said he would project an overall cure rate of about 10 or 20%. He said prisons are around 2 or 3%, and Y.E.S. deals with the same types of people.

Commissioner Schaad moved that we put in a request for $2,250 for Y.E.S. in our budget for next year. Commissioner Willner seconded the motion. So ordered.

RE: BERGDOLT ROAD....STEVE SANDER

Mr. Steve Sander of 3101 Bergdolt road said he had recently read in the paper about the extension of Bergdolt Road to Greenriver Road. He said in speaking to other residents on Bergdolt Road and surrounding areas that we of the neighborhood are stongly opposed for the following reasons:

1. An increase in traffic flow through a residential area.
2. The devaluation of property due to the above mentioned.
3. Safety hazards. On Bergdolt, Clover Lawn, Ridgewood, and other surrounding residential districts there are many small children across these intersections for daily play.

He said that Clover and Burgdolt intersection is a particularly dangerous intersection presently as is Oak Hill and Burgdolt. Increased traffic flow would only create more problems.

4. Construction of a road that will eventually go nowhere. It will dead end at Bergdolt and Peters, which would then create another traffic and safety hazard.

He said they are in favor of a connection somewhere along the roadway of Oak Hill and Greenriver Roads. He suggested to possibilty of extending St. George Road, and the more logical choice might be extending Lynch Road where few, if any, homes would be disturbed. He said there is now a traffic controlled intersection at Oak Hill and Lynch Roads, industrial and commercial property, with a shopping center under construction at the present time is also at Oak Hill and Lynch Road. He said this would also be a direct route to another major roadway, that being Highway 41. He said they do not understand why the county is spending approximately two million dollars to widen Lynch Road to four lanes when it will go nowhere if not extended to Greenriver Road.

Mr. Sander presented two pages of petitions to the Commissioners of people opposed to the extension of Bergdolt Road. He said he would also like to add that there are many homeowners from the Bergdolt residential area present at the meeting.

Commissioner Ossenberg said if they don't want the road to connect that we won't connect it.

Mr. Sander said they are not opposed to a connection link, they feel it is a necessity for Oak Hill and McCutchanville area, but they don't understand why Bergdolt Road was chosen.

Commissioner Ossenberg said other than that the only feasible road would be Lynch Road because the front part of St. George Road is owned by Whirlpool and they can close that road off any time, in fact, several times they have made that suggestion, but we have been able to keep it open.

Mr. Sander asked if the county has any possible priviledge of going through the airport or the Whirlpool property.

Commissioner Ossenberg said it is only through the graciousness of Whirlpool that they are using that land now to go through as a thoroughfare now. He said there is also the presence of the railroad track at the end of St. George, which we at one time considered going over with a bridge because it is a very dangerous track, but we were denied by the public service commission because you can't go over it near an airport.

Mr. Sander said he understands the initial plan was to extend Lynch Road, but that was dropped and Bergdolt was chosen over Lynch.

Commissioner Ossenberg said that is incorrect, that Lynch Road was not the intitial plan. He said Bergdolt Road was chosen because the County Surveyor said it could be done with the accumalative bridge fund. He said that nothing has been finalized yet.

Mr. Sander thanked the Commissioners for their attention, and asked to be notified before anthing is finalized.

RE: CETA AGREEMENT TO BE SIGNED

Anika Juras, Executive Assistant to the Count Council, said this agreement increases Vanderburgh County Title VI by $135,000, but this is not enough to support the 19 jobs we currently have; it will support 12 jobs through fiscal '78 which will end 9/30/78. She said of the 7 jobs we are losing, 6 will be picked up by the city and the county will pick up one (1) of them.

Commissioner Schaad moved it be signed. Commissioner Willner seconded the motion. So ordered.

RE: TRAVEL REQUEST - AREA PLAN

The following letter of request was received by the Commissioners from Area Plan:

Dear Mr. Ossenberg:

As per our conversation of July 28, 1977, I am requesting the Commissioner's approval for Charles Osterholt's trip to Bloomington, Indiana on July 29, 1977. Mr. Osterholt is traveling by automobile.

Sincerely,

Ann R. Schmidt
Project Planner

Commissioner Schaad moved the request be approved. Commissioner Willner seconed the motion. So ordered.

RE: PAUL AHRENS

Paul Ahrens, County Councilman, said he had a few complaints he has been called on and he thinks they should be taken care of immediately. There is a hole on Agathon Drive by the Evansville College. There is another one on New Harmony Road right across from the Norman Motel, where there are a couple a large holes there that are very dangerous. The other one is off of Greenriver Road a ½ mile east there is a bridge on a curve; there are a lot of trees and weeds and things, and there have been some accidents there.

These complaints were referred to Mr. Jack Siebeking.

RE: CLAIMS

A claim was submitted by Paul Wendel for July 1977 office allowance in the amount of $125.00.

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

A claim was submitted by Bauer Bros. General Contractors, Inc. for aluminum pipe for Marx Road in the amount of $2,668.64.

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

A claim was submitted by Bauer Bors. General Contractors, Inc. for aluminum pipe for Heddon and Millersburg Roads in the amount of $739.50.

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

A claim was submitted by Edwin R. Smith, Jr. for July 1977 office allowance in the amount of $125.00.

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

A claim was submitted by Marguerite J. Richardt for June 27, 28, & 29 Township Assessor's insturctional session's in the amount of $60.00.

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

A claim was submitted by Louis B. Richardt for June 27, 28, & 29 Township Assessor's Instructional Sessions, plus $20.72 for mileage in the amount of $80.72.

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

RE: BUILDINGS TO BE CONDEMNED

Mr. Jesse Crooks, Building Commissioner, said that his office has been working with some of the delapidated housing and building projects out in the county. About a year ago they started talking about the house on Harmony Way, and at that time they agreed to allow the owner time to clean up their house on Franklin Street before they started work on the house on Harmony Way. On January 13, his office wrote to Lula Belle Dean explaining that the County Commissioners have requested that this lot be cleaned up and agreed that by the first of July the property would be cleaned. In June he wrote a letter to Lula Belle Dean reminding her that there was only 30 days left for her cleanup period, that little progress had been made. On July 22 he sent her an official notice that the progress had not been made and that she should appear before the commissioners August 1 to show cause why this house should not be condemned and ordered razed. He was out to see the property this morning and little if any progress has been made on it, there was, however, a load of sand put out on it. He then showed the Commissioners some pictures that he had taken of the property.

Ms. Dean told the Commissioners that this is a beautiful home and that she just had parts of it remodeled a couple of years ago. She admitted that there is quite a bit of trash laying on the grounds, but she said if she could take some pictures of the home it would be a beautiful home. She said she has a new door for the downstairs and some new windows for it also, and she said it was painted a couple of years ago.

Mr. Crooks said the house was painted long before he became Building Commissioner, so it has been more than a couple of years. He said the County Code says that the abatement of unlawful use of delapidated houses shall be condemned. It says that any house requiring more than 50% of the cost of the house for repair shall be demolished. He said this house would cost more than the 50%. He said the floors are rotten, the back door is fallen in, and the windows are falling out of it. He said it is his recommendation that the house be condemned and ordered razed.

Commissioner Ossenberg said that Ms. Dean has the Avenue to go to court, but if the Building Commissioner says it should be torn down, we have to go along with his recommendation.

Mr. Crooks told Ms. Dean that she has ten (10) days to appeal this action.

Commissioner Willner moved that the house be condemned and ordered razed. Commissioner Schaad seconded the motion. So ordered.

Mr. Crooks said there is some property out on Burkhardt Road that was ordered last year to clean this house up to a certain degree; that the property be fenced along the front. At that particular time the people did put the fence across the front, the did not completely fence the property, but it was put across the front. There has been no clean up work done on it. He wrote to them on June 28, 1977 stating that per agreement last November you should fence the front of the property and clean the area in the spring. You did fence the front; there has been no progress on the cleaning or making other improvements. A recent inspection shows junk and trash throughout. He said Mrs. John Bunch (the owner of the property) did then call the office and said that Mr. Bunch has been going through the V.A. Clinic, and the man that was supposed to help clean up the place has been working 7 days a week, and she can't find anyone that she can afford to clean up the place. Mr. Crooks said it seems to him that we had this same hospital problem last year when we were working on this, and she had to get somebody else to do it.

Commissioner Schaad asked what the Building Commission did in a case like this if it is torn down.

Mr. Crooks said if they tear it down they would file a lein against the property.

Commissioner Willner moved that the property be condemned. Commissioner Schaad seconded the motion. So ordered.

Mr. Crooks said he has a third piece of property located on Old Petersburg Road north of the Hornet's Nest that the last account we had of this was in March. At that time Jerome Preske, the contract buyer, agreed to clean up the mess and they planned to start construction of a new house in June. A recheck of the property shows that most of the trash has been cleaned up and most of it put into the house that is still there. There has been no progress toward removing the house or starting contruction on the new one.

Commissioner Willner moved that the property be condemned. Commissioner Schaad seconded the motion. So ordered.

Mr. Crooks asked the commissioners how much time to give these people to dispose of these properties before we bring it back and receive bids for the county to tear it down.

Commissioner Ossenberg asked how much time does the City usually give them.

Mr. Crooks said they give them about 60 days.

Commissioner Ossenberg said he thought that was sufficient time.

RE: INTERSECTION AT BOONVILLE-NEW HARMONY ROAD AND HIGHWAY 65

Commissioner Willner said about a year ago the Commissioners asked that the intersection of Boonville-New Harmony Rd. and Highway 65 be upgraded. Since that time there has been four serious accidents and one death at that intersection. Nothing has been done; the count garage was supposed to do this job and the reason they gave for not doing it is that the crops were in, and they were going to do it when the crops were out. He said the crops have been gone and are out again, and still no progress has been made at this intersection. He said we should get on this project immediately and get the job done. The State has realized that there is a problem there and has lowered the speed limit on Highway 65 from 55 to 45 mph. He state the problem is not the State Highway, but it is Boonville-New Harmony Road. He said he is going to bring this up every week until this intersection is taken care of.

Commissioner Ossenberg asked if the crops are on our right-of-way.

Commissioner Willner said no, but we have permission from the property owners to prepare that site plan when their crops were out.

Jack Siebeking, of the County Highway Garage, said there will be no problem on the county part that the problem will be on the State side. He said the biggest part of the dirt to be removed is on their right-of-way. He got with the telephone company and they said they would move their lines. He said he had an agreement with Bill Boring, of the State, at that time to get it done, but they have changed people now.

Commissioner Ossenberg told Mr. Seibeking to get in touch with Louis Stephen and see if they couldn't get in touch with the State people and get this expedited immediately.

RE: ABSENTEE REPORT

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

RE: CURB CUTS

Keith Lochmueller said last week we were talking about curb cuts, and he has done some work with this. He gave the Commissioners a copy of his work and asked them to review it. He said what it consists of is a rough draft ordinance of standards and at the end, an application for a driveway permit. He said for them to review this and he will be back next week.

Mr. Lockmueller said he is working with the Indiana State Highway Commission and the Department of Motor Vehicles safety, and he would like to make a base file to be able to identify geographically by node numbers and intersection or street or geographic area in the city and Vanderburgh County. He said they have found out that the Motor Vehicle Safety is developing the accident file, and this is the base file. In fact, 36% of the streets in the city and

Vanderburgh County have now been computerized and we will now be able to get a feedback to the point where we will turn all accident reports into the state from the city and Vanderburgh County, and we can tell when a intersection or street is dangerous.

He said the State has agreed to finance the federal portion, the local match would be an in-house match; which is no money. A consultant would probably do this. He said he will come back to us later with a proposal of what we would have to come up with locally, and it would probably be out of the Sheriff's Department and out of the City Police Department; some man-power from them that we would charge down for this match.

Mr. Lochmueller said we would get many benefits from this. We would be able to develop the worst intersections. The County and City Police Department would also benefit in that if they see a corner that has a high degree of accidents, then they can come in a develop a safety plan for that.

He said he just wanted to bring this up now, and hoped to get the Commissioner's approval for this at a later date.

RE: MODIFICATION ON PREVIOUS ACTION....JESSE CROOKS

Mr. Crooks said he would like to recommend that the commissioners make a modification to previous action. He said he doesn't think that we can legally condemn the last two items of property that were condemned because the owners weren't sent official notice to appear for hearing. He said he would suggest that the Commissioners modify their statements to authorize him to proceed with condemnation proceedings, which would then require him to send them official notice to appear for hearing.

Commissioner Willner so moved. Commissioner Schaad seconded the motion. So ordered.

RE: CORRECTING JUNCTION OF DIVISION AND PLAZA EAST

Louis Stephen said the State Highway Department got in touch with him about the junction at Division and Plaza East Blvd., which has never been constructed correctly, and they have come up with a plan. He said Mr. Siebeking has already sent some men out to remove some raised curbs, and he has already had the city-county paint crew paint the white lines, and they are to get started painting the yellow lines. After all the work is done the intersection will comply with the original plans and the State Highway will accept it.

Commissioner Willner said he didn't see why the county should do work on the state right-of-way.

Mr. Stephen said when Plaza East was put in, it wasn't done correctly, but the county accepted the road. If they hadn't accepted the road, it would fall back on the state to correct it.

Commissioner Ossenberg said that Greg Kempf had agreed to pay for this.

Mr. Stephen said to go ahead and get the work done, and then if we want to make up a bill and send it to him, it can be paid then.

Commissioner Schaad moved that the work be done and then a bill be sent to Mr. Kempf. Commissioner Willner seconded the motion. So ordered.

RE: POND FOR THORTON PATBERG

Mr. Stephen said that Fred Alcott has talked to him about Mr. Thorton Patberg wanting to build a pond out along Seven Hills Road. He said there are about 5 acres now that drain down to where he wants to build the pond.

Commissioner Ossenberg said if the job is going to be done, it might as well be done right, and he thinks it would be best to run new pipe for this.

Commissioner Willner said to bring this back next week with an estimate of how much it is going to cost.

Commissioner Ossenberg said when he brings it back next week with how much it will cost, the Commissioners will then make a decision on it. He said right now the general feeling is to go with the new pipe.

RE: PUBLIC HEARING - BUDGETS

Commissioner Ossenberg said we have a public hearing on the budgets of revenue sharing. By law of the new guidelines we have advertised and so notified the postage and public, and public libraries, and the senior citizens. The public hearing is to be held now, August 1, 1977.

It is the contention of the County Commissioners in their budget, and have requested from the County Council, that $300,000 of revenue sharing money be given to the Vanderburgh County Highway department in contractual services, and $100,000 in equipment, plus the one (1) million and one (1) for the sheriff's department.

Commissioner Ossenberg asked if there was anyone in the audience who would like to speak pro or con about the budget at this public hearing.

Commissioner Schaad said since no one has anything to say about it, we must assume that everyone is in favor of it.

RE: PLEASANTVIEW BIDS

Commissioner Willner said before we recess the meeting today is the deadline for the month extension we gave for Pleasantview Rest Home. He said we should either accept the bid or give his money back.

Commissioner Ossenberg said he had down August 8 as the deadline for the month extension. He said he has received two telephone calls from an individual who is trying to work out a deal with a nursing home operator out of the city to come in.

Commissioner Schaad said it would be helpful for the people interested in the rest home to see a floor plan of it. He said Mr. Bob Brenner's office did prepare one, but they have disappeared.

Mr. Brenner said they were taken down to Mr. Angermeier's office and they haven't been seen since then. They were given to Mr. Oliver who was working there at the time. Mr. Oliver is no longer there.

Commissioner Ossenberg said that he will try to find and contact Mr. Oliver and see if he knows anything about where the plans may be.

RE: WORKMEN'S COMP. - FORM 9

Mr. Ed Smith, County Attorney, gave the commissioners a Workmen's Compensation form #9 for James E. Allen in the Sheriff's Department.

Mr. Allen was hurt whil performing police work. While attempting to stop a fight and restrain one (1) of the individuals involved in a fight, he injured his lower back. This is to be referred to our insurance carrier.

Commissioner Schaad moved that this be referred to the insurance company. Commissioner Willner seconded the motion. So ordered.

There being no further business the meeting adjourned at 11:05 a.m.

PRESENT:

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Bob Schaad Robert Willner	Curt John	Ed Smith, Jr. Paul Wendel

Secretary: Margie Meeks by Cindy Decker

Tom Ossenberg
Bob Schaad
Robert Willner
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
AUGUST 8, 1977

The Meeting of the County Commissioners was held on Monday, August 8, 1977 at 9:30 a.m. in the Commissioner Hearing Room with Commissioner Ossenberg presiding.

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

RE: BID OPENING....BRIDGE #48, OLD PRINCETON ROAD:

The County Attorneys were instructed to open the bids for Bridge #48 on Old Princeton Road. The bids were as follows:

Deig Bros. Lumber & Construction Co.....$30,900.
Barnett Bros., Inc.....$25,220.
Southwest Engineering Inc.....$37,910.
G.H. Allen, Inc.....$26,140.
Key Construction Co., Inc.....$30,300.

The bids were given to Mr. Bob Brenner, County Surveyor, and Mr. Louis Stephen for them to take them under advisement and give a recommendation later in the meeting.

RE: EMPLOYMENT CHANGES....APPOINTMENTS:

PLEASANTVIEW REST HOME

Jimmie Hatfield	Box 413-A, Old Petersburgh Rd.	Grounds,etc.	$3.00 Hr.	Eff: 8/8

BURDETTE PARK

Mike Klueh	408 Martins Land	Extra Guard	$3.00 Hr.	Eff: 8/4/77

CIRCUIT COURT

Stephen Scott	R. 4, O'Donnel Rd, Mt. Vernon IN	Probation Off.	$234.43 Pay	Eff: 8/1
Terry Golding	1210 S. Vann Ave.	Typist	$3.00 Hr.	Eff: 8/1/77

BURDETTE PARK

Dan Waltz	6710 Hogue Rd.	Reg. - Guard	$20.00 Day	Eff: 7/31/77

PROSECUTOR's OFFICE

Dana Schuler	1413 Venice	Investigator	$7,500.00 Yr.	Eff: 7/25/77

RE: EMPLOYMENT CHANGES....RELEASES

VANDERBURGH COUNTY CLERK

Kathy Stonestreet	206 E. Delaware	Dep. Clerk	$243.11 Pay	Eff: 8/2/77

CIRCUIT COURT

Stephen Scott	R. 4, O'Donnell Rd, Mt. Vernon, IN	Intern	$3.00 Hr.	Eff: 7/31/77
Ortega Irwin	1261 Washington Ave.	Summer Intern	$3.00 Hr.	Eff: 8/13/77
Shelia Corcoran	2412 E. Chandler	Summer Intern	$3.00 Hr.	Eff: 8/13/77
Terry Golding	1210 S. Vann Ave.	Typist	$2.30 Hr.	Eff: 7/31/77
Loren Gabe	R.R. 4, Box 293-A	Summer Intern	$234.43 Pay	Eff: 8/13/77
Donald Fuchs	522 E. Boeke Rd.	Summer Intern	$234.43 Pay	Eff: 7/30/77
David Gelhausen	113 S. Ruston Ave.	Summer Intern	$234.43 Pay	Eff: 7/30/77

BURDETTE PARK

Dan Waltz	6710 Hogue Rd.	Extra Guard	$3.00 Hr.	Eff: 7/31/77

CENTER TOWNSHIP ASSESSOR

Julie Lynn Kloke	1344 Laubscher Rd.	Dep. Assessor	$20.00 Day	Eff: 8/5/77
Barbara A. Stephen	915 Canterbury Rd.	Office Dep.	$18.00 Day	Eff: 8/5/77

RE: MONTHLY REPORTS:

A monthly report was received and filed from the Building Commissioner.

A monthly report was received and filed from the Department of Mental Retardation.

RE: BID AWARDING....BOILER AT THE AUDITORIUM

A bid for the replacement of one heating boiler at the Vanderburgh County Auditorium was awarded to Goedde Plumbing and Heating, Inc. for the sum of $49,876.00.

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

RE: PLEASANTVIEW NURSING HOME:

Commissioner Ossenberg said a decision is to be made today as to whether we accept or reject the highest bid from the auction that was held out there. That bid was $180,000 from Mr. Bob Brenner. He said we have had other people interested in Pleasantview now, and it appears we will come out with more money if we exercise that option; therefore, in discussion with the other two Commissioners, we have decided that we will reject Mr. Brenner's bid.

Commissioner Schaad moved that Mr. Brenner's bid be rejected, and his money be returned to him. Commissioner Willner seconded the motion. So ordered.

Mr. Curt John, County Auditor, said that he would see the Mr. Brenner's $5,000 is returned to him.

RE: SURPLUS PROPERTY:

Commissioner Ossenberg said an ordinance was adopted by the Vanderburgh County Council on August 2, 1977, whereby they approved our action in selling property over $1,000. This $1,000 is for surplus property and not for Pleasantview. The adopted ordinance was received and filed.

RE: CHANGE OF VENUE ACCOUNT:

Commissioner Ossenberg said the Commissioners are going to have to authorize Mr. John to put some more money into the change of venue account. Currently there is $6,467.22 in that particular account. We are short $7,969.17.

Commissioner Schaad asked if the money could be transferred from some other account.

Mr. John said he would check, but he didn't think there was.

Commissioner Schaad moved that we authorize Mr. John to go ahead. Commissioner Willner seconded the motion. So ordered.

RE: REZONING OF BOEHNE PROPERTY:

Commissioner Ossenberg said the Commissioners can legally, as of tomorrow, take up the matter of rezoning on the Boehne property. The ad will have run ten (10) days as of today. The commissioners will have first reading on the property next Monday. The Area Plan Commission will then have a special meeting on the 17th to act on this petition, and it will be back for the third and final reading to the County Commissioners on August 22, 1977. At that time we can dispose and turn the property over to Dr. Ahrendale, who purchased that property.

RE: ANDY EASLEY....AMENDING COUNTY ZONING CODE:

Mr. Andy Easley said he is requesting that the County Commissioners ask the Area Plan Commission to initiate an amendment to the County Zoning Code to provide a permit procedure for a business to have, for maybe a two year period, a mobile modular office in a commercially zoned area. It would have to go through a hearing procedure just like it does in the City. He said it is his understanding that there is no provision for that. He thinks there are industrial and commercially zoned areas in the county that this would be a tremendous benefit to, and would speed up a business or industry moving in.

Commissioner Ossenberg said that Area Plan discussed this with him last Wednesday night at their meeting, and he told them at that time that we would like some kind of control on a two year permit, just like they have in the county ordinance. Commissioner Ossenberg asked the other two commissioners if they had any objection to this.

They said they did not have any objection.

Commissioner Ossenberg said we will initiate it.

RE: YOUTH ATTENTION HOME....SHARON THEE:

Mr. John said Fred Loemker, of the Youth Attention Home, contacted him on the possibility of the county participating in the youth attention home, which is similar to the youth emergency service that was here last week. He instructed Mr. Loemker that in order for the county to do so he would have to get the commissioner and council approval.

Sharon Thee said that Mr. Loemker is out of town, so she is speaking for him. She said what they are requesting is money in the amount of $3,964 during 1978 to offset a portion of their projected deficit. Their projected budget for 1978 is in the amount of $40,467.64, which is a bare bones budget. They have an income from this at a per diem rate for the children which they have served in the amount of $15 per day; however, some of these children are unable to pay this per diem. That accounts for the deficit. The projected budget is based upon the historical data. They are experiencing about a 60% occupancy. She said they have a license for ten (10) children, and 60% occupancy is in terms of resident days figuring 10 children times 30 days is 300 resident days. She said they may serve more children than this because some may be in one or two days, and others from 15 to 16 days. The occupancy rate, therefore, does not necessarily reflect the residency rate. They serve approximately between 15 and 18 children per month, some as little as a day, and no higher than 30. She said they feel this is a necessary facility and they have come under some adverse publicity previous to this. She had a letter of endorsement from Lieutenant Charles Johnson, who is Commander of the Youth unit of the Evansville Police Deparmtment, and also one from Mr. Dale Work, who is director of the Welfare Department, who has used these facilities.

Ms. Thee said the area plan commission says they are indeed in compliance with the zoning code. She said they are also going to the city council. She said they were asking for $3,964, and she said to round it off to $4,000 so they can pay postage too.

Commissioner Schaad asked Ms. Thee if they are requesting a like amount from the City.

Ms. Thee said they are requesting $9,000 from the City. She said they have a projected deficit of $13,000.

Commissioner Schaad asked if this will be a reoccurring thing.

Ms. Thee said they hope not. They are applying for Title 20 funds, which would make up for the deficit for those children who are unable to pay the per diem.

Commissioner Ossenberg asked if they would need this money if Title 20 money is available.

Ms. Thee said this budget is projected on a $6,000 charitable contributions from the community. Episcopal charities has come up with this money until this time.

Commissioner Ossenberg said Episcopal charities has given them $5,000.

Ms. Thee said yes, plus $1,000 they think they can pick up. Title 20 has kept 25% matching funds.

Commissioner Ossenberg said he can appreciate the work that they are doing, but he also has to look at the present need of tax money in the bare bone the county is operating on. He said right now we are relying heavily on federal revenue sharing money, and if this is to be available, this is where it would come from.

Ms. Thee said if they can get this money from the County Council and from the City Council they can then go to private sectors and say look we are funded, can we get some more.

Commissioner Willner asked if they applied for any United Fund.

Ms. Thee said they have not. She said it is a possibilty, but not for the 1978 budget. Ms. Thee read a part of the letter from Mr. Work that said the value of this facility can not be measured financially. We hope the community will continue to support a project such as this and not short change the youth and potential residents of the home. There is no other facility in the county that serves this type of youth.

Commissioner Willner asked Ms. Thee if they have enough money to continue through 1977.

Ms. Thee said quite honestly they do not. They have been working on a moratorium and have not requested any money from a private or community sector for the last five months.

Commissioner Ossenberg asked for what reason did they have a moratorium.

Ms. Thee said for the rezoning. They were on a three month, which was extended to five months, moratorium from the Area Plan Commission and they didn't feel it was fair to approach private or community sectors if they didn't know if they could keep the zoning. She said that has now been resolved.

Commissioner Willner asked why they are asking for money for 1978, when they don't have the money to finish 1977.

Ms. Thee said they can't get money in 1977 if they don't know if they can be funded for 1978.

Commissioner Schaad moved that $4,000 be put in the budget request on the condition that this is for 1978 only and not a yearly thing. Commissioner Willner seconded the motion. So ordered.

RE: PLEASANTVIEW NURSING HOME:

Commissioner Schaad said we have rejected the bid for Pleasantview, and he thinks that we should now come up with new specs and then we would have new specs when we advertise. He said it might be best to make it on a lease-purchase agreement that the bidder would bid so much per month for five (5) years and after that a flat time to but it, and during the lease time the successful bidder would pay all expenses, the insurance, maintnenance, up-keep, and anything else so there wouldn't be any expenses to the county at all during that five year period. He said to also get a bid on what they would offer for it after the five years were up.

Commissioner Willner asked was he saying to strictly limit this to a lease-purchase, with no permission to sell it outright again.

Commissioner Schaad said it could be done both ways.

Commissioner Willner asked Currin Miller if he had any new guidance on the subject of Pleasantview.

Mr. Miller said there is apparently some interest in it at this time, he isn't sure how much. One individual told him he might be able to make a committment, but he would have to do a little more checking as far as the price is concerned. He said with additional publicity there would be more interest in it, and as far as the lease-purchase is concerened, he sees no reason why it couldn't be done that way.

Commissioner Schaad asked to comply with the law would it be possible when we advertise to ask them to give us a minimum bid that they would be willing to start at.

Mr. Ed Smith, County Attorney, said it would be legal.

Commissioner Schaad said the good faith money would have to be the same as before, or $5,000. They would have to declare themselves that they are a potential bidder and put up the $5,000.

Mr. Miller said it might be best to have the bidder put up $5,000, and then after the bid is awarded to put up an additional $25,000.

Commissioner Schaad moved that new specs be drawn up, and the bidders deposit $5,000, and put up an additional 25,000 after the bid is awarded. Commissioner Willner seconded the motion. So ordered.

Mr. Miller asked was the same type of bond required for the lease-purchase agreement as for the lease. He said he contacted several bonding companies and they weren't interested in this type of bond. He said it is hard to acquire.

Commissioner Schaad moved that this type of bond be waived from the lease-purchase agreement. Commissioner Willner seconded the motion. So ordered.

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RE: INSURANCE RELEASE....CLOSED CIRCUIT T.V.

An insurance relaease for closed circuit T.V. in the the jail was presented to the Commissioners to be signed.

Commissioner Schaad moved it be signed. Commissioner Willner seconded the motion. So ordered.

RE: CUMULATIVE CAPITAL IMPROVEMENT FUND:

An ordianance creating a cumulative capital improvement fund was presented to the Commissioners. Commissioner Ossenberg said this fund is to be set up from the money from the sale of Boehne Camp and Pleasantview. This money is to be used to maintain streets, sewers, to acquire right of way , etc. The use and application of the funds shall be under the joint control of the County Commissioners and the County Council, and the County Council has the power to make the necessary appropriations. The County Commissioners have the power to deposit the money into a State or Federal Chartered Bank on an interest bearing basis pursuant to law and any interest will be added to the principal of the Fund.

Commissioner Schaad moved that the ordinance be signed. Commissioner Willner seconded the motion. So ordered.

RE: DEED....CHARLES R. SWOPE

Commissioner Ossenberg said we have a Quitclaim Deed to be signed for all the properties purchased by Charles R. Swope.

Commissioner Schaad moved it be signed. Commissioner Willner seconded the motion. So ordered.

RE: AWARDING OF BID....BRIDGE #48

Mr. Brenner said he has looked over the bids, and he recommends that the bid from Barnett Bros., Inc. be accepted. He said it is the low bid, and is in order.

Commissioner Schaad moved that the bid from Barnett Bros. in the amount of $25,220 be accepted. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg said this bid is accepted subject to the following condition: bidder must furnish performance bond as required by law.

RE: ACCIDENT ON OLD PRINCETON ROAD BRIDGE:

Mr. Brenner said he had the Sheriff's accident report from an accident that occurred on Bridge #48 on Old Princeton Road. The accident happened May 23, 1976, and he asked if the Commissioners wanted to persue the matter any further and try to collect for the damages.

Commissioner Schaad moved that we try to collect for the damages. Commissioner Willner seconded the motion. So ordered.

Mr. Brenner turned the accident report over to County Attorney, Ed Smith, who is going to contact the driver of the vehicle.

RE: CLAIMS:

A claim was submitted by the Evansville Crushed Stone Company for stone #53, @ $3.35 per ton in the amount of $235.85.

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

A claim was submitted by Szabo Food Service, Inc. for food for inmates (6/16 thru 6/30) in the amount of $3,642.60.

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

A claim was submitted by Szabo Food Service, Inc. for meals for inmates from July 1 thru July 15 in the amount of $3,617.90.

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

A claim was submitted by Karen Wagner for June 27, 28, 29 French Lick Assessors Convention in the amount of $60.00

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

A claim was submitted by Evelyn Bernard for June 28 Assessors Schooling in French Lick in the amount of $20.00.

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

A claim was submitted by J. Robert Bernard for June 28 Assessors Schooling in French Lick in the amount of $20.00. Plus $29.12 for gas....Total $49.12.

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

A claim was submitted by Szabo Food Service, Inc. for meals for Jail Deputies for July 1 thru July 15 in the amount of $258.70.

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

A claim was submitted by Gary W. Wagner for June 27, 28, 29 French Lick Assessors Convention in the amount of $60.00. Plus $22.68 for gas....Total $82.68.

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

A claim was submitted by Szabo Food Service, Inc. for meals for jail deputies from June 16 thru June 30 in the amount of $236.60

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

A claim was submitted by Mark Mabrey for food, lodging, and airline tickets for a trip to Atlanta, Georgia in the amount of $267.14.

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

A claim was submitted by P & H Construction Co., Inc. for equipment rental with operator for 7/13, 7/14, 7/15, 7/18, 7/19, 7/20, 7/21, 7/22 in the amount of $2,240.00.

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

A claim was submitted by Jeffrey Frank for legal services rendered in the amount of $150.00.

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

A claim was submitted by the Freedon Festival Foundation, Inc. and Vanderburgh County Auditorium for the use of Gold Room on June 10, 1977 for Queens contest for Aging....$175.00 plus $40.00 chair set up.....Total $215.00.

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

A claim was submitted by Brink's Incorporated for clerk of Vanderburgh Circuit Court in the amount of $94.80.

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

A claim was submitted by Brink's Incorporated for Vanderburgh County Treasurers Office in the amount of $253.20.

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

RE: BERGDOLT ROAD....KENT ROEBUCK:

Mr. Kent Roebuck said the proposal was made at one time to extend Bergdolt Road 300 ft. to Hirsch Road. He said he has studied maps, and in the long run this will get traffic off of Highway 41 to Greenriver Road. He said this will not only take traffic off of Hwy. 41, but also off of St. George Road and Lynch Road also. This project would cost approximately $300,000, and there is money in the bridge fund to do it. He said there are only eight (8) property owners along Bergdolt Road that would be affected, where the whole county would benefit. If Lynch Road is extended, it would have to go a mile.

Commissioner Ossenberg said that more than 8 property owners are against that proposal. A list was submitted last week with several names against the extension of Bergdolt. They wanted either St. George or Lycnh Road to be extended.

Mr. Roebuck said it will cost at least a million dollars to extend Lynch Road. He said he was just wondering why we didn't go ahead with the idea.

Mr. Roebuck said he has a copy of the request for zoning from Earl, Arnold, Zelch, & Zeimer which concerns 85 acres owned by Industrial Contractors. This is along Old Boonville Hwy., and they want to zone it M1; it is zoned agriculture now. He said his family is definitely opposed to this zoning request by Industrial Contractors. Soil Conservation submitted a study which says that there are severe limitations for development, public sewer is not available due to poor drainage, etc.

Commissioner Ossenberg asked if this petition has been initiated yet.

Mr. Roebuck said it was filed the 25th of July.

Commissioner Ossenberg said this petition will come in front of this Board for the first reading on the third Monday of this month. He said any petition has the right to have the first reading. Then it is automatically referred to Area Plan the first Wednesday of the month. He said that is where Mr. Roebuck would need to appear for a remonstration.

RE: MEETING OF ADMINISTRATIVE BUILDING COUNCIL

Commissioner Schaad asked Mr. Jesse Crooks if he got a copy of a letter from Donald McRay. The Administrative Building Council is going to have a meeting. He said he thought maybe Mr. Crooks, or someone from his office, might want to go to this. The meeting is to be held on August the 15th and 16th.

RE: HERMAN HOTZ

Mr. Herman Hotz said there are about ten (10) old hospital beds at Boehne Camp. He would like permission to call St. Vincent or the Salvation Army to attempt to dispose of them. If we are unable to dispose of them, he would like permission to haul them to the junk yard.

Commissioner Schaad said why not take them out to Pleasantview since it hasn't been auctioned off yet.

Mr. Hotz said he also has a tractor and some mowing equipment that he would like to move out to Pleasantview.

Commissioner Ossenberg said to move them out there.

Mr. Hotz said there is an underground storage tank out at Pleasantview that he understands may be full of fuel oil. It has been in the ground for over seven (7) years. He talked to

Mr. Jack Siebeking who said he could use this. Mr. Hotz said he doesn't know how much, if any, oil is in it, but he would like permission to transfer how ever much there is to the Highway Department.

Commissioner Schaad moved that if there is any fuel oil in the tank it be transferred to the Highway Department. Commissioner Willner said he will second the motion if the tank is filled with water afterwards. Mr. Hotz said they will just remove the tank after it is emptied.

Commissioner Willner said he didn't think the tank should be removed because the new owner of Pleasantview might want to have a duel system, and the tank would already be there to put the oil in. He said it would be best just to leave the oil in and leave things as they are.

Commissioner Schaad withdrew his motion.

Mr. Hotz said there has been a fire inspection at Washington, and the State Fire Marshall has a recommendation that we install approved smoke detectors in hallway and all hazardous areas. He said in investigating this he found that the present alarm system is one that was installed at the time of construction. The specifications were never sent into Indianapolis and approved. Consequently, we need a new fire alarm system along with smoke detectors tied into that system. He said this will cost somewhere around $2,000 to $2,500 for both systems to be installed. He would like permission to get two (2) bids for this.

Commissioner Schaad asked who could bid on this.

Mr. Hotz said he had contacted M & S and Vanguard, and they seem to be the two reasonable choices.

Commissioner Willner asked why we couldn't just purchase smoke detectors.

Mr. Hotz said the present alarm system doesn't meet the specifications, and it will not pass an inspection by the State Fire Marshall.

Mr. Hotz said if we get the bids and award it to someone, those specs will go to Indianapolis to be approved by the State Fire Marshall before installation.

Commissioner Schaad moved we get bids for a new system with smoke detectors. Commissioner Willner seconded the motion. So ordered.

Mr. Hotz said a former employee has been staying nights at Pleasantview to keep our insurance in affect. He has two more weeks (this week and next week) and he can no longer stay out there. He has exhausted about every means he knows of to hire someone to go and stay nights out there. He said we need to arrive at some decision as to whether we go to Pinkerton or someone like that. If we don't have anyone at that building at night, our insurance is not in force.

Commissioner Willner asked what Jimmie Hatfield was hired for.

Mr. Hotz said to cut the grass.

Commissioner Schaad asked could he stay out there at night and cut the grass in the daytime.

Commissioner Ossenberg asked Mr. John if we could hire Pinkerton and pay them out of an account.

Mr. John asked Mr. Hotz if he had a securities account.

Mr. Hotz said there is not one as far as he knows.

Mr. John said he would have to transfer in a 200 account to a contractual securities account.

Commissioner Willner said he would try to get a man out there to work from 9 to 5 at $2.30 an hour.

Commissioner Ossenberg said if he can't get a man that we protect ourselves by going to Pinkerton or someone like that.

Mr. Hotz asked if we can work a man seven(7) straight nights a week without paying overtime.

Commissioner Ossenberg said anything over 40 hours is time and a half.

Commissioner Ossenberg said it would be best to see if we can't get two men to work there.

RE: ABSENTEE LIST

The absentee list from the County Highway Department was received and filed.

RE: SUBDIVISION ORDINANCE....BOB BRENNER

Mr. Bob Brenner said he gave the County Attorney a request to change the subdivision ordinance. We came up last time with a grade on a road of 15%, and we would like to change the sub. ordinance. There is no specification for steepness. He said he would like to add a 10% maximum requirement to it.

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

RE: LUIS STEPHEN

Mr. Louis Stephen said he has a copy of the ordinance for control of vehicular access to and from private properties, an entrance permit. He said he made a couple of additions to it. He said not only should it be an application, but also a permit form, so he added a place for signatures that states permit granted and the date. He also asked for culvert size to be included in it.

Mr. Ossenberg said it is an ordinance and it will have to be advertised.

Mr. Keith Lochmueller asked Mr. Ossenberg if he is in agreement with everything up til the ordinance.

Commissioner Ossenberg said yes.

Mr. Lochmueller said there are some minor revisions that need to be made, and after they are done he will turn this over to the attorney.

Mr. Stephen said we were given a petition last week for the extension of Miller Road. He said we have been keeping it maintained in the past, and he said Mr. Siebeking is in agreement to continue on.

Commissioner Schaad moved we accept it. Commissioner Willner seconded the motion. So ordered.

Mr. Stephen said he has two road cuts. One is at 5825 Old Boonville Highway to install an 8" sprinker service with 1" domestic service.

Commissioner Ossenberg said unless there are any problems with these that Mr. Stephen can just approve them. They don't have to come before the Commissioners anymore.

Mr. Stephen said last week he was before the Commissioners about putting a new pipe in on Seven Hills Road for a pond. He said for material it will cost somewhere between $500 and $600, and he estimated the cost on our part will be about $400, making the cost somewhere around $900 or $950. He showed the Commissioners a plan of it, and said if it met with their approval he would go ahead and sign it.

Commissioner Schaad moved it be approved. Commissioner Willner seconded the motion. So ordered.

Mr. Stephen said he was asked to look into the junction of State Road 65 and Boonville-New Harmony Road. He recommended that we acquire the right of way of 100 feet on Hwy. 65 and along Boonville-New Harmony. He said earth should be removed from the last 75 feet and slope the first 25 feet, so there is not an abrupt bank that would keep tumbling down. He said we should write up an easement for the land and acquire it. He doesn't know what the cost of the land is, so an appraiser should go look at it so we will know what to offer for it. Some of the landowners might donate it, but it should be acquired one way or another, so we can have absolute control of it. He searched the records to find out how the west side of 65 was acquired because we may have acquired some of it. When the road was built in 1939 there was supposed to have been a widened intersection there that we should have control over. It will take a little over a 1,000 cubic yard of earth, and one landowner, Clarence Rexing, said he had a place to put it. Mr. Stephen estimated at $2.00 a cubic yard with earthmoving, and for some seeding afterwards, someplace around $2,300.

Commissioner Schaad asked Mr. Stephen if he had which parcels of property would have to be purchased.

Mr. Stephen said he does have the tax code numbers, but he doesn't have the parcel spelled out yet.

Commissioner Willner moved that we acquire right of way by purchase of property. Commissioner Schaad seconded the motion. So ordered.

Mr. Stephen said there is a piece of property on outer Lincoln about 488 ft. long where there is only about 15 ft. of right of way and we need about 30ft., which would match it up with what has already been given on either side. He said we would have to write up an easement and see if it can be acquired.

Commissioner Willner said he thought that piece was going to be donated.

Mr. Siebeking said the 15 ft we have now was donated. Before that we didn't have anything there.

Commissioner Schaad asked Mr. Siebeking if there weren't some utility poles that needed to be moved.

Mr. Siebeking said that is where the big expense would come in. There are two poles and they were talking about $900 a pole.

Commissioner Willner said if they have an easement for that pole we have to pay for it. If they haven't, they have to move it at their expense.

Commissioner Schaad moved that we have Bob Goff appraise this piece of property along with the property on Highway 65 and Boonville-New Harmony Road. Commissioner Willner seconded the motion. So ordered.

Mr. Stephen said he had a report on the flooding on Greenriver Road just north of Heckel.

Commissioner Schaad said that Mrs. Woodward had called him again about this.

Mr. Stephen said when they built Greenriver Road they did not increase the pipe under Greenriver Road. It is still for a 48" reinforced concrete culvert under there. The grading of that ditch did release the water through the tube a little faster, and there is about 121 acres coming down there, so the tube size is about right. He said somebody has piled rubble across the creek near the fence line, and the four-strand barbed wire fence is loaded down with punk. From there on down the creek is in horrible shape with trees growing right in the botton of the ditch. He said this ditch is not a legal drain, and we shouldn't go in and spend county money to clean the ditch.

Commissioner Schaad said Mrs. Woodward contends that she didn't have the problem until Greenriver Road was worked on. Commissioner Schaad said as far as the rubble and stuff is concerned, if someone is restricting a natural flow of water, court action could be taken.

Commissioner Schaad said he will be talking to her again, and he will explain to her that we have no responsibilty to clean it, and if she will clean it, it will help relieve her situation.

RE: POOR RELIEF:

Willie Madison....307 N. 6th Ave.

Mr. Madison applied for medical, he was denied because his income exceeds limitation allowed by the Department of Public Welfare.

Mr. Madison said he is disabled and he has a hospital bill he is not able to pay. The bill is for $2,183.10.

Mr. James Baxter, from the Welfare Department, said the Mr. Madison's income in $273.32 a month. The Department of Public Welfare only allows a maximum of $250.00 a month.

Commissioner Ossenberg said he thinks it is ridiculous to place a $250.00 limit on two

people, but it is out of our hands. He asked was there any type of help to get from the trustee.

Mr. Bob Olsen, from the Pigeon Township Trustee, said the limits and rules were laid down to the by the DPW and they took all the money away from the medical budget, so they can't dispense what they don't have.

Commissioner Schaad asked Mr. Madison what type of insurance, if any, he had.

Mr. Madison said he has medicare, but he can't get any for his wife.

Commissioner Ossenberg told Mr. Madison that there just isn't anything we can do about this. He said to check with Welfare periodically to see if they change their guidlines.

Sara Moffett....318 SE 10th St.

Ms. Moffett applied for medical, and was denied because of excessive assets, liquid fund in excess of $1,000 on deposit at Morris Plan and available to Mattie Moffett as trustee for Sara Moffett.

Mattie Moffett, mother of Sara Moffett, said she applied through Pigeon Twonship and had been accepted 3 times, and they never asked about $1,000 at Morris Plan. She said that money is not for Sara, it is down there for the purpose of keeping the property for the estate of Alice Beard. The reason her name is on there, is because if anything should happen to Mattie Moffett, Sara would be responsible for keeping up the property. Sara is not allowed to withdraw from this account as long as Mattie Moffett is alive.

Marilyn Hephner from the Pigeon Trustee's Office, said there was a typigraphical error; they have already paid for the three (3) office calls. What the notice should have said is that all future medical assistance would be discontinued because of the savings.

Commissioner Schaad explained to Ms. Moffett that the bills have been paid, but they will not pay any further bills that she might have in the future.

Ms Hephner said if Ms. Moffett would get an affidavit stating that the purpose of the money is for the up keep of the estate of Alice Beard, medical would probably not be denied.

There being no further business, the meeting adjourned at 11:45 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Bob Schaad Robert Willner	Curt John	Ed Smith, Jr. Paul Wendel

Secretary: Margie Meeks by Cindy Decker

Bob Schaad

Robert D. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
AUGUST 15, 1977

The Meeting of the County Commissioners was held on Monday, August 15, 1977, in the Commissioners Hearing Room with Commissioner Schaad presiding.

President Ossenberg is on vacation and will return on August 29th. 1977.

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

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

PIGEON TOWNSHIP ASSESSOR

Gloria Scales	1321 Cedar St.	Reassessment Clerk	$20.00 Day	Eff: 8/15/77
Mary Esparza	207 S. Polster	Reassessment Clerk	$20.00 Day	Eff: 8/15/77

VANDERBURGH SUPERIOR COURT

Alvis C. Herrenbruck	3220 Igleheart	Bailiff	$7,686.00 Yr.	Eff: 8/15/77

RE: EMPLOYMENT CHANGES.....RELEASES

AUDITORS OFFICE

Jennifer Elbrink	6716 Upper Mt. Vernon Rd.		$20.00 Day	Eff: 8/12/77

HIGHWAY DEPARTMENT

Philip Adcock	211 Blackford	Truck Driver	$4.26 Hr.	Eff: 8/10/77

PIGEON TOWNSHIP ASSESSOR

June Hallenberger	1409 Fountain Ave.	Extra Clerk	$20.00 Day	Eff: 7/29/77
Arthur Wm. Miller IIII		Field Worker	$20.00 Day	Eff: 8/5/77

VANDERBURGH SUPERIOR COURT

Susan Metz	Summer Intern	$300.00 Pay	Eff: 8/19/77
Aaron Pippins	Summer Intern	$300.00 Pay	Eff: 8/26/77
Margaret Burt	Summer Intern	$250.00 Pay	Eff: 8/12/77
Jay H. Picking	Summer Bailiff	$295.61 Pay	Eff: 8/12/77

RE: MONTHLY REPORTS

The Report of the Metropolitan Evansville Convention and Visitors Bureau was submitted for the month of July, 1977, by Director, Joyce Donaldson.
Report received and filed.

The Report of the Evansville Association for Retarded Citizens was submitted for the month of July, 1977.
Report received and filed.

RE: ABSENTEE REPORT

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

RE: CHECK RECEIVED

A check was received by the Vanderburgh County Commissioners from the County Treasurer, in the amount of $397.50, which is rent for the Support Program.

Commissioner Willner moved that the check be endorsed by the Commissioners. Commissioner Schaad seconded the motion. So ordered.

RE: ORDINANCE REGARDING PARKING OF TRAILERS

Commissioner Schaad said this is the first reading of an ordinance that was brought up some time ago, regarding the parking of trailers that may be used just for an office or something of this kind, such as when a new subdivision is built and they use the trailer as an office for a period of time.

He said this was perhaps to make the County compatible with the City in having the same type of ordinance, since the County had nothing to cover trailers on building sites. the Ordinance reads as follows:

AN ORDINANCE ADDING SECTION FIVE TO ARTICLE VI OF THE COMPREHENSIVE ZONING ORDINANCE FOR VANDERBURGH COUNTY, INDIANA, ORDINANCE NUMBER 1053, AS AMENDED.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS of Vanderburgh County as follows to wit:

Section 1. That Section Five (5), Article VI be added to the Comprehenisve Zoning Ordinance for Vanderburgh County, Indiana, 1963, as amended to read as follows:

ARTICLE VI SPECIAL USES-SPECIFIED DISTRICTS

Section 5. Residential Office, Neighborhood Commercial, General Commercial, Waterfront Industrial, Light Industrial, and Heavy Industrial:
(1) Mobile offices, not for living or sleeping quarters, to be placed on a site for a temporary period to be determined by the Commission.

Section 2. This Ordinance shall be in full force and effective from and after its passage by the Board of County Commissioners of Vanderburgh County, State of Indiana.

Commissioner Schaad said this is the first reading, that the Ordinance will now go to Area Plan for action and will then come back to the Commissioners for third and final action.

Commissioner Willner moved that the Ordinance be approved on first reading and sent to the Area Plan Commission. Commissioner Schaad seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: CLAIMS

A claim was submitted by Torian Agency Insurance, Inc. for insurance at Burdette Park, in the amount of $3,252.00.

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

A claim was submitted by Torian Agency Insurance, Inc. for Public Employees Blanket Bond at Burdette Park, in the amount of $131.00.

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

A claim was submitted by Evansville Materials Inc. for 183.80 tons of Fill Sand needed for Marx Road, in the amount of $239.00.

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

RE: PLEASANTVIEW EMPLOYEE DECISION

Commissioner Schaad said that a claim was filed against the Pleasantview Rest Home by a former employee, Phyllis A. Butler of 8 Tulip Avenue.
He said she went to the Indiana Employment Security Division and told them she hadn't been paid for time she worked, but he understood they ruled in the County's favor and that this needs to be made a part of the record, that Ms. Butler is due no more than she was paid.

RE: SPECIFICATIONS SUBMITTED FOR AUCTION OF PLEASANTVIEW REST HOME

County Attorney Wendel said he has prepared some proposed specifications for the Auction of Pleasantview and that the County Council also needs to check over the specifications, since whenever any county real estate is appraised at $1,000 or over and is to be sold, it requires an ordinance by the County Council, setting forth the terms of the sale, so he would recommend that the Commissioners look over the specifications and said that the County Council will also be furnished with copies and suggested that the Council then get together with the Commissioners on it.

Mr. Wendel said that a date will have to be set for the Auction, after the specifications have been approved and there are to be four weeks of advertising in the newspapers. He said they will also have to decide what period of time the Council and the Commissioners will take the bids under advisement, also that it retains the $5,000 provision for being able to submit a bid and also provides that once the successful bidder is notified that he is the successful bidder and he will then have to deposit $25,000.00, that the deposit will then be held until the closing of a straight purchase or in the event of a lease purchase, the County will be holding both deposits totaling $30,000 until the lease has been completed.

Commissioner Schaad said the way they discussed it at first, there would be bids taken on per month leasing for a period of five years and then in the same bid, at the end of five years, what they would be willing to pay to buy it, and the $5,000 they would put up beforehand to be eligible to bid and he asked if they are the successful bidder, if the $25,000 would just be held, that it wouldn't be applied against the rent.

County Attorney Wendel said it would be held against the purchase, and the way it is written up now, it would be held for the entire time, until they pay all the rent and the purchase price.

Commissioner Schaad asked if it is also in the specifications that the Commissioners would ask for a straight outright purchase and County Attorney Wendel said that it is.

Commissioner Willner wondered if the County Council members were invited to the meeting today and Commissioner Schaad said that they were invited to be here this morning, but that there will be copies of the specifications given to them, that this matter can be put on the agenda for next Monday again for final approval and they can ask the Council to be here at that time.

Commissioner Willner said that the Council members are in the Council chambers at the present time for preliminary budget hearings.

Commissioner Willner then moved that the Commissioner's secretary take the copies of the specifications to the Council members and ask them if the Commissioners may meet with them next Monday for final approval. Commissioner Schaad seconded the motion. So ordered.

County Attorney Wendel was excused at this time to attend the budget hearings.

RE: REZONING PETITION.....VC-72-77.....FIRST HEARING

Petitioner and Owner of Record...Industrial Contractors of 401 N.W. First Street

Premises affected are situated on the North side of Old Boonville Highway, a distance of .4 mile N.E. of the corner formed by the intersection of Green River Road and Morgan Avenue, with the address more commonly known as 5520-5530 Old Boonville Hwy.

The requested change is from A to M-1 and the authority for said existing land use is conforming use.
The present land use is Agriculture and the proposed land use is for an Industrial Park.

Mr. Ted Ziemer, attorney for the petitioner, appeared and explained that there are some residents of the area that are here today, so even though this is the first reading, he would like to make a formal presentation.
He said the property in question is marked on the drawing and consists of 85 acres of real estate and much of the real estate is already zoned M-1 and they are seeking to rezone the North 1,975 feet to M-1 which is now agricultural so the entire parcel will be zoned M-1, and if the rezoning is approved, it is the intention of Industrial Contractors to construct and operate an Industrial Park in the area for businesses who would have uses authorized in a M-1 zoning area.
He said they aren't in a position at this time to give detailed plans for construction of the buildings, but they are in a position to indicate their present plans as to the allocation of space within the area having three 4-acre tracts along Old Boonville Hwy, each having separate access and with major ingress and egress to and from the entire Industrial Park from the Southwestern part of the property.
He said they have obtained the soil report from the Soil Conservation Service which dwelt extensively on sewage and drainage problems as well as flood plains and they were aware of the fact, before starting to think about the rezoning, that the area has severe drainage problems. also that there isn't now a city sewer available to this property but plans are in process for extending the sewer line Northeast along Old Boonville Highway well past the Western edge of the property so city sewers will be

available and they wouldn't propose to engage in any development until they are available.
He said there is also a major drainage problem in the area and as far as the 100-year flood plain is concerned, most of the flooding will come from Pigeon Creek and across Crawford Brandeis ditch which will be further up in the area and he has been told that the 100-year flood plain will not be affected whether this property is developed or not, because the water comes back from Pigeon Creek rather than the flooding coming from this property toward the creek and personally, if there were a flood at present elevations, the floor level of their buildings would be too low and would be flooded so the Building Commissioner's office has indicated that they will have to put in sufficient fill to raise the floor level up to 386.5 feet in the area which would be above the flood plain.
He said the other problem will be the casual run-off of surface drainage but with the building of streets, parking areas and buildings, there will be more run-off than there is now, and they would propose to establish drainage channels throughout the property to accomodate this run-off, also that they would take steps to see that they can control the level of water in the ponding area so that in the dry season, it wouldn't become a mud swamp and a mosquito infested area, so they would put in the necessary pumps and whatever is needed to maintain the level needed.
He said that he would work closely with the Building Commissioner's office, the County Surveyor and the Health Department as well as other applicable agencies to see that the development of this property by Industrial Contractors is good for them and for the County.
He also said they have reviewed the traffic situation with the Urban Transportation Study, that they haven't completed their review but they tentatively indicate that the access points wouldn't hinder the traffic in any way in the area but he wants to be on record in saying that to the extent, if they recommend any changes, he will see that whatever is necessary will be done.

There were no remonstrators present.

Mr. Robuck appeared and said that Mr. Ziemer has presented a very fine lay-out for Industrial Contractors but his only concern is the elevation of the ground and he read, in part, from Mr. Alcott's report, in that it was recommended that the Vanderburgh County Drainage Board Engineer or Consultant Engineer, make an extensive study of the projected run-off rate, and they would like for Industrial Contractors to go ahead and compute what they anticipate their run-off to be and he would then like for Mr. Alcott and Mr. Morley to render an opinion as to whether the ditches would be of sufficient depth to handle this water and if the holding pond would be of sufficient depth to maintain the water.

Commissioner Schaad said he thought that one of the ideas was, when they discussed the drainage on the East side, particularly, that whoever the petitioner has hired as a competent engineer, that would be responsible, when they say it will work, it must work.

After further discussion, Commissioner Willner moved that petition VC-72-77 of Industrial Contractors be approved on first reading and referred to the Area Plan Commission. Commissioner Schaad seconded the motion.
The vote being unanimous in the affirmative, the motion carried.

RE: REZONING PETITION.....VC-73-77.....FIRST READING

Petitioners and Owners of Record...Delbert A. & Bessie J. Deweese of R.R.#3-Box 285

Premises affected are situated on the West side of Indiana State Highway #57, a distance of approximately 3000 feet North of Green River Road.

The requested change is from A to M-1. The real estate is at present unimproved and the proposed land use is for the construction of a propane storage tank facility on the Southerly 4.33 acres of the above described real estate, and the prospective purchas of said 4.33 acre tract is Lin Gas, Inc. of Evansville, Indiana.

There was no one present to speak for or against this petition.

Commissioner Willner moved that petition VC-73-77 of Delbert A. & Bessie J. Deweese be approved on first reading and referred to the Area Plan Commission. Commissioner Schaad seconded the motion.
The vote being unanimous in the affirmative, the motion carried.

RE: REZONING PETITION.....VC-75-77.....FIRST READING

Petitioner...Mr. George Ryan of 5650 Oak Grove Road
Owner of Record...Mr. Julius P. Folz of 5621 Oak Grove Road
Lessee...Martin Durchholz of 3200 Magnolia Lane

Premises affected are situated on the South side of Oak Grove Road, a distance of 300 feet South of the corner formed by the intersection of Oak Grove Road and SR 460, more commonly known as 5625 Oak Grove Road.

The requested change is from A to R-3, the present existing land use being Agricultural and the authority for said existing land use is Zoning Ordinance 1963 Conforming use and the proposed land use if for a Multi-family dwelling.

Mr. Jim Morley, attorney for the petitioner, appeared and said this will be known as The Meadows and the area is immediately South of Kight Lumber Co.
He said the method of development here is to create a new drainage system for the entire length of the project beginning at Oak Grove Road and that it is 2,659.63 feet long.
He explained that he has prepared the hydraulic design data for the first phase of the development in the set of plans and listed what the run-off would be from a 100-year rain storm, what size pipe structures would be required without ponding and he has also calculated the amount of storage that would be necessary to completely contain this 100-year design rainfall.
He said that since the basic area must be raised above the existing elevation in the area, they have to get the dirt from somewhere so the construction of these drain ways become a benefit and it also shows the ditches and ponding area, that he has included all the farm field tile, but said the problem in this area is that they only have about a one-tenth percent slope all the way from the South end of the project to the North end and in this 2,659.63 feet, it falls about three feet, so to construct a ditch along there and then to be able to outlet at the North end, it is not possible to get a good slope to that ditch, that the ditch will naturally drain itself well, so they will install a drain tile beneath it which help dry those areas up and insure them the maintaining of the ditch.
He said he has met with Mr. Lochmueller and Traffic Planning and reviewed the street situation out there and Mr. Lochmueller suggested that alternately, as this area develops, he would like to see a major thoroughfare down the center of the section and this would line up with what is a couple of miles south of this location, known as Royal Avenue and that sufficient right of way has been shown for that and he also wishes that development continues in that area, that Vogel Road is to extend from the East-West direction which makes a lot of sense, so they have shown on the plans the right of way for Vogel Road to cross the site.

Commissioner Willner said it is sure good for the soul to see these people come before the Commissioners and talk about drainage and Commissioner Schaad said it is heart-warming to see that they are taking a negative and turning it into a positive that will make a nice site and at the same time, take care of the drainage, that this will be a beautiful subdivision.

There were no remonstrators present.

Commissioner Willner moved that petition VC-75-77 of George Ryan be approved on first reading and referred to the Area Plan Commission. Commissioner Schaad seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: REZONING PETITION.....VC-76-77.....FIRST READING

Petitioner and Owner of Record...Vanderburgh County Commissioners

Premises affected are situated on the West side of Boehne Camp Road, a distance of 2,000 feet North of the corner formed by the intersection of Hogue Road and Boehne Camp Road, more commonly known as 801 N. Boehne Camp Road.

The requested change is from A to R-3. The present existing land use is vacant nursing home and the authority for said existing land use is pre-existing non-conforming use and the proposed land use is for apartments.

Commissioner Schaad explained that this is the petition that rezones the Boehne Hospital property to R-3 and if it isn't approved, the County won't get the $335,000.00, that this property operated for many years as the Boehne TB Hospital and at that time, there wasn't any need for rezoning, but it was agreed in the specifications for the sale of the property, that the Commissioners would rezone this property for the buyer and after the rezoning is approved, the Commissioners can close this deal.

There were no remonstrators.

Commissioner Willner asked, if according to the map, they are deleting the property between the Upper Mt. Vernon Road and the Nashville Railroad.

Mr. Wilson said that the legal description includes the whole area, so Commissioner Willner said it should also be drawn on the map then.

Commissioner Willner then moved that petition VC-76-77 be approved on first reading as submitted by the County Commissioners and that it be referred to the Area Plan Commission. Commissioner Schaad seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: REZONING PETITION.....VC-67-77.....WITHDRAWN

Petitioner and Owner of Record...Stockberger Machinery Inc. of 2222 Highway, 30 W. Bypass Fort Wayne, Indiana.

Premises affected are situated on the West side of Hwy. 57, a distance of 930 feet Northeast of the corner formed by the intersection of Kansas Road and Hwy. 57, more commonly known as 9820 Hwy. 57 North.

The requested change was from C-1B to M-2. The present existing land use is vacant and the proposed land use was for Heavy equipment sales and service.

This petition has been withdrawn.

RE: REZONING PETITION.....VC-71-77...AFFIDAVIT NOT RECEIVED IN TIME

Petitioner and Owner of Record...Sheldon Ray Wilson of 8217 Division Street

Premises affected are sutuated on the South side of Division Street, more commonly known as 8217 Division Street.

The requested change is from A to C-1B. The present existing land use is Office and Sales and the authority for said existing land use is Non Conforming with the proposed land use to be for Office and Sales.

The affidavit of mailing copies of this rezoning petition to adjacent property owners was received in the mail this morning and it stated that the mailing was made on 8/12/77 but the affidavit must be received ten days before being heard by the Commissioners so this petition must be held and heard by the Commissioners on 9/19/77.

RE: COMMENT BY COMMISSIONER SCHAAD

Commissioner Schaad said they have a bit of a conflict this morning because the County Council, for some reason or other, scheduled some preliminary budget hearings with some of the County Department heads at the time when the Commissioners are holding their meeting, that it was called to their attention but they apparently ignored it or thought they would be finished before it was time for the officeholders to appear before the Commissioners. He asked the secretary to go to the Council chambers and tell them that the Commissioners are ready for the Department Heads and see if any of them can be excused.

RE: MR. HOTZ

Mr. Hotz said they still have a security problem at Pleasantview, that Commissioner Willner thought he had someone but it didn't work out.

Commissioner Willner said the problem is the pay schedule, at $2.30 per hour for doing nothing, but it isn't acceptable. He wondered what Pinkerton charges per hour.

Commissioner Schaad said he asked Mr. Hotz to get two proposals and he has obtained one so far and that Ms. Smith is also determining from the Insurance Company whether someone must be in attendance twenty-four hours per day or just during the night, since they don't want to lose their Insurance. He said if they could get someone to move in there, it would solve their problem.

Mr. Hotz said the people he received a proposal from has a patrol service which checks the property periodically and if this would be agreeable with the Insurance Company, this would be the best way out. He said the dead-line is next Sunday.

RE: MR. CROOKS OLD PETERSBURG ROAD

Mr. Crooks said he has the follow-through on the two houses that were discussed previously, where there are eye-sores and nothing has been done, that Mr. Preske, who lives on Old Petersburg Road, is here today, after having been notified, and he thinks that Mr. Preske should tell the Commissioners of his plans, for that property.

Mr. Preske said he was before the Commissioners before and they told him what he had to do and he thought he did it, but then he received another letter, stating that he didn't comply, and he would like to know what he didn't do. He said he is building an addition to his house and he is leaving the rest of it go to the dogs right now since he can't do two things at one time.
He said he is checking on his building permit requirements because he wants to put in a log house and he is finally getting down to where he is getting both his titles clear, that the bank will be out there today. He said he is going to have concrete blocks, logs and lumber all over that property, so he doesn't know what he can comply with during the construction.
He said he was told that the other house was going to be condemned and this is all fine and good because he wants it condemned but not now, since he has his stuff in it, that he is going to finish his house and move the stuff out.

Mr. Crooks said that Mr. Preske had said previously that he would proceed with his building in June.

Mr. Preske said he wanted to but he has been trying to track down the deed to the other property among other things, and this is why the bank is going out there today. He said he is sub-contracting out what he can't do, but the rest, he is doing himself.

Commissioner Schaad asked Mr. Preske how much time he would need to get the building under roof and the stuff moved out of the old building and Mr. Preske said he didn't know, that it depends on the weather but he hopes it is all straightened out by next spring because he knows it is an eyesore, so if the bank okays it, he will get started.

Commissioner Willner asked Mr. Preske if he thought six months would be sufficient and Mr. Preske said he thought it should be.

Commissioner Willner moved that Mr. Preske be given six months to get the new building under roof, the old building cleaned out and torn down, to get rid of the eyesore. Commissioner Schaad seconded the motion. So ordered.

RE: MR. CROOKS...HOUSE ON BERGDOLT ROAD

Mr. Crooks said he has notified Ms. Bunch on Bergdolt Road in the same manner and Ms. Bunch has called twice, stating that they had health problems and she called again this morning and said she couldn't possibly be here since she isn't physically able and that her husband was taken to the clinic by ambulance.
He asked her what she intended to do about the property and she said they are getting ready to remove the wood and will have the building down to the first floor by the first of October and not later than November, that someone is coming out and they will start on it the first of September, that she wants to save the basement.
He said he told her that if she would secure the basement, they will agree to that and he recommended that the Commissioners give her until the middle of November.

Commissioner Willner moved that Ms. Bunch be given until the middle of November to get the building town down. Commissioner Schaad seconded the motion. So ordered.

RE: MR. STEPHEN

Mr. Stephen said he is writing specifications that will be completed this week, on surface treatment of Allens Lane, Korressel, Weinbach and Grove Street, that these four streets were chosen after various streets were discussed in July, to have some surface treatment done to them this year, that this is to be contractual and is a total of 5.88 miles, that Allens Lane will be from New Harmony Road to Harmony Way which is .37 miles, and from St. Joe Avenue to the I.C. Railroad which is .71 miles. On Korressel Road, it will be from Upper Mt. Vernon Road to U.S. 460 at a total of 2.86 miles. On Weinbach Avenue, it would be from City limits, South, to River Road which will be 1.4 miles and on Grove Street, it will be from Allens Lane to the City limits or dead end and is a little over a half mile.
He said he hasn't gotten into the cost of the project as yet, that he actually needs the widths to calculate the tonage.

Commissioner Schaad said if they are going to do that small section on Outer Lincoln Avenue that they have put off doing for so long, what they need is some contractual and 10% to match with the 90% of R & S.

Mr. Stephen said that the Commissioners told him to get Mr. Goff as the right of way buyer but that he hasn't contacted his yet, since he thought he would like to make contact with the people first and he always figured if they got a real estate man, that the price may jump, so he thought he would contact the people and ask them what they thought the right of way needed was worth and if it is in line, to go ahead with it and the Commissioners agreed to Mr. Stephen doing this.

Mr. Stephen asked what kind of a budget do they have to buy the right of way from, that he is asking this a little ahead of time before he gets too deeply involved. that previously, he has explained to them that it would be set up in a project which isn't funded yet, if they agree to a price, and that they will be paid and they sign a claim to the County for the right of way and eventually they get their money, when the project is funded.

Commissioner Schaad said the Council must approve it and the application must be made for the R & S funds with 10% local and 90% federal and then the State must approve it.

Commissioner Willner asked if they couldn't use highway money, since he didn't think they were talking about that big of a project.

Commissioner Schaad said he didn't know if they could legally do this or not.

Mr. Siebeking said he has a right of way in the Drainage Fund but he don't know if there's any money in that account, that they had to get the right of way out on St. Joe Avenue at Chem Farm and the Co-op, that this came out of his budget but he can't remember which line item it came out of.

Commissioner Schaad said that will be federally funded and he wondered if this was included in the estimate and if it is, it looks like that account should be reimbursed. He asked Mr. Siebeking to see how much money he has in that account.

Commissioner Willner said they paid for that one house too, and there was some question as to if they should be given money for re-location, that the money for the right of way will be repaid as soon as it is federally funded.

RE: UNIVERSITY HEIGHTS

Mr. Stephen said that the Commissioners asked him to look into a drainage problem in University Heights and he found that the ditch below them needs to be cleaned to relieve their problem.
He said he did find that under Crestmont, there is a tube that may be too small, that he didn't check it but that water went over the road by about a foot where it was being held back downstream and it washed out part of a yard and a lot of the rip rap was moved right down into the stream, which they are in the process of repairing.
He said it needs cleaning out downstream but that it isn't a legal county ditch, that it isn't damaging a county road and it isn't run-off from a county road that is creating the problem.

Commissioner Schaad said it is strictly their problem then and the neighbors will then have to get together and get it cleaned out.

Mr. Stephen said he will call them back and explain it to them so they will understand.

RE: PLAZA EAST

Mr. Stephen said there are three new properties in Plaza East Shopping Center which is Schmitt Photo, Warren Spence and Red Spot and when it was built, there was a 24-inch storm drain coming up along Green River Road, going East about 455 feet, then South into Division Street and they want to slope these lots for better drainage.
He said this was planned back in 1973 and he didn't know if anyone okayed this back at that time or not, that the drainage probably was but this is a new print but the original was never signed, so what they are willing to do is to use this existing, just like it was originally planned and they don't want someone to come along and tell them that they are going to have to put a pond in there, that there isn't any place to put it anyway.

Commissioner Schaad asked if this was the part of Plaza East that hasn't been okayed yet, as far as the subdivision is concerned.

Mr. Stephen said this is correct, that he didn't know how they got the buildings out there without the subdivision being okayed to start with, that the subdivision is being in the process, that it is in the Recorder's office now but they haven't gotten a copy as yet.
He said what they wanted to do was to find out if it was okay to grade those lots to the street, that he checked with Mr. Crooks and there really isn't any other place to build them.

Commissioner Willner moved, on the recommendation of Mr. Stephen, that they be allowed to do this to drain the lots in that area. Commissioner Schaad seconded the motion. So ordered.

RE: BILL TO BE SENT TO MR. KEMPF

Mr. Stephen asked what he should do about the work that Mr. Siebeking's men has done in cutting out the median, doing the striping work, etc. at the Plaza East Shopping Center at the intersection on Division Street which was done at the cost of $131.51.

Commissioner Schaad said that the State Highway Department had some suggestions to make it more safe and some changes had to be made and the Commissioners agreed to do it and it was suggested that the developer, Mr. Kempf, be billed for it, that the work was to comply with the State Highway Department and was approved by Mr. Lochmueller's office.
He said that Mr. Stephen should send Mr. Kempf a bill on the Surveyor's letter head stationary, since the work is done and he asked if the striping was done.

Mr. Stephen said all the striping has been done except for possibly the double yellow line and Mr. Judd said he would check on that.

Mr. Siebeking said it is too late now but he wondered why the dog leg was put in there to start with and asked why they didn't come straight into Division Street.

Mr. Stephen said that was all between the permit for Woolco and the other part and was worked out ahead by the State Highway Department, that they said they had to use this column and they had so much space there so they had to dog leg it to line it up.

Commissioner Willner moved that Mr. Stephen send Mr. Kempf a bill for $131.50 for the improvement of the entrance to Plaza East, which was done by the County Highway Department. Commissioner Schaad seconded the motion. So ordered.

RE: FUNDS TO BE REQUESTED FOR RIGHT OF WAY PURCHASE

Surface treatment on Allens Lane, Korressel, Weinbach and Grove Street was previously discussed in this meeting, as well as doing the small section on Outer Lincoln Avenue and Mr. Stephen wondered where they would get the money for purchasing the right of way needed.
Mr. Siebeking said he had a right of way account in the Drainage Fund and he would check to see if there was any money in there.
After checking, he said there is no money in that account, that the last time they had any money in it was when they bought right of way on Green River Road and Nurrenbern Road, that the money was put in there in the last part of 1975, that it was new money and he had gone before the Council to request it, also that he doesn't have anything in there for next year.

Commissioner Schaad said they should come up with a figure as to the amount needed for the right of way and they will go before Council and get them to transfer some money.

Mr. Siebeking said he thought it would have to be new money because he didn't know anyplace they could transfer it from, also that the letter would have to be in the Auditor's office today in order to appear before the Council next month.

Commissioner Willner said there is no problem, that if they need new money, to go ahead and give Mr. John a letter for whatever amount they need.

Mr. Siebeking said they might as well ask for money for Lincoln Avenue and Boonville-New Harmony & 65 and they agreed that they ask for $4,000.00.

Commissioner Willner moved that Mr. Siebeking give Mr. John a letter so they can ask the County Council for the money at their September meeting. Commissioner Schaad seconded the motion. So ordered.

Commissioner Schaad said he had a call from the State Highway Department on the Boonville-New Harmony & 65 and they are very anxious to get their part done and they want some input on it.

Commissioner Willner said they have had a man out there for four days now and they have a machine where they calculate all traffic turning and what pattern they are using.

Commissioner Schaad said that the State and Mr. Stephen are going to work very closely together and Mr. Stephen said that Mr. King of the State Highway Department said that they do have some traffic money they can use but that they do not do any right of way buying, that they made this very clear.

RE: DRAINAGE PROBLEM ON REITER AND BRIDGEVIEW DRIVE

Mr. Stephen said they were going to put a tube under Bridgeview Drive and he still thinks it should be put in but he was a little concerned, before, when he went out to look to see that they aren't getting into a sanitary sewer and he asked Mr. Siebeking if his men had looked into the man hole at Reiter and Bridgeview to see how deep the sanitary sewer was.

Mr. Siebeking said they hadn't, that he was told it was fourteen feet deep.

Mr. Stephen said it may be from there, South, but there is one coming in the side and they may have that quite a bit higher and he was told that most of them are down at least six feet.

Mr. Siebeking said if the Commissioners remember, about a year ago they went out and put up a guard rail along DeShields Drive to keep the people coming down Bridgeview, from sliding across DeShields and down off a bank, and then Ben Rollets came before the Commissioners and wanted that guard rail down, that he said he was going to finish Bridgeview, that he has an easement and he was going to finish that off and fix it up with his road and the whole bit, but he has never done a thing and they are wanting to put this new tile under Bridgeview next to Reiter Drive which is a half-block away, that Mr. Rollets didn't do anything he said he was going to do and he thinks this problem could be solved in a different way than the way they are wanting to do it.

Mr. Stephen said that when the sanitary sewer boys were out there and doing this, there was a tile under this area carrying water, that they tore it out and didn't replace it. He said the people are furnishing the pipe and all they want Mr. Siebeking to do is to install it and he thought this should be done and said that there is a drainage problem down further where they need some rip rap and it really needs an additional length of tile put in there because it stopped too short and after that, it is up to the resident.

After further discussion, Commissioner Willner moved that the Commissioners give the County Highway Engineer permission to fix it as he sees fit as long as it is on the County right of way. Commissioner Schaad seconded the motion. So ordered.

RE: PROBLEM ON NORTH KENTUCKY AT BLUE GRASS CREEK

Mr. Stephen said there is another small problem out on Kentucky Avenue where the new bridge crosses Blue Grass Creek, that Deig Brothers just finished the bridge this past winter.
He said the problem is at the Southwest corner of the bridge where there is a steep gulley where they are getting water and it is so steep that rip-rapping is going to be a hard job on that bank.

Commissioner Willner said that Mr. Stephen should probably look up the plans for this and see if the contractor has installed it according to the plans and then come back with it next week. Commissioner Schaad agreed that this should be done.

RE: MATTER FOR DARMSTADT

Commissioner Schaad said that Mr. Crooks had written a letter to the County Commissioners in reference to moving a house from 1400 Boonville-New Harmony Road to 1500 Boonville-New Harmony Road and they would like to make the move on September 26th. but Commissioner Willner said that the house belongs to the Village Shopping Center and this is in the town of Darmstadt.
This matter will be referred to the Town of Darmstadt.

RE: CLAIM

A claim was submitted by Michael Huff, who is the intern that was helping Dr. Gugin with the Merit and Longevity Study for County Employees, which is in the amount of $734.00 and has been approved by Dan Kollker, the President of the County Council.

Mr. John said he has talked to Commissioner Ossenberg and he has already approved Dr. Gugin's claim which he has paid.

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

RE: MR. LOCHMUELLER...PROGRESS REPORT ON CURB CUT ORDINANCE

Mr. Lochmueller said he has made the revisions on the application form for the Curb Cut Ordinance and he will get it off to Mr. Schmitt so he can look at it and prepare an Ordinance for the curb cuts.

RE: ST. JOE AVENUE

Mr. Lochmueller said that the engineering drawings on St. Joe Avenue has now been completed by the consultant and he has submitted them to the State Highway Commission for their review.
He said that after their review, they are ready for advertisement of public hearing, that the state will do this and he would like to see that done just as quickly as possible,

RE: LYNCH ROAD

Mr. Lochmueller said he called Leo Weiss to check on Lynch Road and found that they are nearing the revisions of those from the field inspection and after they are completed, they will be submitted to the Indiana State Highway Commission which will be the same process with an opportunity for public hearing which probably won't come about.

RE: COMMENT ON UPCOMING PROJECTS

Mr. Lochmueller said they are starting to look at Red Bank Road and the Eichoff-Korressel and they would like some input on them, that probably in the next month, he would like to sit down with the Commissioners to show them what figures he has because he knows they will have questions on these projects.

The meeting recessed at 11:30 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Bob Schaad Robert L. Willner	Curt John	Ed Smith Jr. Paul Wendel

Secretary: Margie Meeks

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
AUGUST 22, 1977

The meeting of the County Commissioners was held on Monday, August 22, 1977, in the Commissioners Hearing Room with Commissioner Schaad presiding.

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

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CIRCUIT COURT

Norman Hooe	1100 W. Florida	Bailiff	$4.00 Hr.	Eff: 8/2/77

COUNTY SHERIFF'S DEPARTMENT

Larry Craddock	241 Fernwood Dr.	Jailer	$6,480.00 Yr.	Eff: 8/8/77
Edward L. Rhoades	2344 Margybeth	Process Server	$2,500.00 Yr.	Eff: 8/22/77

RE: EMPLOYMENT CHANGES.....RELEASES

CIRCUIT COURT

Dave Jones	1226 Hatfield Dr.	Law Clerk	$12,239.01 Yr.	Eff: 8/13/77
David Hatfield	632 S. Willow Rd.	Bailiff	$4.00 Hr.	Eff: 8/27/77
Norman Hooe	1100 W. Florida St.	Bailiff	$4.00 Hr.	Eff: 8/6/77

KNIGHT TOWNSHIP ASSESSOR

Mary Esparza	207 Polster Dr.	Deputy	$ 6,147.00 Yr.	Eff: 8/12/77

PROSECUTOR'S OFFICE

Sarah McCray	6812 Taylor Ave.	Investigator	$1,062.00	Eff: 8/19/77

SHERIFF'S DEPARTMENT

Floyd Kassel	1600 Uhlhorn	Process Server	$2,500.00	Eff: 8/15/77

COUNTY HIGHWAY DEPARTMENT

Richard R. Lehr	3313 Allen Rd.	Summer Help	$2.43 Hr.	Eff: 8/22/77
Stephen Burch	1271 Cross Gate Dr.	Summer Help	$2.43 Hr.	Eff: 8/22/77
Gerald Fuchs	R. #8 Browning Rd.	Summer Help	$2.43 Hr.	Eff: 8/22/77
Mark Stocker	R. #5 Martin Rd.	Summer Help	$2.43 Hr.	Eff: 8/22/77

COUNTY SHERIFF'S DEPARTMENT

Donald Harris	15 N. Kelsey	Jailer	$6,480.00 Yr.	Eff: 8/6/77

RE: MONTHLY REPORT

The Report from the Traffic Engineering Department was submitted for the month of July, 1977.
Report received and filed.

RE: LEW VOLPE.....PROPERTY TAX MATTER

Mr. Volpe said that he is speaking about a parcel of property owned by John W. and Anna C. Shreve, tax code #25-94-8, that was offered on tax sale in August of 1973 and again in August of 1974, that in December of 1974, the County got a certificate for it and on November 10th. 1975, just a few weeks before the County was to get the deed, the following transpired during the Commissioners meeting:

John W. & Anna C. Shreve had purchased a home on contract and $893.53 in taxes is owed on this parcel of property, plus interest, etc. It is Kumlers Addition, Lot 5 & 6, Block 3, Code 25-94-8 and if it isn't redeemed by December 2nd. 1975, it will revert back to the County.
Mrs. Shreve appeared and said she didn't know that the taxes were delinquent and she wondered if they could have time to pay it off in installments because they want to keep this property and they don't have the money to pay it all at once.

Commissioner Willner moved that the Commissioners authorize the Treasurer to enter into an installment agreement and together they can work out the payments. Commissioner Schaad seconded the motion. So ordered.

Mr. Volpe said that the total due at that time, including the taxes, etc. was $921.66 and on that particular day, they paid $100.00, and one year later, on August 9, 1976, they paid $25.00, that the delinquency right now is $1,203.44 and there is $159.49 of current taxes due, that they haven't lived up to their contract.

Commissioner Schaad asked just what the agreement was, that was made at that time.

Mr. Volpe said he didn't know what the agreement was but that he assumed that the payments were more that $25.00 per year, that they have no record of that. He said the problem is that this house is a rent-house and not their residence, that he went out to look at it and found that it is an old duplex, that they have been collecting rent for two years on it and haven't paid anymore to the county and the County was entitled to a deed two years ago and the building is now only valued at $1,600 and has $1,200 taxes on it, no one will buy it and it is a dead piece of ground to the County.

Commissioner Schaad said it was his feeling, as well as Commissioner Willner's, that these people were buying the property on contract and said they had no knowledge that there were delinquent taxes owed on it, so the Commissioners felt sorry for them and let them work the payments out with the County Treasurer, but this apparently didn't work out.

Commissioner Willner moved that this matter be turned over to County Attorney Wendel, to write a registered letter to the Shreve's and give them 30 days to pay the lump sum that they owe and if not, that the property will be put up for sale. Commissioner Schaad seconded the motion. So ordered.

RE: APPROVAL OF SPECIFICATIONS FOR PLEASANTVIEW AUCTION BY COMMISSIONERS

Commissioner Schaad said that the Commissioners are to approve the specifications for the auction of the Pleasantview Rest Home, that all members of the County Council have been given copies of the specifications that were prepared by the County Attorney's and that legally, it takes the approval, legally, of the County Council as well as the approval of the County Commissioners before they can advertise.

Ms. Anika Juras, the Executive Assistant to the County Council appeared and said the Council asked that the Commissioners decide the dates they want to put in the blanks on the specifications and that the County Council will meet tomorrow, at which time they will consider it.

The Terms and Conditions Applicable to Purchase or Lease-Purchase was discussed by the Commissioners and after filling in the dates and deleting portions ot it, the specifications read as follows:

1. Bidding for the purchase and/or lease-purchase of this property will be by public auction at the site of said property on Wednesday, September 28, 1977, beginning at 10 a.m. C.D.T.

2. The Board of Commissioners of Vanderburgh County and the Vanderburgh County Council reserve the right to reject any and all bids.

3. Said Board and Council reserve the right to take the highest bid of each bidder under advisement for a period of fourteen days from the date of public auction before rejecting or accepting any said bids.

4. No bid will be considered unless the bidder submits a certified or cashier's check, payable to the Board of Commissioners of Vanderburgh County, in the sum of Five Thousand and 00/100 Dollars ($5,000.00); said check shall be submitted in person to the said Board or a person designated by said Board at the public auction before the bidder commences bidding at said auction. A bidder who bids to purchase and to lease-purchase need submit only one (1) check. Said checks will be refunded to those bidders whose bids are not accepted after said bids have been taken under advisement as above provided. Within seven days of written notice of bid acceptance, the successful bidder, if any, shall furnish a Twenty-five Thousand and 00/100 ($25,000.00) certified or cashier's check payable to said Board as additional security to be forfeited by said bidder in the event said bidder fails to purchase said property or fails to execute a lease-purchase agreement and pay the first month's rent at the closing of the transaction, as the case may be. In the case of a lease-purchase the entire $30,000 deposit shall be held by said Board until the lease term has run and the purchase completed.

If said additional security deposit is not timely made, the Five Thousand and 00/100 Dollar ($5,000.00) deposit will be forfeited by the bidder whether for purchase or lease-purchase. The full purchase price must be paid by certified or cashier's check.

5. The abstract of title to said real estate may be examined at the office of the Auditor of Vanderburgh County during the regular office hours of said office.

6. Said real estate may be inspected upon the making of an appointment with Herman Hotz, the Superintendent of County Buildings, or Curran Miller Auction & Realty, Inc.

7. Vanderburgh County shall be responsible for insurance and maintenance costs occurring up to the time of the date of the closing of the transaction, whether purchase or lease-purchase; the successful bidder will be responsible for all insurance costs, maintenance costs, and all other expenses incurred thereafter.

8. In the case of a straight purchase, said Board will deliver to the successful bidder a quit claim deed at the closing of the transaction upon the bidder's full compliance with the terms of these specifications. The closing shall be held within 30 days of written notice of bid acceptance. In the case of a lease-purchase, upon the bidder's full compliance with the terms of these specifications and the lease-purchase agreement and upon payment in full of the purchase price by certified or cashier's check on or before the last day of the lease term, said Board will deliver a quit claim deed to the successful bidder.

ADDITIONAL TERMS APPLICABLE TO LEASE-PURCHASE

A. As used in these specifications, the phrase "closing of the transaction" when referring to a lease-purchase shall mean the signing of a lease-purchase agreement rather than the payment of the purchase price and delivery of deed. The closing of the transaction for a lease-purchase shall be within 30 days of written notice of bid acceptance.
B. Bids for a lease-purchase shall state the number of years bid, the rent per year, and the purchase price. The lease term shall not exceed five (5) years.
C. Bids basing rent on a percentage of revenue or other variable amount will not be accepted.
D. No lease can be assigned or sublet without prior written approval of said Board.
E. All improvements made to said real estate during a lease-purchase shall become the property of Vanderburgh County in the event the successful bidder fails to purchase said real estate at the end of the lease term.

NOTE All bids are made subject to the provisions of these specifications; by making a bid, the bidder agrees to abide by the provisions of these specifications.

The Commissioners agreed that the County would pay for the abstract and that they would leave the amount of starting bid price up to the auctioneer.

County Attorney Wendel said he would have the completed specifications typed so the Council members will have copies for tomorrow, also that they must advertise four times, a week apart, in both newspapers.

It was decided that if the County Council approves the specifications tomorrow, it will be advertised on August 25th, Sept. 1st, Sept. 8th and Sept. 15th, with the auction to be held at 10 O'clock A.M. on Wednesday, September 28th. at Pleasantview.

County Attorney Wendel said that if the Council approves the specifications, he will take the ad to the newspaper office so they can be advertised on the specified dates.

Mr. Hotz said that County Attornry Wendel researched the advertising of the personal property at Pleasantview and he thought it was decided that it must be advertised four times, once a week for four weeks, but the Commissioners decided to put this off until after they have made their decision as to who the successful bidder is for the property.

Commissioner Schaad suggested that in the event that Pleasantview is sold or leased and the deal is closed before they have a public auction on the surplus personal property, they can reserve the right to come on the property to do it and Commissioner Willner agreed.

Commissioner Schaad asked County Attorney Wendel to add this to the specifications, giving them 60 days after the new owner takes possession, to hold the sale.

RE: TELEPHONE REQUEST

The following request was submitted by Anika Juras:

Dear Sirs:
I am requesting that a telephone be installed as soon as possible in room 231C. Your consideration of this matter is greatly appreciated.

Sincerely, Anika Juras, Exec. Assistant
County Council

Commissioner Schaad said he understands that Ms. Juras telephone, #5120, is still located in the Auditor's office so it is just a matter of having that phone moved to her new office at the cost of $32.00.

Commissioner Willner moved that the phone transfer be approved. Commissioner Schaad seconded the motion. So ordered.

RE: REZONING PETITION.....VC-76-77

Petitioner and Owner of Record.....Vanderburgh County Commissioners

Premises affected are situated on the West side of Boehne Camp Road, a distance of 2,000 feet North of the corner formed by the intersection of Hogue Road and Boehne Camp Road and is more commonly known as 801 N. Boehne Camp Road.

The requested change is from A to R-3, with the present existing land use being a vacant nursing home and the authority for said existing land use is pre-existing non-conforming use, with the proposed land use being for apartments.

Commissioner Schaad said that the Area Plan Commission had a special meeting and they approved unanimously, the rezoning of this property from A to R-3 and it so states in their minutes.
He said the Commissioners initiated this rezoning for the request at Boehne as they agreed to do when the property was sold to Dr. Arendell.

There were no remonstrators present.

Commissioner Willner moved that petition VC-76-77 be approved on Third public reading. Commissioner Schaad seconded the motion. The vote was unanimous in the affirmative. The motion carried.

County Attorney Wendel said the sale of the Boehne property can be closed with Dr. Arendell next Monday.

RE: CLAIMS

A claim was submitted by the Evansville-Vanderburgh County Building Authority for the installation of one duplex electric outlet in wall and moving coaxial cable to new location for computer terminal in room 218, Small Claims office, Courts Building, Per authorization of Anika Juras and Maurice O'Conner, in the amount of $50.00.
This was approved by Mr. O'Conner.

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

A claim was submitted by Mr. Fred G. Dewes, on account of appropriation for the Convention & Visitors Bureau for lodging and parking expense and conference registration in attending the International Association of Auditorium Managers Conference in San Francisco, CA, in the amount of $463.03.
This will be paid from the Convention Bureau's Account and Mr. Brooks has okayed it.

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

A claim was submitted by the Southern Indiana Gas & Electric Company for emergency gas at the Auditorium in the amount of $2,809.08, with letter from Ronald Reherman, Director, attached., but it was discovered that the claim hadn't been signed by Mr. Reherman, so the claim will be sent back for his signature and will again be submitted next week for the Commissioners approval.

A claim was submitted by Marlin Beck of the Sheriff's Department for food and lodging in attending the Police School Liason Conference in Indianapolis on August 4th and 5th, in the amount of $45.68.

Sheriff DeGroote approved this claim.

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

A claim was submitted by Gary O'Risky of the Sheriff's Department for food and lodging in attending the Police School Liason Conference in Indianapolis on August 4th and 5th, in the amount of $45.68, which was approved by Sheriff DeGroote.

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

A claim was submitted by Torian Insurance Agency, Inc. for Continental Insurance policy #IM281156 for $5,000 "All Risk" coverage on sculpture "The Worlds Largest", in the amount of $63.00.

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

A claim was submitted by the Southwestern Indiana Mental Health Center, Inc. Acct. #239, for partial payment for office equipment, in the amount of $927.79.

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

A claim was submitted by Szabo Food Service Inc. for meals served the Jail Officers from July 16th. thru July 31st. 1977, in the amount of $129.35. This was approved by Sheriff DeGroote.

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

A claim was submitted by Szabo Food Service, Inc. for meals of the prisoners from July 16th thru July 31st. 1977, in the amount of $3,896.75. This was approved by Sheriff DeGroote.

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

A claim was submitted by Engineer Associates for Planning Survey, Field Survey, Storm Sewer design and Soil Report on Lynch Road, in the amount of $9,273.01 which is everything up to 5%.

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

A claimwas submitted by Hunnicutt & Associates, Inc. for services rendered on Account of Contract for Reassessment of Knight Township for work completed from July 1st. thru July 31st. 1977, in the amount of $12,093.75. This has been approved by Roman Gehlhausen, the Knight Township Assessor.

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

RE: MR. HOTZ.....SECURITY AT PLEASANTVIEW

Mr. Hotz said they discussed the security at Pleasantview and the Insurance Company notified him late this week, that the control service that Comaier offers, will be acceptable to them.
He received two proposals, one from Comaier Services, Inc. and one from The Ira E. Clark Detective Agency, Inc.
Their proposals read as follows:

Dear Mr. Hotz:

Our proposal is submitted for your consideration as per our conversation. Our proposal is for one Security Officer, 8 hours per day, 7 days per week, at the rate of $5.00 per hour. The exact duties and security patterns can be established after consultation with your respective department heads. ($280.00 per week)

We have two patrol cars that check businesses in the city every night, 5 to 6 times per night. These men are armed and have two-way radios to call for help if needed. This service is charged at the rate of $300.00 per month.

Security Officers supplied by our firm are all licensed by the City of Evansville and the State of Indiana. Each officer will be equipped with his own weapon and distinct Comaier Service uniform.

Our record of dependable efficient service to other clients in need of security services, speaks for itself. We invite you and your associates to inquire of any client we have given service, concerning our performance.

We would appreciate providing your security for you.

Very truly yours, John F. Maier, President
Comaier Services, Inc.

Dear Mr. Hotz:

This letter is to confirm our phone converstation this morning, in which I quoted a rate of $3.80 per man-hour for a uniformed, armed or unarmed, Security Officer for duty at the Pleasantview Nursing Home property.

Based on the 8-hour coverage, 7 days per week we discussed, your cost would be $212.80 per week.

Our agency carried $1,000,000 Liability Insurance. A Certificate of Insurance will be provided you prior to commencement of work.

I have attached a brief list of references for your convenience. In the event you have any questions, please feel free to contact me at your convenience.

Sincerely, Richard P. Curby, President
Ira E. Clark Detective Agency

Mr. Hotz said that the Ira Clark Detective Agency, Inc. doesn't have the patrol service like Comaier does.

Commissioner Schaad said it seemed to him that it shouldn't be hard to get someone to move in out there, that would be reliable to keep an eye on the place and would have free board and free rent, but it would only be temporary.

There was some discussion as to if a contract could be made with the Sheriff's Dept, also if this would be agreeable with the Insurance Co. but Mr. Hotz said they have tried this and it didn't work out.

Commissioner Willner also suggested that they split it up with the City alternating with the County in checking the property, but decided this would be rather difficult.

After further discussion, Commissioner Willner moved that the Commissioners hire the Patrol Service of Comaier Services, Inc. at $300.00 per month, on the date necessary and not before. Commissioner Schaad seconded the motion. So ordered.

Commissioner Schaad said that Mr. Hotz should check to see when the last day is for the man that is out there at Pleasantview and that Comaier start the day after that. The Commissioners agreed that if the property isn't sold or leased, that other arrangements will be made.

RE: CONTRACT AWARDED FOR NEW ALARM SYSTEM

Mr. Hotz said, in talking about the installation of a new alarm system and smoke detectors at the Washington Home, that the State Fire Marshal informed him that the old alarm system is out of date and didn't meet the code.
He said he secured two bids on it, one from M & S Fire & Safety Equipment in the amount of $3,260.00 and one from Vanguard in the amount of $3,010.00.
He said if either of these proposals are accepted, they will go to the State Fire Marshal to be approved and then they will come back here and the installation will be made.
He recommended the low bid be accepted and also said that the same thing will have to be installed at Hillcrest in the 1980's due to the fact that they have a sprinkling system.

Commissioner Willner moved that the contract be awarded to the low bidder, Vanguard, in the amount of $3,010.00. Commissioner Schaad seconded the motion. So ordered.

RE: ABSENTEE REPORT

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

RE: MR. SIEBEKING.....PROBLEM ON SUNSET DRIVE

Mr. Siebeking said that out on Sunset Drive, in the Bujey area, off Old State Road, he is sure the Commissioners are familiar with the big tile that was put in that carries all the water out of Evergreen Acres, down to Old State Road, that they are having problems out there, that the tile is apparently broken in places and the

people are getting holes in their yards because dirt is getting into the pipe and they want the County to do something about it.
He said that Mr. Biggerstaff probably engineered this and he thought the County paid to have the pipe put in there but it isn't a legal drain and he didn't know what to do, since he can't go in someone's back yard, off the road, to dig it out and repair it. He said there is no doubt but that these people have a problem since, right now, a truck load of dirt wouldn't fill up the hole in Ms. Palmer's back yard and it is right over the concrete pipe.

Mr. Stephen said there was approximately a 6 X 6 box culvert under Sunrise and they slid a smaller pipe to it which is a bad situation, that several men went out there and washed into this culvert but could get no further, due to tree limbs and other objects that is causing restriction, but he didn't know what is causing the dirt to be eliminated and carried on downstream, unless the pipes weren't sealed together, that they put the pipe in to fill the ditch up so they could cover over it, but they maybe should have never done it, since the pipe is smaller than the culvert.

Mr. Siebeking said it had to have been ten years or longer ago when the concrete pipe was put through that area and it is all on private property, that it starts at Sunrise Drive and then is an open ditch from there on, to the intersection of Heather Court and Pine Place and then it picks up on the other side of the woods and piped to Bujey and said that the people at the intersection of Sunrise and Old State have the open ditch again, south of the road and they would like to have it piped.

Mr. Stephen said that from their drive, from Old State and Sunrise, there are two curb inlets that are conducted under their drive to this open ditch and there is apparently something wrong in this area because the earth is going out from under their drive and their drive is sinking, so the people there are very unhappy, since they just purchased this property and they now want something done about their drive.

Mr. Siebeking said that also at the intersection where Sunrise goes off Old State, someone, probably the contractor, built two bedford stone entrance walls with lights on them and they are wanting these lights to burn and someone has hit one of the entrance walls and knocked half of the bedfore stone off into the ditch and they are wanting the Highway Department to fix this all up again, which is on the County right of way, and no one knows who did it, but he figured the contractor did it because he developed the area.

Commissioner Schaad said he wondered who paid for the electricity for these lights to burn, also he asked Mr. Siebeking if the walls served a purpose as far as they are concerned or is it just ornamental.

Mr. Siebeking said it is just ornamental, as an entrance to Sunrise Drive.

Mr. Brenner said he just read an article about County liability and there was a case in Florida where they put a decorative boulder on a median and a drunk driver hit it and was injured, so the case was ruled against the County in a multi-million dollar suit and their only liability was that they knew it was there and hadn't removed it.

The Commissioners agreed that if the walls at the entrance of Sunrise Drive are on the County right of way, they are to be torn down.

Commissioner Schaad asked Mr. Stephen to first check out there to determine where the County right of way is.

Mr. Siebeking asked what he was to tell the woman that wants a tile put in her ditch, since she doesn't want that open ditch, which is a County ditch, that the problem he has in answering these people, is that they know that the County paid to have that pipe put in there and they say if the County put it in, the County ought to maintain it. He said that as soon as they can, he and Mr. Stephen will walk the area.

Commissioner Willner wondered if it would be possible to ask these people to give the County an Insurance policy on these lights or either tear them down themselves, since he thought they should have a choice rather than for the County to arbitrarily take them down.

Commissioner Schaad suggested that Mr. Siebeking and Mr. Stephen work with the County Attorneys on this thing, since he wondered if the County is legally responsible and thought this should be determined and maybe they should look at it. He asked County Attorney Smith to get with them to see what they can find out.
Commissioner Willner said they should remember if they do it for one, they must do it for everyone.

Commissioner Schaad said as far as the stone entrance is concerned, that Mr. Siebeking should get with Mr. Stephen to determine just where the right of way is, that as Mr. Brenner has said, someone could be killed and this could be hazardous, since we know it is there and if it is on our right of way, they can just tell the lady that the County isn't going to put the wall back and they aren't going to put the lights back but if they want it to stay, the County wants a Liability Insurance Policy so we will be protected, that after they check on this, Mr. Siebeking and Mr. Stephen should report back to the Commissioners with their findings.

RE: MR. STEPHEN..... ROAD CUT PROBLEM

Mr. Stephen said a road cut was made without the benefit of a permit and there seems to be a breakdown someplace along the way in getting the information to an individual that is doing his own work, that at 3300 Oak Terrace, a permit was given to the Water Company to put a water line in and Steve Parker, who is here and wants to be heard, went to the Sewer Department and they gave him a permit to dig and to tap onto the sewer and he paid his sewer permit and they didn't tell him, being out in the county, he needed a county road cut permit, so he didn't know about it and he cut across the road and filled it up with stone after he got the sewer in, so now we have a road cut without a permit, which he has now made application for, without a bond and the work is already done but the road hasn't been repaired back to it's original condition.
He said that up to three weeks ago, he couldn't have said if this was a county road or not, that Mr. Siebeking didn't think it was, but after he got the computer print-out of all the roads in Vanderburgh County, from the State Highway Department, Oak Terrace is on it and the County is collecting some gas tax for that road.
He said that Mr. Parker had someone with a backhoe to dig the trench for him and he installed the sewer and the inspector from the Sewer Department was out there and they didn't inform him that he needed another permit to make a road cut, that all he wants to do is to see that the road is put back correctly and Mr. Parker didn't know what was required.

Mr. Parker said he got a digging permit from the Board of Public Works and the red tag says backfill with sand, then the proper gravel, which he did do and he is now waiting for it to settle so he can put asphalt on top of it.
He said the gentlemen were out there the other day, repairing the road, and approached his wife, and said that it wasn't done properly, so she went through the explanation of what they had done, but there is a breakdown in communications between the Board of Public Works and the Surveyor's office and him, because they didn't tell him that he had to do this, that he is building his own house and he wants it done right, of course, but he must have the information to do it right and he hopes everyone agrees to this. He said when he was down here, they went over everything with a man in the Building Commissioner's office and he asked them if the permits he had was all the permits that he needed and he was told that was all he needed.
He said he talked to a Mr. Koch in the Surveyor's office and he told him that the Board of Public Works was supposed to notify them, when a sewer permit is being issued that involves this detail, also that a man from the Board of Public Works was out at his lot when he was preparing to do the digging.

Mr. Stephen said that Mr. Parker would have to take the stone out of the road since there must be a concrete slab across the cut before the asphalt is put in and actually it should have about ten inches out and it should be widened out a little bit and the slab should be placed on undisturbed earth so that it forms a bridge across there.

Mr. Parker said he realizes these are the County's standards but it will cost him twice as much, that if he was told what he needed in the beginning, it wouldn't cost him twice as much.

Commissioner Willner moved that the County Garage men take their backhoe out there and cut that out for him and he can go from there and it will be no extra cost to him, and they will get the job done that way, and he asked Mr. Parker if this would be okay.

Mr. Parker said this would be fair enough.

Commissioner Schaad seconded the motion. So ordered.

Commissioner Willner moved that the road cut be approved, after the fact, waiving the bond. Commissioner Schaad seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE

Mr. Stephen said if the Commissioners want to advertise for bids, he will have the ad and the specifications ready for the resurfacing of Allens Lane from New Harmony Road to New Harmony Way, .37 miles, Weinbach Avenue, from the City Limits to River Road, 1.4 miles, Grove Street, from Allens Lane to the City Limits or dead end, .51 miles and Korressel Road from U.S.460 S. to Upper Mt. Vernon Road, 2.86 miles.

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He said the estimated cost will be to use up all that Mr. Siebeking has in his contractual account, also that these are the roads that the Commissioners agreed upon last week, with the exception of Allens Lane from the railroad tracks to St. Joe Avenue, since this portion didn't need resurfaced

Commissioner Willner moved that bids be advertised on August 25th. and September 1st. with the bids to be opened on Tuesday, September 6th. 1977. Commissioner Schaad seconded the motion. So ordered.

RE: DRAINAGE PROBLEM ON BASSETT AVENUE

Mr. Stephen said they have a drainage problem on Bassett Avenue and the survey crew went out and took some readings, that this is off Green River Road and the drainage is to the North and from Bassett, there is about 667 feet from Heckel Road to Bassett and they have about five feet of fall in that distance but the water isn't going anyplace, that it trickles over the ground. He said they do have 40 feet of right of way on the East side of Green River Road and his solution for this is to go out where they would normally put a new ditch near that 40 foot of right of way, so that if Green River Road was ever rebuilt or reconstructed on in South from Heckel, they wouldn't have to move that side ditch again, that it means crossing two private drives and right now they have a 36-inch culvert under Heckel and a 2-foot under Bassett, but in between Heckel and Bassett, they have a 15-inch culvert under one persons drive and another one that starts out at 16 inches but by the time it gets to the other end, it is only 14 inches, so it is choked down someplace, so he is suggesting that the County dig a new side ditch and grade it to the point that it will get rid of that water, down under the 36-inch culvert and they will have to put larger tubes under the drives that is sufficient to carry the water.

Commissioner Willner asked if the County garage could do this work and Mr. Brenner said they could, also that the tile needed is at the garage.

Commissioner Willner moved that the County Garage crew do the work as suggested by Mr. Stephen so they can get the water off Bassett Avenue. Commissioner Schaad seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE

Mr. Brenner submitted a cover sheet that needs the Commissioners signatures for road culverts needed on Boonville-New Harmony Road, approximately 1 mile West of State Highway 57 in the Northeastern section of Vanderburgh County. He said this has been discussed before and the Commissioners agreed that this should be done. He said this would be paid for from his maintenance account.

Commissioner Willner moved that bids be advertised for on August 25th. and September 1st. with the bids to be opened on Tuesday, September 6th. 1977. Commissioner Schaad seconded the motion. So ordered.

RE: MR. BRENNER...OAK HILL & LYNCH ROAD

Mr. Brenner said he has three problems and one is on Oak Hill and Lynch Road where the architect was here and he agreed with his client, that as a condition of approving his plot, that he would put a bypass on Oak Hill Road for the shopping center at Oak Hill and Lynch Road, that he put his driveway in and they are gone, that everything is finished and there is no action of doing anything on Oak Hill, that he contacted them and they say they are going to do it sooner or later, but the requirement was that it be put in before his driveway was .

Mr. Lochmueller said they all agreed that at the time of construction, that be done and when that drive was done, then the acceleration of the bypass lane would be put in.

Commissioner Willner said, in other words, they all agree that he made that promise and didn't live up to it. He asked if the gentleman is erecting any new buildings.

Mr. Brenner said not at this time but when he does, they can always hold up his building permits if he doesn't do what he says he is going to do, that this is a long range project. He said it is a hazard, that he has seen it in action, that the people come across the intersection and all the traffic backs up on Oak Hill Road. He said that Mr. Saletta is the architect.

The Commissioners agreed that County Attorney Smith should make contact with them and if it isn't then done; they should hold up the building permits and then if it isn't done they will dig up the driveway.

RE: DARMSTADT ROAD

Mr. Brenner said that another problem is on Darmstadt Road, that the Commissioners agreed to Mr. Schmitt's rezoning, if he would close one driveway, that he still doesn't have proper clearance to the curb, that they wanted him to be as far south of the curb as possible, that he closed one driveway but put another one in between and the Commissioners asked the Planning Commission to look at it.

Mr. Lochmueller said they have a signed drawing, he is sure, and what they need to do is to get it out and look at it and find out if he has met with the plans as drawn.

Mr. Brenner said he didn't, that he put a new driveway in, that this was brought up once before, that the Commissioners gave it to Jeff Wilson so he could look at it and no one ever came back, so this is the reason he is again bringing it up at this time.

Commissioner Willner said that Mr. Schmitt sold the property and the Commissioners rezoned it for someone else.

This matter was also referred to County Attorney Ed Smith to see what he can find out.

RE: ENGLISH WAY

Mr. Brenner said that the other problem is English Way that connects to Green River Road, that both he and Mr. Stephen were subpoened over it, that he is still quite concerned about it, that Mr. Siebeking has to go out and clean the road off, that they know it is there now and if anything happens at that intersection, they have to take the road out, that the mud shouldn't be coming down the hill.
He said he attempted to send a letter but the Commissioners didn't want him to, but they have got to do something and whether it is to go out there and disconnect him from Green River Road, or whatever, they have to stop the mud from coming down, because he knows it is there.

Commissioner Willner said he agrees that it should be kept clean but if an accident should happen from the time they know it is dirty and the time they get it cleaned off, they are in big trouble again and he thought they should give him a time limit on it such as two weeks.

Mr. Brenner said if it isn't done, his building permit can be pulled or they can do a lot of things on that one.

Commissioner Schaad asked County Attorney Smith to take this one too, and they will give him two weeks to make some corrections.

RE: ORDINANCE APPROVED

The Ordinance reads as follows:

AN ORDINANCE AMENDING SECTION 11.03 (5) (b) OF THE COMPREHENSIVE SUBDIVISION CODE FOR VANDERBURGH COUNTY.

BE IT ORDAINED by the Board of Commissioners of the County of Vanderburgh, State of Indiana, as follows, to-wit:

SECTION 1. That Section 11.03 (5) (b) of the Ordinance providing for the control of the subdivision of land and the approval of Plats and Replats of land within the jurisdiction of the Area Plan Commission of Evansville, Vanderburgh County, Indiana, be amended to read as follows:

> Intersection Grades: Intersections must be approached on all sides by level areas. Where the grade exceeds 7% these level areas must have a minimum length of 50 feet (measured from the intersection of the centerline) within which no grade may exceed a maximum of 4%. All areas beyond the aforementioned 50 feet shall not exceed a maximum grade of 10%.

SECTION 2. This Ordinance shall be in full force and effective from and after its passage by the Board of County Commissioners of Vanderburgh County, State of Indiana.

Mr. Brenner said the only change is that they put in the 10% maximum.

Commissioner Willner moved that the Ordinance be approved as of this date. Commissioner Schaad seconded the motion. So ordered.

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RE: MR. LOCHMUELLER ... HOGUE ROAD & L & N CROSSING

Mr. Lochmueller said they have federal approval now on doing engineering and it will be done by the L & N Railroad for Hogue Road & L & N crossing and that is $2,700 of federal money, meaning we have to make application and he asked the Commissioners to get them ready and he will be before them next week with three applications for R & S funds, which has already been approved by the Council and it will be $300.00 and this is for L & N and will be an application for our local match and all the Commissioners are doing here is authorizing him to get the application in.

Commissioner Willner moved that Mr. Lochmueller be authorized to do so. Commissioner Schaad seconded the motion. So ordered.

RE: BASELINE AND L & N CROSSING

Mr. Lochmueller said the next one is for the Baseline Road crossing of L & N Railroad just west of U.S. 41 and it is also for $2,700.

Commissioner Willner moved that Mr. Lochmueller be authorized to get the application in. Commissioner Schaad seconded the motion. So ordered.

RE: PAVEMENT MARKING

Mr. Lochmueller said the third one is the engineering for that 100% in funds for the pavement marking, that there will be no application on this one, that it will be just for the approval to go ahead with it and the Commissioners will just be accepting it in their record.
He said that $8,500 will be spent on preliminary engineering for the striping of the streets and it is 100% federal money.

Commissioner Willner moved that this be accepted and that the Commissioners give their approval to go ahead with it. Commissioner Schaad seconded the motion. So ordered.

RE: ORDINANCE TO CONTROL VEHICULAR ACCESS TO AND FROM PUBLIC RIGHT OF WAY

The following Ordinance was submitted to the Commissioners for first reading:

WHEREAS, the Board of Commissioners of Vanderburgh County have the duty and responsibility to exercise all necessary authority concerning the operation and maintenance of the public streets and highways within Vanderburgh County; and

WHEREAS, the said Board of Commissioners deem it desirable and in the best interest of Vanderburgh County that a system of control be established to regulate and govern the vehicular access to and from public right of way;

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of Vanderburgh County, State of Indiana, as follows, to-wit:

SECTION 1. A driveway permit shall be required for any new construction and/or change in type of business or land use of an existing property whenever such a proposed driveway or use shall connect to and/or join any public road, street, highway, or other public right of way in Vanderburgh County, Indiana.

SECTION 2. Such driveway permit shall be obtained from, and issued by, the County Commissioners of Vanderburgh County.

SECTION 3. Before any such driveway permit shall be issued, the applicant for same shall submit the proposed plan, upon an approved application, to the County Highway Engineer, Area Plan Commission, and Evansville Urban Transportation Study office, who shall in turn submit their recommendations to the said Board of Commissioners.

SECTION 4. If the County Engineer, Area Plan Commission and Evansville Urban Transportation Study recommend approval of such driveway application, then the Board of Commissioners of Vanderburgh County shall have the final authority to either grant or reject said application.

SECTION 5. The standards contained in the Evansville Urban Transportation Study' Curb Cut Standards shall be used and considered as a basis for the issuance of any such permit.

SECTION 6. All uses are subject to the following requirements:

(1) A use may not have more than two access drives for each 330' frontage;
(2) An access drive must be at least 50 feet from any parallel access drive on the same property measured from the center line of both drives;
(3) An access drive must be at least 200 feet from the base of a bridge in cline, measured from the center line of the access; drive to the base of the bridge in cline;
(4) An access drive must be at least 400 feet from an interchange ramp, measured from the center line of the access drive to the nearest edge of the ramp;
(5) A one or two unit residential access drive must be located at least 30 feet from any parallel public street, while all other access drives must be

located at least 50 feet from any parallel public street, measured from the nearest access line of the drive to the nearest right-of-way line of the street;

(6) A divided entrance may be required for major traffic generators.

(7) Any pavement widening, decleration lane, acceleration lane, or island shall be of a design and type acceptable to the responsible authorities;

(8) When the responsible authorities review a driveway application and determine, by engineering and traffic analysis, that any portion of (7) or (8) should be done to adequatly serve traffic, the developer shall be responsible for providing the same at the time of construction;

(9) No access point will be located or designed in a manner that allows vehicles to back onto a public roadway;

(10) Driveways used almost exclusively be tractor-trailer combinations will be allowed access points wider than those shown in the Curb Cut Standards. The width of these access points will be determined by using information contained in the Traffic Engineering Handbook.

(11) Alleys should not be used for access unless all other possible points of access have been determined inadequate for a driveway. If an alley is the only possible access all property owners abutting the alley should give their consent before a permit is issued.

SECTION 7. If the location or site of a lot prevents development in accordance with the heretofor stated requirements or standards, then access shall be provided which most closely complies with these requirements and standards. The Evansville Urban Transportation Study, Area Plan Commission and County Engineer shall be responsible for the administration of this Ordinance, subject to the final authority of the County Commissioners of Vanderburgh County.

SECTION 8. Any person who makes a curb cut or constructs an access driveway in violation of the requirements and terms of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof may be fined for any sum up to $500, to which may be added imprisonment for an indeterminate period up to six months.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage by the Board of County Commissioners of the State of Indiana.

Mr. Lochmueller said what they are saying in here is that to get any access driveway cut, it has to be approved by the County Commissioners of which three of them will be looking at it from a permit viewpoint and that will be a sign-off of himself or Urban Transportation Study, E.P.C. and the County Engineer, that this only means they look at it and review it and if the Commissioners agree, in normal cases, they probably won't want to hear every one of them but wherever they have controversy, he is sure they will want to hear it.

County Attorney Smith said he drafted it so the County Commissioners would have final authority but that Mr. Lochmueller's group would actually administer it.

Mr. Lochmueller said what they are saying is that if all three of them get together and see no problems, they won't bring it before the Commissioners but if they see problems, they will then come before them.

Commissioner Willner said he thought it should be read twice in a public meeting before it is passed, if he remembers correctly, and County Attorney Smith said this is correct.

Commissioner Willner moved that both Ordinances be approved on first reading, and that the second reading will be approved next week. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST FOR ROADS TO BE ACCEPTED BY COUNTY

Mr. Brenner said he has a request from Mr. Biggerstaff for two roads to be approved for County maintenance, that they come off of Aspen Ridge, that this is the only way to get to them, that one of them is Walnut Lane, but he doesn't remember the name of the other one, but they can't get to them from a County road, so based on that, until Aspen Ridge is accepted, which is many years old and he would think it would be a County accepted road, but it isn't, and he asked for a generalization, that if they can't get to these roads from a County road, the Commissioners probably wouldn't want to accept them, since they would have to cross a non-accepted County road to get to an accepted County road.

Commissioner Willner said he didn't know why not, that if they accepted it, they would get road tax money on it.

Mr. Stephen said that Aspen Drive should have been taken but that it isn't on the list.

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Commissioner Willner said it is okay with him, if the road is up to date, to apply for it to be accepted.

Mr. Brenner said he can check the other roads out if the Commissioners want him to, since he doesn't know who built them or when or as to the right of way or condition, that he never had cause to look at these roads before.

Commissioner Willner moved that Mr. Brenner check it out and report back to the Commissioners. Commissioner Schaad seconded the motion. So ordered.

RE: PERSONAL PROPERTY AT PLEASANTVIEW

County Attorney Wendel said that on the personal property list that should go with the Pleasantview property, Mr. Hotz suggested that all the laundry equipment be added.

Commissioner Willner asked if all the laundry equipment wasn't to go with the building and Commissioner Schaad said this is correct.

County Attorney Wendel said that the laundry equipment isn't with the building at the present time and asked if he should add it.

The Commissioners agreed that this should be done, since they thought this was done before.

Commissioner Schaad then read what equipment should be included with Pleasantview:

Said property includes all window air conditioners; emergency lighting system; fire extinguishers, hoses and fire protection equipment; heating system with three (3) boilers; two (2) stainless steel-topped kitchen work tables; two (2) wood-topped kitchen work tables; walk-in cooler; walk-in freezer; two (2) ranges; dishwasher with dish table and trays; refrigerator; steam table; serving table; serving table with display and handrail; coffeemaker with stand; water fountains; drapes; blinds; and all laundry equipment located on said real estate.

Commissioner Willner moved that the laundry equipment be included to be sold along with the building. Commissioner Schaad seconded the motion. So ordered.

RE: POOR RELIEF

Oney Langley.....803 E. Chandler....Pigeon Twp. ...Phyllis Vitatoe, Investigator

The Notice of Poor Relief Action submitted by the Pigeon Township Trustee's office shows that applicant requested that his house payments be made by the Trustee but was refused since the state doesn't allow it.

Ms. Vitatoe said the state law prohibits them paying any mortgage payments which is what Mr. Langley wanted, that they offered to pay the interest but he refused. Mr. Langley failed to appear today, so no further action could be taken by the Commissioners at this time.

The meeting recessed at 11:35 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Bob Schaad Robert L. Willner	Curt John	Ed Smith Jr. Paul Wendel

Secretary: Margie Meeks

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
AUGUST 29, 1977

The meeting of the County Commissioners was held on Monday, August 29, 1977, in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

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

RE: MEETING DATE CHANGED DUE TO HOLIDAY

Commissioner Ossenberg announced that the next regular meeting of the County Commissioners will be held on Tuesday, September 6th. since Monday, September 5th. is Labor Day. The meeting will be held at 9:30 a.m. in the Commissioners Hearing Room, as usual.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

Michael S. Klueh	1119 Lincoln Ave.	Extra Guard	$3.00 Hr.	Eff: 8/1/77

VANDERBURGH CIRCUIT COURT-Work Release

Kenneth A. Henson	4603 Mesker Pk. Dr.	Works-Rel. Director	$14,500 Yr.	Eff: 9/1/77
Joyce A. Giannini	1125 S. Vann Ave.	Bookkeeper-Counselor	$7,000.Yr.	Eff: 9/1/77

RE: EMPLOYMENT CHANGES.....RELEASES

VANDERBURGH CIRCUIT COURT-Work Release

Kenneth A. Henson	4603 Mesker Pk. Dr.	Work-Rel. Director	$13,000 Yr.	Eff: 8/31/77
Joyce A. Giannini	1125 S. Vann Ave.	Admin. Assistant	$ 6,500 Yr.	Eff: 8/31/77

AREA PLAN COMMISSION

Bruce A. Lothamer	1908 Waggoner Ave.	Drafting Technician	$7,350 Yr.	Eff: 8/26/77

RE: MONTHLY REPORT

The Report of the County Treasurer was submitted for the month of July, 1977. It was noted that there was an error in the addition.
Report received and filed.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received from Greene & Greene Agency Inc. on Insured, Welborn Memorial Baptist Hospital and Foundation, Inc. for insurance coverage while sponsoring benefit at the Auditorium.
Certificate of Insurance received and filed.

RE: CHUCK OSTERHOLT.....EAST SIDE AREA REPORT

Mr. Osterholt stated that they had said, about a month ago, that they would provide more information about that mile-square area that is located North and East of Green River Road and Division Street, so he submitted his report at this time.
He said that drainage does have an impact on this area but that this is not a drainage report and what they are trying to do, since they can't know everything in terms of all the variables, data's and requirements that they need to know to make decisions, so what they want to do here is to provide the Commissioners with more information in terms of decision making, such as in a high growth area that we have here. He said he wants the Commissioners to make the best decisions possible and in order to do this, they must have updated information, and this is what they are trying to provide here, that this is only the first step in getting information for this area and further information that he thought they would need, is sewer and water requirements for that area, drainage plans and calculations for the area, which they are taking steps forward in terms of the present Drainage Board meetings, also transportation plans and all other relevant information.
He said one thing they haven't addressed in this report, that they expect to in the oncoming weeks, is what to do with the commercial land, that there is a demand for commercial land in that area, and hopefully, he will be able to provide the Commissioner's with more information.
At this time, he asked Ms. Ann Schmitt to explain what is in this report.

Ms. Schmitt explained that the report starts with an introduction, of which she thought everyone was quite aware of the reasons for a study being made of this area, since it was discussed many times, also that there were field inspections done and different knowledgeable people, both, engineers, county employees, city employees, different builders and investors were contacted for information on the area.
She said they went through a physical analysis of the area and studied soils, the drainage, topographic and they have included a soils map, also they looked at the present zoning of the area as it stands today as to what impact that may have and what they have included is a present zoning map to give the Commissioners a graphic display which is a bit easier to observe.
She said they went out and did the field inspection and came up with the land use and provided them with an analysis of what the present land use of the area is, along with the land use map to give them a graphic presentation.
She said they checked out the municipal facilities such as sewer and water and it is explained as to what is available and how it may affect planned growth in the area, also that they went through a section on population and dwelling units, that as Mr. Osterholt had said, they haven't hit the commercial as yet, but they thought it was important to give them what information they have, as soon as possible, and said that the population and dwelling units goes through what is there, what was there and what is probably going to be there, that most of the calculations done in this, regarding proposed development, is taken off of actual information they were given.
She said that in the circulation network, they worked with Urban Transportation Study and in the conclusion section, they covered basically,three different alternatives that give them both, the extremes and the moderate, that they are by no means, the only alternatives available but they do cover both ends and the middle, to give the Commissioners an idea, that they tried to keep the report as brief as possible, so that it won't take up a great deal of their time, yet provide them with what information they need and once they have had time to review the report, if they have any questions, or want to meet further on it, or if they require more information that Area Plan can provide, they should let her know and she and Mr. Osterholt will be glad to meet with them again, and she asked if there were any questions on it.

Commissioner Ossenberg said the only question he might have is, if she knows, if there are any plans by the City, to provide a sewer in this particular area.

She said that Commissioner Ossenberg is talking about a storm sewer and as far as she knows, the City has no plans at the present time for a storm sewer in that area.

Mr. Osterholt said if the Commissioners would like, they could provide a co-ordinating type of service to the Commissioners in terms of what sewers would be provided and how, and the same with transportation, in order to cut some of the Commissioners time down and to be able to provide them information in a report, that will be helpful to us all.

Commissioner Ossenberg said he thought these to be the three factors that are involved with the Commissioners, the drainage, transportation and the involvement with the Board of Works to be sure they don't duplicate or spend monies, when there may be a possibility of a sewer going through.
He said he thought this to be a good report and that he appreciated it, also as a go-between, the Commissioners would like for them to continue.

Mr. Osterholt said there are other areas in the County that they want to take a look at, such as the Red Bank Road area and wherever the development pressure is immediately, and then in the future, they hope to have thirty of these done within the year.

Commissioner Willner said he also thought this to be a good report, but said that he would like to have a map of the proposed roadways.

Ms. Schmitt said she made a sketch of this but the reason she refrained from putting a map in the report was because when you get down to the exact design standards, they were having developers come in and ask exactly where a road is going and that isn't their business to say exactly where the road is going, but they will be glad to provide the Commissioners with a map showing the approximate layout of the roads and streets.

RE: FEDERAL REVENUE SHARING REPORT

A Statement of Assurances on Federal General Revenue Sharing, Entitlement Period Nine was submitted for the period of October 1, 1977 thru September 30, 1978, for President Ossenberg's signature.

Mr. John explained that this report is for the assurance that the Commissioners will follow the guidelines as set out for Federal Revenue Sharing.

Commissioner Schaad moved that the Commissioners approve the signing of this report by Commissioner Ossenberg. Commissioner Willner seconded the motion. So ordered.

RE: TELEPHONE REQUEST

The following letter of request was received from the Department of Public Welfare:

Gentlemen:

Due to recent construction in our Food Stamp Office [enlargement of office space] additional phone service is needed as follows:

1. One new phone in Room 108U with long cord and a currently used number, 5337.
2. Two long cords; one on phone number 5116 and one on phone number 5338.

Wm. Igleheart, Adm. Div. Supv.

Commissioner Ossenberg said this is a deal where welfare reimburses us.

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

RE: ROAD MAINTENANCE REQUEST

The following letter of request concerning Ridgetop Drive was received by the Commissioners:

Dear Sirs:

We would appreciate your consideration of maintaining Ridgetop Drive from Ridgetop Place east to the end of Ridgetop Drive.

This public road serves three addresses:
3011 Ridgetop Drive - 3017 Ridgetop Drive - 3021 Ridgetop Drive

We are not asking for any improvements, only to maintain as is, which is white rock.

The road does need grading with a ditch placed on the north side of it. There is a culvert for water to run down such ditch and into a lake.

Very truly yours, R. L. Greubel

Commissioner Schaad moved that this matter be referred to Mr. Stephen for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: SPEED LIMIT REQUEST

The following request was received from Mr. & Mrs. Dennis Fair of 204 Kirchoff Blvd.:

Dear Mr. Commissioner:

We, the residents of Kirchoff Blvd., would appreciate it very much if we could have a 15 MPH speed limit put on our street for the safety of our children. We have 25 children on our dead end, one long block street, with an off-street [Olivia] near the end. Traffic from the Posey, Vanderburgh County Road cut through on Olivia and come down our street not caring to slow down even though there are children out.

Every resident on our street has given their signature in favor of a 15 MPH speed limit on our street. There were no residents in disagreement. We would appreciate it very much if you would bring this matter before the board meeting monday morning. Some of the residents will be at the meeting in representation of this letter.

Sincerely Yours,
Mr. & Mrs. Dennis Fair

Ms. Fair appeared and said that all the residents of the area are in agreement with the lower speed limit, that there was an accident last year where a little boy was hit by a car, due to a motorist not slowing down, that it is just one long block and they would like to have a speed limit sign posted if possible.

Commissioner Schaad moved that this matter be referred to Mr. Judd for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: PLEASANTVIEW EMPLOYEE DECISION

Commissioner Ossenberg said the only thing he is familiar about this matter is that Claimant, Brenda F. Limberger, had asked the Indiana Employment Division for wages she thought was due her.

Commissioner Schaad said this is a transcript of the hearing and the decision was made in the Commissioners favor, that this is to be made part of the record. Transcript of hearing received and filed.

RE: BONDS TO BE SIGNED

Official Bonds were submitted on the employees of the Coroner's office, for the Commissioners signatures.

Commissioner Ossenberg said that each of the Coroner's employees are required by law to be bonded.
Bonds were issued on the following employees:

Bill Phipps, Deputy Coroner...Albert J. Venables, M.D., Deputy Coroner...Allen Byers, Deputy Coroner...Walter Blanford, Jr., Deputy Coroner...and Mary Frances Westfall, Deputy Coroner and Clerk.

Commissioner Schaad moved that these bonds be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by U. S. Sheet Metal & Roofing Co. Inc. for 137-266, Data Processing, for furnishing and installing mechanized A/C unit in computer room of the Courts Building, in the amount of $7,700.00. This has been approved by Judge Dietsch.

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

A claim was submitted by the University of Evansville, for the Work Study Billing for June of 1977, in the amount of $36.80. This has been approved by County Council President, Dan Kollker. This is for the Student Intern Program.

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

A claim was submitted by Szabo Food Service, Inc. for the food served the prisoners from 8/1/77 thru 8/15/77, in the amount of $3,554.20, which has been approved by Sheriff DeGroote.

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

A claim was submitted by Szabo Food Service, Inc. for the food served the Deputies from 8/1/77 thru 8/15/77, in the amount of $121.55, which has been approved by Sheriff DeGroote.

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

A claim was submitted by Sheriff DeGroote for travel expenses, lodging and meals incurred while attending an American Medical Association Seminar held recently in Milwaukee, Wisconsin, in the amount of $225.53. The gratuities weren't allowed.

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

A claim was submitted by Sara Klein, the Jail Nurse for the Sheriff's Department, for expenses incurred while attending an authorized American Association Seminar, held in Milwaukee, Wisconsin, in the amount of $175.22.

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

A claim was submitted by Lt. James Moers of the Sheriff's Department, for expenses incurred while attending an authorized American Association Seminar, held in Milwaukee, Wisconsin, in the amount of $202.36. The gratuities weren't allowed.

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

A claim was submitted by Edwin Zenthoefer for mileage to and from Washington Home to Pleasantview from July 1 thru August 24, (16 miles per day) for a total of 55 days at 14¢ per day which amounts to $123.20. This was approved by Mr. Hotz.

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

A claim for credit was submitted by Torian Agency, Inc. by cancelling #BND 175 25 99 (3D Bond on Frank Tilford, the former County Treasurer. The credit is in the amount of $550.00.

Commissioner Schaad moved that the refund of $550.00 be accepted. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the Evansville-Vanderburgh County Building Authority, for labor and material to install new partition, new door and header, cut and install one (1) additional frame. Furnish and install phone and electrical floor outlets and revise light switches. This work was done in the Recorder's office, in preparing office for Ms. Anika Juras and the total amount of the claim is $1,550.00.

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

A claim was submitted by the Evansville Press for legal advertising of the Vanderburgh County's Convention & Visitors Commission on June 16th and 23rd. 1977, in the amount of $11.98. This has been approved by Wm. Brooks.

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

A claim was submitted by the Evansville Courier for legal advertising of the Vanderburgh County's Convention & Visitors Commission on June 16th and 23rd. 1977, in the amount of $11.98. This has been approved by Wm. Brooks.

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

A claim was submitted by Feigel Construction Co. for Acct. 203-3841, Oak Hill & St. George Improvement, in the amount of $16,411.79. This was approved by Mr. Brenner and Mr. Hartman.

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

RE: COMMISSIONERS TO BE EXCLUDED FROM CLASS ACTION

County Attorney Wendel said that a couple of weeks ago, they got notice of a class action suit where Bobbs-Merrill Co. Inc. is being sued and he needs to tell the Federal Court whether the Commissioners want to be in the class action or be excluded from it. He said the suit doesn't look as though it is very promising for a win on it and if we stay in, we will be responsible for some court costs, so he recommended that they be excluded from it.
He explained that some people are suing the Bobbs-Merrill Co. for the Burns Indiana Statutes, that they are claiming that they monopolize the law books in Indiana and violate the Anti Trust Law.

Commissioner Schaad moved that the Commissioners be excluded from the class action. Commissioner Willner seconded the motion. So ordered.

RE: CLOSING DATE SET FOR SALE OF BOEHNE

Commissioner Schaad moved that the Commissioners set next Tuesday, September 6th. as the closing date for the sale of Boehne Hospital, and said that all the papers and everything will be ready at that time and the money will be here.
He said he talked with Dr. Arendell who will be here with final payment, so it will be finalized next Tuesday at the Commissioners regular meeting.
Commissioner Willner seconded the motion. So ordered.

RE: MR. HOTZ ... PROBLEM AT AUDITORIUM

Mr. Hotz said they have a problem at the Auditorium in front of the building, where a section of concrete is sinking, that they had this problem in the past and they had it raised, but apparently this didn't do the job.
He said he had the County Engineer over there and they looked at it and discussed it and thought that maybe they need to have some test holes drilled and see what the problem is, that it could be the rubble from the old building settling.

Mr. Stephen said it could also be the possibility of an old sewer down there, that is broken down and taking dirt out from underneath and this is why he suggested that they have test holes drilled, to see what needs to be done, that it is a dangerous situation for people who walk along there and it seems to be settling faster than previously.

He said that the test holes will tell them if there is a very large void under there or just what is going on.

Commissioner Schaad asked Mr. Hotz if he has money in his budget to do this and Mr. Hotz said he would have to check his accounts after the test holes are made to see what the cause would be, but that he does have the money for the test holes.

Mr. Hotz asked if it was necessary to take bids to have this done and Mr. Stephen said that the County is using one company now that drills test holes when they are needed, such as when they get ready to do a bridge.

Commissioner Schaad moved that Mr. Hotz get a cost estimate and report back to the Commissioners. Commissioner Willner seconded the motion. So ordered.

RE: HOGUE ROAD

Commissioner Schaad told Mr. Judd that he had a call the other day on a real bad curve out on Hogue Road, that he also talked to Mr. Lochmueller about it, and he asked Mr. Judd if they had gotten together on it.

Mr. Judd said that after the last time they talked about it, he posted a sign, but that he would take another look at it.

Commissioner Schaad said that the priest from Corpus Christi called him about the same thing and said that since he has been there, there has been as many as 12 to 15 accidents on that curve, that the Sheriff's Department should be checked to see if there has been that many accidents and if so, perhaps there should be a study made to see just what should be done there.

Mr. Judd said the sign could have been removed, so he will check it again.

Commissioner Schaad asked Mr. Lochmueller if he was going to have his men assigned to this, to work with Mr. Judd, and Mr. Lochmueller said this is correct.

RE: ABSENTEE REPORT

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

RE: MR. SIEBEKING

Mr. Siebeking said they have finished the Boonville-New Harmony Road, from Green River Road, that they have completely constructed it, to Warrick County and have finished with the resurfacing and he would think they still want the trucks kept off this road, so he thought the signs should be put up, that this is a stretch of road that went completely to pot and they are now finished.
He also said if they can keep the coal trucks off of it, they will have a good road out there for awhile.

RE: DRIVEWAY ON BOONVILLE-NEW HARMONY ROAD

Commissioner Willner said that on that driveway on Boonville-New Harmony, Mr. Stephen did size that pipe and he recommended 35 inches, that they do have it there and he asked Mr. Siebeking if he will see that the pipe is installed, that the people would like it to be put in Wednesday or Thursday.
Mr. Siebeking said that he will see that this is done.

RE: MARYLAND STREET BRIDGE

Commissioner Schaad said he didn't know if it was the surface on the Maryland Street Bridge or if there was more work that needed to be done, but that he has been getting quite a few complaints, especially since they have closed the Delaware-Columbia Street overpass, that they are now forced to use that road and it is really bad.

Mr. Brenner said they have already let a contract on the Maryland Street Bridge and as soon as Ohio Street is finished by Southwest Engineering, they will move up and close the Maryland Street Bridge, that it should be in about 60 days and Columbia will be opened by then, that they can't both be closed at the same time, that this is in the contract.

RE: SPECIFICATIONS FOR RESURFACING ROADS TO BE SIGNED

Mr. Stephen said that the Commissioners approved the advertising for the resurfacing of Allens Lane, Koressel Road, Grove Street and Weinbach Avenue, last week, but he didn't have the specifications ready at that time, but is submitting them at this time for the Commissioners approval.

Commissioner Schaad moved that the specifications be approved and signed. Commissioner Willner seconded the motion. So ordered.

RE: DRAINAGE PROBLEMS

Mr. Stephen said he did some work along Old State, Sunrise and Bujey, which is a problem area as far as drainage is concerned, that he talked to the people out there and did some calculations and found that the pipe size is a little small.
He then submitted a map to explain to the Commissioners what is happening.
He said that trash has plugged the pipes up, that the survey crew went out to look at the box culvert and pulled out tree limbs that were plugging the opening, and since the hard rain we had, the trash has them plugged up again, also that the ditch is on private property and he told the people that they should really petition for these ditches to become legal ditches where they would be taken over and be included on the list of county-maintained ditches in the future, that these people would pay so there would be some money for these ditches to be maintained, that this is the only way they can go.

Commissioner Ossenberg said that he thinks, personally, the Commissioners will have to initiate it themselves, since he didn't think the property owners would do it.

Commissioner Ossenberg said if he remembers correctly, this is Ed Goebel's subdivision, that Bill Mullen purchased it and he thought he owned the land on that side of the road.

After further discussion, it was decided that there should be a drainage meeting this morning to initiate a petition to declare private ditches as county legal drains, under County control.

Commissioner Schaad said this could have an important effect on solving drainage and flooding problems of homes in the area.

RE: COMMENTS BY PAUL AHRENS

Mr. Ahrens, a County Council member, appeared and said that he has toured the County this week and he has seen quite a few places that have been taken care of and others that should be, and one that must be taken care of is at John Emmons at 2900 Rode Road.
He said that about two months ago, his basement was flooded and he called the fire department to pump it out but it still hasn't been taken care of, and in front of his house, coming off the Melody Hills project, the sewer ends and his property slopes off to the North and all the water drains into his front yard.
He said if there was a swag made there and run to the other side of his property and a bigger sewer put in there, that water would not enter his yard but they left off right at his property line, and it should be taken care of.
He said that weeds were cut on Lynch Road and Petersburg Road and the boys did a nice job, but he wishes that the limbs and weeds would be removed because they could cause the sewer to be clogged.
He said he would suggest, on Green River Road, that the contractor who built the street be made to do it right, that the water drops down about 5 degrees onto a 1 degree road, that it should be completely torn out and a grill put all the way across because the water rushes down there so fast that it can't take care of it and it runs across Green River Road.
He said the contractor is the one that made the mistake and he should pay 50% of the bill, which would be giving him a fair break.
He also that he would like for Mr. Siebeking to take care of all the shoulders on the roads, including Mill Road, Stacer Road, Boonville-New Harmony and Baseline Road, since the County should now begin eliminating road shoulders that are higher than the road bed, resulting in water damaging the roads.
He said that the County Surveyor has been helping Mr. Siebeking in getting rid of weeds and debris, which he really wouldn't have to do, but he saw that help was needed and he thought we should all work together on this and if we do, we can get the job done.
He also said he was out on Sunrise Drive and Old State Road this week and the water is undermining the street and sidewalk, that there is a water leak, which he told Mr. Stephen about, and he thought it should be taken care of.

RE: ORDINANCES APPROVED ON SECOND READING

The following Ordinances were submitted to the Commissioners for second reading:

AN ORDINANCE AMENDING SECTION 11.03 (5) (b) OF THE COMPREHENSIVE SUBDIVISION CODE FOR VANDERBURGH COUNTY.

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BE IT ORDAINED by the Board of Commissioners of the County of Vanderburgh, State of Indiana, as follows, to-wit:

SECTION 1. That Section 11.03 (5) (b) of the Ordinance providing for the control of the subdivision of land and the approval of Plats and Replats of land within the jurisdiction of the Area Plan Commission of Evansville, Vanderburgh County, Indiana, be amended to read as follows:

Intersection Grades: Intersections must be approached on all sides by level areas. Where the grade exceeds 7% these level areas must have a minimum length of 50 feet (measured from the intersection of the centerline) within which no grade may exceed a maximum of 4%. All areas beyond the aforementioned 50 feet shall not exceed a maximum grade of 10%.

SECTION 2. This Ordinance shall be in full force and effective from and after its passage by the Board of County Commissioners of Vanderburgh County, State of Indiana.

RE: ORDINANCE TO CONTROL VEHICULAR ACCESS TO AND FROM PUBLIC RIGHT OF WAY

WHEREAS, the Board of Commissioners of Vanderburgh County have the duty and responsibility to exercise all necessary authority concerning the operation and maintenance of the public streets and highways within Vanderburgh County; and

WHEREAS, the said Board of Commissioners deem it desirable and in the best interest of Vanderburgh County that a system of control be established to regulate and govern the vehicular access to and from public right of way;

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of Vanderburgh County, State of Indiana, as follows, to-wit:

SECTION 1. A driveway permit shall be required for any new construction and/or change in type of business or land use of an existing property whenever such a proposed driveway or use shall connect to and/or join any public road, street, highway, or other public right of way in Vanderburgh County, Indiana.

SECTION 2. Such driveway permit shall be obtained from, and issued by, the County Commissioners of Vanderburgh County.

SECTION 3. Before any such driveway permit shall be issued, the applicant for same shall submit the proposed plan, upon an approved application, to the County Highway Engineer, Area Plan Commission, and Evansville Urban Transportation Study office, who shall in turn submit their recommendations to the said Board of Commissioners.

SECTION 4. If the County Engineer, Area Plan Commission and Evansville Urban Transportation Study recommend approval of such driveway application, then the Board of Commissioners of Vanderburgh County shall have the final authority to either grant or reject said application.

SECTION 5. The standards contained in the Evansville Urban Transportation Study's Curb cut Standards shall be used and considered as a basis for the issuance of any such permit.

SECTION 6. All uses are subject to the following requirements:

(1) A use may not have more than two access drives for each 330' frontage;
(2) An access drive must be at least 50 feet from any parallel access drive on the same property measured from the center line of both drives;
(3) An access drive must be at least 200 feet from the base of a bridge incline, measured from the center line of the access; drive to the base of the bridge incline;
(4) An access drive must be at least 400 feet from an interchange ramp, measured from the center line of the access drive to the nearest edge of the ramp;
(5) A one or two unit residential access drive must be located at least 30 feet from any parallel public street, while all other access drives must be located at least 50 feet from any parallel public street, measured from the nearest access line of the drive to the nearest right of way line of the street;
(6) A divided entrance may be required for major traffic generators.
(7) Any pavement widening, decleration lane, acceleration lane, or island shall be of a design and type acceptable to the responsible authorities;
(8) When the responsible authorities review a driveway application and determine, by engineering and traffic analysis, that any portion of (7) or (8) should be done to adequately serve traffic, the developer shall be responsible for providing the same at the time of construction;
(9) No access point will be located or designed in a manner that allows vehicles to back onto a public roadway;
(10) Driveways used almost exclusively be tractor-trailer combinations will be allowed access points wider than those shown in the Curb Cut Standards. The width of these access points will be determined by using information contained in the Traffic Engineering Handbook.
(11) Alleys should not be used for access unless all other possible points of access have been determined inadequate for a driveway. If an alley is the only possible access all property owners abutting the alley should give their consent before a permit is issued.

SECTION 7. If the location or site of a lot prevents development in accordance with the heretofor stated requirements or standards, then access shall be provided which most closely complies with these requirements and standards. The Evansville Urban Transportation Study, Area Plan Commission and County Engineer shall be responsible for the administration of this Ordinance, subject to the final authority of the County Commissioners of Vanderburgh County.

SECTION 8. Any person who makes a curb cut or constructs an access driveway in violation of the requirements and terms of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof may be fined for any sum up to $500, to which may be added imprisonment for an indeterminate period up to six months.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage by the Board of County Commissioners of the State of Indiana.

Commissioner Schaad moved that both Ordinances be approved on second reading. Commissioner Willner seconded the motion. The vote was unanimous in the affirmative. The motion carried.

RE: ENGLISH WAY & GREEN RIVER ROAD

Commissioner Willner said to bring Commissioner Ossenberg up to date, that last week, the Commissioners voted to give a gentleman, in a subdivision on Green River Road, two weeks to alleviate the situation out there, at his own expense, since he created the whole problem.

Commissioner Schaad said there is a law suit pending on it, because the mud is washing down there and someone had a bad accident.

Commissioner Ossenberg asked County Attorney Ed Smith if he contacted the contractor of the subdivision out there, on the two weeks given him to correct the problem.

County Attorney Smith said that Mr. Brenner has been out of his office for a couple of days, so he will try to get with him today on it.

RE: POOR RELIEF

Nathan Bigham.....202 W. Indiana St....Pigeon Township.....Ms. Anslinger, Investigator

The Notice of Poor Relief Action from the Pigeon Trustee's office states that Mr. Bigham applied for medical help but was denied due to his income exceeding the limitations allowed by the Department of Public Welfare.

Ms. Anslinger said the Trustee paid one hospital bill for Mr. Bigham at St. Mary's Hospital, that he came in again and asked for help but he was working and making $90 to $95 per week, so the second request was turned down. She said he was in the Hospital from 8/11/77 to 8/14/77 and then came in again on Friday and said he had been laid off, but he was turned down on medical because he was working at the time, for George Wright.

Mr. Bigham said he had been paying $86.00 per month rent but that he has now moved to Putnam Street and pays $25.00 per week rent, also that he worked at Lockwood's for a couple of days.
He said his problem is that he has epileptic seizures, that he is from Texas, his mother is dead and he doesn't know where his father is, also that he is nineteen years old.

Commissioner Ossenberg said the Commissioners are again faced with a situation where their hands are tied, that the Department of Public Welfare only allows $250.00 for two people, per month, also that Mr. Bigham is unemployed now but was employed at the time he was hospitalized.

Mr. Olsen said they could put it through but that it would come right back to them because of the circumstances at the time.

Commissioner Ossenberg asked Mr. Bigham if he had any prospects for a job at all.

Mr. Bigham said not that he could get a doctor's release for.

Mr. Olsen said that Mr. Bigham could go to the Rehab Center or the Association at the corner of North and Virginia, which has had relatively good luck in placing individuals with this condition.

Commissioner Ossenberg explained to Mr. Bigham that the Commissioners hands are tied, and at that time, his income exceeded what the Department of Public Welfare would allow,

so the Commissioners can't do anything for him, but he would ask Mr. Olsen to make some contacts, if at all possible, for employment.

Mr. Olsen said he would call Mary McDaniels at the Epilepsy Association and if he goes out there, she will work with him on job placement.

Commissioner Ossenberg said if they can line up a job for him, both hospitals will work with him and he can pay them on an installment type plan, that the Commissioners would like to help him but are unable to at the present time, due to the circumstances.

Mr. Bigham asked the Commissioners if he should come back next month if he isn't working, and Commissioner Ossenberg told Mr. Bigham, if he is hospitalized during that time and isn't working, he can come back, but they can't go back now, because he had an income at that particular time.

Ms. Anslinger said that Mr. Bigham plans on getting married soon and she advised him to get a job first, before taking on a wife, and Mr. Bigham said that it is pretty hard to do, that there will be a child in December, that he knows what he has been through while growing up and he doesn't want his child to go through the same thing, that he wants his child to have a family.

Commissioner Ossenberg said he appreciates this and if he works with the Association, they can probably land him a job to where he could get a doctor's certificate in order to be able to work.

Mr. Bigham said he has talked to these people and to a counselor at the Epihab Assn. but he would like something with a future and he asked what he is supposed to do in the meantime, since he is drawing no income at all, and Mr. Olsen said the Trustee will help him with general assistance.

Commissioner Ossenberg said the Commissioners have to deny this request for medical help, but he thought if Nathan went back and worked with these people, they will get him lined up with a job and he was sure that they would be of assistance to him in the future.

Paul Ray Jarvis.....905 S. E. Third Street.....Pigeon Township

The Notice of Poor Relief Action by the Trustee shows that Mr. Jarvis asked for help on his rent but was denied, since he isn't totally or permanently disabled as per Dr. Steven Griffith.
Mr. Jarvis failed to appear so no further action could be taken.

Frances Harp.....117 N. Third Avenue.....Pigeon Township

The Notice of Poor Relief Action by the Trustee shows that Mr. Harp applied for food and was denied due to sufficient income to meet his needs, also that he received ADC & SS for the month of August in the amount of $419.00 and that he has free transportation, shelter and service thru local agencies.
Mr. Harp failed to appear so no further action could be taken.

RE: COMMENT BY COUNTY ATTORNEY

County Attorney Wendel said the Commissioners should review the Subdivision Ordinance, since they want the proposed roads to meet the County's specifications, so they can later be accepted.

The meeting recessed at 11:00 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Bob Schaad Robert L. Willner	Curt John	Ed Smith, Jr. Paul Wendel

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
SEPTEMBER 6, 1977

The meeting of the County Commissioners was held on Tuesday, September 6, 1977, in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

Deputy Sheriff Larry Barchet opened the meeting, this being the first meeting of the month.

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

RE: AUTHORIZED TO OPEN BIDS

The County Attorney's were authorized to proceed with the opening of bids that were received today for the Boonville-New Harmony culverts and for the resurfacing of Allens Lane, Grove Street, Koressel Road and Weinbach Avenue.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

PIGEON TOWNSHIP ASSESSOR...REASSESSMENT

Linda Stroud	1704 Red Bank Rd.	Clerk-Typist	$20.00 Day	Eff: 8/29/77
Donna Jones	1325 Cody St.	Clerk-Typist	$20.00 Day	Eff: 9/2/77
Susan Hirsch	220 N. Burkhardt	Clerk-Typist	$20.00 Day	Eff: 9/2/77

PROSECUTOR'S OFFICE

Sylvia Reutter	3035 Claremont	Sec. Recept.	$6,225.00 Yr.	Eff: 8/29/77

SURVEYOR'S OFFICE

John West	1721 Ravenswood	Draftsman	$7,951.00 Yr.	Eff: 8/29/77

VANDERBURGH CIRCUIT COURT

Mike E. Mattingly	918 Allens Lane	Prob. Officer	$10,400.00 Yr.	Eff: 9/1/77

RE: EMPLOYMENT CHANGES.....RELEASES

PIGEON TOWNSHIP REASSESSMENT

Emily Head	713 Kleymeyer	Clerk-Typist	$20.00 Day	Eff: 9/2/77

PROSECUTOR'S OFFICE

Carl Heldt	2032 Polaris	Deputy	$12,500.00 Yr.	Eff: 9/1/77
Sylvia Reutter	3035 Claremont	Sec. Recept.	$6,000.00 Yr.	Eff: 8/29/77

SURVEYOR'S OFFICE

John West	1721 Ravenswood	Chief Draftsman	$7,951.00 Yr.	Eff: 8/29/77

COUNTY TREASURER

Brenda Carney		Clerk	$244.61 Pay	Eff: 9/2/77

VANDERBURGH CIRCUIT COURT

Mike E. Mattingly	918 Allens Lane	Bail Bond Int.	$1,700.00	Eff: 8/31/77

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Michael O'Brien	611 Monroe Ave.	Laborer	$4.18 Hr.	Eff: 9/1/77

RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was submitted by Citizens Realty & Insurance, Inc. on insured, Stephen Provost of 411 Runnymeade, Evansville, Indiana, for the Civic Auditorium.
Certificate received and filed.

A Certificate of Insurance was submitted by the Fireman's Fund Insurance Company, on insured, Orion Broadcasting, Inc. WFIE, Inc....WFRV, Inc. and WMT, Inc., in connection with lease of convention center in Evansville, Indiana for broadcasting the Labor Day telecast of the Jerry Lewis Telethon.
Certificate received and filed.

RE: MATTER DELETED FROM AGENDA

Mrs. Richard James of the West Side Improvement Club, was to have appeared before the Commissioners today, but Commissioner Ossenberg said that she called in and said she couldn't make it today.

RE: LEWIS VOLPE....COUNTY TREASURER....TAX MATTER

Mr. Volpe appeared and said that on the property of John W. and Anna C. Shreve, that was discussed on August 22nd. tax code #25-94-8, that had twice been offered on tax sale and in November of 1975, Mrs. Shreve appeared before the Commissioners and explained that she didn't know that the taxes were delinquent and she wanted to pay them off in installments in order to keep the property, so the Commissioners agreed they be able to do this.
He said, at that time, that he didn't know what agreement was made but that they haan't lived up to their contract, that the delinquency owed was $1,203.44 and that there was $159.49 in current taxes due.
The motion was made and seconded on August 22nd. that County Attorney Wendel write the Shreve's a registered letter, giving them 30 days to pay the lump sum they owe and if not, that the property will be put up for sale.
Mr. Volpe said today, that he found another $99.24 owed on this property, that it is on Barrett Law, so he asked that the County Attorney include this amount.
County Attorney Smith said he wrote the letter to the Shreve's last week, but Mr. Volpe said he hasn't heard anything from them as yet.

RE: TAX MATTER

Mr. Volpe said he has a situation and isn't certain what to do, so he would like to turn it over to one of the County Attorney's, that there was a firm named Pulsar Plastics, Inc. that sold all their equipment in the summer of 1975, to Flair Molded Plastics, Inc. with a contract that said Flair Molded, Inc. would pay the County the taxes in the amount of $4,912.25, but they didn't pay it, that they did pay approximately $2,000 on taxes owed, that he wasn't certain why they paid it, but they said they paid it as 19% of the entire $10,000 that was owed a year or so later, but they haven't paid the other amount owed and he isn't certain what the facts of the case are, or the legalities, that he did send them a ten-day letters which was for approximately $5,600, that was certified over a year ago to the court.
He said he would like to know if he can collect it and if so, how he should go about it, etc. since there is a third firm in on this and it is extremely complicated, but he does know, that the way it has been shuffled around, the county is losing money, so he would like to turn it over to County Attorney Wendel, since he knows about it.
He said their attorney is Eugene Fine, also that the county has a lot of money invested in this case and he just doesn't know what his rights are.

Commissioner Schaad moved that this matter be referred to County Attorney Paul Wendel so he can run it down and see where we can go and what can be done.
Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BIDS ON BOONVILLE-NEW HARMONY CULVERTS

The following four bids were received on the Boonville-New harmony Road culverts:

Deig Brothers	$28,600.00	
Barnett Brothers	$22,820.00	Engineers Estimate
Southwest Engineering	$27,565.00	$12,748.00
John Mans	$29,454.80	

Mr. Brenner, the County Surveyor, recommended that all of the bids be rejected.

Commissioner Schaad moved that all the bids be rejected. Commissioner Willner seconded the motion. So ordered.

RE: TELEPHONE REQUEST....SHERIFF

The following letter of request was received by the County Commissioners, from Sheriff DeGroote:

We have three phones in our office that are on the same line, (5303) and we are finding that this not only creates confusion but also leaves us short of outside phone lines. We are requesting a transfer of phone lines, we would like one 5303 line changed to a 5324 line. This phone number is the number of our Public Information Officer and the phone we would like changed is on his desk. The total cost of this transaction would be approximately $32.00.

We respectfully submit this request and are anxious awaiting a reply from you.

Respectfully, Jim DeGroote, Sheriff

Commissioner Schaad moved that Sheriff DeGroote's request be granted. Commissioner Willner seconded the motion. So ordered.

RE: CHECK RECEIVED

On August 15th. the work that was done at Plaza East Blvd. w/ Division Street Intersection by the County was discussed and the motion was made and seconded that Mr. Kempf, the developer, be billed for it.

The following letter was sent to Mr. Kempf by Mr. Stephen, the Vanderburgh County Highway Engineer:

Dear Mr. Kempf:

The Vanderburgh County Commissioners informed that you are agreeable to share part of the cost of correcting this intersection so that it will meet Indiana State Highway Commission standards.

This has been done and your cost is as follows:

Labor.....$89.91 Equipment.....$26.25.....Material $15.35...Total $131.51

Today, the check from Greg Kempf was received by the Vanderburgh County Highway General Fund % Vanderburgh County Commissioners, in the amount of $131.51.

Mr. Stephen said the money will go b ack into the Highway General Fund #201,

Commissioner Schaad moved that the check be endorsed by President Ossenberg and deposited in the proper account. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BIDS FOR RESURFACING ROADS

The following bids were received today for the resurfacing of Allens Lane, Weinbach Avenue, Grove Street and Koressel Road:

Feigel Construction Co.....$118,953.66	Engineers Estimate
Midwest Construction Co.....$130,067.80	$147,826.00

Commissioner Schaad moved that these bids be referred to the County Surveyor and the Highway Engineer for study and recommendation. Commissioner Willner seconded the motion. So ordered.

After Studying the bids, the County Surveyor and the County Engineer recommended that the bid of Feigel Construction Co. be accepted.

Commissioner Schaad moved that the Contract be awarded to Feigel Construction Co. subject to a performance bond being submitted, after which the Commissioners secretary will stamp their signatures on it. Commissioner Willner seconded the motion. So ordered.

RE: CHECK RECEIVED

A check was received by the Vanderburgh County and White's Communication Service, in the amount of $175.00.

Mr. Siebeking explained that lightning tore up the County Highway's radio system and this is the amount of money the Insurance allowed on replacing it, that it hasn't been paid for as yet, so if the Commissioners endorse the check, he will send it to White's Communication Service and pay the difference.

Commissioner Schaad moved that the check be endorsed so Mr. Siebeking can send it to White's Communication Service, along with the balance owed. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM FORD MOTOR COMPANY

The following letter was received from the Ford Motor Company on a re-call

of a car in the Sheriff's Department which was purchased on March 3rd. of 1976:

Dear Owner:

This notice is sent to you in accordance with the requirements of the National Traffic and Motor Vehicle Safety Act. Ford Motor Company has determined that a defect which relates to motor vehicle safety exists in 1976 and 1977 full-sized Fords and Mercurys equipped with certain 8 cylinder engines and air conditioning and all 1977 Lincolns equipped with 400 C.I.D. engines. Also included are a small number of non-air conditioned full-sized Ford and Mercury vehicles equipped with special options, such as police, trailer tow package and 460 C.I.D. engines.

The flexible blade engine cooling fans with which these vehicles were originally equipped are susceptible to blade cracking in normal operation. Fragments eventually may separate without prior warning from a cracked blade while the engine is operating and the fan is rotating. Fragments propelled from the rotating fan create a risk of damage to the vehicle and, if the hood is open at the time, pose a serious hazard of personal injury to persons in the vicinity of the vehicle. Accordingly, the engine on your vehicle should not be operated with the hood open for any reason until the engine fan has been inspected and, if necessary, replaced.

Our records indicate that your vehicle is one of those affected. Subsequent to dealer inspection and verification, the dealer will replace the engine cooling fan assembly at no charge to you. We ask that you contact an authorized Ford or Lincoln-Mercury dealer on or after September 26, 1977, to arrange for inspection and, if necessary, replacement of the fan assembly. By that date dealers will have been provided with an initial supply of parts and instructions for making the replacement.

If you previously have had the originally-installed, five bladed engine fan assembly replaced, we request that you return your vehicle to an authorized Ford or Lincoln-Mercury dealer for an inspection to insure that the service replacement part installed is not one of those that may be defective. You can received a refund for this previous replacement if it was necessitated by the fan defect, providing you have a receipt to present to your dealer. Previous replacements that were necessitated by reason of collision or like damage are not eligible for a refund.

Although the time required for replacement is approximately one-half hour, we suggest that you first contact the dealer to arrange for an appointment. The enclosed form which identifies your vehicle should be presented to the dealer as it authorized him to perform this service. After servicing your vehicle, the dealer will return the form to us verifying that the required service has been performed.

If you present your car for repair after the date on which parts are scheduled to be available (September 26, 1977) and find that you are unable to have the defect remedied rpomptly and without charge, please complete the appropriate area on the enclosed prepaid postcard and mail it to us immediately, or contact the nearest Ford Parts and Service Division District Office. If you should find that you are still unable to have the defect remedied without charge, you may wish to report that fact to the Secretary of Transportation at 400 Seventh Street, S.W., Washington D.C. 20590.

If you no longer own the vehicle identified on the form, please fill out the appropriate area on the enclosed prepaid postcard and mail it so that we may adjust our records accordingly.

In the interest of your safety and satisfaction with your vehicle, we want to emphasize the importance of having this service performed. We also want to express our appreciation for your purchase of a Ford product.

Sincerely, S.P. Geoggrey
Service Engineering Office Manager

Date received and filed. The Sheriff's Department will be notified.

RE: NOTICE OF CLAIM AGAINST COUNTY

A Notice of Claim against Vanderburgh County was received from Bruce Heathcotte of Bunner, Hohn & Heathcotte, Attorneys for Anna C. Rueger, Claimant, which reads as follows:

Anna C. Rueger, by her attorney, Bruce Heathcotte, hereby notifies the County of Vanderburgh, State of Indiana, pursuant to 34-4-16.5-1 et seq, of the following claim:

On March 19, 1977, at 10:55 p.m., on Old Henderson Road, approximately one (1) mile South of Duesner Road, Anna C. Rueger, who then resided at 1012 Edgar Street, Evansville, Indiana, and now resides at 1317 Harriet Street, Evansville, Indiana, sustained damage to her 1963 Volkswagen, and personal injuries and damages, when the tires of her automobile caught in large ruts in that county road, causing her to lose control of her automobile and strike a utility pole. The claimant's automobile was a total loss, and she has been and is under the care of a physician for

multiple contusions, lacerations, and dorsal strain and thoracic outlet syndromes. The claimant seeks damages in the amount of Ten Thousand Dollars ($10,000.00) as compensation for her above injuries and damages.

Signed Brude Heathcotte, Attorney for Claimant

Commissioner Schaad moved that this matter be referred to the County's Insurance Company. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM AND BOND SUBMITTED

An Official Bond was submitted on Vanderburgh County Highway Engineer, Louis H. Stephen, for the signatures of the Commissioners.
A claim was also submitted from Monarch Insurance, Inc. for this bond which is effective from 2/14/77 to 2/14/78, in the amount of $20.00.

Commissioner Schaad moved that the bond be signed and that the claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was received from Quik Printing Company for four County Survey Books at $120.00 each, or a total of $480.00.

Commissioner Ossenberg said the Commissioners gave the County Surveyor permission to have these books printed and Mr. Brenner said he was told that the books would be paid for from the Highway General Fund.

Mr. John and Mr. Siebeking said they will see what account this money can be transferred from, in order to pay this claim and it will come back for the Commissioners approval.

RE: LETTER FROM GOEDDE PLUMBING & HEATING, INC.

The following letter was received by the Surveyor's office, in reference to the Boiler at the Vanderburgh County Auditorium:

Gentlemen:

We have your letter of August 8, 1977 of acceptance of our bid by the Vanderburgh County Commissioners, and notice to proceed; no contract amount is shown.

We have placed tentative Purchase Orders for the boiler, oil storage tank and hot water heater.

Shop drawings and submittal literature is being held up until a formal contract is signed.

The Performance bond is available at our request, on same day notice.

The October 31, 1977 deadline will have to be deleted from contract, as delivery will be a minimum of 8 to 10 weeks after approved shop drawings are sent back to the factory.

Sincerely, Goedde Plumbing & Heating, Inc.
Raymond J. Goedde, President

Commissioner Schaad asked Mr. Goedde if he got it worked out with John Carroll as to the legality and said, that normally, we don't supply a contract and County Attorney Wendel said that as long as it was a part of the Commissioners minutes, that their bid for the boiler at the Auditorium was accepted and signed by the Commissioners, that this is all that was necessary and he told Mr. Goedde's son that if he had any questions, he could contact Mr. Wendel and if they needed the contract, the Commissioners would provide it.

Mr. Goedde, President of Goedde Plumbing & Heating, the firm that was awarded a contract for $49,876.00, to install the boiler, told the Commissioners that he couldn't have the equipment installed by the deadline of October 31st and he didn't even know when the boiler would be delivered.
He asked that the contract have an open end with no deadline on it.

Mr. Dewes, the Manager of the Auditorium, said that last month, he signed a notice from the Gas Company, indicating that he wouldn't need emergency gas next winter because the facility with the new boiler will be able to use oil once the natural gas allotment is used up and this can't be rescinded, but if we don't have a severe winter, he would say they can get by on the gas he has alloted to him until mid-January but if we have a bad winter, the allotment will probably be gone by the end of December and this is based on having the boiler installed, where they can use oil.

Mr. Goedde said it will take from 8 to 10 weeks to get the boiler delivered and after the final work plans are completed, installation would take an additional 3 weeks, so a deadline doesn't mean much to him.

Mr. Stephen said the deadline of October 31st was predicated on things moving along faster than they have and that about a month was lost in the County Council getting the money appropriated before the contract was signed.

After further discussion, the Commissioners suggested a December 31st deadline, for installation, but Mr. Goedde said he couldn't promise to have the equipment by that time.

The Commissioners said they fear the boiler might not arrive until after the Auditorium uses up next winter's allotment, forcing a shutdown of the facility, also that the Auditorium may have to be closed during a peak use period for the installation of the boiler after October 31st.

Mr. Dewes asked Mr. Goedde about the delivery date on the domestic hot water heater and Mr. Goedde said this would be no problem, that they could get it in 2 or 3 weeks.

Mr. Dewes said this would save them a lot of gas.

It was agreed that County Attorney Wendel, one of the Commissioners, Mr. Dewes, Mr. Goedde and Mr. Goedde's attorney all get together later today to resolve this matter.

RE: CLAIMS

A claim was submitted by Midwest Construction Co. for asphalt paving of the roads at Burdette Park, in the amount of $18,235.55. This was approved by Ray Wolf.

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

A claim was submitted by Brink's Inc. for services to the County Treasurer's Office for the month of September, by contract, in the amount of $253.20.

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

A claim was submitted by Brink's Inc. for services to the County Clerk's Office for the month of September, by contract, in the amount of $94.80.

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

A claim was submitted by Bauer Brothers General Contractors, Inc. for installation of a structural plate tube replacement on Baseline Road @ Martin, in the amount of $3,992.00, and approved by Mr. Stephen.

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

A claim was submitted by Feigel Construction Corp. for work done on the parking lot at Burdette Park, from Revenue Sharing money, in the amount of $4,718.59.

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

A claim was submitted by County Attorney Paul Wendel, for August 1977 Office Allowance in the amount of $125.00.

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

A claim was submitted by Torian Agency, Inc. for Continental Bonds of Deputy Coroner's Allen Byers, Albert J. Venables, Walter Blanford, Jr., Mary Frances Westfall, who is also the Clerk and for Bill Phipps, for a total of $100.00.

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

RE: PROBLEM ON DARMSTADT ROAD

It was reported on August 22nd. that the Commissioners agreed to Mr. Schmitt's rezoning on Darmstadt Road if he would close one driveway, that they wanted him to be as far south of the curb as possible, and he closed one driveway but put another one in between, so this matter was referred to the County Attorney.

Mr. Schmitt appeared and said he received a letter from County Attorney Smith in regard to the driveway, and apparently he missed something, since he didn't pick up where the drive was specified to be, so they closed off the other drives that were of concern and put in a drive as an entrance to the property, which is located about 40 feet further south than the previously existing north drive.
He said he talked to the Surveyor's office last week about this and he is basically looking for assistance on the placement of the drive, and he thought that the main concern was that there was a curve further north and with the growth in there, the drive should be further south, that they told him the placement was specified to be located where the existing south drive was at, but this was a single drive which came between a tree and a utility pole, but running a double drive, they need twice as much room.

Mr. Brenner said there was a misunderstanding, that there were two south drives, that Mr. Schmitt was speaking of the existing south drive which was one of them and he could have done this in good faith.

Mr. Schmitt presented a drawing of the area in question, showing where they placed the drive to give them a 90 degree entrance onto the property, since they were confronted with water meters and a utility pole to the south of it, also some trees, and now that they are proposing a double-wide drive, they need twice as much room and basically, there is about 20 feet between the trees and the utility pole, plus anyone who was driving south, making a turn in, if someone was waiting to come out the other drive, he didn't know if they could make that turn and get back in or not, but that basically what he is looking for, is some help in locating the drive at the best possible place, also, he assured the Commissioners, that if he had known at the time, he would have certainly put it exactly where they wanted it, rather than to cause all this trouble, but whatever is best, he will conform to it.

The Commissioners agreed that Mr. Schmitt, Mr. Lochmueller and Louis Stephen all get together to resolve this matter, as far as safety is concerned, and come back next week.

RE: MR. HOTZ....PROBLEM AT AUDITORIUM

Mr. Hotz said they did some research on the problem at the Auditorium where the concrete walk is collapsing on Walnut Street at the entrance.

Mr. Stephen said he called two testing outfits, that one has the equipment to do it but the other one does not, that Hanson Testing does and he estimated the cost to be approximately from $75.00 to $100.00 per test hole.
He said that in 1965, they drew the plans and at that time, there was an abandoned brick sewer and when the facility was built in 1967, it was constructed over this sewer and the walkway may be collapsing because of a breakdown in the underground brick sewer,or from broken drainage tiles handling water run-off from the roof.
He said when they talk about jacking back with those existing pipes running under there, they might be doing more damage than good, since they may be pushing the pipes under there down, or filling them up, so they do have a problem, and since they have done this research, he didn't think they would have to dig as many holes, but it would sure be nice to know how much of a void they have down there, that perhaps two holes would be sufficient to tell them, also that it seems to him that they will have to take that section out and repair whatever is down there, so he suggested that someone saw it and take it out in pieces so they could relay them back.

Commissioner Willner asked Mr. Hotz how much money he has for this project and Mr. Hotz said he hasn't checked yet, but he has enough to go ahead with the test holes to determine what the project will consist of and at that time, he can determine how much he will have left in his account.

Commissioner Willner said he isn't sure but what they should leave an open-end contract with someone to saw it and open it up instead of the test holes, because then they can see what the problem is, and he thinks test holes are a waste of money.

After further discussion, Commissioner Willner moved that they get a concrete contractor who will do this job and open it up and then they can come back with what they find out and with an estimate of the cost. Commissioner Schaad seconded the motion. So ordered.

Commissioner Willner asked Mr. Stephen if that section can be boarded up, so they can go ahead and use the Auditorium and Mr. Stephen said this is being taken care of.

The Commissioners agreed that the necessary precautions should be taken, also that it be sawed, and to use their own judgment as to the number of bids requested, that three would be find if they can get them.

RE: MR. JUDD .....KIRCHOFF BLVD.

The following letter was received by the County Commissioners, from Bill Judd, the Traffic Director:

We have received a petition from the residents of Kirchoff Blvd. requesting speed limit signs for the safety of their children. This due to considerable traffic cutting through from County Line Road.

Having checked the area it is my recommendation that a restriction of a 15 mile per hour speed limit be placed on Kirchoff Blvd. Also that a Stop Sign be placed at County Line Road and Olivia with County Line Road preferential.

The Board of County Commissioners approval is requested.

William T. Judd, Traffic Director

Commissioner Schaad moved that the Commissioners go along with Mr. Judd's recommendation and that the County Attorney draw up an Ordinance on it.

Commissioner Willner asked Mr. Judd if he was sure that it needs 15 miles per hour and Mr. Judd said that the streets are pretty broken up out there and that it is only two short blocks.

Commissioner Willner seconded the motion. So ordered.

RE: PROBLEM OF WEEDS

Mr. Judd said that last week, the Sheriff's Department got in touch with him, when they had a truck-car accident at Walnut Lane and Martins Lane and the weeds on the Northeast corner are very high and something should be done since it impairs the drivers' vision.
This matter was referred to Mr. Siebeking.

RE: ABSENTEE REPORT

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

RE: DARMSTADT ROAD

Commissioner Schaad said they were going to have to be doing something out on Darmstadt Road, that he walked part of it and it is absolutely going to pot and if they don't do some preventive maintenance now, the whole road is going to be gone, since there are tracks where it is ready to go back to gravel in spots, and if they don't do something real soon, they are going to have to replace the whole road and this will be really expensive.

Commissioner Willner said that he agrees with this 100%, and that there is something new out called slurry and this is really what that road needs.

Mr. Feigel said the cheapest way to repair this road would be to use the emulsion and chips and he thought they would be about as well off, but Commissioner Willner said he didn't think they could do this to Darmstadt Road.

Mr. Stephen said they rode this road and that on those inside curves, there are some places where some wedging could be put on top of what is there and there are some places where wedging would make the outside edge too high and they would ruin the crown of the road and they would really have to wedge both sides to bring them up, so they might have to take some of them out to put a wedge in.

Mr. Feigel said that in using slurry, they have to watch that they don't get into a patented material, that an emulsion isn't a so-called patent, that they could go through and spot-chip and then overcoat it.
He said they could get prices on the materials and see how they compare and then they can see if it is worth going with one material, rather than another, or they could use slurry material on one place and emulsion on another to see which is best.

Mr. Siebeking said about three years ago, they used an emulsion on Old State Road and rolled it down but they need a rubber-tire roller for this which they don't have, but they could use the 90 and put some chips on it and borrow a rubber-tire roller to role it.

Commissioner Ossenberg asked why they didn't make a comparison and check it all out and get it done.

The Commissioners agreed that Mr. Stephen, Mr. Feigel and Mr. Siebeking get together and work it out and come back next week with a recommendation.

RE: SIECO AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES

Mr. Stephen said the Commissioners agreed to have SIECO on pavement striping, that they have quite a number of counties and there will be no charge to Vanderburgh County for the striping program except that they have to pay SIECO and then bill the state to get their money back so as the bills come in, the County pays them and resubmits them to the state, and they should arrange it with the County Auditor so that when the money does come back from the state, that it goes back into the account that it is paid from.
He submitted the three copies of the agreement to the Commissioners at this time, for their signatures.
He said it is programmed for the striping to be done next year and the following year, that it is a two-year program because they come back the second year and re-paint anything the road absorbs or where the paint wears off.
He said he will send the signed copies to SIECO, that they will be accepted by the state and a signed copy will then be sent back to the Commissioners.

Commissioner Willner moved that the three copies of the agreement be signed and approved. Commissioner Schaad seconded the motion. So ordered.

RE: OUTER LINCOLN AVENUE

Mr. Stephen said he has a price of $2,000 being asked for a parcel of property on Outer Lincoln Avenue which he thinks is a little high, so it is up to the Commissioners as to how they want to approach it.

Commissioner Ossenberg said he agreed that the price is high but he thought it to be a job that should be done.

Mr. Stephen asked if they aren't appropriating new money out of Right of way acquisition.

Mr. Siebeking said he is asking Council to take $4,000 out of County Highway General Fund, to put into an account as new money and that this will come before the Council next Tuesday, Sept. 15th.

Commissioner Ossenberg said if the Council approves it, he may ask Mr. John to see if Mr. Beesley will give verbal agreement from the State Board of Accounts and then, they will get the answer in five days instead of waiting five weeks.

Commissioner Schaad asked about the utilities, if they didn't have to move some poles.

Mr. Stephen said they will have to, that if they get the right of way, then they can get the utility companies to move the poles back.

Mr. John asked that Mr. Stephen prepare a letter asking the Council for the full amount of the Engineering fees which will be reimbursed and will go back into the fund, that he wants to set up an account for the Engineering fees, in the total amount and then they will just explain that it is 100% reimbursable and instead of putting it back into the general fund, it will go back into whatever fund it comes out of.

Commissioner Schaad said if they have to pay $2,000 for that one-fifth of an acre, since it is over $1,000, they will have to have Council's approval to buy it and they can ask for approval on this , also next Tuesday.

RE: CLOSING DATE FOR SALE OF BOEHNE POSTPONED

Commissioner Schaad explained that the sale of Boehne was to have been finalized today but he has talked to County Attorney Wendel and to Ed Johnson and there is a delay in getting the abstract completed.

County Attorney Wendel said he hopes to have it completed by next week.

Commissioner Schaad said that Dr. Arendell, the purchaser, is aware of this problem, so hopefully, the sale of Boehne can be finalized next Monday.

RE: CHERRY HILL DRIVE

Mr. Stephen said that Mr. Siebeking had a problem, that some of his men were called out on Cherry Hill Drive, that he will probably make someone mad but the problem is that there are two houses and one has a 12-inch pipe under his drive and across their yard, up to the other persons drive and then the second person has a 10-inch corrugated metal pipe butted up against the other pipe, so there is a gap and the water pours out over the drive which is gravel and washes the gravel out, that it is under the ground, but when it gets to the other drive, the tank is only 4-inch plastic, so no wonder it won't take any water, that they did this outside, in the County right-of-way and there is no evidence that it was done in the past year, that there isn't any place for the water to go and with inlets, there would be a place for the water to go, that one person's name is Smith, but he didn't know who lives at 511 Cherry Hill Drive.

The Commissioners agreed that Mr. Stephen should write a letter and tell them to correct this problem or that the County will go in and make it an open ditch.

RE: RESOLUTION.....TRAFFIC SAFETY

Mr. Lochmueller submitted the folling Resolution:

WHEREAS the Commissioners of Vanderburgh County (Commissioners) is the duly appointed Commission for the care, management, supervision and control of all public safety matters including police, fire protection and traffic engineering functions; and,

WHEREAS the Commissioners, in the interest of traffic safety, desires to improve its capabilities to report, record, locate, and analyze traffic accidents in order to program selective police enforcement activities and traffic safety improvements and in order to evaluate such activities; and,

WHEREAS, the Commissioners together with the City of Evansville Board of Public Safety maintain the budget of a City-County traffic engineer and staff whose responsibilities include the coordination of City-County highway safety activities.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Commissioners endorse the application of the Board of Public Safety for a grant of Federal Highway Funds to expand the Indiana Traffic Accident Record System (INTRACS) to include all roads and streets within the City of Evansville and Vanderburgh County; and,
2. That the City-County Traffic Engineer be designated "Project Director" to coordinate the activities of the City Police Department and the County Sheriff's office for the duration of the project; and,
3. That the Board engage the traffic engineering and data management services of Vogt, Sage and Pflum Consultants to create the INTRACS computer files.

Mr. Lochmueller said they would be using none of the City or County money for the project itself, that the only thing they would be putting in would be the traffic engineering time and said that the Sheriff has agreed as to the identification system. He explained that presently, the state has all the roads identified in red on the drawing and they can retrieve accidents and get the information for us and the City and County will be the first to get all the streets on the system, that it will cost probably some $32,000 of federal money and the local money of 30% would be for up-dating street maps and that type of thing, that the project will actually be conducted and handled by the Board of Safety and due to the financing of the project, it can only be of the safety nature, that he will be using a file for other reasons, but he will primarily be using it for accident retrieval.
He said they should be getting the street names ready and that Mr. Brenner has been doing a lot of this work.

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

RE: MR. LOCHMUELLER

Mr. Lochmueller said he just got the approval that we have $1,335,000.00 of federal money that will be approved on St. Joe Avenue, also that the federal money for St. Joe Avenue & Mohr Road Project has been approved and it is just a matter now of getting the local engineering out and we get the E.I.S. out, that the Oak Hill Road money has been officially approved and in essence, he is saying that if he hasn't had any R & S applications up for that money, even though the Council approved it, he will be back next week to get the Commissioners signatures on the R & S, that he

couldn't claim any of that money until he got federal approval.

RE: HOGUE ROAD

Commissioner Schaad asked Mr. Lochmueller if he had anything to report on the Hogue Road curve.

Mr. Lochmueller said he would check with County Attorney Wendel, that they are going back out there with Mr. Judd to check it.

Mr. Judd said he went out there and that some of the signs are missing so they are going back out there.

RE: POOR RELIEF

Vickie Marie Smith....2214 W. Iowa St.....Pigeon Township...Ms. Vitatoe, Investigator

The Notice of Poor Relief Action from the Pigeon Township Trustee, shows that Ms. Smith applied for rent and was denied since there is alternative housing available (Public Housing) as indicated in Poor Relief Standards of Vanderburgh; Pigeon Township.

Ms. Vitatio said that Ms. Bowling, who was the investigator in this case, is on vacation, so she will take the case from here.
She said the lady was in for rent and her rent is $100.00 per month, that the husband is in jail and there was no income into the home and when there is no income, they have to have them apply for public housing, which she was granted at Lincoln Gardens, that the Trustee would have paid the deposit and the first month's rent, that her husband is only in jail for 30 days and he would have been out and eligible to take over for himself then.
She said the problem is that Ms. Smith refused public housing and when she refused, the state law ties the Trustee's hands, since if public housing is there, this is where the Trustee must put them.
She also said that Mr. Graul told her that Mr. Smith will get out of jail this week and that Ms. Smith is applying for A.D.C. and as far as she can see, if he would have to serve any other kind of sentence, her A.D.C. will come through, so she would get an A.D.C. check before the Trustee could get a check to the landlord, also that they are only allowed to pay $90.00 per month with utilities furnished.

Mr. Ron Graul, who works with the United Methodist Church, said that Ms. Smith is one month behind in her rent and that her husband, who is in jail, gets out Saturday, that there was some question as to if he committed an offense while on parole, so there was some question as to whether he would be returning to Pendleton or not, but they have found that he won't, so he will be released, that if he did have to go back, there was some question as to if Ms. Smith would be eligible for A.D.C. through the County Welfare Department, or if he was released, it would be up to him and the family to find jobs and get back on their feet by themselves.
He said his response to this is that it would put her and her son in a hardship, to have to move anywhere and Ms. Smith's response was that she didn't want to move into public housing, so he is asking the Trustee to give the kind of assistance they offer, in allowing her $60.00 on rent, that the landlord would take partial payment.

Ms. Vitatio said that Mr. Smith is getting out of jail, they will be without A.D.C. which will mean a second month's rent and Mr. Smith has no chance of a job so far and the apartment in Lincoln Gardens is still available and Mr. Smith will be out of jail, so he can help them move.

Commissioner Schaad asked Ms. Vitatoe if the Trustee pays for moving, since it may cost more than they have, and Ms. Vitatoe said they don't pay for moving but that there are organizations that does.

Mr. Graul said they used to be able to get trucks from Good Will, Salvation Army or St. Vincents DePaul but no longer, because of liability insurance, etc.

Ms. Smith said she doesn't wish to move to Lincoln Gardens because it is an unsafe neighborhood.

Ms. Vitatoe told Ms. Smith that as long as they can maintain themselves, they can live where they want to, but when they are asking the relief office to maintain them, they have to take what the Trustee can afford.

Commissioner Ossenberg asked Mr. Graul, if he understood correctly, in that the landlord would accept a partial payment of $60.00.

Mr. Graul said that he would supplement it with the additional $40.00 to make the $100.00 for the rent.

Commissioner Schaad asked Ms. Vitatoe if she couldn't do this and Ms. Vitatoe said they can do it for this month, but asked what they are going to do for the next month, that he doesn't have a job and they will be back next month. She asked Mr. Graul if he would supplement the $40.00 for the next month too.

Mr. Graul said he is going to give them a chance, that they have at least a month to work on it and that Ms. Smith is working.

Ms. Smith said that her husband is going to work, that her mother is willing to get him a job where she is working, and she is going to talk to her boss.

Ms. Vitatoe asked if it could be put this way, that if the Trustee must pay the $60.00 for this month's rent, that it be on a one-time only basis and he would have to be prepared to pay his next month's rent.

Commissioner Willner moved that the Trustee pay the $60.00 rent for this month, on a one-time basis only, with the understanding that if they can't make it on their own, next month, that either they don't come back or if they do, they should be prepared to move into Lincoln Gardens or wherever the Trustee tells them to go. Commissioner Schaad seconded the motion. So ordered.

The meeting recessed at 11:40 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Bob Schaad Robert L. Willner	Curt John	Ed Smith, Jr. Paul Wendel

Secretary: Margie Meeks

Tom Ossenberg

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
SEPTEMBER 12, 1977

The meeting of the County Commissioners was held on Monday, September 12, 1977, in the Commissioners Hearing Room with Commissioner Ossenberg presiding.

Commissioner Schaad was not at the meeting as he is on vacation.

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

RE: EMPLOYMENT CHANGES

APPOINTMENTS

Burdette Park:

Bobby Drake	1317 Arlington	Rink Guard	$3.00 per hour	9/9/77

Auditor's Office

Delores O'Risky	4325 Longfield Dr.	Extra Help	18.00 per day	9/8/77

Clerk of Circuit & Superior Courts

Susan Kirk	8302 Spry Road	Dep. Clk.	243.11	9/10/77
Lucille Becking	706 1/2 Court St.	Dep. Clk.	243.11	9/10/77

RELEASES

Auditor's Office

Margaret Frickey	5009 Tippecanoe	Post Clerk	6,209.00	9/9/77

Prosecutor's Office

David Shaw	1112 W. Mill Road	Misdem. Dep.	7,500.00	9/15/77

Mrs. Richard James was supposed to be at the meeting concerning the West Side Improvement Club, but when President Ossenberg called for her she was not there.

RE: REQUEST FOR TRAVEL

The following letter was submitted to the Commissioners for approval:

Board of Commissioners
Vanderburgh County
Evansville, Indiana

Sirs:

I request permission to attend the Fall Conference of Indiana Service Officers to be held in Indianapolis on October 7, 1977.

It will be sponsored by the Indiana Dept. of Veterans Affairs.

Thank You.

Robert J. Moran
Service Officer

Commissioner Willner moved the above request to be approved, seconded by President Ossenberg, So ordered.

RE: AGREEMENT TO BE SIGNED (Soil Conservation Office)

President Ossenberg said they have an agreement from the Soil Conservation Office to be signed. He said this is a standard agreement. Commissioner Willner moved it be approved, seconded by President Ossenberg. So ordered.

RE: REQUEST FOR ROAD ACCEPTANCE

President Ossenberg said they received the following letter from Sam Biggerstaff:

Board of County Commissioners
Room 305 Civic Center
Evansville, Indiana 47708

RE: Aspen Ridge
Subdivision
Acceptance of
Street

Gentlemen:

On August 5 we asked for acceptance of Walnut Lane from Aspen Drive to Eastbrooke Drive and Eastbrooke Drive from the West end of the subdivision to the East end of the subdivision.

Please add our request of acceptance of Aspen Drive from Oak Hill Road East for approximately 2600 Lineal feet.

Very truly yours,
Sam Biggerstaff

Commissioner Willner moved they refer this to the County Surveyor, seconded by President Ossenberg. So ordered.

RE: PETITION TO VACATE CARANZA DRIVE

Presedent Ossenberg said they received a petition to vacate Caranza Drive, and County Surveyor Bob Brenner said it is for 10 foot. He said the problem is that on Caranza Drive along the south line, the road bent away and houses were built on the right-of-way.

Commissioner Willner moved that since this has to be advertised it be postponed until October 3, 1977, seconded by President Ossenberg. So ordered.

RE: CLAIMS

The following claims were presented to the Commissioners for approval:

P. & H. Construction Co., Inc. in the amount of $1,400.00. He said this claim has been approved by Louie Stevens. Commissioner Willner moved it be approved, seconded by President Ossenberg. So ordered.

Evansville-Vanderburgh County Building Authority for the computor Room, Guarded Pleated Filters, in the amount of $60.00. The question came up whether this should come out of Mr. Hotz's Budget or the Superior Court Budget. Mr. Hotz said it comes out of his budget. Commissioner Willner moved that the claim be approved, seconded by President Ossenberg. So ordered.

President Ossenberg asked Mr. John whose budget this comes out of and Mr. John said it didn't really matter to him, just whichever has the money to cover it.

Mr. John said they would try to take it out of the Courts Budget and if there is not enough money to cover it, they will take it out of Mr. Hotz's.

RE: MR. MORELY

President Ossenberg told Mr. Morely that there were certain procedure they must go through and Mr. Morely said he had the written legal description for the notice and a copy will be left with the Commissioners. He said Phil Seigel, their attorney will send out the legal notices. This will come before the Commissioners in three weeks (October 3, 1977).

President Ossenberg said at the request of the County Council last week he is going to ask for a motion to write Mr. John a letter asking for $6,000.00 for a consultant to be hired to study the insurance, Liability in the County for the year 1978. The motion was made by Commissioner Willner and seconded by President Ossenberg. So ordered.

RE: DEPARTMENT HEADS

Mr. Hotz said they are working on the Auditorium.

Mr. Siebeking presented an absentee report, President Ossenberg said let the record show it received and filed.

Mr. Seibeking said they received a letter from R. L. Grubel asking that they consider maintaining Ridgetop Drive, the east end of it that goes past three addresses. Mr. Seibeking said he went out and looked at it and it is just one lane gravel road, narrow and rutted. He said it needs ditching done on the north side and it is in very bad condition right now, it is approximately 967 in length and has more than a 15% incline on it and would need a lot of work done on it before he would even think about accepting it. He said the county maintaines part of it and it is blacktopped, but they built three more houses back there. Commissioner Willner moved they refer this to Mr. Seibeking Seconded by President Ossenberg. So ordered.

Mr. Seibeking said that last week he was asked to get some prices on some emulsion and they can get some AE 150. He said it runs them about 53¢ per gallon which is what they are paying for their MC 250 and RC 250 now. He said the patented stuff will be about 5 times as much. He said they don't have it on hand but they can get it in overnight for them. He said that is what they used up on Old State Road, they can spray it on and Mr. Feigel said they have a rubber tire roller they will loan them to use to roll it down with. He thinks that they can do this a whole lot cheaper this way. Commissioner Willner asked if they would use this on Darmstadt Road and Mr. Seibeking said what he would like to do is get the exact length from Highland School out to the City limits and get the width and then he can figure out exactly what it is going to take and then he can give them the figures for just what it will take. He said he thinks there should be a little wedging done on that road before they seal it. He said he will get them a definite price by next week.

Commissioner Willner said he would like to see a small portion of it first so he can see what it is going to look like.

Mr. Seibeking said they can do about a quarter mile of it and use it as a sample. although if Rudolph orders it they won't be able to order a small amount, probably have to order in a tanker, which will be about 4000 gallon. He said he would see if they could get a thousand gallon and see what the cost will be. Commissioner Willner said they should get a thousand gallon in and try it and see if they can be happy with it, within reason, and Mr. Seibeking asked just what was in reason and Commissioner Willner said not more than twice as much. Commissioner Willner Asked Mr. Seibeking about that section they did on Old State Road and asked if they rolled it and Mr. Seibeking said that was the problem, they used their metal roller and it tore it up.

COUNTY SURVEYOR ROBERT BRENNER

Mr. Brenner presented the following claims to be approved:

Deig Bros for Columbia-Delaware Acct #203-3840 in the amount of $19,020.00, this is also the final bill.

Feigel Construction for Columbia-Delaware Acct #203-3840 in the amount of $300.00.

Southwest Engineering for Ohio Street repair Acct #203-3837 in the amount of $32,965.00 which is a 50% bill.

The above claims for approval were moved by Commissioner Willner and seconded by President Ossenberg. So ordered.

Mr. Brenner asked Mr. Paul Wendel if he had ever heard anything from the old Princeton Bridge and Mr. Wendel said they found the insurance company and he is working on it.

Mr. Brenner said very shortly they are going to be taking the bridge down and the evedence will be gone. Mr. Wendel said what is going to be difficult is proving how much damage he caused.

RE: AUDITORIUM BOILER

Paul Wendel said he attended a meeting with the bidder and his attorney along with Commissioner Schaad last week, and he is breaking his contract by saying he cannot do it by October 31, which is the deadline on the contract, and he was not agreeable to setting another date. What he has done is announce that he is not going to follow through with his contract so he has breached his contract, he said they can declare the situation an emergency and ask for informal bids on getting the boiler installed.

President Ossenberg said Mr. Schaad has talked to Mr. Willner and he also called him out of budget session and this is the stand of himself and Commissioner Willner. He said he said he would not go along with an open end contract so he was informed the County Attorney would draw up something stating they would recind the agreement today, so Commissioner Willner moved they recind the contract, seconded by President Ossenberg. So ordered.

Commissioner Willner moved that the boiler situation at the Auditorium be declared an emergency and asked for informal bids. The motion was seconded by President Ossenberg. So ordered.

Commissioner Willner said he would be absent next week because he is going fishing, and he is going to try to catch a fish so big that when he gets back he won't have to lie about it.

The meeting recessed at 10:10 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Robert Willner	Curt John	Paul Wendel Edwin Smith

Secretary: Margie Meeks
By J.W.

Tom Ossenberg

Robert D. Willner
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
SEPTEMBER 19, 1977

The meeting of the County Commissioners was held on Monday, Septmeber 19, 1977, in the Commissioners Hearing Room with President Ossenberg presiding.

Commissioner Willner was absent.

The minutes of the previous meeting were held until next week for approval since Commissioner Willner was absent today and Commissioner Schaad was absent the day of the last meeting.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CIRCUIT COURT:

Beverly Corn	607 Shateau Dr.	Night-time Probation officer	$3.00 Hr.	Eff:9-10-77
Richard Reed	625 Shateau Dr.	Night-time Probation officer	$3.00 Hr.	Eff:9-10-77
Kathy Kelly		Pre-Law Intern	$2.85 Hr.	Eff:9-13-77

KNIGHT TOWNSHIP ASSESSOR:

Delores Hall	1817 S.Parker Dr.	Deputy	$20.00 Day	9-12-77

VANDERBURGH AUDITORIUM:

Greg Dewes	640 Englewood	Maint.	$3.00 Hr.	9-19-77
Vernica Bryant	806 E.Mulberry	Main	$2.60 Hr.	9-19-77

COUNTY ASSESSOR:

Evelyn M.Lannert	809 Harmony Way	Real Est.Dep.	$30.00 Day	9-19-77
Donald Ray Smith	409 E. Franklin	Real Est. Dep.	$30.00 Day	9-19-77

HIGHWAY DEPARTMENT:

Dannie L. Campbell	4206 Longfield Dr.	Mechanic Ass't.	$4.52 Hr.	9-26-77

AREA PLAN COMMISSION:

Brenda Goldbach	3908 E.Negley	Draftsperson	$7,350.00	9-12-77

COUNTY TREASURER:

Pam Hopson		Clerk	$244.61 Bi-Weekly	9-26-77
Melody Ellsperman		Clerk	$241.65 Bi-Weekly	9-19-77

COUNTY AUDITOR:

Teresa Riney		Dep.Clerk	$6,209 00	9-12-77
Brenda Hempfling	2401 Harmony Way	Post.Clerk	$6,350.00	9-13-77

CIRCUIT COURT R.E.S.C.U.E.

Arthur J.Stippler	1865 S.Weinbach	Counselor Aid	$7,500.00	9-10-77

RE: EMPLOYMENT CHANGES.....RELEASES

COUNTY TREASURER:

Pam Hopson		Clerk	$241.65 Bi-Weekly	9-26-77

RELEASES.....CONTINUED:

VANDERBURGH SUPERIOR COURT:

Nadine Brady	Part-time Court Reporter	$134.34 Bi-Weekly	Eff:9-10-77

HIGHWAY DEPARTMENT:

William H.Martin	R.R.2 Box 310 B	Head Mech.	$5.21 Hr.	Eff:9-16-77
Wallace Plunkett	2043 E.Riverside	Ass't Mech.	$4.52 Hr.	Eff:9-16-77
Paul D.Liggett	2818 S.Rotherwood	Equip.Oper.	$4.63 Hr.	Eff:9-16-77

AREA PLAN COMMISSION:

Brenda Goldbach	3908 E.Negley	Part-time	$3.00 Hr.	Eff:9-9-77
Lucille Fowler	1751 Kenmore Dr.	Secretary	$6,547.00	Eff:9-14-77
James W.Craig	1513 S.Bosse Ave.	Part-time Intern	$2.75 Hr.	Eff:9-2- 77

COUNTY AUDITOR:

Teresa Riney		Part-time	$20.00 Day	Eff:9-10-77
Beverly Nance	643 Adams Ave	Post.Clerk	$6,350.00	Eff:9-12-77

CIRCUIT COURT:

Richard Reed	625 Shateau	Bail Bond Interviewer	$3.00 Hr.	Eff:9-18-77

RE: MONTHLY REPORTS

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

The Report of the County Treasurer was submitted for the month ending August,1977.
Report received and filed.

RE: JACK VANSTONE...STREET VACATION...HAPPEL ROAD

Mr. Jack VanStone was present and presented the Commissioners with a resolution requesting the vacation of Happel Road in Vanderburgh County. Mr. VanStone said he needs to appoint the viewers and when they make their report to him, he will report back to the Commissioners with a final resolution for the Commissioners approval.

Commissioner Schaad moved the resolution, as presented to the Commissioners, be approved and that Mr.VanStone report back on the 3rd. day of October. Commissioner Ossenber seconded the motion. So ordered.

RE: RESOLUTION AMENDING THE MASTER TRAFFIC CONTROL CODE:

President Ossenberg said they have an amendment to the traffic as follows:

(ZZZ) OLIVIA and COUNTY LINE ROAD: In that all vehicles preceeding upon and along Olivia shall STOP before entering said intersection. (9/12/77)

Commissioner Schaad moved the amendment be approved. President Ossenberg seconded the motion. So ordered.

There was an amendment to Kirchoff Boulevard as follows:

(A) It shall be unlawful to operate a motor vehicle in excess of forty-five (45) miles per hour upon and along any County road or highway within the jurisdiction and control of the Board of Commissioners of Vanderburgh County, Indiana, except as may hereinafter be provided in the sub-sections in Section B.

(B) It shall be unlawful to operate a motor vehicle in excess of thirty (30) miles per hour upon and along the following roads, streets, and highways, to-wit:
(a) Kahre Court
(b) Hillsdale Road
(c) Ridgeknoll Dr.

It shall be unlawful to operate a motor vehicle in excess of fifteen (15) miles per hour upon and along the following roads, streets, and highways, to-wit:

(a) Kirchoff Boulevard

Commissioner Schaad moved the above resolution be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: AGREEMENT....CIVIC CENTER PARKING LOT USE:

President Ossenberg said the following letter was received by the County Commissioner from WROZ:

Gentlemen:

WROZ is organizing the Tri-State Holiday Parade in downtown Evansville on Saturday, November 19,1977. We need your permission to use the Civic Center parking lot as line-up and marshalling areas for this parade.

We are asking to use the back right-quardrant ("right" when facing the lot, standing on 9th. Street) on Friday, November 18, from 12 noon. On Saturday, the day of the Parade, we would like to have the entire lot for our exclusive use. This will be for parking for Parade participants as well as line-up purposes.

Since 9th, Sycamore, Walnut and Locust Streets will be blocked, there will be no public access to the lot. Please sign below, signifying your permission for us to use the lot on Friday and Saturday as specified above. We'd like to ask for the lights to be left on all night Friday as people inflating the balloons will need light.

As last year, we will clean the lot before leaving.

Thank you for your co-operation.
Sincerely,
Wilbur J. Walker, President.

Commissioner Schaad moved the request be approved. President Ossenberg seconded the motion. So ordered

RE: TRAVEL REQUESTS

The following requests for travel was presented to the Commissioners for their approval:

I am writing to you on behalf of William Deems, an attoney for the Legal Aid Society of Evansville, Incorporated. It is my opinion that it is most imperative the Mr. Deems travel to Indianapolis, Indiana to consult with a few of his clients concerning a case on which, I am sitting as Judge.
I would hope that Mr. Deems would be reimbursed for any expenses that he may incur on his visit to Indianapolis. Hence, I am taking this opportunity to inform the County Commissioners; Office o the necessity of this trip and to attempt to assure Mr. Deems that he would be reimbursed for any expenses he may incur relative to his trip to Indianapolis.

Very truly yours
Judge Robert Lensing

Commissioner Schaad moved the above request for travel be approved. President Ossenberg seconded the motion. So ordered.

Gentlemen:

In order that we may increase our knowledge, as well as efficiency in administering to the complexities of the jail, I do formally request permission for Lt. James Moers, Jail Commander and myself to attend the annual National Jail Managers Association Seminar.
The sessions will be held in St.Louis, starting September 25th and concluding the 29th.
The association will specifically address problems, and problem areas that have been bothering us for 2½ years. They will also offer proven solutions.
Money to cover expenses is currently available in our training-travel account.

Respectfully submitted
James DeGroote, Sheriff

Commissioner Schaad moved the above request for travel be approved. President Ossenberg seconded the motion. So ordered.

RE: TELEPHONE REQUEST...SHERIFF:

The following letter was received by the Commissioners:

Genelemen:
We are hereby requesting that one of our telephones be moved across the room, this will involve the assistance of the phone company which is why we are requesting the move.
Due to the demands placed upon me that require more and more concentration, I am placing a desk closer to my office to absorb some of the minor requests without disturbing me. To have this desk moved will require the moving of a phone.

I appreciate your usual cooperation in this matter.

Sincerely,
Jim DeGroote, Sheriff

President Ossenberg said this will cost $32.00.
Commissioner Schaad moved the request be granted. President Ossenberg seconded the motion. So ordered.

RE: CERTIFICATE TO THE AUDITOR:

President said they received a certificate to the Auditor.
Commissioner Schaad moved it be referred to the County Attorney to see where it should go from here. President Ossenberg seconded the motion. So ordered.

RE REQUEST FOR DOOR BUZZER...SUPERIOR COURT:

Genelemen:

I am requesting a buzzer door lock with two buzzers for the door to our main office which is 126-B. We feel it is necessary since there are six clerical workers in this office and ten filing cabinets plus nine probation officers who need access to these filing cabinets.
This office is adjacent to the court-room and when the traffic is heavy in this office, court hearings are sometimes interrupted by the noise.
Your immediate consideration in this matter will be greatly appreciated.

Respectfully,
Judge Rboert Lensing.

President Ossenberg said the cost for this will be $113.50.

Commissioner Schaad moved this request be approved. President Ossenberg seconded the motion. So ordered.

RE: CHECK RECEIVED:

A check was received by the Vanderburgh County Commissioners from the County Treasurer, in the amount of $397.50, which is rent for the Support Program.

Commissioner Schaad moved that the check be endorsed by the Commissioners. Commissioner Ossenberg seconded the motion. So ordered.

RE: STREET NAMING REQUEST:

Mr. Charles Osterholt, Executive Director of Area Plan was present in behalf of Lloyd Hahn who's present address is Schmuck Road. The following letter was presented to the Commissioners, which was sent to Mr. Wilson of the Area Plan Commission.

Dear Mr. Wilson,

We would like to name a road which is on our property and on which our daughter and son-in-law have an easement. The legal description and property diagram are enclosed.

The home on Parcel #3 was previously given the address of 4512 Schmuck Road by the Area Plan Commission. The post office has informed us if that address is used all mail will go into the dead letter office.

The home built on Parcel #3 will need an address on the new road which we would like to name. We submit the following choices for your consideration.

First Choice: AZALEA DRIVE
Second Choice: AZALEA RIDGE
Third Choice: BLACKBERRY RIDGE

Sincerely,
Lloyd Hahn

Commissioner Schaad said he would like to move that the name of Azalea Drive, which is their first choice, be approved for the new name of the street. President Ossenberg seconded the motion. So ordered.

RE: R.R. CROSSING AGREEMENT TO BE SIGNED:

Mr. Keith Lochmueller, Director of Urban Transportation was present and presented the Commissioners with agreements between the Indiana State Highway Commission and the County of Vanderburgh, which need to be signed. This is for the engineering on Hogue & L&N and also on Baseline & L&N. This is 10% local and 90% federal money, and the County Council has already approved the appropriation so all we have to do is file an application.

Commissioner Schaad moved the agreements be approved and signed. President Ossenberg seconded the motion. So ordered.

Mr. Lochmueller also presented an ORDINANCE TO CONTROL VEHICULAR ACCESS TO AND FROM PUBLIC RIGHT OF WAY:

President Ossenberg said this was approved at the August 29th. meeting of the Commissioners and it has been advertised twice so now we need to take final action on it.

Commissioner Schaad moved that the final approval be given to the ordinance. President Ossenberg seconded the motion. So ordered.

RE: SPECIAL USE ORDINANCE.....AREA PLAN:

Commissioner Schaad said this is regarding the parking of trailers that may be used just for an office or something of this nature.

Mr. Osterholt said the Commissioners have had first reading and it has since been approved by the Area Plan and is now back to the Commissioners for final approval.

Commissioner Schaad moved that final approval be given on the ordinance. President Ossenberg seconded the motion. So ordered.

RE: REZONING PETITION.....VC-72-77.....THIRD READING:

Petitioner and owner of record....Industrial Contractors
Petitioner requests a change from an A zone to a M-1 zone for an industrial park. Premises affected are more commonly known at 5520-5530 Old Boonville Highway. This petition was approved with seven affirmative votes by the Area Plan Commission and should be approved by the Drainage Board before permits are issued, for the drainage.

Mr. Ted Ziemer, attorney for the petitioner, appeared with drawings of what they wanted to do. He said this property consists of 85 acres and they are wanting to rezone the north 1,975 feet to M-1 so that the entire parcel will be zoned M-1.
He said the premises affected are on the north side of Old Boonville Highway, a distance of .4 mile N.E. of the intersection of Green River Road and Morgan Avenue.
He said he covered most all of this and explained it all at the first reading, but he would be glad to discuss it again or answer any questions anyone might have.
He said it is the intention of Industrial Contractors, if the rezoning is approved, to develope an industrial park for M-1 uses in this entire area.
He said they have revised their roadways since this was first brought before the Commissioners. They will still have access points off of Old Boonville Highway as shown on the drawings, and these have been reviewed by the Urban Transportation, and they had some suggestions for us and we will comply with whatever requirements are made in that regard.
He said they have not made firm plans for the development of the property, that is, they don't have anyone to put in the property right now, so for right now, this is the best we can project right now.

He said much of the property sets at 383 feet, elevation. The recommendation is that floor level be at 386.5 feet, to accomodate the 100 year flood plain. We will see that fill is put into the development to comply with these recommendations on the floor level.
Sewage will be accomodated by the proposed sewer running N.E. along Old Boonville Highway, which is now in the advanced planning stages. If it were not to be available, for any reason, we would work that out.
He said drainage is the major problem in this area, as in the whole east side area and they have worked with Morley and Associates in developing this drainage plan.
He said the proposal is to establish drainage ditches, which are shown on the map in green. He said the drainage ditches would have a width of approximately thirty four (34) feet, for the wider ditches and on the perimeter it would be approximately sixteen (16) feet in width. Computations have been made as to run off which indicate those widths as being required and the depths would be about two (2) feet for the smaller drainage channels and three and one half (3½) to four (4) feet for the larger channels.
Mr. Ziemer said that Mr. Morley from Morley and Associates was present today and would be happy to answer on specific questions that anyone might have regarding this proposal

Commissioner Schaad asked Mr. Ziemer if Morley and Associates were the engineers on this project and Mr. Ziemer replied they did the computations for us, as to the run off and helped to develope the configurations for us.
Commissioner Schaad said even before any building permits are issued it is contingent upon the drainage being satisfied for that particular building and it will have to come before us again.

Mr. Ziemer said there will be twelve (12) inch pipes running from each separate parcel into the drainage channels.

Mr. Morley presented the Commissioners with a copy of the drainage drawings and stated he did show the approximate existing grade and then the final ditch grade, so regardless of what they put on top of this, the drainage plans are essentially complete. He left these drawings with the Commissioners for their files.

There were no remonstrators present

Commissioner Schaad moved that petition VC-72-77 of Industrial Contractors be approved and to include the final drainage plans. President Ossenberg seconded the motion. Roll call vote: Commissioner Schaad...Yes, President Ossenberg...Yes. Motion carried.

RE: REZONING PETITION...VC-75-77....THIRD READING:

Petitioner...Mr. George Ryan of 5650 Oak Grove Road
Owner of Record...Mr.Julius P. Folz of 5621 Oak Grove Road
Lessee...Martin Durchholz of 3200 Magnolia Lane.

President Ossenberg said the premises affected are more commonly known as 5625 Oak Grove Road. The nature of case is petitioner requests a change from an A zone to a R-3 zone for multiple family dwellings. The petition was apporved by the Area Plan with seven affirmative votes.

Mr. Jim Morley, attorney for the petitioner, appeared and said for the County Commissioners records he has copies of the first phase of development.
He said this project, which they discussed in detail before, is one half (½) mile in length, runs from Oak Grove Road down to the area back of the Carriage House of Evansville apartments and the plans call for the extension of that section of Oak Grove Road which would be called Royal Avenue. It would be done in phases, but each phase of the development has within that phase the sufficient amount of ponding to accomodate all of the run-off in that phase, so that no special ponds, or anything have to be constructed ahead of time.
He said the drainage plans have been discussed with most of the staff members of the Plan Commission and also the Surveyor's office.

President Ossenberg asked Mr. Morley if they would follow the recommendations of Mr. Steinbeck of Urban Transportation and he replied yes, they would.

There were no remonstrators present.

Commissioner Schaad moved that petition VC-75-77 of George Ryan be approved on final hearing and to incorporate the hydraulic design data as a final. President Ossenberg seconded the motion. Roll call: Commissioner Schaad...Yes. President Ossenberg...Yes. Motion carried.

RE: REZONING PETITION....VC-73-77....THIRD READING:

Petitioners and Owners of Record..Delbert A.& Bessie J.Deweese of R.R.3 Box 285. Premises affected are more commonly known at 13812 State Road 57. Petitioners requests a change from A zone to a M-1 zone for a propane storage tank facility.
This petition was approved with seven affirmative votes subject to written approval of the fire marshall before zoning permits are to be issued.

Mr. Andy Easley, attorney for the petitioner was present and stated that Mr.Deweese was to have been present this morning.
He said that Mr. Deweese and Lynn Gas, who is going to build this facility are aware of the fact they must go before the fire marshall and they must also obtain a highway entrance from the State Highway Department.

Commissioner Schaad said he is wondering if this should be rezoned before these requirements are met.

President Ossenberg said he believes we can go ahead and rezone but no permits will be issued until these requirements are met and they have written approval.

Commissioner Schaad said what if we go ahead and approve it, then what if the State Highway Department doesn't permit the access and the Fire Marshall doesn't approve their part of it.

Mr. Osterholt said if this is the only access to the property, he could not see them turning it down.

Mr. Easley said it is not a limited access highway, so he really can't see any problems.

There were no remonstrators present.

Commissioner Schaad moved that petition VC-73-75 of Delbert A.& Bessie J.Deweese be approved for the final reading subject to the written approval of the Fire Marshall before zoning permits are to be issued, and also subject to the State giving them access to the property. President Ossenberg seconded the motion. Roll call vote: Commissioner Schaad...Yes. President Ossenberg...Yes. Motion carried.

RE: REZONING PETITION...VC-71-77..FIRST READING:

Petitioner and Owner of Record...Sheldon Ray Wilson....8217 Division Street. Petitioner requests a change from A to C-1B. The present existing land use is office and sales. The land use is non-conforming.

Mr. Wilson was present and stated this is his first time ever to appear and he is not familiar with the procedure.

Commissioner Schaad asked Mr. Wilson how long he has had an office and sales at this location and he replied for about two years.
Commissioner Schaad asked Mr. Wilson if he was not aware of the stipulations that it had to be rezoned and he replied yes, he was, and he started on this just about one year ago. He said he was aware of it when he purchased it, in fact he purchased it for that purpose, with the intent of petitioning for rezoning. It is an old single family residence and is the last building in Vanderburgh County and is really useless for anything but this type of thing.

Mr. Fred Schnapf was present and stated he is guardian for his mother who has life interest in the property across Highway 66, from this area that is being petitioned to be rezoned. The only way he found out about this rezoning was via the grape vine. He has not received any official notification in any way, shape or form, and even if he had, he would still be opposed, because this is in the area of spot rezoning. He said that Mr. Wilson knew that the area was zoned residential or agricultural at the time he purchased it. The time for him to have had it rezoned for his purposes would have been prior to purchase. Therefore he would like to request that the commissioners deny this petition for rezoning on the basis of spot rezoning.

Mr. Schnapf said his family property is deeded to his sister and himself with their mother holding a life interest. His mother's name is Clara Schnapf and she resides in a nursing home in Owensville. His sister's name is Esther Bender McCormick and she resides in Seattle, Washington.

Commissioner Schaad said this would not be legal if Mr. Schnapf has not been legally notified.

Mr. Wilson said he took the names from the titles and then he wrote a letter, which was returned. He assumed they lived across the road and in the next house down so he wrote them a letter (not certified) stating what he was planning to do and told them if they had any questions to come and see him or call him. The letter, of course was not delivered so he then sent a man that works for him down to that house and that is when he found out the Schnapfs did not live there. He then sent this man around on Epworth Road, which is in Newburgh, and he found there were some people by that name living there.
He then sent, by certified mail, to both Evansville, on Division Street and those were returned and he had those with him. He also sent to the property owners in Newburgh, G.W and C.E.Schnapf and these also show as being returned and he didn't know what else to do.

Mr. Schnapf said his proper name and address is in the telephone book.

Mr. Wilson said the tax records show it in the name of George Schnapf.

Mr. Schnapf said you are talking about the property west of his.

President Ossenberg said this needs to be re-submitted and providing this is done it will come before the Commissioners the third Monday in October and at that time we will refer it to the Area Plan Commission, and they meet the first Wednesday of every month and then it comes back to the Commissioners for a final reading which will be in November.

Mr. Walter Kaufman was presnet and stated that this petition states this is in the city of Evansville, but it is not. It is in the county. The petition also states that it is now zoned as A, but he has property zoned as R-1, so therefore he believes this is in error.

President Ossenberg said this could be in error and if it is it will be taken care of when he re-submits.

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

Petitioner...Sandra L. Brady....3181 Orchard Road
Owner of Record...Mr. and Mrs. Gerald Brady...3181 Orchard Road

Premises effected are situated on the North side of Orchard Road, a distance of 200 feet N.W. of Orchard Road and Eichenberg Rd.

The requested change is from A to C-1B for the proposed use of a catering service and single family residence.

There was no one present to speak for or against this petition.

Commissioner Schaad moved that petition VC -77-77 for Sandra Brady be approved on first reading and referred to the Area Plan Commission. President Ossenberg seconded the motion. So ordered.

RE: PETITION FOR REZONING....VC-78-77....FIRST READING:

Petitioner...Greenbriar Realty Company.....17 Evergreen Road
Owner of Record...Greenbrier Realty Company.....17 Evergreen Road

The requested change is from A to R-3 and the proposed land use is for apartments.

Premises affected are situated on the east side of North Red Bank Road, a distance of 227.9 feet south of the intersection formed by North Red Bank Road and Hogue Road and being a part of the west half of the west half of the south west quarter of Section 22, Township 6 South, Range 11 West, lying in Vanderburgh County.

The commonly known addresses are 423 and 429 North Red Bank Road, Evansville, Indiana

There was no one present to speak for or against this petition.

Commissioner Schaad moved that petition VC-78-77 for Greenbriar Realty Corporation be approved on first reading and referred to the Area Plan Commission.. President Ossenberg seconded the motion. So ordered.

RE: PETITION FOR REZONING.....VC-79-77...FIRST READING:

Petitioners.....Howard W. Kays....1751 Dianne Ave.
Owner of Record ..Robert A. Miller...5815 Middle Mount Vernon Road

Premises affected are situated on the west side of Boehne Camp Road at the intersection of Middle Mount Vernon Road and Boehne Camp Road
The proposed land use is for four-plex apartment building.

The commonly known address is 715 South Boehne Camp Road and the requested change is from A to R-3.

Mr. Howard Kays, the petitioner, was present and stated he made an offer to purchase this property from the owner,Mr. Robert Miller on the condition that he get it rezoned. He proposes to build a four-plex. One unit for himself and three to rent out and he anticipates no drainage, parking or traffic problems.

Mr. Jesse Crooks was present and stated there are drainage problems out there.

President Ossenberg said the final plat will be before the drainage board, before any recommendations that we come up with will have to be in accordance.

Mr. Kays said if necessary, he will put storm sewers in.

There were no remonstrators present.

Commissioner Schaad moved that petition VC-79-77 for Mr. Howard W.Kays be approved on first reading and referred to the Area Plan Commission. President Ossenberg seconded the motion. So ordered.

RE: PETITION FOR REZONING...VC-80-77....FIRST READING:

Petitioner...Jim and Dave Investment....1209 E. Walnut Street
Owner of Record...David A. Buckman....1209 E. Walnut Street

Premises affected are situated on South side of Allens Road, a distance of 500 feet west of Allens Road and Myrtle Avenue. The commonly known address is 1930 Allens Lane.

The requested change is from A to R-3 and the proposed land use is for apartment, multiple family.

Mr. Jim Morley said on the location map of the area, presently Mr. Buckman owns about four acres and he decided to cut down on his rezoning application for only about three quarters acres to rezone this portion that is about 150 feet wide by 200 feet deep. It doesn't show up very well but under-neath, there is a single family residence. The crest of the hill is about two feet above the minimum building elevation and so essentially what he has done, is cut it down and said he will occupy approximately the same area.

There were no remonstrators present.

Commissioner Schaad moved that VC-80-77 for Jim and Dave Investment be approved on first reading and referred to the Area Plan Commission. President Ossenberg seconded the motion. So ordered.

RE: PETITION FOR REZONING...VC-81-77....FIRST READING:

Petitioner...Victor Ross....5833 North Kerth Ave.
Owner of Record....Gary R. Fawkes.....610 Hillsdale Road

Premises affected are situated on the North side of Hillsdale Road, a distance of 66 feet East of the intersection of Hillsdale Road and Highway 41.

The requested change is from R-1 to C-1B. The proposed land use is for an Auto Repair Shop. The commonly known address is 630 Hillsdale Road.

There was no one present to speak for or against this petition.

Commissioner Schaad moved that petition VC-81-77 for Victor Ross be approved on first reading and referred to the Area Plan Commission. President Ossenberg seconded the motion. So ordered.

RE: CLAIMS:

A claim was submitted by Ricky Lee Fluty Sr., for settlement of TORT claim in the amount of $500.00.

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

A claim was submitted by Edwin R. Smith for office expense allowance for August, 1977 in the amount of $150.00.

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

A claim was submitted by the Sheriff's Department for Szabo Foods for inmates meals from August 16 through August 31,1977 in the amount of $3,783.65.

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

A claim was submitted by the Sheriff's Department for Szabo Foods for officers meals from August 16th through August 31, 1977 in the amount of $119.60.

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

A claim was submitted by the Knight Township Reassessment for Hunnicutt and Associates for work completed August 1 through August 31,1977 in the amount of $12,093.75.

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

A claim was submitted by the County Surveyors office for Evansville Crushed Stone Company for stone #53 @ $ 3.35 per ton, in the amount of $400.50.

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

A claim was submitted by the Evansville-Vanderburgh County Building Authority for labor and material to remove approximately 8-ft of ½ wall and turn present swinging door into new partition across previous corridor, and patch carpet in room 126 Courts Building.

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

RE: MR. CROOKS

Mr. Crooks submitted the monthly report of Permits issued in August. He said it is running about 59% ahead of last year.

RE: MR. CROOKS...CONTINUED

Mr. Crooks said on the last of July he had before the Commissioners, a Lula Bell Dean's house on Harmony Way. At that particular time the house was ordered razed and we were allowed approximately ninty (90) days to show progress to get the building down and out of the way. He checked on this building last week and it has shown no progress whatsoever so he would like to know what, if any, action the Commissioners want him to take.
He said they did however get a wrecking permit but nothing has been touched. He said if the Commissioner's authorize him to, he can get contractors bids to wreck the house and clean up the lot. There is just about as much trash on the lot as there will be when the house is down.

Commissioner Schaad moved that Mr. Crooks go ahead and receive contractor's bids on the razing of the house and the cleaning up of the lot.
President Ossenberg seconded the motion. So ordered.

Ms. Anika Juras, Executive Assistant to the County Council said that there is a line item in the Commissioners budget (Demolition Fund) that this can be paid from.

Mr. Crooks was instructed to write to Ms. Dean and inform her of the action taken today and what our intentions of tearing down the building are.

Mr. Crooks said she will not accept any mail from us. He was instructed to send her a letter anyway and if she does not accept it we will have done our part and will have the returned letter for our records and proof of mailing.

RE: MR. SIEBEKING

Mr. Siebeking said he has had several calls about the sills of the old viaduct down on the county side. They want to know why it hasn't been removed, or if it is going to be removed. This is between Dixie Flyer Drive and the R.R. tracks.
Mr. Siebeking said this is on the county side and we have always maintained it. The city side has all been removed and cleaned up by Bob Staub and he believes it was all hauled out to Nurrenbern Road to fill in out there.
He said it would take us six months to remove all thats there and apparently it is not too good of fill dirt.

Commissioners Schaad said he can't see where it is urgent to haul it off and maybe we should wait and see if anyone is needing any fill dirt. In fact he would think we could use some of it when we re-do Nurrenbern Road and re-bank it.

President Ossenberg said he would like to check it out and see if this is the R.R.'s responsibility, because they contracted to have that thing torn down. He doesn't know if it was for the bridge alone or if it included the two approaches. He said for Mr. Siebeking to call Mr. Bob Moye at L&N and he can give us some information.

Mr. Jim Morley said he is preparing plans for the L&N R.R. to relocate the section of the levee next to the tracks, over right along beside the Dixie Flyer and they were going to use the dirt off of the overpass fill to help fill this levee relocation, they are saving it for this purpose.

Mr. Siebeking said he would talk to Mr. Moye and report back to the board.

Commissioner Schaad asked Mr. Siebeking if he has done anything on Inglefield Road yet as he has received several calls on this. This is from Darmstadt Road over to the tracks. This needs to be patched very soon as it is very very bad. He said maybe we could put a new surface on it.
Mr. Siebeking said he would check on this and try to get it done soon.

RE: MR. BRENNER

Mr. Dave Guillaum was present for Mr. Brenner and said that Bob Culver came in this morning and he gave us a written promise that he will have the log jam completed in two weeks. This log jam is in Pigeon Creek. He understands if this is not completed in that period of time we are going to go to the bonding company. He now has the piece of equipment needed to do the job and we feel he is really trying.

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RE: MR. STEPHEN

Mr. Stephen submitted the floor plans for Pleasantview. He said we have been looking for these for a long time. He said some time ago when Doctor Ahrendale brought in some prints we found these floor plans wrapped up in them. At that time we took the originals from him and made him copies and then put the originals in the safe. So now we have the second floor plans and he is not letting them go out of the vault again. With the old plans and this second floor plan, we now have a complete set.

Commissioner Schaad said we need to get a copy of this to Curran Miller right away, because he has someone who is very interested on being a bidder for it.

Mr. Stephen said the original blue prints are too bad to be copied and Doctor Ahrendale has them so we should try to get them and somehow make him copies, but as bad as they are, he doesn't know how.

RE: CUTS IN

Mr. Stephen said he has two road cuts here that are a little out of the ordinary. One of them is along that Lexington Drive, by the Industrial Park and as near as he can figure we have not accepted the road yet.
This is an individual and he told him that he would have to have a bond,so at this time he presented, to the Commissioners, the application for the cut and also the bond from American States Insurance Company.
This is for a street cut by Vaughn Ziliak Backhoe Service at 6580 Petersburg Road one mile west of Highway 41.

Commissioner Schaad moved the cut be approved. President Ossenberg seconded the motion. So ordered. (The bond is attached)

Commissioner Schaad said about the one on Lexington Drive....we cannot approve it because it is not a county accepted road, so you, Mr.Stephen, get in touch with them and tell them we could not approve it.

The Waterworks Department requested permission to make the following cuts:

6580 Petersburg Road, to cut into shoulder of road to install 3/4" water line.

R.R.4 Boehne Camp Road,to cut into shoulder of road to install 3/4" water line

401 Rechtin Ave, to cut into shoulder of road to install 1" water line.

1300 Felstead Road, to cut into shoulder of road to install 3/4" water line.

1206 S.Helfrich, to cut into shoulder of road to install 3/4" water line.

5680 Dogwood, to cut into shoulder of road to install 3/4" water line.

409 South Bosse Avenue, to cut into shoulder of road to install 3/4" water line.

4105 Saddlebrooke Lane, to cut into shoulder of road to install 3/4" water line.

4216 Saddlebrooke Lane, to cut into shoulder of road to install 3/4" water line.

3201 Saratoga Drive, to cut into shoulder of road to install 3/4" water line.

4209 Oxmoor Road, to cut into shoulder of road to install 3/4" water line.

Commissioner Schaad moved that these cuts be approved. President Ossenberg seconded the motion. So ordered.

RE: ENGLISH WAY

Mr. Stephen said we have passed up the deadline on English Way and Green River Road. He is wondering if Mr. Siebeking should get the Surveyor's air hammer and start removing the concrete approach in the junction of the two. We are getting all of that mud from GreenRiver Estates on to Green River Road every time it rains. They had two weeks to do something.

the contractor

County attorney Smith said he isn't for sure that he set a two week deadline. He said he knows that two weeks was discussed but he isn't sure they specifically said two.

President Ossenberg said we will have to be sure before any legal action can be taken.

Mr. Stephen said Mr. Bill Heston is the owner and we haven't heard anything from him or his attorney.

Commissioner Schaad moved that County Attorney Smith follow up on this and report back at the next meeting.
President Ossenberg seconded the motion. So ordered.

RE: RIDGETOP

Mr. Stephen said some time ago we discussed, and he did talk to Mr. Siebeking, about this, concerning Ridgetop. It shows on the state printout a little over two tenths of a mile has been certified as county road. Mr. Siebeking said he would take care of this matter.

RE: ASPEN RIDGE:

Mr. Stephen said last week the Commissioners received a letter from Mr. Sam Biggerstaff asking that Walnut Lane from Aspen Drive to Eastbrooke Drive and Eastbrooke Drive from the West end of the subdivision to the East end of the subdivision and Aspen Drive from Oak Hill Road East for approximately 2600 linial feet be accepted.
He said he has a drafted letter, which Rosemary is gettign ready to type for him. He went out and looked at this and he would suggest that if the Commissioners do accept them,we should wait until the houses are built, because they are breaking up Aspen Drive now. There is no erosion control and the mud is terrible on the roads. The roads are designed for local light traffic and the large trucks are simply tearing it up.

RE: SIDE WALK CAVE IN....AUDITORIUM

Mr. Stephen said he talked with Leo Peyronnin and asked him for unit bids on the side walk cave in and he said he didn't think he could come up with unit bids, but he was willing to keep track of all materials used and labor and then add 15% and we feel like that is unit pricing. Leo said declare it an emergency and let them go in and tear it up and they would keep track of everything.

Commissioner Schaad said he doesn't see how we could go for the time and material plus 15%, as that would be an open end contract.

Mr. Stephen said this a a job whereas you don't know what you are going to find until you get into it. Maybe he could get a piece out of there and then give us some sort of an estimate what it will run.

President Ossenberg said he wonders if Leo could give us a price just to tear it out and see what problems we have.

Mr. Stephen said he would get with him and see and report back on it next week.

RE: BRIDGE REPORT

Commissioner Schaad said sometime ago we had a bridge report on what bridges needed to be repaired and a priority list and he is wondering if it isn't about time for an up-dated report.

Mr. Dave Guillaum from the Surveyor's office said yes, this report is almost completed. This is suppose to be done every two years and it was last done in 1975. The priorities are almost the same as they were then.

Commissioner Schaad said he feels we need to be doing something on our bridges and we should check and see if there are any federal monies available for this.

RE: MR. LOCHMUELLER

The following letter was presented to the Commissioners:

Dear Mr. Ossenberg:

Due to several complaints by local residents, it was brought to the attention to the Evansville Urban Transportation Study, that a high traffic accident area exists at the 5400 block of Hogue Road. The residents felt that the accident problem was caused by inadequate signage at the sharp curve on Hogue Road. After viewing this problem area on a field inspection trip, it was discovered that no advanced warning signs existed on the west approach of this dangerous curve.

To solve this problem, warning signs stating "Slow-Hazardous Curve Ahead" were placed on the east and west approaches of this curve. The additional signage should give the motorists adequate advanced warning of the dangerous curve.

Sincerely,
Paul Eggink
Traffic Engineer

The following letter was submitted to the Commissioners:

Dear Mr. Ossenberg:

A resident of the 2500 black of Koring Road has informed the Evansville Urban Transportation Study of a dangerous curve directly in front of the resident's home. The resident stated that over the past your, several vehicles have failed to navigate the sharp curve causing property damage to the resident's property.

Frm a field investigaton trip by the E.U.T.S. staff, additional signing would be necessary to correct this problem. E.U.T.S. recommends the installation of warning signs stating "Slow-Hazardous Curve Ahead."

Sincerely,
Paul Eggink
Traffic Engineer

President Ossenberg thanked Mr. Eggink for getting the signs up so fast on Hogue Road and for seeing to it that they are being put up on Koring Road.

RE: ABSENTEE LIST....VANDERBURGH COUNTY HIGHWAY DEPARTMENT

The absentee report of the County Highway for the week of September 12 through Septmeber 16, 1977 was submitted to the Commissioners.
Report ordered received and filed.

The meeting recessed at 11:45 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Thomas Ossenberg Bob Schaad	Alice McBride(Dep)	Ed Smith Jr.

SECRETARY: Margie Meeks
BY: Janice Decker

Tom Ossenberg

Bob Schaad

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
SEPTEMBER 26,1977

The meeting of the County Commissioners was held on Monday, September 26,1977, in the Commissioners Hearing Room with President Tom Ossenberg presiding.

The minutes of the meetings of September 12th and September 19th. were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: NOTICE OF SALE OR LEASE PURCHASE....PLEASANTVIEW

President Ossenberg said the notice of the sale or lease/purchase of Pleasantview Rest Home is going to be Wednesday, September 28,1977, at 10:00 a.m.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AUDITOR:

Cindy Decker	1916 Washington Ave.	Second Deputy	$7000.00	Eff:9-26-77

COUNTY TREASURER:

Cathy Crowe	Head Cashier	$ 248.42	Eff:9-26-77
Sally Hicks	Asst.Cashier	$ 245.73	Eff:9-26-77
Sharon McIntyre	Clerk	$ 241.65	Eff:9-26-77

AREA PLAN COMMISSION:

John Clifford	7310 E.Walnut St.	Zoning Admn.	$10,300	Eff:9-26-77
Robert Tiek	1212 S.Roosevelt Dr.	Part-time	$ 3.00 Hr.	Eff:9-26-77
Kathie S.Gehlhausen	1015 Oakley St.	Secretary B	$ 6,500	Eff:9-30-77

CIRCUIT COURT..WORK RELEASE PROGRAM:

Jeffery Johnson	2700 N.Court Dr.	Work-Release Driver	$ 8,200	Eff:9-1-77
Harry A.Gray	1312 N.3rd. Ave.	Work-Release Driver	$ 8,200	Eff:9-1-77
Daniel W. Casper	3761 Jackson Ave.	Work-Release Driver	$ 8,200	Eff:9-1-77
Beverly Leavell	533 S.Garvin St.	Work-Release Secretary	$ 7,000	Eff:9-1-77
Harris Howerton	1707 S.Vann Ave.	Admn.Assist.	$ 9,850	Eff:9-1-77
Roosevelt Brant	428 S.Kentucky Ave.	Work-Release Driver	$ 8,200	Eff:9-1-99

RE: EMPLOYMENT CHANGES.....RELEASES:

AUDITOR:

Cindy Decker	1916 Washington Ave.	Transfer Clerk	$6,350	Eff:9-26-77
Martha Schenk	1038 S.Lincoln Ave.	Second Deputy	$7,850	Eff:9-26-77

COUNTY TREASURER:

Doris D'Mellow	Head Cashier	$248.42	Eff:9-26-77
Kathy Crowe	Asst.Cashier	$245.73	Eff:9-26-77
Sally Hicks	Clerk	$241.65	Eff:9-26-77

GERMAN TOWNSHIP ASSESSOR:

Evelyn Lannert	Harmony Way	Farm Land Asses.	$20.00 Day	Eff:9-16-77

AREA PLAN COMMISSION:

Jeffrey L.Wilson	2150 E.Gum	Zoning Admn.	$10,300	Eff:9-23-77
Mary E.Keown	1775 Briarwood Ct.	Secretary-A	$ 6,804	Eff:9-23-77

SUPT. OF COUNTY BUILDINGS:

Oliver Lawson	Box 801 Boehne Rd.	Painter	$302.07	Eff:9-23-77

RE: FLU SHOTS:

President Ossenberg said for all interested County Employees, flu shots will be available in the Health Department, Room 129 for a $1.00 charge. These shots will be given as follows:

Thursday, September 29th.....9:00 a.m. to 11:00 a.m.
Friday, September 30th.....9:00 a.m. to 11:00 a.m.
Thursday, October 6th.....9:00 a.m. to 11:00 a.m.

RE: MONTHLY REPORT

The Report of the Evansville Association for Retarded Citizens was submitted for the month of August, 1977.
Report received and filed.

RE: CERTIFICATE OF INSURANCE

A certificate of Insurance for the Guy Lombardo Concert, September 23,1977 was submitted.
Certificate received and filed.

A certificate of Insurance for a style show at the Vanderburgh County Auditorium and Convention Center...September 25,1977.
Certificate received and filed.

RE: CLAIMS:

The following claims were presented to the Commissioners for approval:

Bauer Brothers General Contractors Inc. For 100 pieces of 9" Buffer ends, in the amount of $1,925.00.

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

Bauer Brothers General Contractors Inc. for one piece 50' X 102' Structural Plate (Culvert replacement on #3 School Road) in the amount of $3,992.00.

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

Norman Messel, for the ditch spraying in Cloverlawn Subdivision, in the amount of $115.00.

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

RE: PROPOSED RATE INCREASES.....VANDERBURGH AUDITORIUM

President Ossenberg read the following letter submitted by Mr. Fred Dewes:

Gentlemen,

Attached are proposed rate increases for events to be held at Vanderburgh Auditorium. These rates are to become effective January 1,1978 after notice has been given each lessee. These notices will be mailed before October 1,1977.

Rates for the Auditorium affecting the Evansville Philharmonic, The Musicians Club and Town Hall Series will become effective for the '78-'79 season. With season tickets already on sale, it would be unfair to increase rates without adequate notice.

May we have your approval:

Fred Dewes

Proposed rates changes for events in Vanderburgh Auditorium:

		OLD RATE	NEW RATE
GOLD ROOM, all day rate			
(Add $40.00 in before 9:00 a.m.)		$330.00	$360.00
Dance only		$175.00	$200.00
PLUS per chair set-up		.10	.15
Dinner, less than 350		$100.00	$125.00
PLUS per chair set-up		.10	.15
MORE THAN 350		N/C	N/C
PLUS per chair set-up		.10	.15
NOTE: All caterers pay 20% of gross on all meals and/or cocktail parties.			
Public Dance		$175.00	$200.00
PLUS per chair charge		.10	.15
OR 12½% of gross receipts, whichever is greater.			
DECEMBER AND HOLIDAY RATES (Gold Room ONLY)			
Applicable to any of the above functions:			
Friday	$250.00 plus .15 per chair		
Saturday	$275.00 plus .15 per chair		
ANY Holiday	$275.00 plus .15 per chair		
Extra Band Stand		NONE	$ 25.00
Extra Dressing Room for Band		NONE	$ 35.00
Piano, customer pays tuning fee		$ 20.00	$ 25.00
Coat Check, Prepaid		$ 20.00	.10/chair
Parking Lot Prepaid, nite only		$ 30.00	$ 40.00
Parking Lot Prepaid, all day		NONE	$ 60.00
ENTIRE BUILDING, Gold Room, Meeting Rooms and Auditorium			
One day only			$950.00
Second Consecutive Day			$900.00
Third Consecutive Day			$850.00
Fourth and Each Succeeding Day			$825.00
AUDITORIUM:			
Non-profit organizations (uses per year)	1 - 4	$550.00	$600.00
	5 - 9	$465.00	$500.00
	10 Plus	$330.00	$370.00
Commercial (Road Show)		$550.00	$600.00
	OR 10% of gross, whichever is greater		
Frequent Users	1 - 4	$650.00	$650.00
	5 - 9	$600.00	$625.00
	10 Plus	$575.00	$600.00
	Matinee	$300.00	$340.00

Rehersals	Hourly Rate	$25.00	$30.00
	Per Day, Flat Rate		$125.00

The above rate increases for the entire building will generate approximately $9,000.00 in added revenue based on current booking averages. This is approximately a 10% increase over present revenues.

I have additional programs for generating revenue that will be presented when they are firmed up.

Fred G.Dewes

Commissioner Schaad asked Mr. Dewes when was their last increase and he replied in 1972.

Commissioner Schaad moved the rate increase for the Auditorium be approved. Commissioner Willner seconded the motion. SO ordered.

RE: ORDINANCES..CONCERNING WEEDS, PLANTS...ETC.

County Attorney Ed Smith presented the Commissioners with the following ordinances:

ORDINANCE CONCERNING
WEEDS OR NOXIOUS PLANTS

WHEREAS, the Indiana General Assembly enacted House Enrolled Act No.1343, Acts 1975 P.L. 158 (IC 17-2-2.5-1 to Ic 17-2-2.8-8 inclusive) which delegates power to The Board of Commissioners of Vanderburgh County, Indiana, to exercise all governmental authority necessary for the effective operation and conduct of government with respect to their county and internal affairs; and

WHEREAS, said Board of Commissioners, in order to protect the health, safety, and welfare of the citizens of Vanderburgh County, Indiana, and their property rights deems it to be in the public interest to enact this ordinance providing for the contr of weeds or noxious plants within Vanderburgh County.

NOW, THEREFORE, BE IT ORDAINED by The Board of Commissioners of Vanderburgh County, State of Indiana, as follows, to-wit:

Section 1. WEEDS DECLARED NUISANCE

The growth of weeds or noxious plants within the County of Vanderburgh, being deemed injurious to public health, is, within the limitations hereinafter set forth, declared to be a nuisance.

Section 2. OVERGROWTH PROHIBITED

No owner or occupant of any lot or parcel of real estate within the County of Vanderburgh shall allow the same to become overgrown with weeds or noxious plants to such an extent that such overgrowth, within the opinion of the Building Commissioner of Vanderburgh County, is detrimental to public health and comfort.

Section 3. NOTICE TO ABATE OR DESTROY WEEDS

It shall be the duty of the Building Commissioner of Vanderburgh County to make reasonable inspection of vacant land within the County to determine whether or not any weeds or noxious plants have been permitted to grow thereon. Whenever such weeds or noxious plants have been permitted to grow in such manner as to become injurious to public health, safety or welfare, the Building Commissioner of Vanderburgh County shall cause notice to be sent to the owner or occupant of any such land by registered mail ordering abatement or distruction of such weeds or noxious plants. In case such owner or occupant is unknown, the Building Commissioner may cause such notice to be published by one insertion in each of two daily newspapers of general circulation in Vanderburgh County.

Section 4. FAILURE TO COMPLY

If the owner or occupant upon whom the notice required in Section 3 shall have been served fails to remove such weeds or noxious plants within ten days from the

date of mailing or the date of publication, as the case may be, the Building Commissioner of Vanderburgh County shall cause such weeds or noxious plants to be removed, and shall thereupon certify same to the County Auditor, giving the actual cost of such removal. The Auditor shall thereupon place the amount of the cost of such removal of such weeds or noxious plants on the tax duplicate as a charge against the owner or occupant of such lands, which cost shall be a lien thereon and shall be collected by the Vanderburgh County Treasurer at the same time and in the same manner as taxes due the County and State are collected.

Section 5. PENALTY

Any owner or occupant of any lot or ground within the County, after notice has been served upon him as herein provided, who shall fail to comply with the order of the Building Commissioner of Vanderburgh County within ten days thereafter shall be fined not more than three hundred dollars ($300.00) and costs, or imprisoned not more than one hundred eighty days, or both, for each offense.

Section 6. EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage by The Board of Commissioners of the County of Vanderburgh, State of Indiana, together with the signature of the presiding officer thereof, and its publication in the manner provided by law.

PASSED by the Board of Commissioners of the County of Vanderburgh, State of Indiana, on the ___ day of October, 1977, and upon said date signed and executed by the members of said Board and attested to by the Vanderburgh County Auditor.

ORDINANCE CONCERNING SHRUBBERY,
PLANTS AND OTHER OBSTRUCTIONS TO VISION

WHEREAS, the Indiana General Assembly enacted House Enrolled Act No. 1343, Acts 1975 P.L. 158 (IC-17-2-2.5-1 to IC 17-2-2.5-8 inclusive) which delegates power to the Board of Commissioners of Vanderburgh County, Indiana, to exercise all governmental authority necessary for the effective operation and conduct of government with respect to their county and internal affairs; and

WHEREAS, said Board of Commissioners, in order to protect the health, safety and welfare of the citizens of Vanderburgh County, Indiana, and their property rights, deems it to be in the public interest to enact this ordinance providing for the control of shrubbery, plants and other obstructions to vision in Vanderburgh County.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Vanderburgh County, State of Indiana, as follows, to-wit:

Section 1. OBSTRUCTIONS TO VISION

No owner, occupant or tenant of any real estate abutting any street or highway intersection, alley - street intersection, and intersections of public, business and service driveways with streets or highways shall permit any trees, plants, shrubbery, sign, parked vehicle or any other object which obstructs or tends to obstruct the view of any operator of a vehicle or of a pedestrian approaching such intersection to grow to a height in excess of three feet from the grade of the street or highway at said intersection and within 25 feet of the curb or right of way at any such intersection.

Section 2. NOTICE

Any owner or occupant of any property abutting any street or highway intersection and intersections of public, business and service driveways with streets or highways, who shall fail to comply with this section shall be given notice of such noncompliance by the Vanderburgh County Sheriff Department by leaving a copy of such notice with any occupant or owner of such real estate or by posting the same on such real estate.

Section 3. FAILURE TO COMPLY

Failure by any such owner or occuptant to comply with said notice within five days after receiving same shall constitute a violation of this ordinance.

Section 4. PENALTY

Any person violating any provision of this ordinance shall be fined not more than three hundred dollars ($300.00) and costs and/or imprisoned not more than 180 days in the Vanderburgh County jail. Every day such violation shall occur shall constitute a separate offense.

Section 5. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage by The Board of Commissioners of the County of Vanderburgh, State of Indiana, together with the signature of the presiding officer thereof, and, its publication in the manner provided by law.

PASSED by The Board of Commissioners of the County of Vanderburgh, State of Indiana, on the ____ Day of October, 1977, and upon said date signed and executed by the Members of said Board and attested to by the Vanderburgh County Auditor.

The above ordinances were written due to a request from the Sheriff's Deparmtent because of a near collision between a Sheriff's car and a State Police car caused by a weedy condition.

County Attorney Ed Smith said the ordinances should be advertised twice in the Courier and Press and then come back before the commissioners.

Commissioner Schaad moved that both Ordinances,as presented, be approved for advertisement on September 29th, October 6th. and then come back before them on October 10th. for final action.

RE: MR. HOTZ

Mr. Hotz said he is concerned with the parking lot at the Auditorium.

President Ossenberg asked Mr. Stephen if he has received any bids on the parking lot at the Auditorium.

Mr. Stephen said the only thing that he called for was some petrimat as a covering over the top of the bad areas and Mr. Jerry David has told us that he hasn't received a reply back from the company's representative, so he is still trying to find out where and how to get it.
He said he will try to get in touch with the manufacture's representative.

President Ossenberg said something needs to be done soon because we will soon be having bad weather.

RE: COMMERCIAL WASHER.....JAIL

Mr. Hotz said they have a commercial washer, in the jail, which is almost worn out, and does need replacing. He understands that particular washer is not manufactured any longer and we have to go to Milwaukee, Wisconsin to get most of the repair parts so he is wondering if he can prepare specifications and bring then before the Commissioners next week for approval and then appear before the County Council and ask for a transfer from Pleasantview to an account to purchase a new washer for the jail. We are talking around $13,000.00 - $14,000.00.

President Ossenberg asked if the washer presently in the jail is owned by the County or the Building Authority.

Mr. Hotz said we maintain the repairs on it.

President Ossenberg said we will move on at this point and have someone find Mr. Ruston and ask him to come in and lets find out who owns the washer.

RE: MR. SIEBEKING

The Absentee List for the Vanderburgh County Highway Department for the week of September 19th was submitted to the Commissioners.
Report ordered received and filed.

Mr. Siebeking said they have had a few problems with people who have either retired or have quit working for us, in regards to getting their uniforms back. When these aren't returned to us, we have to pay Mechanics Laundry for them.
He has typed us a form letter, that with the Commissioners approval, and he hasn't cleared it with the Union yet either, he would like to see this approved for each of their employees to sign at the time of employment.
The letter read as follows:

You are a probationary employee for thirty (30) days, after this time you will be outfitted with uniforms, at no cost to you. You will receive the following items from Mechanics Laundry.

Seven (7) long sleeve shirts
Seven (7) short sleeve shirts
Seven (7) pairs of pants
Two (2) jackets
One (1) jacket liner

Check your garments upon receipt for correctness in size and quantity. If there are any discrepancies at this time, or ever in the future, report it in the office.

At the time of termination or retirement from the payroll, you will be expected to turn in the exact number of uniforms that were issued you initially or reimburse the County Highway Department for missing garments. I hereby authorize the County Highway Department to hold my final paycheck until I have complied with all the above procedures.

President Ossenberg said he beleives the above is a good letter and also if you would talk to Al Knarian, Union Steward, he could help you recover some of them.

Mr. Siebeking said they have written letters to a few of them that left and also have had some telephone conversations with some and they tell us that some of their uniforms were lost, or they didn't get them back from the laundry, etc. We have one man that his clothes are going to cost us $80.00, because we are responsible to Mechanics Laundry. So therefore he feels that if we can get a new employee to sign this, then that makes him more or less responsible for the uniforms and it figures up approximately $125.00 per person.

RE: COMMERCIAL WASHER....JAIL

Mr. Gil Ruston was present and Commissioner Ossenberg asked him who owned the wash machine in the jail and Mr. Ruston replied that the county owns them.

President Ossenberg asked Mr. Curt John if we could transfer funds from the Pleasantview Rest Home budget into Mr. Hotz budget to replace the washer and Mr. John said what we would have to do is repeal the amount from the Pleasantview budget and request an appropriation in the Supt.of County Building's budget.

Commissioner Schaad asked what the estimate on this is and Mr. Hotz said he has one which is $13,000.00 for the machine and approximately $1,000.00 for installation, etc.

Commissioner Schaad moved that we approve the amount of $15,000.00 to be advertised for transfer from the Pleasantview to Mr. Hotz's budget.

Commissioner Willner seconded the motion. So ordered.

Mr. John told Mr. Hotz that he would have to have a letter on this request for the Council and also, it will not be on until November.

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RE: MR. BRENNER

Mr. Brenner said that due to the rain the progress has been delayed on the reconstruction of the intersection of St.George and Oak Hill Roads. We have been at this for almost three months now and it just will not dry out so he believes we are going to have to have a change order to put some rock as a base for the road which will run approximately $1,000.00, but with the weather changing, we aren't going to ever get it done and it should be completed before winter.

President Ossenberg said he feels this would be wise to go ahead with a change order, so Mr. Brenner was authorized to do this.

Mr. Brenner said there is another problem out there on Rode Road, which is the next road up. There is a private ditch, which runs along behind the houses on Oak Hill, which is flooding. On weed control, there is one lot that has gone berserk and he is wondering if we have any function in getting weeds cut on a subdivision lot.

President Ossenberg said the County Attorney just this morning presented us with an Ordinance on Weed Control. It has to be advertised for two weeks and it will then be effective on October 10th.

County Attorney Smith asked Mr. Brenner if he was aware that the City has a trash ordinance that extends four miles outside of the city limits, so this should cover that.

RE: MR. STEPHEN

Mr. Stephen said he has a complaint that came from the City to the Commissioners on the Eastside Drain and the complaint is everytime it rains the ditch backs up with water, and the water backs up in this woman's house and they want to know if anything can be done to relieve the problem. He said he did call the woman and explain the situation. He said this is part of the ditch that runs across Green River Road, that starts on the South side of Division Street and that is where the water problem is because it does not get past the backside of Woolco Store.

President Ossenberg said isn't this the State Highway Department.

Mr. Stephen told this woman he believes she will be getting some relief when, whatever is done out there in the development of Jim Morley, the county and the city. So for the time being, she will just have to be patient.

Commissioner Schaad asked how the eastside drainage problem is coming along with Morley.

Mr. Stephen said apparently Mr. Morley made a presentation to the city within the past week and what happened after that, he doesn't know.

President Ossenberg said Mr. Morley made a presentation to the Works Board two weeks for $550,000.00.

Mr. Stephen is to get together with the City Engineer and Mr. Brenner and try to find out just where we stand on the project, as we need to work together.

RE: GREEN RIVER ESTATES.....ENGLISH WAY

Mr. Stephens said he talked to Mr. Phil Heston some time ago and they are having a problem that everytime it rains they have mud run off onto Green River Road from Green River Estates.
Mr. Stephens said he came up with several alternatives and he thinks the best solution outside of taking out the complete intersection and re-pouring it and that is two (2) 15' grates directly on top of the culvert, that will drop the water underneath and Mr. Heston thought that was the best idea also, and he is to get in touch with the contractor, to do the work and we are to direct exactly where we want the slots put in across the pavement, to do the job. So as of now, this is where we stand.

RE: ASPEN RIDGE:

Mr. Stephen said back sometime ago, Associated Land Surveyor's and Civil Ingineer's requested that Walnut Lane and Eastbrooke Drive ,in Aspen Subdivision, be accepted and we informed them that Aspen Drive had not been accepted yet, and they wrote a letter that all three be accepted and at that time we made a report as follows:

TO: Board of County Commissioners

RE: Aspen Drive in Aspen Ridge Sec. "A" and "B"

Aspen Drive in Aspen Ridge Sec. "C" and Walnut Lane and Eastbrooke Drive in Section "D"

The above listed streets that have been requested to be included in Vanderburgh County road maintenance were visually inspected by Mark Tuley and myself today, Thursday, September 15,1977. The following deficiencies were observed on Aspen Drive of Sec. "A" and "B".

a. At twenty-four places, where the street center line joint and the transverse joints intersect, one or more of the four corners were cracked and depressed by as much as one inch.

b. About half of the concrete street slabs have longitudinal cracks.

c. At a few places curb repairs are needed.

On Aspen Drive in Sec."C" and Walnut Lane and Eastbrooke Drive in Sec "D" the following were observed:

a. Erosion control was nonexistent which left the street covered with mud in the gutters and across the street in the low areas.

b. The sectional cracks need additional asphaltic material added for sealing.

c. Unable to determine concrete thickness, therefore an Engineer's Certification ofCompliance is needed or core samples should be submitted.

d. Water lines have not been installed as yet. This will mean additional earth work on installation of water lines.

It is recommended that acceptance be deferred until all houses are constructed.

This is a classic example of a street designed for light auto traffic that is damaged by construction traffic such as concrete trucks, material trucks and others as the houses are built.

Prepared by:
L.H. Stephen
Vanderburgh County Highway Engineer

Mr. Stephen said a copy of this report has been sent to Sam Biggerstaff also.

RE: NURRENBERN ROAD:

Mr. Stephen said he was asked to see what the cost would be for work on Nurrenbern Road, to elevate it in the low areas and the engineering work had already been done. The drawings are not complete yet, but complete enough for us to get a yardage figure, which is about 15,000 yards of material needed to be furnished, hauled and compacted.
He can have specifications ready within this week if you would want to set up a date to have it bid.

Commissioner Schaad asked Mr.Stephen if he had an estimate as to the cost on this and he replied he checked to see what they have been paying in the past and it looks like it will be some place around $3.00 - $4.00 per yard which will run a total cost of approximately $45,000.00 to $60,000.00 for just the earth work. First off you have to have the stone base on top of this and Mr. Siebeking said he can handle this out of the Contractual Account in the Highway. We probably will use chip and seal and Jack can do the job, if we get the fill.

Commissioner Schaad asked Mr. Siebeking how much money he now has in his Contractual account and he replied approximately $50,000.00.

Commissioner Schaad moved the the specification for this project be completed and brought back to the Commissioners, next week.
Commissioner Ossenberg seconded the motion. So ordered

Commissioner Schaad said he talked to Mr. Moye at the L&N R.R. and he referred him to the Chief Engineer, Mr. George Moore and he found out the fill dirt on the south side of the old viaduct does belong to the L&N R.R. and they gave the county an easement so we could run our road up over the viaduct so people could get into Howell. They have removed all of the earth from the north side and they are going to take off all of it on the south side, so we won't be able to use any of that fill.

RE: WATER LINE FROM VANDERBURGH COUNTY TO GIBSON COUNTY

Mr. Stephen said he does not know what water company but someone is running a water line out of Vanderburgh County into Gibson County, up along Highway 41, and they ran across an area where there are two filling stations, and they say there is a county road up there, which is kind of like a frontage, where you take off.

President Ossenberg said if you are talking about up around Busslers, that was abandoned by the State of Indiana, back to the county.

Mr. Stephen said what it boils down to, is that we do not have it listed on our county roads, so apparently we aren't keeping it up.

Jack Siebeking said yes, we are keeping it up.

Mr. Stephen said the company is wondering if they will have to get a cut permit from some right-of-ways to get through there, from some individuals along there or whether they are on our county roads.

Commissioner Schaad said it should be on the county accepted roads and if it isn't it should be added.

RE: UPPER MOUNT VERNON ROAD

Commissioner Schaad said he received a call over the week end that on Upper Mt. Vernon Road about 100 yards this side of Diefenbach Road there was a cut across the road and with the rain that came Friday night, it is really bad.

Mr. Stephen said the Water Works had a permit but did not have an open cut permit and found they were going to have to, so they did call him, so he will get in touch with the Water Works.

Commissioner Schaad said he went out and looked at it and it was very bad and he then got in touch with Jack Siebeking who went out and fixed it.

Mr. Stephen said then why don't we sent the Water Works and President Ossenberg said fine.....send them a bill.

Mr. Siebeking is to make out a list of the time and material for filling in the cut and get it to Mr. Stephen.

RE: MR. LOCHMUELLER

At this time the Commissioners was presented an agreement between the L&N R.R. and Vanderburgh County. This agreement was prepared by the L&N.

Commissioner Schaad moved that these agreements be deferred to the County Attorney until next week.

Commissioner Willner said some time ago there was to be a crossing just east of Highway 65, and he was wondering what happened to it.

Keith Lochmueller said that was one where they were giving us a lot of trouble over and he doesn't know exactly where it is at this time, but he will investigate it and get back to the commissioners.

Commissioner Willner seconded the motion. So ordered.

RE: POOR RELIEF

Georgia Hobby.....Pigeon Township...Ms.Vitatoe, Investigator.

The Notice of Poor Relief Action from the Pigeon Township Trustee, shows that Ms. Hobby applied for rent and was denied since they have asked her to move into cheaper housing, since January 1977 and she hasn't.

Ms.Hobby said she has tried to get a cheaper place, but she cannot move into the projects because she could only get one bedroom and she has three children. She said they are trying to get her to get rid of her sons bed and then move into a one bedroom apartment and let her little boy sleep with her. She now lives at 734 Bayard Park and the rent is $150.00 per month plus utilities. She is not married and has three childres, ages 12, 10 and 3 years old.

President Ossenberg asked Ms.Hobby if she has any income and she said she receives A.D.C. in the amount of $175.00 per month, but it will go up to $275.00 per month in November.

Ms.Hobby said she has been working part-time at Allens Lounge.

Ms.Vitatoe said in September of 1976, Ms.Hobby came to us for help and we referred her to the Housing Authority then but she stated that she had too good of furniture to take to the Housing Authority and she didn't want to get rid of anything. At that time she only had one child with her. She believes she would be safe in saying that since last September, we have paid almost every utility bill she has had.

Ms.Hobby said they have paid only two.

Ms.Vitatoe said they have suggested and asked that Ms.Hobby go into Housing or at least a cheaper place because she is only drawing $175.00 and paying $150.00 for rent. They referred her to nursing service for awhile and she worked for them and then she was out of work again. She has not worked for the past three months that they know of, and the thing is, she has not tried to help herself.

Ms.Hobby said she has her application in at several places.

President Ossenberg asked Ms.Hobby how much her phone bills are and she replied about $20.00 per month.
He then asked her how many phones she has and she said three.

Ms.Vitatoe said her food stamps do not cost her anything. She said she is two months behind on her rent and there is no way we could touch that as we only pay from the date of application forward. For her we would be able to pay $60.00 per month.

President Ossenberg asked if they have checked to see if there is any housing over there with more than one bedroom.

Ms. Vitatoe said when we first went through this, back in January, there was an apartment open, and it was turned down, because she refused to move into it.

Ms.Hobby said this is not true. She said the lady there told her they did not have any vacancies.

President Ossenberg said first ao all they can only pay $60.00 per month and number two, quite frankly, I believe you are over your head, because he feels that three phones are accessive.

Ms.Hobby said she has lived herefor two years and she has never asked for help before and she does plan on going back to work at Allens Lounge.
She has people helping her to look for a place because she does want to move to a cheaper place, but there just aren't many places around town very cheap and she does not want to sell her furniture because that is all she has.

Commissioner Schaad said the only thing the Trustee's office can allow, by law, is $60.00.

Ms. Vitatoe said there is just no way we can pay her back rent and we have had several come and go in Housing since she applied.

President Ossenberg said he feels the only solution is to refer her back to the Trustee's office and see if they can find her a two bedroom place.

Ms. Vitatoe said if they paid anything at all on this rent it would have to go from the 19th of September to the 19th. of October....but not any back rent, so Ms.Hobby would still be stuck with the $300.00 past due amount.

Commissioner Schaad moved this revert back to the Trustee of Pigeon Township. Commissioner Willner seconded the motion. So ordered.

The meeting recessed at 10:45 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Bob Schaad Robert L. Willner	Curt John	Ed Smith, Jr.

Secretary: Margie Meeks
By: Janice Decker

Tom Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS
SEPTEMBER 28, 1977

RE: AUCTION OF PLEASANTVIEW REST HOME PROPERTY

The Vanderburgh County Commissioners were in session today for the purpose of disposing of the real estate at Pleasantivew Rest Home, either by lease purchase or by outright sale.

Mr. Hugh Miller conducted the auction for Curran Miller Auction & Realty Co. which began at 10:00 a.m. on the site of the Pleasantview Rest Home.

Introductions were made and Mr. Miller distributed copies of the specifications to those interested parties and then proceeded to conduct the auction.
He explained that the property consists of 20 acres, more or less, that the bidding will be on a lease purchase basis as well as an outright purchase basis, and that he will first call for bids on a lease purchase basis and the bids will then be tentatively closed, with the right to re-open them, and bids will then be called for on an outright purchase and after all these bids are in, higher bids will be called for on a lease purchase basis, and then on an outright purchase, alternately until all competitive bidding has been exhausted.
He said the bids will then be recorded and will be submitted to the Vanderburgh County Commissioners and to the Vanderburgh County Council for their approval, and that as far as the taxes are concerned, they expect that the purchaser will be responsible for all taxes due and payable after the date of closing, on an outright purchase.
He said the property has been zoned R-4, that the zoning was just completed this week and if the property is purchased for nursing home use, then there must be a conditional use permit granted and if the purchaser will make his wishes known, the County will furnish that conditional use permit.
He said the abstract has been brought up to date and the purchaser will be furnished with the abstract at no expense to the purchaser, also, that the possession will be the date of the closing and the date of the closing shall be within 30 days after the bidder has been notified that his bid has been accepted.

Mr. Miller explainced that the property is furnished with all utilities, City water, Sewer, and natural gas.
He then read the specifications to see that certain points are brought out, and he read as follows:

Said property includes all window air conditioners; emergency lighting system; fire extinguishers, hoses and fire protection equipment; heating system with three (3) boilers; two (2) stainless steel-topped kitchen work tables; two (2) wood-topped kitchen work tables; walk-in cooler; walk-in freezer; two (2) ranges; dishwasher with dish table and trays; refrigerator; steam table; serving table; serving table with display and handrail; coffeemaker with stand; water fountains; drapes; blinds: and all laundry equipment located on said real estate.

The Board of Commissioners of Vanderburgh County and the Vanderburgh County Council reserve the right to reject any and all bids.

Said Board and Council reserve the right to take the highest bid of each bidder under advisement for a period of fourteen (14) days from the date of public auction before rejecting or accepting any said bids.

No bid will be considered unless the bidder submits a certified or cashier's check, payable to the Board of Commissioners of Vanderburgh County, in the sum of Five Thousand and 00/100 Dollars ($5,000.00); said check shall be submitted in person to the said Board or a person designated by said Board at the public auction before the bidder commences bidding at said auction.

A bidder who bids to purchase and to lease-purchase need submit only one (1) check. Said checks will be refunded to those bidders whose bids are not accepted after said bids have been taken under advisement as above provided. Within seven (7) days of written notice of bid acceptance, the successful bidder, if any, shall furnish a Twenty-five Thousand and 00/100 Dollars ($25,000.00) certified or cashier's check payable to said Board as additional security to be forfeited by said bidder in the event said bidder fails to purchase said property or fails to execute a lease-purchase agreement and pay the first month's rent at the closing of the transaction, as the case may be. In the case of a lease-purchase the entire Thirty Thousand and 00/100 Dollars ($30,000.00) deposit shall be held by said Board until the lease term has run and the purchase completed. If said additional security deposit is not timely made, the Five Thousand and 00/100 Dollars ($5,000.00) deposit will be forfeited by the bidder whether for purchase or lease-purchase. The full purchase price must be paid by certified or cashier's check.

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Vanderburgh County shall be responsible for insurance and maintenance costs occurring up to the time of the date of the closing of the transaction, whether purchase or lease-purchase; the successful bidder will be responsible for all insurance costs, maintenance costs, and all other expenses incurred thereafter.

In the case of a straight purchase, said Board will deliver to the successful bidder a quit claim deed at the closing of the transaction upon the bidder's full compliance with the terms of these specifications. The closing shall be held within thirty (30) days of written notice of bid acceptance. In the case of a lease-purchase, upon the bidder's full compliance with the terms of these specifications and the lease-purchase agreement and upon payment in full of the purchase price by certified or cashier's check on or before the last day of the lease term, said Board will deliver a quit claim deed to the successful bidder.

Said Board reserves the right to enter upon said real estate within sixty (60) days from date of possession by the successful bidder for the purpose of preparing for and holding a public auction of Pleasantview Rest Home surplus personal property located on said real estate, and the bidder hereby agrees to permit said entering and the holding of such public auction on said real estate.

ADDITIONAL TERMS APPLICABLE TO LEASE-PURCHASE

A. As used in these specifications, the phrase "closing of the transaction" when referring to a lease-purchase shall mean the signing of a lease-purchase agreement rather than the payment of the purchase price and delivery of deed. The closing of the transaction for a lease-purchase shall be within thirty (30) days of written notice of bid acceptance.

B. Bids for a lease-purchase shall state the number of years bid, the rent per year, and the purchase price. The lease term shall not exceed five (5) years.

C. Bids basing rent on a percentage of revenue or other variable amount will not be accepted.

D. No lease can be assigned or sublet without without prior written approval of said Board.

E. All improvements made to said real estate during a lease-purchase shall become the property of Vanderburgh County in the event the successful bidder fails to purchase said real estate at the end of the lease term.

NOTE:

All bids are made subject to the provisions of these specifications; by making a bid, the bidder agrees to abide by the provisions of these specifications.

Mr. Miller reminded the prospective bidders, if they haven't already made their $5,000.00 deposits, to please do so in order to be qualified to bid. Those having submitted their deposits in the form of Cashier checks were as follows:

Rev. William Flowers
Mr. Kenneth M. Newcomb
Dr. Robert Arendell

Mr. Miller then asked County Attorney Wendel if he had anything further to say concerning the terms or conditions of the sale.

County Attorney Wendel said that he would like to add that if there is anyone else that is interested in the property, they may make their deposit of $5,000.00 anytime before they bid, until the close of the sale.

In proceeding with the auction, Mr. Miller said he thought this to be a choice piece of real estate that is being offered here today and also thought it to be an outstanding opportunity to purchase it.

Dr. Arendell started the bid on the lease-purchase by bidding $9,000 per year, for five years, with the payment of $250,000 at the end of the five-year period, for this property, and his highest bid was $15,000 per year, for five years, with the payment of $300,000 at the end of the lease period and he said that if his bid is considered, he now asks for conditional use as a nursing home.

Mr. Newcomb asked if he could get a variance or permission from the City or Vanderburgh County to build on the outlying property as long as they don't create a mortgage or a liability lien.

There was a question as to what he meant by this and Mr. Miller explained that what Mr. Newcomb is saying, is that if he wanted to erect a building on some of the vacant land without mortgaging this property, would that be permissible.

County Attorney Wendel said this can be done, but if he fails to complete the purchase at the end of the lease term, the new building would revert back to the County.

Mr. Miller said this is spelled out in the specifications.

Mr. Newcomb over-bid the offer made by Dr. Arendell by offering $12,000 per year for five years and the payment of $350,000 at the end of the lease period and he also asked for conditional use as a nursing home.

Mr. Newcomb's bid was the highest on the lease-purchase basis. He asked if he has the option to purchase prior to the five-year period and County Attorney Wendel said he does have that option, with the conditional use permit granted.

Mr. Miller noted that someone had said that the way the specifications read, someone bidding on a lease-purchase might construe that they would have to pay taxes, the way it was stated.

County Attorney Wendel explained that there would be no property tax on the property, under the lease-purchase arrangement, until the title is transferred to their name at the end of the five-year period.

On the outright purchase, Mr. Flowers started the bid at $180,000 and after several other bids were made, he offered the high bid of $300,000.

Mr. Miller said that according to his calculations, the current value of $300,000, five years down the road is $195,000.

There being no further bids, Mr. Miller said it appears to him that they have exhausted the competitive bidding to the best advantage of Vanderburgh County, which was their intent when they came out here, and at this time he would like to express their sincere appreciation to the bidders for their interest.
He said that County Attorney Wendel would prepare something for the bidders to sign that will spell out the bids they have, so there will be no misunderstanding with the bids that have been made.

He again said that he certainly appreciates everyone's interest and the time they took to be here, since he knew it took a considerable amount of time and effort to prepare themselves to bid at an auction on real estate and they want to express their appreciation to everyone on behalf of the County Commissioners and the County Council.

The highest bid that was submitted by each bidder reads as follows:

Dr. Robert Arendell.....Lease-Purchase...$15,000 per year for five years and $300,000 at the end of the five-year period.
Mr. Kenneth Newcomb.....Lease-Purchase...$12,000 per year for five years and $350,000 at the end of the five-year period.
Rev. William Flowers.....Outright Purchase....$300,000.

The auction was over at 11:10 a.m.

Those present at the auction of Pleasantview Rest Home were as follows:

COUNTY COMMISSIONERS	AUDITORS OFFICE	COUNTY COUNCIL	COUNTY ATTORNEY
Bob Schaad	Curt John, Auditor	Paul Ahrens	Paul Wendel
Robert Willner	Margie Meeks, Sec'y.		

Robert Brenner, County Surveyor....Herman Hotz, Building Supt.
Curran Miller, Hugh Miller and Karen Blackburn of the Curran Miller Auction & Realty Co.

Bob Schaad
Robert Willner
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
OCTOBER 3, 1977

The meeting of the County Commissioners was held on Monday, October 3, 1977, in the Commissioners Hearing Room with President Tom Ossenberg presiding.

Deputy Sheriff Pete Swaim opened the meeting, this being the first meeting of the month.

The minutes of the previous Commissioners meeting were approved as well as the minutes of the auction that was held on the Pleasantview Rest Home property on September 28, 1977, as engrossed by the County Auditor. The reading of these minutes were dispensed with.

RE: INTRODUCTION MADE

Commissioner Ossenberg introduced Duane Drockelman, who is the new District Soil Conservationist of Vanderburg County, to fill the vacancy made by the resignation of Fred Alcott.
Mr. Ossenberg welcomed Mr. Drockelman and said it is nice to have him aboard.

RE: CLOSING ON SALE OF BOEHNE PROPERTY

Commissioner Ossenberg asked County Attorney Wendel if everything is in order to finalize the sale of the Boehne property.

County Attorney Wendel said that everything is in order, that he has prepared the deed, and that Dr. Arendell has the checks to present to the Commissioners at this time.

Dr. Arendell presented his check for the balance due in the amount of $296,500.00, and said that this amount plus the $5,000.00 deposit and the 10% which is $33,500, adds up to the purchase price of $335,000.00.
He also submitted a check in the amount of $500.00 for the abstract fee, made payable to the Commissioners, since he didn't know how they wanted to handle it.

Commissioner Schaad said it didn't make any difference, that the Commissioners could just endorse the check over to Evansville Titles Corporation.

The Commissioners endorsed the checks at this time, and also signed the deed.

Commissioner Schaad moved that the check, in the amount of $296,500.00, be accepted. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR LEAVE OF ABSENCE

The following letter was received by the Commissioners from Katherine Appuhn:

Dear Mr. Ossenberg,
I am requesting a leave of absence as assistant manager of Vanderburgh Auditorium for the period beginning October 1, 1977, and ending December 31, 1977. This request is necessary due to serious illness in my family.
I would ask permission to return to work prior to December 31st if conditions improve.

May I have your earliest consideration of my request.

Sincerely,
Katherine Appuhn

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

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AREA PLAN COMMISSION

Deborah Kay Beard	3601 Frisse	Secretary A	$6,804.00 Yr.	Effective 9/30/77

CIRCUIT COURT

Arthur J. Stippler	1865 S. Weinbach	Resource Develop.	$10,000 Yr.	Eff: 10/3/77
Roger Kiefer	2008 S. Vann	Counselor Aide	$ 3.00 Hr.	Eff: 9/28/77

COUNTY HIGHWAY DEPARTMENT

Dennis Merideth	2432 N. Lafayette	Equipment Operator	$4.63 Hr.	Eff: 9/26/77
Thomas W. Jameson	110 N. Elm Ave.	Mechanic Assistant	$4.52 Hr.	Eff: 10/3/77

VANDERBURGH AUDITORIUM

Kim Grossman	2926 Hartig Ave.	Secretary	$2.50 Hr.	Eff: 9/27/77

RE: EMPLOYMENT CHANGES.....RELEASES

CIRCUIT COURT

Patricia Becker	Resource Developer	$10,000 Yr.	Eff: 10/1/77

COUNTY HIGHWAY DEPARTMENT

Dennis Merideth	2432 N. Lafayette	Truck Driver	4.26 Hr.	Eff: 9/26/77

PIGEON TOWNSHIP TRUSTEE ..(Temporary Leave)

Robert E. Olsen	864 Lincoln Ave.	Supervisor	$8,600 Yr.	Eff: 9/26/77
Louise Lockett	1507 Florence	Investigator	$6,827 Yr.	Eff: 9/26/77
(Quit) Judy Diekhoff	1118 Western Hills	Clerk	$6,052.00 Yr.	Eff: 10/17/77

VANDERBURGH AUDITORIUM...(Leave of Absence)

Katherine Appuhn	201 N. Lemcke	Asst. Mgr. & Secretary	$9,092 Yr.	Eff: 10/1/77

VANDERBURGH COUNTY BAIL BOND PROGRAM

Harris Howerton	1707 Vann Ave.	Bail Bond Interviewer	$3.00 Hr.	Eff: 9/11/77

VANDERBURGH SURPERIOR COURT

Pat Ross	Clerical Assistant	$259.57 Pay	Eff: 10/7/77
Joy Brinkmeyer (Leave of Absence)	Probation Officer	$401.92 Pay	Eff: 10/7/77
Edity Rosenblum	Summer Intern	$300.00 Pay	Eff: 9/21/77

RE: REQUEST FOR ALLOCATION OF CIVIC CENTER CENTREX TELEPHONE LINES

Mr. Ron Goebel, A Probation Officer for the Superior Court, appeared before the Commissioners and said that he had talked briefly to Commissioner Ossenberg about this matter, that he would like to request five telephones on the Centrex System, for a federal program that must be in operation in two weeks and that it will take the Telephone Company one week to do it.
He said it will be at no cost to the County for the installation or the operation of the phones since the County will be reimbursed by a federal grant.

Commissioner Ossenberg said that Mr. Goebel came in with a verbal request but that he will submit a letter on it, which he later did, and it reads as follows:

Dear Mr. Ossenberg:

This is to confirm our conversation of this date concerning the allocation of up to five (5) Civic Center Centrex telephone lines for the soon to be operational Evansville Day Treatment Unit. The Day Treatment Unit will be located at 311 S. 3rd. Avenue and funded by Title XX funds. It will operate in close conjunction with the Juvenile Division of Superior Court.

On this date I appeared before the County Commissioners and you approved installation of this telephone system. There will be no cost to the County for the installation or operation of these lines as the program will reimburse the County 100% for telephone service.

We have contacted Dennis Vowels (464-6015) at Indiana Bell and asked him to install one (1) line as soon as possible so that communication from the Day Treatment Unit can begin as soon as possible. The number that he has assigned for this line is 426-5821.

Thank you for your assistance and the quick action of the Commissioners. The Day Treatment Unit is scheduled to be operational in all phases two weeks from today and Indiana Bell requires several days advance notice for installation.

Respectfully, Ronald R. Goebel
Probation Officer

Commissioner Schaad moved that the request for the allocation of the Civic Centrex Telephone Lines be approved. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORT

The Report from the Bureau of Traffic Engineering was submitted for the month of August, 1977.
Report received and filed.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by Torian Agency, of the Hartford Accident & Indemnity Company, issued to the Commissioners of Vanderburgh County, on insured, William Schmitt of Jasper, Indiana, for Convention Center Activities.
Certificate received and filed.

RE: VACATION OF HAPPEL ROAD REQUESTED

Mr. VanStone submitted the Report of the Viewers as well as the final Resolution for the vacation of Happel Road.

Commissioner Ossenberg said that he thought for the sake of time, he is going to defer this matter for two weeks to the County Attorney's, also that Mr. Minor is in the audience, who represents a client that is against doing this vacating, so at this time, he would ask that these two attorney's involved, work with the County Attorney's to see if they can get it resolved.
This matter was then deferred for two weeks.

County Attorney Smith said they checked on it this morning and the first thing he thought they should determine is whether or not they have a right to remonstrate since the statute reads that the person who has a standing to object or remonstrate must be someone who's property actually goes through the area in question or is affected by it.

Mr. Minor said his client's property is East of this property at the line of the road they are trying to vacate.

RE: REQUEST FOR TELEPHONE NUMBER CHANGE

The following letter of request was received from Marta Provenzale, Attorney at Law, by Ms. Smith, the Executive Assistant to the County Commissioners:

Dear Ms. Smith:
I hereby would like to request your approval to have my telephone number changed. The reason for making said request is that my office number, 426-5174, is so similar to the general number of Legal Aid Society of Evansville, Inc., 426-5173, that people are constantly dialing my office number by mistake. I am therefore, often interrupted while in consultation and being detained on the phone.
Thank you for your cooperation in this matter.

Yours truly, Marta Provenzale
Attorney at Law

Commissioner Ossenberg said the cost for this change would be $32.50 and the question here is if this is really necessary, and after some discussion on the matter, the Commissioners decided that it wasn't that important.

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

RE: REQUEST TO TRAVEL

The following letter of request was received by the Commissioners from James L. Angermeier, County Assessor:

Gentlemen:

This is a request for permission and approval for my attendance of an I.A.A.O. school, to be held at Chicago Regional School. This school is on Income Approach to Valuation, Course 2, to be held November 28 - December 2, 1977, at University of Chicago School of Business. This school is being conducted by the International Association of Assessing Officers, of which I am a member.

The following is my request of the commissioners to approve:

1. Registration fee of $95.00.
2. Mileage to and from Chicago...301 miles x 2 = 602 miles @ .14¢ per mile=$84.28.
3. 5 nights at hotel @ $27.00 per night = $135.00.
4. Meals.

A receipt will be produced and returned to the commissioners for payment.

Yours truly, James L. Angermeier
Assessor, Vand. Co.

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

RE: CLAIMS

A claim was submitted by Brink's Inc. for services rendered to the Clerk of the Vanderburgh Circuit Court during the month of October, 1977, in the amount of $94.80 as per contract.

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

A claim was submitted by Szabo Food Service Inc. for the meals of the officers from September 1st. thru September 15th. 1977, in the amount of $95.55, which was approved by Sheriff DeGroote.

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

A claim was submitted by the Evansville Blue Print Company, for blueprints done of Pleasantview property, in the amount of $36.96, and was approved by Herman Hotz.

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

RE: MR. HOTZ...AUDITORIUM PARKING LOT

Mr. Hotz said he has one invitational bid for the repairs and resurfacing of the Auditorium Parking lot which was from Feigel Construction Co. and that Mr. Feigel is here in case the Commissioners have any questions they want answered.

Commissioner Schaad asked who all he had requested bids from, and Mr. Stephen said they contacted Rudolph, Feigel, Jerry David and Midwest Construction Companies. He said that Feigel said they would do it, but that it really isn't what they specified in the specifications because no one wants to use the petrimat type materials, since it is too hard to get, so Feigel said he would put about two inches over those spaces and will patch the spots.

Commissioner Schaad asked if the other bidders were told they could bid without using the petrimat material.

Mr. Stephen said they weren't, that they didn't get any bids, using the petrimat, so this one was presented because it is getting close to not being able to do anything about it and something should be done about it before winter.

Commissioner Schaad said the other bidders should have been given an opportunity to bid, using other materials then.

Commissioner Ossenberg said the only thing they can do then is for Mr. Stephen to call them today and ask them if they are interested in bidding, using other materials, and then he can come back before the Commissioners next Monday.

RE: UTILITY BILL AT BOEHNE.....COMMENT

Mr. Hotz mentioned the light bill at Boehne and Commissioner Schaad said he thought it has increased somewhat, so Mr. Hotz should check with the Auditor's office, since Dr. Arendell has been having some work done out there, that the bill hasn't been finalized as yet, and he was told that the Commissioners would bill him for the excessive light bill and he thought Dr. Arendell would be willing to pay it, so they need to find out what days he was out there and how much more the light bill is now than it has been previously.
He also said that the meter should be changed to Dr. Arendell's name.

RE: ABSENTEE REPORT

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

RE: CLAIMS

Mr. Brenner submitted a claim from Southwest Engineering, 2nd. estimate on Ohio Street. He said this project was done on a piece basis and it looks like it will come in under $73,000 and they estimated the cost to be around $85,000, but there will be more claims to come in on additional work. This claim is in the amount of $29,920.84 and was approved by Dave Guillaum, the Deputy Surveyor. This is on the Ohio Street Bridge repair.

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

Mr. Brenner also submitted a claim from Barnett Brothers for the Old Princeton Road Bridge, Structure #48, 1st. estimate, in the amount of $22,797.00.
He said that the road is open but they are having a little problem with the approaches and he is going to re-do them and he has also asked them to put up some additional guard rails which will be at additional cost. This claim was approved by Mr. Guillaum.

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

RE: EAST SIDE STORM DRAINAGE

Mr. Brenner said that on the East Side Storm Drainage where the City was doing the work and they had three crossings to make, they have run into problems and the County has agreed to appropriate $15,000 which was done by the Council so they have made a list of exactly what they spent on the crossings and they are going to spend something like $26,532.95 and they are requesting that the County appropriate the additional money.
He said the project is a real boon to the area and he thought they should do it, that it comes from the bridge fund and he has a letter from Mr. Eifler on it, to which Commissioner Schaad said he is familiar with.

The letter that Mr. Brenner received from Mr. Eifler reads as follows:

Dear Bob:

Thank you for taking the time to review the Eastside Storm Drainage Project with me today. As you are now aware the City is installing a complete storm drainage system along Fuquay Road between Pollack Avenue and Covert Avenue.

Per our discussion, on the job site, the City needs some additional monetary assistance to complete the storm system.

Attached hereto and made a part of this letter are the costs the County Bridge Fund should reimburse the City. These costs include the $15,000 approved by the County Commissioners several weeks back. The City needs an additional $11,532.95 from the Bridge Fund.

Will you please present this request for additional monies at the next County Commissioners meeting?

Very truly yours, Richard C. Eifler
Civil City Engineer

Commissioner Schaad moved that this request be placed on the agenda for Mr. Brenner to appear before the Council next month to request the balance needed. Commissioner Willner seconded the motion. So ordered.

RE: REPORT ON THE CLEANING OF PIGEON CREEK

Mr. Brenner said he has one other item which is on Mr. Culver who is cleaning Pigeon Creek, that he did show up Saturday with a dragline, so it looks like something is going to happen, but now the water is up again and he can't get to it.

RE: COMMENT ON BRIDGE REPORT

Commissioner Schaad said he didn't think that Mr. Brenner was here the other day when they were talking about the bridge situation in Vanderburgh County, as to the old Bridge Report and bringing it up to date which he assumes is being done and they will be starting a program on the repair and the replacing of bridges.

Mr. Brenner said that very shortly he will bring in about five more bridges.

RE: LEWIS VOLPE..COUNTY TREASURER.....TAX MATTER

Mr. Volpe said that about a month ago, he contacted Mr. & Mrs. John Shreve about a parcel of property on Missouri Street, Tax Code 25-94-8, and he thought them to have had about a month now to make their taxes right but they haven't contacted him, so he would like to remind the Commissioners of this situation. He said this was the parcel of property where the owners came in about 18 months ago and said they would pay their back taxes right away and the County Attorney sent them a registered letter, but there was no response, that the County was about a month away, in November of 1975, to taking the title and then they spoke to the Commissioners and said they would pay it up and at that time they paid $100.00 and another $25.00 in August of 1976 and haven't paid anything else on the real estate tax they owe, so the delinquency has really built up on it.
He suggested that the County Attorney write them another registered letter, giving them something like three days to pay up, and said that there is so much money owed on the property taxes that no one would buy it.
County Attorney Ed Smith will work with Mr. Volpe on this problem.

RE: MR. VOLPE.....TAX PROBLEM

Mr. Volpe said this problem was previously discussed and that he gave all the material on it to County Attorney Wendel, that there was a firm named Pulsar Plastics, Inc. that sold all their equipment in the summer of 1975, to Flair Molded Plastics, Inc. with a contract that said Flair Molded, Inc. would pay the County the taxes that was owed at the time they sold the assets and there was a partial payment, but not an adequate one, so he would like to see this resolved one way or another, as to if they can or can't get it.
This matter was again referred to County Attorney Paul Wendel.

RE: COUNTY TREASURER.....HELP NEEDED

Mr. Volpe, the County Treasurer, said that he did discuss another matter with the Commissioners last week, that it concerned the fact of getting in on this new procedure of suing for back taxes and he said that he does need help on this situation.

Commissioner Ossenberg said he is supposed to get an answer today, in seeing if he can get a couple of people from CETA. He said they think they have these people, but if they don't, the Commissioners will have to re-adjust their CETA people in order to get them.

RE: CHANGE ORDER

Mr. Stephen said he was informed that the Auditor's office needs a change order from them on any project, whether it be a decrease or an increase, so he submitted a change order on the Columbia-Delaware Bridge, of an under-run in the amount of $380.00.
He said the four following items were slightly changed:

1. Deleted repair on handrail section (it had already been repaired)
2. Deleted BS-6 on walk areas
3. Added sidewalk repair
4. Added patching on approach

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

RE: COLLAPSED WALK AT AUDITORIUM

Mr. Stephen said that a section of the walk was removed last week and found that the erosion below the concrete walk apparently has been caused by a broken drainage tile carrying rain water from the auditorium roof.
He said the holes in the ground must be repaired before a new concrete walk is installed, also that the erosion was not the result of a broken abandoned sanitary sewer beneath the auditorium as they had originally thought.
He said there is another area that is closer to the building, where they think it is probably the same thing and he doesn't know if it can be jacked up and continued to be kept level, or whether it should be removed, that it has been jacked up twice by grouting and could be again, but he didn't know if maybe the Commissioners wanted them to go in and remove the rubble and be sure that it is fixed right.
He said that someplace in the vicinity, there is another sewer line or storm sewer drain coming under that area, so they don't really know what is there.

Commissioner Schaad said if they do go back and pump it up again, it is entirely possible that it may not go down again, but it would be a gamble. He asked what the difference would be in the cost of doing it one way or the other.

Mr. Dewes said he doesn't know at this point, how many holes were drilled, but the cost was $1,200 and it didn't do the job, that the first pumping in 1972 was $700.00 and the second pumping was in 1974, and the difference of cost could have been an inflationary factor or just more mud that was pumped.

Commissioner Schaad then asked what it would cost if they tore it out and took out the rubble and then put it back.

Mr. Stephen said they would be doing it on a time and material basis and he would say that it would be about two days work for them, plus the recasting, so he would imagine it would be approximately $2,000.

Mr. Dewes said the thing is, that they are trying to correct a problem, when they really don't know what the problem is.

The Commissioners agreed that if it is torn up, they will know what it is, that it is a dangerous problem and they might as well go ahead and let the contractor remove the other section of the walk to make the necessary repairs.

RE: COMMENT ON SPECIFICATIONS ON BOILER

Commissioner Ossenberg asked Mr. Stephen if he knew anything about the specifications on the boiler for the Auditorium.

Mr. Stephen said the last he heard was that Evansville Wet Heat said that they would write up what they were going to do.

Commissioner Ossenberg said that Mr. Stephen and Mr. Wolf of Evansville Wet Heat were supposed to write up the specifications.

RE: MR. CROOKS.....COUNTY ORDINANCE

Mr. Crooks said some changes have been made in the County Ordinance and he thought it should be re-written, and he recommended it be referred to County Attorney Smith so he can see that it is put in proper form and in order, that this is put in line as that of the City and theirs has already been changed.

Commissioner Schaad moved that this matter be referred to County Attorney Smith, and that he come back with it next week. Commissioner Willner seconded the motion. So ordered.

RE: COMMENT ON VACATION OF CARANZA DRIVE

Mr. Phil Siegel, Attorney, appeared and apologized for being late, due to the fact that he was detained in State Court.
He said that as far as the notice on the vacation of Caranza Drive is concerned, he has his proof of publication and the first notice appeared in the Evansville Courier on September 19th. 1977, but due to the twenty-day notice requirement, he requests that this matter be continued until the next meeting, at which time the meeting could be convened as far as the notice is concerned, also that he will have the appraisals ready at that time.

RE: HOLIDAY SCHEDULED

Commissioner Ossenberg said that next Monday is a legal holiday but that in County Government, the employees voted that they would work on Columbus Day which is next Monday and that they would take the Friday following Thanksgiving to forego that day. He said he understands that the City offices will be closed on Monday but the County offices will be open on Monday, October 10th and there will be a Commissioners meeting on that day, so the County offices will be closed on Thanksgiving and on Friday, Nov. 25th. 1977, the day following Thanksgiving.

RE: COMMENTS ON SALE OR LEASE OF PLEASANTVIEW

Commissioner Schaad said the way he understands it, the Commissioners are going to have to meet with the County Council on the bids they received for the lease purchase and the outright purchase of the Pleasantview property, and they would have to make a decision on who is the successful bidder.

He said he does have from Alvin Stucki, the Center Township Assessor, the value of the land and buildings and what they will be assessed at.
He gave Anika Juras a copy of this so she can submit them to the County Council and they can see what amount of taxes will be derived from it before they make a decision.

Commissioner Ossenberg said the County Council meets at 1:00 p.m. tomorrow and he plans to go in front of them, so if the other Commissioners want to attend that meeting, they may do so.

RE: COMMENT ON INACTIVE STORAGE RECORDS

Mr. Hotz said he wondered if he could have the Commissioners contact each officeholder in regard to their records in the inactive storage, since they are running out of space and have hardly no room to put anything and he is sure there are a lot of records that can be disposed of, if they take the necessary steps.
He said that Mr. John took steps this spring and they removed some 80 cartons from there, so he is sure that if the other officeholders go down and spend an hour or two to check their records, mark them and store them, then the necessary steps can be taken to remove them.

Commissioner Schaad moved that Commissioner Ossenberg write a letter to all the officeholders, telling them about space being a real problem in the storage room and to ask each officeholder to go down there to remove the files that are no longer needed, so they can make room for the new records. Commissioner Willner seconded the motion. So ordered.

Mr. John said he would suggest that the information about the Commission on Public Records be included in the motion, because they must come before the Commissioners before any action can be taken on them.

Commissioner Schaad amended his motion to include the records of Commission on Public Records. Commissioner Willner seconded the motion. So ordered.

RE: RAILROAD CROSSING AT BOONVILLE-NEW HARMONY ROAD

Mr. Lochmueller submitted three copies of an Agreement with the Illinois Central Gulf Railroad Company for the Railroad crossing on Boonville-New Harmony at Indiana 65 for the Commissioners signatures.

Commissioner Schaad moved that the Agreement be signed and approved. Commissioner Willner seconded the motion. So ordered.

Mr. Lochmueller said they had requested two or three years ago for engineering, and they tell him that the application for engineering has been sitting there for six months and his recommendation to the Commissioners would be for them to go on record, in writing, and send a letter to the Illinois Central Gulf Railroad Company, asking that the Railroad Company begin action on the engineering, and that he will send a copy to the Indiana State Highway Commission.
He said this is one of our worst intersections and the County has put it in their Capital Improvement Program and he feels they should have immediate action.

Commissioner Willner moved that Mr. Lochmueller draft the letter and the Commissioners will sign it. Commissioner Schaad seconded the motion. So ordered.

RE: POOR RELIEF

Eugene Edward Dixon...303 Waggoner Ave....Pigeon Township...Ms. Vitatoe, Investigator

The Notice of Poor Relief Action from the Pigeon Township Trustee shows that Mr. Dixon requested medical help but was denied because of over-income for Hospital care plus he can go to a Veteran's Hospital.

Mr. Dixon said the reason he didn't go to the Veteran's Hospital was because, about three years ago, he went to Indianapolis on a bus and almost got into a race riot and this is why he didn't want to go back.
He said his income is only $185.00 per month and that he pays $130.00 per month for rent and another $21.00 for food stamps and this doesn't leave him very much.

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Ms. Vitatoe said the only thing she can see is that $185.00 per month puts him $10.00 over-income for the budget, also that there are more veterans hospitals than the one in Indianapolis, that there is one in Marion Kentucky and this is all she can say.

Mr. Dixon said a person has to go to the Veteran's Hospital they are sent to.

Commissioner Ossenberg said there is nothing more to be said, that the Commissioners can't over-rule them.

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

The meeting recessed at 10:45 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Bob Schaad Robert L. Willner	Curt John	Ed Smith Jr. Paul Wendel

Secretary: Margie Meeks

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
OCTOBER 10, 1977

The meeting of the County Commissioners was held on Monday, October 10, 1977, in the Commissioners Hearing Room with President Tom Ossenberg presiding.

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

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CIRCUIT COURT.....BAIL BOND PROGRAM

Jerry Brandenberger	2440 Five Dollar Rd.	Bail Bond Interviewer	$3.50 Hr.	Eff: 9/12/77
Charles Smith, Jr.	1504 Akin Park Dr.	Bail Bond Interviewer	$3.50 Hr.	Eff: 9/12/77
Robin Kinney	463 S. Ruston	Bail Bond Interviewer	$3.50 Hr.	Eff: 9/12/77
Dan Williams	1510 Irvington Ave.	Bail Bond Interviewer	$3.50 Hr.	Eff: 9/12/77

CIRCUIT COURT

James VanLeer	418 S. Denby	Counselor-Aide	$3.00 Hr.	Eff: 10/3/77

KNIGHT TOWNSHIP ASSESSOR

Delores Hall	1817 S. Parker Dr.	Deputy	$6,143.00 Yr.	Eff: 10/5/77

RE: EMPLOYMENT CHANGES.....RELEASES

CIRCUIT COURT.....BAIL BOND PROGRAM

Jerry Brandenberger	2440 Five Dollar Rd.	Bail Bond Interviewer	$3.00 Hr.	Eff: 9/11/77
Charles Smith, Jr.	1504 Akin Park Dr.	Bail Bond Interviewer	$3.00 Hr.	Eff: 9/11/77
Robin Kinney	463 S. Ruston Ave.	Bail Bond Interviewer	$3.00 Hr.	Eff: 9/11/77
Dan Williams	1510 Irvington Ave.	Bail Bond Interviewer	$3.00 Hr.	Eff: 9/11/77

COUNTY TREASURER

Juanita Jones	102 S. Denby Ave.	Clerk	$241.65 Pay	Eff: 10/7/77

KNIGHT TOWNSHIP ASSESSOR

Delores Hall	1817 S. Parker Dr.	$20.00 Day	Eff: 10/4/77

RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was submitted, showing endorsement, effective October 3rd. & 4th. 1977, that was issued to Rev. Robert W. Schambach &/or Schambach Miracle Revivals, Inc. for lease of the Vanderburgh County Auditorium by the Jefferson Insurance Co. of N.Y.
Certificate received and filed.

A Certificate of Insurance was submitted, showing endorsement effective date as 9/27/77 and Expiration date as 10/27/77, that was issued to the Christian Athletes Ministry, for lease of the Vanderburgh Civic Auditorium by Mark Peterson of the Aetna Life & Casualty Insurance Co.
Certificate received and filed.

A Certificate of Insurance was submitted, showing Inception date to be 10/24/76 and Expiration date to be 10/24/77, that was issued to Larry Aiken, d/b/a/ Aiken Management, F.D.R. with Robert Vaughn, on October 9, 1977, for lease of the Vanderburgh County Auditorium by Southwestern Agency, Ind. of the American States Insurance Co.
Certificate recieved and filed.

RE: LETTER RECEIVED FROM DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The following letter was received by President Ossenberg:

Dear Mr. Ossenberg:

This is to acknowledge receipt of your appeal of the Federal Insurance Administration's (FIA's) proposed Flood Insurance Study and Flood Insurance Rate Map of

your community. The information contained in your appeal has been forwarded to FIA's engineering contractor for evaluation. A representative of the engineering Contractor will be contacting you in the near future concerning your appeal.

Sincerely, J. Robert Hunter
Deputy Federal Insurance Admin.

Commissioner Ossenberg explained that this was a joint appeal through Mr. Jesse Crooks of the Building Commissioners Office, for the City of Evansville.

Letter received and filed.

RE: VACATION OF CARANZA DRIVE

Mr. Philip Siegel appeared as attorney for the petitioners who filed a petition to vacate part of Caranza Drive, and at this time, he submitted the Proof of Publication of Legal Advertisement.
He then submitted a plat plan showing the part they seek to vacate and he explained that on the plat of Shady Hills, #2 Section A, Caranza Drive which extends in a westerly direction from the intersection of Pinehurst, all the way to Old State Road, was 60 feet in width and it was discovered that while the plat showed it to be 60 feet, in truth and in fact, it is 50 feet.
He said they are seeking to vacate a portion across the southerly portion of the Caranza Drive, that originally they anticipated a ten-foot vacation in width, from Pinehurst, all the way to Old State Road, however, Mr. Moreley, who did the engineering and the surveying, discovered that they only need 8½ feet, and this would be on the property of Lot 24 which is owned by Mr. & Mrs. Robert Moran.
At this time, Mr. Siegel submitted the Resolution to Appoint Viewers, Order to View the Road, the Order of the Board upon the Report of the Viewers, and the Order Vacating Part of Caranza Drive.
He said that any technical questions can be answered by Mr. Moreley, also that they did check with Mr. Brenner as well as with the members of the Plan Commission and the County Attorney's.

Commissioner Ossenberg asked Mr. Siegel if he had the three viewers and Mr. Siegel said he was advised that the County Commissioners would appoint the three viewers, however he could, that he would do whatever the Commissioners wished.

After discussing this with the other Commissioners, Commissioner Ossenberg said that the Board would appoint the three viewers.

Commissioner Schaad asked Mr. Stephen and Mr. Brenner if they were familiar with this request, and they said they were and that they see no objection to it at this point.

RE: PETITION TO INCORPORATE THE TOWN OF McCUTCHANVILLE

Commissioner Ossenberg said, at this point, he thought he would handle this petition much like the City handles it, as a First Reading, and not to read it in its entirety but to refer it to the County Attorney's.
He said that he isn't clear on the law of it as yet, that he does understand that within the three-mile limit, the Common Council of the City of Evansville must approve this and then it must be approved by the County Commissioners.

Commissioner Schaad moved that the Petition to Incorporate the Town of McCutchanville be referred to County Attorney Smith. Commissioner Willner seconded the motion.
So ordered.

Commissioner Willner said he would like for a date to be set for the hearing and it was decided that they will take up this matter again at the Commissioners meeting in two weeks, which will be held on October 24th. at 9:30 a.m..

RE: DISCUSSION ON PLEASANTVIEW

Commissioner Ossenberg said the County Council, in their meeting of last Tuesday, voted unanimously to accept the $300,000 offer made by Flowers Construction Co.
He said, at that time, there was a gentleman present from the Construction Co., stating that they would make this a profit making organization, that they would not turn it over to a non-profit organization, as he understood it, but he didn't know if it was spelled out in any given terms or not.

Mr. Ole J. Olsen, Attorney who is representing Mr. Flowers, appeared and said that this is expected to be incorporated and will be a profit organization and not a non-profit organization.

Commissioner Ossenberg asked Mr. Olsen if his client would be willing to enter into a covenant on the deed so-stating.

Mr. Olsen asked for how long a period, since they didn't want to tie up everything for ninety-nine years.

Commissioner Ossenberg asked if Mr. Flowers would sign a covenant for a period of ten years.

Mr. Olsen said that he would discuss this with his client, but while he is here, he would like to discuss a few other things.
He said they would like to get into the buildings and the grounds with their engineers and their architects as quickly as possible, and he understands that there is personal property out there but they have no objection to that, and if they have an inventory of it, they will bereave that it is there the day they go in.
He said that the utilities should be kept on until the property is sold, so they can do the proper work that needs to be done and that they shouldn't have to wait sixty days to do that work.

Commissioner Ossenberg said he thought the Commissioners were in unanimous agreement that they aren't going to make a decision today, but he has instructed the Building's and Ground's Superintendent to be in touch with the other Auctioneer, to get him set up so they can have an auction on the personal property within the next month.

Commissioner Schaad asked Mr. Hotz if the personal property at Pleasantview is locked up in certain rooms or not.

Mr. Hotz said that it isn't locked up in a certain place, that things are throughout the building.

Mr. Olsen asked if the Commissioners weren't going to make a final decision on the sale of the Pleasantview property today.

Commissioner Willner said that the reason he isn't particularly interested in making a decision today on who the purchaser is, because he has some unanswered questions, that he understands the Commissioners have set up an account that the money from the sale of Pleasantview and Boehne is to go into, and his question deludes to this agreement and he isn't sure that they won't have to talk to the State Tax Board before he has his questions answered, and also the Council, that he wants to know if these monies received from the sale of these properties, are going into this C.C.I. account and be used for capital expenditures, since he still isn't clear on this and he didn't think that the mechanics have been set up for that at all as yet.
He said he also wants to know if they can invest the money and if it will be interest bearing, since if they don't figure the interest, then the $300,000 is not the best deal, and he needs answers before any decision is made, and if these questions can be answered today, then he is perfectly willing to vote.

Mr. Olsen said, in all fairness, he thought if the Commissioners are going to accept the offer, a decision should be made, that they shouldn't keep their money tied up when they are waiting to pay it off.

Commissioner Ossenberg said it was his understanding with the County Council, that they intend to take the $300,000, that the Boehne money is set up in a C.C.I. account, but they talk of investing this money from Pleasantview, in government bonds.

Mr. Olsen said he didn't think it made any difference as far as the purchase of the property was concerned, since this is a purchase for a corporation for profit and they have to pay taxes on it and certainly taxes added to the offer is much more than any other offer they have received.

Mr. Gary Gerling, Attorney for one of the other bidders, said that his client has his money up the same as Mr. Flowers does and there seems to be some unanswered questions that the County Attorney isn't able to give a definitive answer on today and having served as County Attorney himself, he is aware of these problems as is Mr. Olsen and he thought it best to see if they are able to take $300,000 and keep it rather than actually putting it in part of the General Fund, since he knows of no existing law that permits them to reserve the $300,000 and collect interest on it as an investment, although there certainly are arrangements whereby surplus funds can be deposited and interest earned on those sums of money.

He said his client, Mr. Newcomb, who has his money up as a bid, has offered as a purchase price, $50,000 more for the property than the other bidder, that it was on a lease-purchase basis which guarantees certain payments now but with those payments, there is no intent on their part to tie up the ground for five years, that they hope to develop it quickly and then pay the $350,000.
He said as he understood, the Commissioners weren't going to make a final decision today, so even if they have a couple of days, they would like to submit some things in writing, on behalf of the other bidder, so they can take those into consideration in reaching their decision, that they would like this opportunity because it is an important decision to the taxpayers of the County and he is sure a couple of days won't make that much difference.

Commissioner Schaad said he wondered if they could entertain such a suggestion, in his purchasing the property in less than the five years, since this wasn't part of the specifications or part of the bid, and he asked if this wasn't after the fact.

Mr. Gerling said he is authorized to represent to the Commissioners, in the event that his client's bid is accepted, that he will ask additional consideration and submit a proposal to the Commissioners to reduce the period of time in which they may exercise the option to make a purchase, so the Commissioners will be aware of what his intentions are as far as the development is concerned..

Commissioner Schaad asked Mr. Gerling if his clients bid wasn't $12,000 rent per year for five years and then $350,000 and Mr. Gerling said this is correct.

Mr. Olsen said that of course, normally in most communities, when you advertise for a bid, you state the terms and everybody is bound by it and they will enter into a covenant that they, for ten years, not make this a non-for-profit corporation or convey it to anybody who is a non-for-profit corporation during the ten-year period, but he thought Mr. Flowers bid was accepted and they are ready and willing to proceed and want to do so, but they can't affort to go into a long delay on this matter.

Commissioner Ossenberg said they aren't going into a long delay, as a matter of fact, Wednesday is their deadline so they must make a decision by that time and he thought Commissioner Willner to have merit in asking for some information from the State Board of Accounts who is off today, and hopefully, he can get that answer tomorrow, but there is a question here right now, whether this was tentatively set up to be C.C.I. money and if it was to be that way, then it would go for capital improvement and then there wouldn't be any interest.
He said he thought what they are trying to find out is if they can set this money up in possibly short-term government notes and renew them ever so often, they realize that with the $300,000 investment over a five-year period, they can come out with more than the $410,000 but they want to work every angle and he will assure everyone that there will be a vote by Wednesday.
He said if this is agreeable with everyone, he will have to call a special meeting.

The Commissioners agreed that the special meeting is to be held at 9:30 a.m. on Wednesday morning. (The date of this meeting is changed later in the minutes.)

RE: LETTER FROM CORNWELL ON USED GOVERNMENT PROPERTY

The following letter was received by the Commissioners, from Congressman Cornwell:

Dear Commissioners:

I am writing concerning changes in the Federal Surplus Property Program taking effect October 17, 1977.

This program now administers the disposal of used government property ranging from typewriters to bulldozers. There are now over 40,000 items in the surplus property warehouse in Indianapolis. Because many of these items are still in good condition and are sold very cheaply, many communities try to obtain equipment this way.

Currently, counties, cities, towns and other governmental units must request this surplus property through the local civil defense agency. As of October 17, all units of governments will be eligible to apply directly for U.S. government surplus property. The surplus property program will continue to be administered by the Indiana Agency for Surplus Property. In early October, the Indiana Agency will be mailing letters to city controllers, Board of Commissioners and clerk-treasurers explaining how the program will operate in Indiana and what they will need to do to apply for surplus property.

After receiving this information, the Indiana Agency will then compile a list of local communities requesting surplus property. As the property becomes available the communities will be contacted to pick it up. The disposal of surplus property will be based on a community's need and intended use.

In the meantime, if you wish to contact the Indiana Agency, I suggest you write to: Mr. Jack Kivett, Director, Indiana Agency for Surplus Property, 601 Kentucky Avenue, Indianapolis, Indiana 46225, Phone (317) 633-5420.

If you have any further questions or feel that I may be of assistance in any way, please do not hesitate to contact me.

Sincerely yours, David L. Cornwell
Member of Congress

Commissioner Ossenberg said there could well be things they have that numerous officeholders can use, as well Mr. Siebeking of the Highway Department, Mr. Hotz, the Superintendent of County Buildings, or Mr. Wolf at Burdette Park.

Commissioner Schaad asked the County Auditor's secretary to see that copies of this letter are made and put in the various officeholder's pigeon holes.

RE: REQUEST OF STORAGE AREA.....COUNTY ASSESSOR

The following letter was received by the Commissioners from Mr. Angermeier:

Board of County Commissioners:

This is an urgent request that a designated area be fenced in the storage basement for the purpose of storing assessment records and most important estate records. These must be maintained by this office without other storage involvment.

Sincerely yours, James L. Angermeier
Assessor, Vanderburgh Co.

Mr. Hotz said he had some figures on doing this, that the materials amount to about $500.00 for this and that the Building Authority will do the installation and he has the money to have it done.
He said they should have the Auditor and some of the other offices at a later date, since they should be done the same way.

Commissioner Ossenberg said they should just concentrate on this at the present time, until they see what, if anything, results from his letter to the officeholders about trying to get some of the storage area straightened out, and they also have to go before the Bureau of Public Records.

Mr. Hotz said it takes from six to nine months after going through the records.

Commissioner Schaad said it looks like it should be co-ordinated all at the same time so it can be worked out.

Commissioner Ossenberg asked Mr. Hotz what other offices are involved, since they may as well do it all at one time.

Mr. Hotz said he will have to check it out.

RE: REQUEST TO TRAVEL

Commissioner Schaad said he thought it would be well worth while to attend the meeting in Jasper, Indiana, on federal funds, that the Commissioners are unable to attend, but Mr. Lochmueller wants to go and has money in his budget to take care of his expenses, also that Mr. Stephen wants to go.

Commissioner Ossenberg said they are speaking of a meeting to be held tomorrow in Jasper, on Highway Finance.

Commissioner Schaad moved that Mr. Stephen be permitted to attend this meeting. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Mr. Wm. E. Hamsley of P & H Construction Co. Inc. for labor and equipment to remove the bridge and install aluminum pipe on No. 3 School Road, drag line rental w/ fuel & Operator...40 hrs. at $35.00 per hour, in the amount of $1,400.00, and has been approved by Mr. Stephen.

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

A claim was submitted by Brink's Incorporated, for services rendered to the Vanderburgh County Treasurer during the month of October, in the amount of $253.20.

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

A claim was submitted by Hunnicutt & Associates, Inc. for assessment work completed Sept. 1 thru Sept. 30, 1977, on Account of Contract for Knight Township, in the amount of $1,209,375.00, and was approved by Roman Gehlhausen, the Knight Township Assessor.

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

RE: RIGHT OF WAY BUYER NAMED

Commissioner Ossenberg said they need a right of way buyer for the right of way on Lynch Road and since federal funds are involved, Mr. Riddle is qualified.

Commissioner Schaad moved that Mr. Dan Riddle be named as the right of way buyer for Lynch Road. Commissioner Ossenberg seconded the motion. So ordered.

RE: COMPLAINT.....FUQUAY ROAD

Mr. Gary Gerling said he isn't sure if this matter should come before the Commissioners of the Drainage Board but that he represents Mr. Newcomb who owns a parcel of property on Fuquay Road where there is a law suit pending over his right as to whether or not he can subdivide that property, that the various county and city officials approached them and requested that he give them an easement to install some kind of sewer lines for drainage, to connect to one of the legal drains that runs in the Northwesterly direction up Fuquay Road.
He said they haven't arrived at any terms or conditions as far as installation of it and he thought it to be a little difficult because they won't let Mr. Newcomb use his land for any reason what-so-ever and won't sit down with them and talk about an easement, but Friday, everyone ganged up out there and they are digging holes eight-foot deep, to some 35 to 40 feet back inside his land, on the pretense that it is for the benefit of the City and County residents.
He said that obviously, one of the remedies would be to sue the City today and try to get an injunction and another remedy would be to ask the Commissioners to get the co-operation of the Sheriff's Department, to stop these people from trespassing on this land until this matter is resolved in the ordinary course of events, and that is, if the City or County wants to purchase an easement, he thought they were entitled to do so and they may be entitled to condemn it, but certainly as County Commissioners, they wouldn't want to encourage the City or other people to flaunt the law and just go out there with their equipment and just do whatever they want to do, without regard to the rights of property owners and other citizens.
He said he is bringing this to the attention of the Commissioners today and asking them for their help.

Commissioner Ossenberg asked Mr. Brenner if this goes into Kolb Ditch, and has nothing to do with the involvement of the vacated Robinson Ditch.

Mr. Brenner said the whole thing is tied together but Robinson is on the other side of Fuquay Road.
He said their property runs from the Warrick County line to Fuquay Road and he asked if the Commissioners remembered the subdivision that the suit is over, right behind Lauderdale, and said the County participated by doing some road crossings for the City, that this is all the County had to do with it and the City is out there on their own, that they are going to run a ditch along the back of Lauderdale which was known as "The Old Man Ditch", and they are diverting the water backwards and instead of going to Warrick County, it will now come to us and up Kolb Ditch.

Commissioner Schaad asked who was doing the work and Mr. Brenner said it is being done by Deig Bros. for the City and Mr. Gerling is right, that if they don't have an easement across there, he could contact the Sheriff.

County Attorney Smith asked who was trespassing and Mr. Gerling said that as far as he knows, it is Deig Bros. who is employed by the City, that he isn't asking the Commissioners to take any action against the City, but that the Commissioners are the governing body to the County and they have the County Sheriff and if there

are people out there trespassing and certainly if the Sheriff knows that the County Commissioners don't approve of trespassing, it is very likely that the Sheriff will be inclined to want to enforce the law out there.

County Attorney Smith said that the Sheriff probably won't do that unless charges are filed and he would suggest that Mr. Newcomb go to the Prosecutor's office to file a trespassing affidavit of charge and have it served by the Sheriff and proceed that way and if they don't get out, the Sheriff can then proceed to arrest them and a regular trespass charge can be filed, but before they can be charged with trespassing, it used to be that they would have to be ordered off the property first.

Mr. Gerling said this has been about a nine-month problem now and he would like the Commissioners to know how Mr. Newcomb has been treated, that he can't get a subdivision approved, that he can't use his property and the governmental officials trespass and when he brings it to their attention, they say what he must do is to go see the Prosecutor but they wanted to start here because they wanted the Commissioners to know about it and they would hope that the Commissioners would help them in any way they can, not merely directing them to some other office but by helping them with some kind of an affirmative action program and anything they can do would be appreciated.

Commissioner Ossenberg said he certainly goes on record and concurs with Mr. Gerling, that he didn't believe these people should be in there trespassing.

Commissioner Willner asked Mr. Gerling if he knew what they were doing in there and Mr. Gerling said they are putting a storm sewer in the County, but he didn't know who for.

Mr. Brenner said they are putting it in the drainage part of the City to drain Lauderdale.

Mr. Gerling asked if the County had anything to do with it and Mr. Brenner said the County participated in the function of crossing the roads.

Commissioner Ossenberg said that as an overall blanket, he concurs with Mr. Gerling's thinking and he thinks they have no right to go on a man's property, but just how far the Commissioners can go, other than the fact that they concur with him, which is something else.

Commissioner Schaad said the Sheriff and Commissioners are both in the County but the Commissioners can't tell the Sheriff what to do.

Mr. Gerling said they would then go to see the Sheriff.

RE: MR. HOTZ.....AUDITORIUM

Mr. Hotz said at the Auditorium where they made a cut in the curb for the work they are doing, he talked to Mr. Dewes and Mr. Stephens and they wondered if it would be possible if they could replace it, rather than installing a curb, if they could put an incline or a ramp there, so when cars let people out there who are wheel-chair cases, they could roll them up the ramp a lot easier than trying to jump the curb. He said he noticed a man the other day in a wheel chair trying to get up the curb and he almost went backwards before he could get over there to him, that there would be no additional cost in replacing it.

Commissioner Ossenberg said this is probably a very good idea because all governmental units are going to be required to do that sooner or later, so he thought it an excellent idea, to which the other Commissioners agreed that this should be done.

RE: PERSONAL PROPERTY AT PLEASANTVIEW

Commissioner Schaad asked Mr. Hotz if there would be any reason why they can't advertise now for the sale of the personal property at Pleasantview since they are going to make a decision as to what they are going to do with the property and they could get the personal property out of their way as soon as possible.

Mr. Hotz said there is a lot of personal property out there and it is possible that they could move some of it back in certain areas, that it would be quite a job and would take a lot of manpower.

Commissioner Schaad asked how soon they could advertise and how soon could they have the auction.

Mr. Hotz said it would have to be advertised once a week for four weeks, that he has the list of personal property and what they would have to do is to contact Kurtz Realty & Auction and see that he has an open date before they can advertise.
He asked if he can bring this up before the Council when the Commissioners meet with them on the Pleasantview property.

Commissioner Schaad moved that the ads be run immediately and that Mr. Hotz talk to Mr. Kurtz to set a date for the auction. Commissioner Willner seconded the motion. So ordered.

The ads will run for the sale of the personal property, tentatively, on October 14, 21, 28 & November 4th. so the auction can be set for anytime after November 4th.

Commissioner Schaad asked that Mr. Hotz contact the Auditor's secretary as to the date of the sale so it can be entered in the ad.

RE: ABSENTEE REPORT

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

RE: AUTHORIZED TO PURCHASE NEW CALCULATOR

Mr. Brenner said he has a Monroe 1330 Calculator, Serial Number E-122408 that is acting very irratically and is unreliable, and he wishes to purchase a new one.
He said he has the money to do it and the reason he needs the Commissioners approval is because he has an offer of $100.00 from the City Engineer for his old one, that he was only offered $25.00 as trade on a new one and the City Engineer wants it for his office and he can buy a new one for about $150.00.

Commissioner Willner moved that Mr. Brenner has the Commissioners approval to sell the old calculator to the City Engineer and purchase a new one. Commissioner Schaad seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE FOR BIDS

Mr. Brenner said they have progressed and have three bridges and a culvert which they are prepared to let for bid, that these are two bridges on Seminary Road, a pipe on Biyou Creek and a bridge that is a quarter of a mile west of U.S. 41 on Baseline Road, so he would like the Commissioners signatures so he can advertise for bids, that they are the ones the County was going to do for some period of time.

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

RE: COMMENT ON CLEANING OF PIGEON CREEK

Mr. Brenner said that Mr. Culver has contacted him and said he is finished with the job of cleaning Pigeon Creek, but it isn't cleaned yet and be that as it may, he is either going to do it right or he isn't going to get paid, and he has just about had the course with him, and now, it will end up in a law suit, so the quickest way they can avoid the suit is to hire someone to do the job, so he things they should get someone to finish it.

Commissioner Schaad said if Mr. Culver says he is through and won't do anymore work, then whatever it costs, they should just take it out of what they owe him.
He wondered if they could do this.

Mr. Brenner asked County Attorney Wendel if this could be done and County Attorney Wendel said that Mr. Culver should be given notice by registered mail before doing this and Mr. Brenner said he would follow through on it.

The Commissioners agreed that this be done.

RE: MR. STEPHEN

Mr. Stephen said he finally came up with an application for road cuts, in conjunction with the office of Urban Transportation, and that there is a page for the Commissioners to sign in case there is some reason it should come before them.

He said that by having the Ordinance, they will have control on how the roads and the access points are built on out County roads.

Mr. Stephen said one problem is, that he and Mr. Siebeking went out to look at two different places, one of which is on Drexel Drive off Mels Drive in Lutterbach Subdivision, that back when they built the subdivision, they put in two twenty-four inch tubes, one under Mels Drive and one under Drexel Drive, to handle the water and he doesn't know what to recommend, but it is going to make someone very unhappy. He said that what has happened, that the two twenty-four inch tubes were put in when the drives and the area were laid and the people out there have been unable to hold grass in the waterway, and they are digging it out now, upstream of Mels Drive and they are going to pave it, that there is some paving already, to contain the water, and when a house was built, they put in a 12-inch pipe, and the County went out there and cut the road at an angle, put pipe in and tried to divert the water to the other side of the road and some day there are going to be people who will build a house on the other side of the road and they won't want it over there either,
He said the people then put in a 15-inch pipe and all the water can't get across and three times they have tried to put earth in the bottom of the ditch and get a start of grass but lost it, that he told them it is a losing battle and the only thing they can do is to pave it, but it was a mistake to divert the water to the other side and he doesn't know what is going to happen.

Mr. Siebeking said that if the driveways were cut out with a bigger pipe put in and that the ditch be opened up a little, with the two pipes, they can get rid of the water, that one woman is going to sue, but he thinks it is on right of way and if it is, he doesn't know why he can't go in there and cut it out and put in a different pipe.

Commissioner Schaad wondered what would happen if they just did nothing and Mr. Siebeking said that he and the Commissioners would continue to get static from them.

Commissioner Schaad said that maybe the Building Commissioners office should be alerted if there is going to be a request for a building permit, since he thought the drainage must be checked, that when a person gets a permit to build a home, he can't build it below the level of the street and there are certain criteria that must be met, and he wondered if it is on the County right of way, they could build a wall up higher so the water wouldn't go down there and he wondered if this wouldn't solve the problem.

Mr. Stephen said it would help, that he just wanted to bring this problem to the attention of the Commissioners, since they are working in our right of way and we want to be sure we have some control over what they are doing.
He then told about other places where they should have larger pipes than are there, but he didn't think it was the responsibility of the County or the Highway Department, but the only thing is, that they must keep control on keeping the water in the side ditches.

Commissioner Schaad said that anyone should be made aware of what he is in for if he is going to build out there.

Mr. Siebeking said he will do what he can to help them.

RE: DISCUSSION ON PLEASANTVIEW.....CONTINUED

Mr. Ole Olsen again appeared before the Commissioners and said that he would like to beg their indulgence, since he can't be here Wednesday, nor can some of his clients, and he wondered if the meeting with the County Council couldn't be held at another time.
He said he knew this was an unusual request but they have a lot of money at stake and certainly they should get a ruling from the state in the morning and find out where they are, that he must be in Indianapolis for a trial on Wednesday, but he didn't want it extended since his client has made arrangements to borrow the money.
He said that he would be available tomorrow evening, that he thought it should be decided today but the Commissioners seemed to the contrary.
He said he thought the Council made a decision as to the sale of Pleasantview.

Commissioner Willner said there is a question as to the disposition of the money, that if the money they receive goes into the General Fund, from Pleasantview, then the bid from Mr. Flowers isn't the best bid.

Mr. Olsen asked how he figured that, plus taxes, and Commissioner Willner said it just isn't.

Mr. Olsen said that Commissioner Willner doesn't know how much taxes they will pay in the next five years, that he is making an assumption, that if they pay better than $12,000 per year, it is certainly a better deal.

Mr. John said that all the bids are in the grey area, that not all the money would go to the County.

Commissioner Willner said this is correct, that the School Corporation, the Library, the Levee Authority, etc. would get their share.

Mr. Olsen said if they were going into the grey area, they could go into economics and show them where $350,000 is less than $300,000 today, down the road five years, that it would be about 35% less at the rate they are going and everybody knows that.

Commissioner Schaad asked Mr. Olsen what he figured the taxes would generate, if it was around $22,000 per year.

Mr. Olsen said if Mr. Flowers is able to do what he expects to do, he thought this would be a light figure.

Commissioner Schaad said of course, if there is development on it, the taxes would be more but he meant based on it as it is right now.

Mr. Olsen said the development has to take place, that if it didn't, they would go broke.

After checking with those concerned, Commissioner Ossenberg said it is okay to have the meeting with the County Council tomorrow evening at 7:00 p.m. here in the Commissioners Hearing Room and he asked that the Council members be contacted.

RE: MR. LOCHMUELLER.....BRIDGE ON FIRST AVENUE

Mr. Lochmueller said he has about five items, the first being on the bridge across First Avenue, that he has sent the Commissioners a letter on it.
He said he has looked at some financing in their Capital Improvement Program and also looked at the Bridge Report and it shows they have completed a lot of the jobs and perhaps the end of the priority area of which would be the same year as the First Avenue Bridge, so instead of going with federal money, beings they have a surplus of money now, he would think that in conjunction with the building of First Avenue and Diamond, it would be a good project to widen the bridge to four lanes, either way, that his letter was originally written to use the existing bridge and move it over but he thought this was going to have to be determined by the engineers and this would reflect in the price, that if they move the bridge, that will also cost.

Commissioner Schaad said a contract was let to do the repairs and he asked Mr. Brenner how much that cost, to do the resurfacing.

Mr. Brenner said about $13,000 but they could expand it a little.

Commissioner Schaad asked Mr. Brenner if he had given it some thought as to what they are talking about as to a four-lane and use that as one of the bridges and then build another one, as to if the money would be well spent.

Mr. Brenner said this is a possibility, that it is also possible that they may have to move it, that it doesn't look too good but it will be there for another thirty years.

Mr. Lochmueller said if they are going to put the two in, he thought it would have to be looked at, as to how far they will have to go back on the approaches and they will have to have some distance between them.

Commissioner Schaad said the only thing he was wondering about is that there is really no money wasted with what they are doing now, that they had a lot of problems with the last one and the only other thing he was wondering about was the co-ordination of the closing of some of those bridges.

Commissioner Willner said he thought they were putting the cart before the horse here and he asked what the City is going to do with First Avenue from the bridge, in.

Mr. Lochmueller said that it is 40 feet now and the first thing that would be done is to remove the parking during the peak hours just like they are doing on Walnut Street and the next thing would be to widen it to four lanes, that they are already widening at Diamond & First Avenue and they are going to be throwing two lanes of traffic South instead of one lane, that it is four lanes all the way down the bridge now and the First Avenue bottle-neck will be the bridge, not South of the bridge, and if they would need to take the parking off all twenty-four hours, they they would have to do it.

Commissioner Willner said that before he would say to spend $1,000,000 moving this bridge and putting another in, he wants it in writing, that First Avenue will be a four-lane thoroughfare with no parking all the way to Pennsylvania Street, and this way, it would make sense, but to say we need a new bridge without this, it makes absolutely no sense at all.

Commissioner Ossenberg said he also feels this way and he thinks if the City is sincere in making First Avenue, from the bridge, in, even taking the traffic off and making 4 ten-foot lanes, then he would concur and go along with building a new bridge and he totally agreed with them here, that possibly bridge funds would be the way to go, because if they go the other way, they are going to wait four or five years and he knows that there is a lot of traffic out on First Avenue.

Commissioner Schaad said it is according to what the City does, that it may be that long anyway.

Commissioner Ossenberg said he didn't think so, by using local funds and the County would go along with it if they have assurance from the City, in writing, if they intend to carry it on Southward.

Commissioner Willner said he is willing to approve a bridge contract, next Monday, if they get this in writing and it's just that simple.

Mr. Lochmueller said he can make that request and that is about all he can do.

Mr. Feigel asked, with the load on First Avenue, what would be the extra expense in building a partial part of the two lanes on either side and then tearing out the bridges and complete it, that he knows it will cost more money, but this will keep the traffic flowing all the time and he thinks this needs to be considered.

Commissioner Ossenberg said he thought Mr. Feigel to be right and he thought the Commissioners would think this out but they aren't going to do anything unless they are assured that the City is going to do something.

RE: MR. LOCHMUELLER.....R & S FUND APPLICATIONS

Mr. Lochmueller hsaid he has some R & S Applications and he needs to get Commissioner Ossenberg's signature on them.
He submitted one application for Lynch Road, between Oak Hill Road and 41 and said it had been approved but has to re-submit it and that the application is for $512,700.
He said the same is the case of an application for Hogue Road in the amount of $300.

Commissioner Schaad moved that Commissioner Ossenberg sign the applications.
Commissioner Willner seconded the motion. So ordered.

Mr. Lochmueller also submitted an R & S application for Baseline Road in the amount of $300.00.

Commissioner Schaad moved that Commissioner Ossenberg also sign this application.
Commissioner Willner seconded the motion. So ordered.

RE: PROGRAMMING FOR FEDERAL MONIES

Mr. Lochmueller said he is programming for a project for federal money for Nurrenbern Road & L & N Railroad and for Lynch Road and L & N Railroad.

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

RE: FIRST AVENUE BRIDGE.....CONTINUED

Mr. Morley said he would like to mention one thing concerning the First Avenue Project, that the thing about the Kratzville Road Bridge came up here in 1972 and there was

discussion as to whether they were going to do anything about it, because at that time if they could get the enclosure opening modified, that all it would take was a letter of intent that it would happen, that the enclosure is already built on Kratzville Road now and before they come back in for anything, they can't get any federal participation in widening that enclosure or anything else at that point, so it is 100% local money, and the same thing could happen on the First Avenue Bridge, if some sort of logical decision doesn't come about very rapidly because the Corp, right now, is finishing the final details on that structure across First Avenue, and if they are going to move it to the side, widen it, or anything at all, within the near conceivable future, if they tell the Corp that they have been very co-operative, that they will have to buy the Donut Bank, but once they get it, it takes a zag to the South and then on over and if they don't make those decisions as to whether or not they want the Corp to change those drawings to accomodate any extra width, we pay 100% of the bill, that this is just the way it works with that Corp project, that if we tell them before they let the contract and they have time to make the changes, that they have been very willing to do so, but if we don't tell them and they go ahead and let that contract which they had scheduled to let, this fall or early in the spring, that it is all our money from there on out.
He said he thought the Commissioners should keep this in mind.

Commissioner Willner said it would behoove the Commissioners to say, right now, that the bridge is always going to be right there on First Avenue, so they should widen it enough for four lanes immediately.

Mr. Morley said that the Corp will need a letter signed by the County Commissioners or the City of Evansville, or some sort of legal document stating the intentions and a signed request that the structure they are going to build across there, be made wide enough to accomodate a future bridge structure.

Commissioner Willner moved that Mr. Lochmueller write the letter, to sign it and send it off. Commissioner Schaad seconded the motion. So ordered.

Commissioner Ossenberg asked Mr. Morley if they could express in the letter, so many feet either way, to put them on record.

Mr. Morley said that whoever is locating the bridge really needs to take a look at the situation first, since the Donut Bank is sitting on nothing but trash.

Commissioner Schaad said they could first go on record and work out the details later, that maybe, initially, Mr. Lochmueller could write the letter to let them know of the Commissioners interest.

Commissioner Ossenberg said that maybe Mr. Brenner and Mr. Lochmueller, together, could get some type of letter drafted. He thanked Mr. Morley for bringing this to their attention. He also said that First Avenue will be closed for 30 days.

In reviewing this project, it was decided that the Commissioners said they would go along with a proposal by Mr. Lochmueller to build a four-lane bridge on First Avenue over Pigeon Creek with local bridge funds if the city also agrees to prohibit parking along First Avenue from the bridge to Pennsylvania Street.

Mr. Lochmueller said he would take that request to the City and proposes using local funds instead of seeking federal aid in order to speed completion of the bridge project.

RE: CLAIM

A claim was submitted by Mr. Curran Miller of Curran Miller Auction & Realty Inc. for the auction he held for the sale of the Boehne and the Pleasantview property, which is 5% of the sale price of them, which is in the amount of $16,750.00.

Mr. John said this is to be paid from the proceeds of the sale.

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

The meeting recessed at 11:20 a.m.

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PRESENT

COUNTY COMMISSIONERS

Tom Ossenberg
Bob Schaad
Robert L. Willner

COUNTY AUDITOR

Curt John

COUNTY ATTORNEYS

Ed Smith, Jr.
Paul Wendel

Secretary: Margie Meeks

Thomas L. Ossenberg

Bob Schaad

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS
OCTOBER 11, 1977

A special meeting was held by the County Commissioners this evening at 7:15 p.m. in the Commissioners Hearing Room with Bob Schaad presiding, since President Ossenberg is ill and unable to attend.

The County Council members were invited to attend this meeting, since it is for the purpose of discussing the sale or lease purchase of the Pleasantview Rest Home property, since it was cited that there were some unanswered questions on the issue that need answering.
There were also some questions on what the County can legally do with money obtained from the sale of this county-owned property.

RE: IN REVIEW

Mr. William Flowers, at a recent auction, made a bid of $300,000 for purchase of the 20-acres of land at 700 Senate Avenue. Another bid by Kenneth Newcomb was on a lease-purchase arrangement, calling for $12,000 to be paid yearly over a five-year period with a final payment of $350,000 and his total bid would be $410,000.
A third bid was received from Dr. Robert Arendell for Lease-Purchase at $15,000 per year for five years and $300,000 at the end of the five-year period.

The County Council has already voted to accept the Flowers' bid, saying if the $300,000 was invested over a five year period it would generate more income for the county than Mr. Newcomb's bid.

Commissioner Robert Willner, had however, questioned if the state tax board would permit the County to invest the funds for five years and if the money could go into a special capital improvement fund, and the County officials said they would try to have some questions answered before they meet this evening.

The County, under the auction specifications, has to make a decision by tomorrow (Wednesday) on who will get Pleasantview. If no decision is made another auction would have to be held.

At the Commissioners meeting yesterday, Attorney Ole Olsen, representing Flowers, agreed to add a provision in the deed that his client couldn't turn the property over to any non-profit organization for a ten-year period, which would insure the County the taxes on the property during that time period.

Mr. Olsen had said that the property would generate at least $22,000 a year in taxes and probably more, since Flowers plans to develop the land.

This meeting is being held for the attendance of both, the County Commissioners and the County Council, because it is required that the winning bid must be approved by both bodies.

MEETING CONTINUED:

Mr. Dan Kollker, President of the County Council, said that Mr. Ossenberg was at the Council meeting last week, that there wasn't a forum of Commissioners and the Council gave what they felt they wanted to do, with the idea of the Commissioners would then pass on it and this is where they are hanging at this point.

Commissioner Schaad said this is why the Council was invited to the meeting tonight, in case that shouldn't happen, so they could make a decision tonight and if they don't make a decision tomorrow, any of the bidders can withdraw their bids since tomorrow night is their deadline.
He said this is why they were hoping to get a forum of the Council here, in case they couldn't agree on what the Council has already agreed upon, because some other facts may have entered into the matter. There were only three Council members present.
He said they still have until tomorrow night to make a final decision.

Mr. Kollker said the Commissioners might want to just go through and say that they agree upon the decision made by the Council, and if so, the meeting is over with.

Commissioner Schaad said this is correct, that if the Commissioners agree to accept Mr. Flowers bid, which is what the Council has already agreed upon, then there would be no need for anything else, and if not, go from there.
He said that Mr. Kollker wasn't at the Commissioners meeting on Monday but when this was discussed, Commissioner Willner wanted to withhold his decision to vote on it because he wanted certain questions answered.

Commissioner Willner said he thought they were here to either accept or reject either bid, but most certainly, he feels that they are here to take the best for the County, that he has looked into this to the best of his ability and in his opinion, with all the input he has had, he has come up with the best bid being that of Mr. Newcomb and this is reverse of what the Council did.
He said he isn't locked in on his opinion, that if he needs a lesson in economics, then he is willing to take one.
He said he left the interest totally out of his calculation.

Mr. Olsen said that he has to let interest in, and if he do it at 7½% semi-annually, he will get $433,000, at 7½% quarterly, he will get $434,000, at 8% semi-annually, $444,000 and 8% quarterly, he will get $445,000, and they must add $110,000 in taxes that they aren't going to get from Mr. Newcomb's bid, and they must also depreciate his $320,000 during that five-year period which will come up to $234,000, and any way they figure it, it can't be a good deal for the County.
He said that $234,000 against $445,000 plus $100,000 for taxes makes a big difference between Mr. Newcomb's bid and Mr. Flowers bid.

Commissioner Willner asked Mr. Olsen if he cared to discuss the ten-year covenant.

Mr. Olsen said he agreed to that the other day in an open meeting.

Commissioner Willner asked Mr. Olsen to refresh his memory.

Mr. Olsen stated that he had said they would take a covenant, not to convey to a non-for-profit corporation for ten years, that this is what he was asked to do and they agreed to do it.

Commissioner Willner asked if they wanted a covenant or a condition, and County Attorney Smith explained the difference between them.

Mr. Olsen said there is a legal difference but no practical difference, but it doesn't make any difference to him which way they do it, as long as they get a good title.

Mr. Kollker asked, with Mr. Flowers or Mr. Newcomb, if it is either a covenant or a condition, would either of them be bound by it and does it really make any difference.

County Attorney Smith explained that a covenant, generally speaking, the breech of which, is like a breech of promise, where they subject the person with breech through an action of damages, so it could result here in the breech of a covenant, and a condition subsequently would result in forfeiture of the conveyance and would revert back to the grantor.

Mr. Olsen said that it could be written in either event though, so the same result happens.

County Attorney Smith said that it must be clearly expressed though, as to whether his intent is a covenant or a condition.

Commissioner Schaad asked County Attorney Smith if he recommended that they get a condition rather than a covenant, and County Attorney Smith said, definitely and County Attorney Wendel agreed.

Mr. Olsen said he has no objection to this, that the banks they are doing business with, has no objection and that would be the only one he would have.

Mr. Newcomb said, in his calculations on the net to the County, only, he has agreed to pay $350,000 within a five-year period, that he has the option to pay the balance of $350,000 at any time within that five-year period and the Commissioners have made a condition to the other party in request of a covenant and he isn't changing his bid, but if they were to alter it for him and ask him a question like they asked the other party, such as, would he pay it off in three years, he would probably say they would get the same deal, instead of for five years.

Commissioner Schaad said that the bid was that he would pay $12,000 per year for five years and then, at the end of that time, he would buy it for $350,000, so the total bid is $410,000 and from what he understands from the County Attorney, that any time, from the first day of the five-year period, that he would want to exercise his option, it would cost him $410,000.

Mr. Newcomb said this isn't true, that he would pay them $12,000 per year for a lease-purchase option, and pay the $350,000 when he purchases it.

Commissioner Schaad said as he understands the specifications, it was for a lease for five years at $12,000 per year and at the end of the five years, the amount of the purchase is for $350,000.

Mr. Newcomb said that during the bidding he explicitly asked if he would be allowed to exercise his option to purchase prior to the five-year ending and that County Attorney Wendel said he could.

County Attorney Wendel said he did tell Mr. Newcomb this.

Commissioner Schaad said that Mr. Newcomb can then exercise his option but asked what is it going to cost him.

Mr. Newcomb said he has a $350,000 bid that he is going to pay to the Commissioners at any time that he exercises to do so during that five-year period.

Commissioner Schaad said this needs to be clarified, so he asked County Attorney Wendel if it will cost Mr. Newcomb $410,000 or can he exercise his option at any time for the $350,000 before the five years expires.

County Attorney Wendel said it would cost him the $410,000.

Mr. Newcomb said then, in other words, his $350,000, that it would be a disadvantage to him to pay the County off prior to the end of five years.

County Attorney Wendel said this is correct, that it isn't a lease with an option purchase, that he is locked in from the beginning.
He said the reason for that is because the way the bidders were notified, was that they were to state the number of years they were bidding on the lease part and the amount per year, so when someone, like in his case, bids $12,000 per year for five years and then the purchase price of $350,000, they would really be changing their bid.

Mr. Newcomb said if that is the case then, the amount here could be considerably more than he is going to pay the County if he exercises to start development within eighteen months like they have planned.

Commissioner Schaad said this will, by far, make this the best bid, but that he wants it to be understood, so there won't be any hassle after it is all over, that this is the point they are trying to clarify right now, and anytime he chooses to purchase the property within the five years, it will cost him $410,000.

Mr. Kollker said he understands this but he thinks it would be totally ridiculous to pay it off before the five years time because he is getting the benefit of not having to pay taxes.

Commissioner Schaad said: Newcomb can't develop it without having ownership to the property, that he can't have a lease and borrow money to build anything on it if he doesn't own it.

Commissioner Willner asked Mr. Kollker if the Council took an official vote or if it was just a roll call.

Mr. Kollker said they took an official vote but their vote isn't worth a darn if the Commissioners don't agree.

Commissioner Schaad said that is why they were hoping that all the Council members would be here tonight, that he thought this might happen, that maybe everyone didn't understand the bids, or didn't look into it as carefully as Mr. Willner has, that this can happen, but they had hoped it would be finalized tonight, because the bids are in good faith and are deserving of some action and he hoped to get it tonight, but he thinks this throws a different light on it.

Mr. Kollker said he does agree that possibly different light has been shed on it, but he thinks it still boils down to the fact that the Commissioners need a vote, and if they vote in favor of what the Council has done, of course, then it is all taken care of.

Commissioner Schaad said if the Commissioners vote tonight and they don't agree with what the Council voted for, then there is going to have to be a decision made by tomorrow or any one of the bidders can back out.

There being no further input, Commissioner Willner moved that the bid of $410,000 that was made by Mr. Newcomb, be accepted for the property at Pleasantview Rest Home. Commissioner Schaad seconded the motion.
The vote being unanimous in the affirmative, the motion carried.

Mr. Kollker said they have a problem and there are only three members of the County Council here, so he would say it best to call another meeting of the Council for tomorrow night.

Commissioner Schaad said he thought they have come a long way from $180,000 to $410,000 and he hoped that Mr. Kollker could get with the rest of the Council members before the official meeting tomorrow then, that he does appreciate the interest of all three bidders.
He said it means a lot more money for the County regardless of how they look at it, and Mr. Brenner is a real gentleman for backing out on his bid instead of forcing it, and he thought that Bob Brenner to be interested in this community as we all are, that he thought there is a lot to be said for it and they have all been real fine about it, that it is too bad they don't have a forum from the County Council, which he had hoped would come about, so this matter is entirely in Mr. Kollker's hands.

Mr. Kollker said, assuming the problem that the Council has, is that there is a little pressure applied, in not meaning to do so, but if they do not approve it, everything is backed out and it will be their problem to the fact that they will have to start all over again.
He said if the Council doesn't accept what the Commissioners have done here tonight, the Council could be the ones that blow the whole deal, because they don't agree with the Commissioners decision.

Commissioner Willner asked Mr. Kollker if there has been any new light shed on the matter for the Council this evening then.

Mr. Kollker said there has been, but still the $410,000 has to be paid , however the problem he has with it is that he can't understand why anybody would pay it off until the last day it is due, when the taxes on it are considerably more than $12,000 per year, and he believes that a person can borrow money on leased ground but he might be wrong, that he wouldn't consider paying it off until the last day, and this is his problem.
He said that Mr. Newcomb's bid could have been on a straight purchase agreement as well as Mr. Flowers did, that Mr. Newcomb did bid on a five-year lease-purchase agreement and he has five years to stretch it over, and it seems to him that if he could borrow the money with the understanding that he can lease the property for five years and not pay it off until the last day, he guarantees that it wouldn't be paid off until the last day.

Commissioner Schaad asked Mr. Kollker how long it would take to get the Council together, if he could do it within a week.

Mr. Kollker said he thought they had to make a decision by tomorrow night.

Commissioner Schaad said, legally, "yes", but he had another question, and he again asked if Mr. Kollker could do it within a week, and Mr. Kollker said, "absolutely"

Commissioner Schaad said that all three bidders are here, and he asked them if they would be willing to leave their bids stand for a week if the Council can't get together on this.

Mr. Olsen said they should make a decision by tomorrow as the law requires.

Commissioner Schaad said, then if the bidders aren't agreeable to let their bids stand and a decision can't be made by tomorrow, they will all have to be thrown out and they will have to start over.

Mr. Kollker said that is a real problem unless the light that has been shed this evening is enough to change the Council's mind,and he didn't know if there is that much impact on the information that was given tonight,to make the Council change their minds.

Commissioner Schaad said, on advice from the Council, he understands that the Commissioners have the privilege of rejecting the bid of Mr. Flowers tonight, if they want to, if the Commissioners aren't willing to go along with it.

County Attorney Wendel said that the specifications provided that it takes the Council and the Commissioners, separately, to approve a bid, so if one of them is going to take the position of rejecting a bid, then that would eliminate that bid.

Mr. Olsen asked why wouldn't the Council have rejected one bid when they accepted the other one, that this is the same theory, that they only accepted one bid, so they rejected the others.

Commissioner Schaad explained that it takes both, the Council and the Commissioners, to accept the bid, that they need the other body to accept also, but if anyone rejects they aren't going to get both bodies to accept that bid because one is already rejected so nothing happens until one bid is accepted by both bodies.

Mr. Taylor said the Council didn't really have a chance to go over all the bids thoroughly, that they had other things on the agenda, that the bid of Mr. Flowers looked good on paper and that was it and he thought they should all sit down and review all the bids.

Commissioner Schaad said this is why he asked Mr. Flowers if he would be willing to extend his bid for two weeks, so they could see if the Council would agree with them., but if Mr. Flowers doesn't want to go along with them for two weeks, as Mr. Wendel and Mr. Kollker had said, that he just agrees to drop out, that it is his perrogative.

Mr. Olsen said that Mr. Flowers isn't dropping out, that if they reject his bid, this is up to them, but they will then go to court and they will be playing in his ball park.

Mr. Kollker said, in other words, if they do not go along with the extension, say that two do want to go along with it and the other doesn't, and the law states that they have to do it in a certain amount of time, that Mr. Olsen is probably bringing up a very decent point, as to having to make a decision by tomorrow night and he thinks probably they do.

Commissioner Schaad said that legally, their bids stand until tomorrow.

Mr. Kollker said he thought, then, that they had better do something about it by tomorrow.

Mr. Taylor said if they don't make a stand by tomorrow, it is all over anyway, that there is no legal action that can be taken and he didn't think that they should be put in a position where someone can tell them that they either accept their bid or they are going to take them to court, that his position would be taking them to court because this property is practically being given away as it is now, and he thought they should all stand fast as much as they can.

Mr. Kollker said he will call for a meeting for tomorrow evening and try to resolve this by that time and they will do their best to do so, and he guessed that if they can't come to an agreement, then all bids would be rejected and they would start all over. He asked County Attorney Wendel if this wasn't correct.

County Attorney Wendel said he didn't think they were legally stuck with that, that it states;
Said Board and Council reserve the right to take the highest bid of each bidder under advisement for a period of fourteen (14) days from the date of public auction before rejecting or accepting any said bids.

Mr. Kollker asked, what happens then at the end of the two weeks if they can't make up their minds.

County Attorney Wendel said they have then used up their right to take it under advisement and they get their deposits back and they are out.

Mr. Kollker said they would then be back where they were six months ago, and County Attorney Wendel said this is correct, unless they would want to leave their bids in. He said that the new information they have received this evening, then, is that the money can be paid off within the five years and if it is paid off before the five years are up, he must still pay the $410,000, but he can wait until the end of the five years, that the County will get $410,000 either way.

Commissioner Schaad said this is correct, but that if he pays it off before the five years time, the County will get more than the $410,000 because he will be paying taxes

on it after he takes title to it.

Mr. Kollker said this is the new information the Council has received.

Commissioner Schaad said that they haven't heard from the other bidder though.

Commissioner Willner said that the Council also learned that Mr. Flowers would put a condition in for ten years, to the effect that it will not be for non-profit, which is of great importance to him.

Mr. Olsen asked if Mr. Newcomb would be asked to do the same thing.

Commissioner Schaad said that Mr. Newcomb would also be asked that it not be made a non-profit organization and he asked Mr. Newcomb if this was agreeable with him.

Mr. Newcomb said this is absolutely agreeable with him.

Mr. Kollker said, in this particular contract, if Mr. Newcomb decides after one year, that it isn't a profitable venture, what action could we take, or is he bound to pay the remainder.

County Attorney Wendel said that he has a contract to pay the remainder and the County also has his deposit, so he is bound for the $410,000 once the lease-purchase contract is signed.

Mr. Kollker then called for a meeting to be held tomorrow evening at 7:00 p.m. in the Council Chambers and asked that the Council members be notified.

Commissioner Schaad also asked Ms. Juras to contact Mr. Flowers, Mr. Newcomb and Dr. Arendell to request their attendance at this meeting.

RE: CONTRACT AWARDED FOR BOILER AT AUDITORIUM

Mr. Hotz submitted two bids for the boiler at the Auditorium. The basic bid on each are as follows:

Ken's Boiler Service.....$49,931.00
Evansville Wet Heat & Piping Co.....$43,000.00

Commissioner Willner moved that the contract be awarded to Evansville Wet Heat & Piping Co. Inc., on the recommendation of Mr. Stephens. Commissioner Schaad seconded the motion. So ordered.

Mr. Stephen said the boiler is to be installed before the Auditorium's gas allotment is used up.

Evansville Wet Heat & Piping Co. Inc. proposes the following at their estimate of $43,000.00:

The replacement of present Weil McLain boiler located at the Vanderburgh County Civic Auditorium. This proposal includes the removal of the present boiler and replacing it with the Weil McLain 1976 boiler presently located at the Continental Apts. Evansville, In. Included in this price is labor and material necessary for the installation of one 15,000 gallon oil tank and one BT 155 gas hot water heater. This oil tank and water heater are to be furnished by Evansville Wet-Heat. This proposal includes the necessary sheet metal and electrical work to make this system operate properly.

RE: OTHER SURPLUS ITEMS TO BE ADDED TO LIST FOR SALE

Mr. Hotz said he has some more surplus equipment that is out at the Alcoholic Recovery Center and also at Hillcrest-Washington Home, and he would like to include it with the other equipment that will be sold at Pleasantview next month.

Commissioner Willner moved that Mr. Hotz include the surplus items to the list he has, so they can all be sold at Pleasantview. Commissioner Schaad seconded the motion. So ordered.

RE: LETTER FROM DAN RIDDLE

At the Commissioners meeting yesterday morning, Mr. Dan Riddle was named Right of Way buyer for Lynch Road, and the following letter was received by Commissioner Ossenberg from Mr. Riddle:

Dear Sir:

At your convenience, please have the Commissioners file our approval to buy the Right-of-Way on Lynch Road. As it appears at this point, most of the Right of Way owners are willing to donate the land.

I have talked to all of the land owners and see only slight resistance to the project.

Thank you for your time.

Daniel K. Riddle

The meeting recessed at 8:00 p.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Bob Schaad Robert L. Willner	Curt John	Ed Smith, Jr. Paul Wendel

COUNTY COUNCIL

Dan Kollker
Otto Niethammer
Bill Taylor

SECRETARY: Margie Meeks

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
OCTOBER 17, 1977

The meeting of the County Commissioners was held on Monday, October 17th. 1977, in the Commissioners Hearing Room with President Tom Ossenberg presiding.

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

Commissioner Ossenberg said that Commissioner Willner is out of the City today, and he welcomed the Government students from Central High School that are in attendance today.
He said that he understands that they voted through Mr. Kaylor's class, to either attend a County Commissioners meeting, A County Council meeting, a Township Advisory Board meeting or a City Council meeting and those here chose to attend the Commissioners meeting, and he thought they had the best taste.

Commissioner Ossenberg said he couldn't approve the minutes of the special meeting that was held on October 11th. for the purpose of discussing the lease-purchase or outright purchase of the Pleasantview Rest Home, since he wasn't present, that Commissioner Schaad and Commissioner Willner conducted that meeting, so those minutes will be approved at a later date.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CIRCUIT COURT

Ruthetta Graves	2153 E. Bayard Pk.	Court Reporter	$463.57 Pay	Eff: 10/10/77
Steve Scott R.	#4 Mt. Vernon, In.	Probation Intern	$234.43 Pay	Eff: 10/10/77
David Robinson	311 S. Barker	Probation Intern	$117.21 Pay	Eff: 10/10/77

CO-OPERATIVE EXTENSION SERVICE

Glenna L. Hanks	Rm 202 City-Co. Bldg.	Extension Agent	$5,419.00 Yr.	Eff: 10/12/77

VANDERBURGH SUPERIOR COURT

Michele E. Schmitt	622 Wessel Ave.	Clerical Assistant	$249.73 Pay	Eff: 10/12/77
Rebecca Roth		Clerical Assistant	$259.57 Pay	Eff: 10/9/77
Arletta L. Turpin	3017 Tremont Rd.	Clerical Assistant	$252.65 Pay	Eff: 10/27/77

RE: EMPLOYMENT CHANGES.....RELEASES

BURDETTE PARK

Dan Waltz	6710 Hogue Rd.	Extra Guard	$3.00 Hr.	Eff: 9/15/77
Dave Waltz	6710 Hogue Rd.	Head Guard	$25.00 Day	Eff: 9/15/77
Kathy Wannemueller	2024 Hillside Dr.	Extra Guard	$3.00 Hr.	Eff: 9/15/77
Maribeth Willett	2358 Boeke Rd.	Extra Guard	$3.00 Hr.	Eff: 9/15/77
Robin Winstead	4801 Hogue Rd.	Reg. Guard	$23.00 Day	Eff: 9/15/77
Anne Myers	1128 Wimbledon Ct.	Extra Guard	$3.00 Hr.	Eff: 9/15/77
Richard Myers	1128 Wimbledon Ct.	Extra Guard	$3.00 Hr.	Eff: 9/15/77
Robert Myer	3725 Waggoner Ave.	Extra Guard	$3.00 Hr.	Eff: 9/15/77
Gib Riffle	205 S. St. James	Extra Guard	$3.00 Hr.	Eff: 9/15/77
Martha Riffle	205 S. St. James	Extra Guard	$3.00 Hr.	Eff: 9/15/77
Ann Schuler	100 S. Ruston Ave.	Extra Guard	$3.00 Hr.	Eff: 9/15/77
David Schuler	100 S. Ruston Ave.	Reg. Guard	$23.00 Day	Eff: 9/15/77
James Stewart	852 S. Alvord Blvd.	Extra Guard	$3.00 Hr.	Eff: 9/15/77
Sally Tuholski	6213 Newburgh Rd.	Reg. Guard	$20.00 Day	Eff: 9/15/77
Janet Ulrey	130 E. Mill Road	Extra Guard	$3.00 Hr.	Eff: 9/15/77
John Voorheese	2166 Adams Ave.	Reg. Guard	$23.00 Day	Eff: 9/15/77
Jennifer Oberhausen	4218 Tremont	Reg. Guard	$23.00 Day	Eff: 9/15/77
Judy Oberhausen	4218 Tremont	Reg. Guard	$23.00 Day	Eff: 9/15/77
Cindy Peter	9613 Petersburg Rd.	Reg. Guard	$20.00 Day	Eff: 9/15/77
Kim Knapp	3407 Sweetser	Reg. Guard	$20.00 Day	Eff: 9/15/77
Barb Koressel	1719 Conlin Ave.	Reg. Guard	$23.00 Day	Eff: 9/15/77
John Lawson	6711 Hogue Rd.	Reg. Guard	$23.00 Day	Eff: 9/15/77
Kim Lilly	2601 Magnolia Dr.	Extra Guard	$3.00 Hr.	Eff: 9/15/77
John Massey	2214 Blackford Ave.	Extra Guard	$3.00 Hr.	Eff: 9/15/77
Keith Milling	1900 E. Michigan St.	Reg. Guard	$23.00 Day	Eff: 9/15/77
Karen Morton	2458 E. Mighigan St.	Extra Guard	$3.00 Hr.	Eff: 9/15/77
Dean Hart	726 Plaza Dr.	Reg. Guard	$20.00 Day	Eff: 9/15/77

BURDETTE PARK.....RELEASES...CONTINUED

George Hollander	2510 W. Maryland St.	Extra Guard	$3.00 Hr.	Eff: 9/15/77
Julie Horner	1411 Roosevelt Dr.	Cashier	$3.00 Hr.	Eff: 9/15/77
Janet Hudson	4240 Bellemeade	Extra Guard	$3.00 Hr.	Eff: 9/15/77
Julie Hudson	4240 Bellemeade	Extra Guard	$3.00 Hr.	Eff: 9/15/77
Scott Kamman	400 Kings Valley	Extra Guard	$3.00 Hr.	Eff: 9/15/77
Carol Hewig	2640 N. Heidelbach	Pool Manager	$27.00 Day	Eff: 10/6/77
Scott Maley	6314 Hogue Rd.	Head Guard	$25.00 Day	Eff: 9/26/77
Robert Euhl	2037 Cass Ave.	Security	$3.15 Hr.	Eff: 9/26/77
Pam Deig	7401 Mahrenholz Ave.	Ground Crew	$3.00 Hr.	Eff: 9/15/77
Mark Head	614 Red Bank Rd.	Ground Crew	$3.00 Hr.	Eff: 9/15/77
Roger Rice	1414 Jeanette Ave.	Ground Crew	$3.00 Hr.	Eff: 9/15/77
James Hagedorn	R.#4 Box 236	Rink Guard	$3.00 Hr.	Eff: 9/15/77
Kerrye Lou Knapp	3407 Sweetser	Cashier	$3.00 Hr.	Eff: 9/15/77
Donna Bowers	722 Mels Dr.	Extra Guard	$3.00 Hr.	Eff: 9/15/77
Susan Buthod	703 S. Willow Rd.	Reg. Guard	$23.00 Day	Eff: 9/15/77
Jean Browning	1375 E. Chandler	Extra Guard	$3.00 Hr.	Eff: 9/15/77
Fred Creech	631 College Hwy.	Extra Guard	$3.00 Hr.	Eff: 9/15/77
Betsy Detroy	101 Court St.	Reg. Guard	$23.00 Day	Eff: 9/15/77
Jill Dike	Rte. #2, Box 34A	Cashier	$3.00 Hr.	Eff: 9/15/77
Anne Ensner	5338 Nottingham Dr.	Reg. Guard	$23.00 Day	Eff: 9/15/77
Debbie Erwin	601 Colonial Ave.	Reg. Guard	$23.00 Day	Eff: 9/15/77
Gail Fleming	1217 Lincoln Park	Extra Guard	$3.00 Hr.	Eff: 9/15/77
Janna Gartner	1931 Carol Drive	Extra Guard	$3.00 Hr.	Eff: 9/15/77
John Gildersleeve	1010 E. Chandler	Extra Guard	$3.00 Hr.	Eff: 9/15/77
Michael Ginger	1419 Hillside Terr.	Asst. Manager	$25.00 Day	Eff: 9/15/77
Sherra Gourley	322 Shamrock Ct.	Reg. Guard	$23.00 Day	Eff: 9/15/77
Jean Griffin	4518 Tremont Rd.	Reg. Guard	$23.00 Day	Eff: 9/15/77
Spencer Evans	1369 E. Chandler	Reg. Guard	$23.00 Day	Eff: 9/26/77

CIRCUIT COURT

Ruthetta Graves	2153 E. Payard Pk.	Court Reporter	$405.57 Pay	Eff: 10/8/77
Steve Scott	R. #4 Mt. Vernon In.	Summer Intern	$234.43 Pay	Eff: 10/8/77
David Robinson	311 S. Barker	Summer Intern	$117.21 Pay	Eff: 10/8/77

VANDERBURGH SUPERIOR COURT

Ronald R. Goebel	Probation Officer	$409.84 Pay	Eff: 10/13/77
John S. MacCauley (L.O.A. till 11/4)	Probation Officer	$401.92 Pay	Eff: 10/7/77
Janet Tavcar	Clerical Asst.	$252.65 Pay	Eff: 10/7/77
Rebecca Roth	Clerical Asst.	$249.73 Pay	Eff: 10/7/77

Commissioner Schaad explained to the students that these pink slips are submitted to the Commissioners when anyone is hired as an employee by the County or when an employee is released from the County payroll.

RE: MONTHLY REPORT

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

RE: REQUEST FOR INSURANCE COVERAGE

The following note was received by the Commissioners, from Pete Swaim of the Sheriff's Department, on request for Insurance coverage:

We just leased a radio paging device for our court security officers. Radio paging service advises us we are responsible for the pager, battery and charger at a replacement value of $300.00, Serial number for the Bell & Howell Pager unit is: 4805/B5. Could you please add this equipment to the Insurance coverage? Thanks,

Pete Swaim

Commissioner Ossenberg said that Torian Insurance has added this to the umbrella policy as of 10/12/77.

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

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received from the American States Insurance Company on behalf of the German Township Water District, Inc., in favor of the Evansville-

Vanderburgh Area Plan Commission and the Board of County Commissioners of Vanderburgh County, Indiana, insuring the County roads for $5,000. Local Agency, Schultheis Ins. Certificate received and filed.

RE: LETTER FROM THE ASSOCIATION OF INDIANA COUNTIES, INC.

The following letter was received by the Commissioners, a copy of which was sent to the County Auditor:

Dear Friend Member:

Through extensive efforts of your Association of Indiana Counties, determination is that monies are due Indiana County Governments as reimbursement for providing administrative services of Federal Programs such as Welfare, CETA, etc.

Each Indiana County has spent and is spending considerable dollars necessary to implement Federal programs with such services as: Personnel, data processing, purchasing, legal counsel, etc.

With awareness by your Association of the Federal government's provision with publication of a Federal Management Circular, it is revealed that by utilizing professional procedure, recovery of several thousands of dollars can be duly claimed by Indiana Counties. The process for paying Indiana Counties is determined according to Federal Management Circular 74-4.

Through your Association's inter-governmental relationship with both Federal and State agencies, we can, by working with - a professional firm of specialists in this field-offer the recommendation that you make effort to claim the dollars that are rightfully yours. Thorough investigation currently reveals that by example: New York Counties (virtually all participating) are making annual recoveries of about one million dollars. Counties in Wisconsin and Minnesota are recovering similarly. In both states, the State Association heartily commends the efforts of our recommended professional firm to assist your County: David M. Griffith & Associates, Ltd.

Mr. Griffith or Mr. Hart of the Griffith firm will be available to arrange a personal call with your Board of Commissioners in the near future.

Very truly yours,
Lowell T. Powell, President

Commissioner Ossenberg said that he and Mr. John would like to find out what information they can gain by this by not committing Vanderburgh County to any monetary monies what-so-ever, that this is what it amounts to.

Commissioner Schaad moved that Mr. John be authorized to follow through on this matter. Commissioner Ossenberg seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A Notice of Liability Coverage Certificate was received by the Commissioners, on Lessee, the Tradesmen Club, in leasing the Auditorium.
Certificate received and filed.

RE: TELEPHONE REQUEST

The following letter of request was received by the Commissioners from Sheriff DeGroote:

Gentlemen:

I would like to request an extension phone for the Detective Office in the Sheriff's Department, this would be an extension only and not an additional number.

I have contacted Indiana Bell and found that the cost will be $32.00 for installation and $5.50 for the monthly fee.

We anticipate your usual cooperation in this matter and thank you in advance.

Sincerely, James DeGroote,
Sheriff

Commissioner Schaad moved that the request of Sheriff DeGroote be granted. Commissioner Ossenberg seconded the motion. So ordered.

RE: VACATION OF HAPPEL ROAD

Commissioner Ossenberg said that the Vacation of Happel Road has been postponed since there has been a death in the family of one of the attorney's.

RE: VACATION OF CARANZA DRIVE

Commissioner Ossenberg said they haven't come up with the three viewers and they insist that the Commissioners come up with them but they need three disinterested viewers and to get them, they are going to have to get three real estate men and beg their mercy, that they don't charge the County, so consequently, he thinks is is the duty of the people asking for the vacation to come up with the three viewers, that he is reluctant to go out and ask any real estate man to do something for someone in a subdivision that the Commissioners aren't involved in, other than being asked to vacate a road.
He said he did inquire as to whether the County Engineer, the County Surveyor or possibly the City Engineer, could do it for the Commissioners of Vanderburgh County and he was told they couldn't, that they must be disinterested people and of course, they are interested in the welfare of Vanderburgh County as far as that street is concerned.

County Attorney Smith said he thought the statute provides that the Commissioners name the viewers.

Commissioner Ossenberg said, not necessarily, that the Commissioners have handled these vacations before and here-to-fore, the people asking for the vacation, went out and got their own viewers, subject to the Commissioners' approval.
He said the Commissioners could ask people to do it and they could well do it, but by the same token, what if the County is charged for it and he wondered who would be responsible to pay the people.

County Attorney Wendel said he thought it to be the responsibility of the petitioners to pay the viewers, but that he would check it out now and come back.

Commissioner Ossenberg said if this is the case, the Commissioners can name the viewers and bill the petitioner.

RE: TRAFFIC SIGN REPORT

Mr. Darrell Veach of Engineer Associates appeared and said he has delivered five copies of the signed Inventory of Road Signs for Vanderburgh County, excluding the corporate limits of Evansville and Darmstadt, Indiana.
He said that Keith Lochmueller, the Director of Urban Transportation also has a copy of it.

Commissioner Schaad explained for the benefit of the students, that there was a 70% federal grant and 30% local money that paid to have an inventory made of all the signs in the County to see if they were up to standards and if there are any suggestions or any changes, so they can make the county roads safe, as far as the signs are concerned, so Engineer Associates made the study and with recommendations, if the County was failing in some areas, what they need to do to bring the signs in Vanderburgh County up to standards so they will be safe to all traffic.

RE: PLEASANTVIEW REST HOME

Commissioner Ossenberg said there was to have been a discussion on Pleasantview this morning but the attorney's are still working on it, so this matter will be brought up at a later date.

RE: ALL MONIES AND QUIETUS TO GO TO AUDITOR'S OFFICE

Commissioner Ossenberg said that they have a quietus that was turned in to the Commissioners office, from the Prosecuting Attorney, in the amount of $397.50, for rent that was paid from a four-D program which is a government program and is processed by the Porsecutors office.
He said that this is one of the Quietus' that in the future, will no longer come to the County Commissioners office, as a matter of fact, nothing in the line of rent or monies for anything else will come to the Commissioners office, that as of October 13th., 1977, all monies and invoices will go directly to the County Auditor's office.

RE: REZONING PETITIONS

Commissioner Schaad explained to the students that wnyone that wants land in Vanderburgh County rezoned, must file a rezoning petition and then it must be approved by the County Commissioners on first reading and be referred to the Area Plan Commission who is an advisory group who makes a study on it and acts upon it by recommendation, since they have no official capacity and then on the 3rd. Monday of the month, they come back to the Commissioners for final approval or denial.

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

Petitioner.....Sandra L. Brady or 3181 Orchard Road
Owner of Record.....Mr. & Mrs. Gerald Brady of 3181 Orchard Road
Premises affected are situated the North side of Orchard Road, a distance of 200 feet N.W. of the corner formed by the intersection of Orchard Road and Eichenberger Rd.
The petitioner requests a change from A to C-1B for a Catering Service and single family residence.
This petition was approved by the Area Plan with seven affirmative votes.

There was no one present to speak for or against this petition.

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

RE: REZONING PETITION.....THIRD READING.....VC-78-77

Petitioner and Owner of Record.....Greenbriar Realty Corporation
Premises affected are situated on the east side of North Red Bank Road, a distance of 227.9 feet south of the intersection formed by the west half of the southwest quarter of Section 22, Township 6 South, Range 11 West, lying in Vanderburgh County, State of Indiana.
The petitioner requests a change from A zone to an R-3 zone for apartments.
The commonly known addresses are 423 and 429 North Red Bank Road.
This petition was approved by the Area Plan with seven affiramtive votes.

Mr. Ed Johnson, Attorney, appeared and said that he represents the owner and petitioner and that this particular piece of land borders on R-1 zoning to the North and across the street is an R-3 zoning for the Golden Tower Apartments, that the property directly to the South is vacant but is zoned R-3, which is the same zoning they seek and the property further South is the Valley View Apartments and along State Road 62 they have the construction for the new shopping center development and they feel this vacant piece of land should be zoned R-3 for apartments because it continues the buffering effect or the step down effect from the reasonably heavy rezoning along State Road 62 with the shopping center down through the medium density single family residential on Hogue Road, so they feel it is good text book zoning which creates the buffer and they feel it is a good project because of the location.
He said they seek 24 units and there will be 2 two-story buildings with 6 untis per story each and there will be parking for 37 cars which is more than enough for the 24 untis, and in addition to that the petitioner is only asking for 1 curb cut out onto Red Bank Road and it already exists and he thinks the biggest advantage and asset for this particular property is the extremely dense landscaping along North Red Bank Road and when the driveway is developed, the rest of the property will be completely screened out from North Red Bank Road.
He said he thought this will benefit the west side of town.

There were no remonstrators.

Commissioner Schaad moved that petition VC-78-77 be approved. Commissioner Ossenberg seconded the motion.
The vote was unanimous in the affirmative, The motion carried.

RE: REZONING PETITION.....THIRD READING.....VC-79-77

Petitioner.....Howard W. Kays of 1751 Dianne Avenue
Owner of Record.....Robert A. Miller of 5815 Middle Mount Vernon Road
Premises affected are situated on the West side of Boehne Camp Road and formed by the intersection of Boehne Camp Road and Middle Mount Vernon Road, more commonly known as 715 S. Boehne Camp Road.
The petitioner requests a change from an A zone to a R-3 zone for a four-plex apartment building.
This petition was denied by the Area Plan Commission with six negative votes and one affirmative vote.

No one was present to speak for or against this petition.

Commissioner Ossenberg said he received a telephone call this morning from an attorney who represents the remonstrators who was tied up in Posey County in a court case and could not be here.
He said it was pointed out at the Area Plan, that the blue-prints would have to go to Indianapolis through the ABC for approvas, that there is a very serious drainage problem in this area and it was pointed out by Mr. Crooks, the Building Commissioner, that approval would have to be received from the Department of Natural Resources, so this petition was denied.

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Commissioner Schaad moved that petition VC-79-77 be denied. Commissioner Ossenberg seconded the motion.
The vote was unanimous to deny the petition. The motion carried.

RE: REZONING PETITION.....THIRD READING.....VC-80-77

Petitioner.....Jim & Dave Investments of 1209 E. Walnut Street
Owner of Record.....David A. Buckman of 1209 E. Walnut Street
Premises affected are situated on the South side of Allens Road, a distance of 500 feet West of the corner, formed by the intersection of Allens Road and Myrtle Ave, more commonly known as 1930 Allens Lane.
Petitioners requests a change from an A zone to an R-3 zone for apartments, multiple family.
This petition was approved by the Area Plan Commission with seven affirmative votes.

Mr. Jim Morley, Engineer for the petitioners, appeared and said this is a 3/4 acre parcel on Allens Road exactly across form the entrance drive to the Evanville Water Co. and part of the area is low ground and not suitable for construction but there is an area up next to Allens Road to put an 8-unit apartment building and they have submitted a site plan along with the rezoning request and essentially are saying that the developers are committed to this and any further development would be essentially impossible because of the amount of fill required.

There were no remonstrators present.

Commissioner Schaad moved that petition VC-80-77 be approved. Commissioner Ossenberg seconded the motion.
The vote was unanimous in the affirmative. The motion carried.

RE: REZONING PETITION.....THIRD READING.....VC-81-77

Petitioner.....Victor Ross of 5833 N. Kerth Avenue
Owner of Record.....Gary R. Fawkes of 610 Hillsdale Road.
Premises affected are situated on the North side of Hillsdale Road, a distance of 66 feet East of the corner formed by the intersection of Hillsdale Road and Highway 41 more commonly known as 630 Hillsdale Road.
Petitioner requests a change from a R-1 zone to a C-1B zone for an auto repair shop.
This petition was approved with seven affirmative votes by the Area Plan Commission.

Commissioner Ossenberg said that Mr. Ross found out some things at the Area Plan Commission that he didn't know about and he asked Mr. Ross if he had it all worked out.

Mr. Ross said he went to Indianapolis and have sent their papers off and will find out the 17th of next month, that they have got in touch with the Department of Natural Resources and they will give their decision next month as to whether it can or can't be done, that they must get their approval since he is building 50 feet from Pigeon Creek.

There were no remonstrators.

Commissioner Schaad moved that petition VC-81-77 be approved, subject to the approval of the Department of Natural Resources. Commissioner Ossenberg seconded the motion.
The vote was unanimous in the affirmative. The motion carried.

REZONING PETITION.....FIRST READING.....VC-71-77

Petitioner and Owner of Record...Sheldon Ray Wilson of 8217 Division Street
Premises affected are situated on the South side of Division Street, a distance of 2070 feet East of the corner formed by the intersection of Fuquay Road and Division Street, more commonly known as 8217 Division Street.
Petitioner requesis a change from zone R-1 to a C-1B zoning.
The present existing land use is an office and sales and the land use is non conforming, so the proposed use is for the office and sales.

Commissioner Ossenberg said that Mr. Wilson was here previously but he was asked to resubmit his petition because at that particular time, there were some remonstrators in the audience and he asked one remonstrator, a Mr. Kaufman if he received proper notification of this petition.

Mr. Kaufman said he hadn't received proper notification.

Commissioner Ossenberg explained, for the benefit of the students, that in order for Mr. Wilson to petition, anyone contiguous to his property must get notification

that there is a rezoning to be filed in case they don't want it, they can then remonstrate.
He said it appears that this came up last month and there were two parcels of property involved, that this gentleman and another party didn't receive proper notification, so consequently it had to be held up, since the law states they must be notified and that is why it is brought up again at this time and this gentleman still maintains that he hasn't received notification, so Mr. Osterholt of the Area Plan Commission, has gone to check on the mailing of notification before the Commissioners take up this petition.
After checking, it was found that Mr. Kaufman received a certificate of notification by certified mail that was signed and returned as of August 13, 1977,

Mr. Kaufman said that his wife signed that one but he understood at the last meeting, that if the petition was continued, he was to receive another notification by certified mail.

Commissioner Ossenberg explained to Mr. Kaufman that only the ones who didn't recieve the letter previously would recieve notification this time and the receipts on those letters have also been received, so everything is now in order.
He said that by law they must now refer this petition to the Area Plan Commission, which will meet the 1st Wednesday of the month, which will be November 2, 1977, and he told Mr. Kaufman if he is against this petition, he should go to this meeting to remonstrate and then it will come back to the Commissioners on the 3rd. Monday of the month which will be on November 21st. 1977, for third and final reading at which time they will approve or deny this petition.

Mr. Kaufman stated his objection to this petition and said that he has approximately 93 acres of land in the area of the petition and he was informed by the Area Plan that this is all zoned for residential and they say it is zoned as Agriculture but the petition shows it is zoned as R-1.

After checking, it was found to be zoned R-1.

Mr. Osterholt said the petition has been amended, when it was submitted.

Mr. Kaufman said the petition also states that it is in the City but it isn't and it was found to be on the wrong form.

Mr. Osterholt said he will take the information and put it on the proper form, that what the Commissioners are acting on here is the petition, which is to be referred to the Area Plan Commission for hearing, that the ordinance wouldn't be acted upon until the third reading anyway.

Commissioner Schaad moved that petition VC-71-77 be referred to the Area Plan Commission on first reading. Commissioner Ossenberg seconded the motion. So ordered.

RE: REZONING PETITION.....FIRST READING.....VC-83-77

Petitioner and Owner of Record.....Harlan H. Brand of Brand Realty Co. of 2605 Lincoln Avenue.
Premises affected are situated on the North side of Upper Mt. Vernon Road at the intersection of Upper Mount Vernon Road and Belhne Camp Road, which is more commonly known as 5759 Upper Mt. Vernon Road and 1235 Boehne Camp Road.
The petitioner requests a change from a A zoning to an R-3 zoning and the proposed land use is for Apartments.

There was no one present to speak for or against this petition.

Commissioner Schaad moved that petition VC-83-77 be referred to the Area Plan Commission on first reading. Commissioner Ossenberg seconded the motion. So ordered.

RE: REZONING PETITION.....FIRST READING.....VC-84-77

Petitioner and Owner of Record.....William W. and Caroline L. Rosemeyer of 7700 Henze Road.
Premises affected are situated on the West side of Henze Road, a distance of 782.24 feet South of the corner formed by the intersection of Henze Road and No. 6 School Road, more commonly known as 7650 Henze Road.
The petitioner requests a change from A zoning to C-1B and the proposed land use is for an Office and equipment storage.

Commissioner Ossenberg said that the Attorney for the petitioner is Toby Shaw, that he called and said he had to be in court today, so he wouldn't be able to attend today's meeting.

There was no one present to speak for or against this petition.

Commissioner Schaad moved that petition VC-84-77 be referred to the Area Plan Commission on first reading. Commissioner Ossenberg seconded the motion. So ordered.

RE: REZONING PETITION.....FIRST READING.....VC-85-77

Petitioner.....Citizens Realty & Insurance Inc. of 111 S.E. Third St.
Owner of Record.....Willard C. Shrode of 4218 Lincoln Avenue
Premises affected are situated on the North side of Petersburg Road, a distance of 4580 feet West of the corner formed by the intersection of Hwy. 41 North and Petersburg Road, more commonly known as 6500 Petersburg Road.
The petitioner requests a change from A zoning to R-1, R-3 and C-1 for the purpose of single family dwellings, condominiums, small apartments and a site for a convenient market.

Mr. Scott Shrode, Attorney, appeared and said that he is associated in the practice of law with his father, Willard Shrode, who is the attorney for the petitioner and is the owner of record.
He said the only comment he has is that the petition states the changes from A to R-1 as well as to R-3 and C-1, but the information he has at this time is basically just what is in this petition and what has been filed according to the ordinance in the County Auditor's office.

There were no remonstrators present.

Commissioner Schaad moved that petition VC-85-77 be referred to the Area Plan Commission on first reading. Commissioner Ossenberg seconded the motion. So ordered.

RE: REZONING PETITION.....FIRST READING.....VC-86-77

Petitioner and Owner of Record.....Gregory G. & Edwina Kempf of 2200 Lexington Ave.
Premises affected are lots 46 through 55 of St. Joseph Village, a recorded subdivision in Vanderburgh County and it is more commonly known as the Liberty Court.
The requested change is from A to R-3 and the proposed land use is for one 4-plex on each of ten lots.

There was no one present to speak for or against this petition.

Commissioner Schaad moved that petition VC-86-77 be referred to the Area Plan Commission on first reading. Commissioner Ossenberg seconded the motion. So ordered.

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

Petitioner.....Silver Realty Co. of P.O. Box 62, Evansville, Indiana
Owner of Record.....Leona C. Messimore of Indianapolis, Indiana
Premises affected are situated on the South side of Upper Mt. Vernon Road, being the SW corner of Upper Mt. Vernon Road and Red Bank Road.
The requested change is from an A zoning to C-1B and the proposed land use is for a Shopping Center.

There was no one present to speak for or against this petition.

Commissioner Schaad moved that petition VC-88-77 be referred to Area Plan Commission on first reading. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIMS

A claim was received from Evansville Crushed Stone Co. for stone, in bedding and backfill for culvert pipe on #3 School Road for the Highway Department, in the amount of $813.73. This was approved by Mr. Stephen, the County Hwy. Engineer. This will come out of the Highway Contractual Services.

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

A claim was submitted by Szabo Food Service Inc. for the meals that were served the deputies of the Sheriff's Department from 9/16/77 thru 9/30/77, in the amount of $134.55. This was approved by Sheriff DeGroote.

Commissioner Schaad moved that the claim for the meals of the deputies be approved. Commissioner Ossenberg seconded the motion. So ordered.

A claim was submitted by James L. Moers of the Sheriff's Department for reimbursement of expenses for lodging and meals while attending the National Jail Managers Seminar that was held in St. Louis, Missouri from 9/25/77 thru 9/27/77, in the amount of $121.74. There was another $10.00 listed for gratuities but was not allowed since it isn't permitted by the State Board of Accounts. This claim was approved by Sheriff DeGroote.

Commissioner Schaad moved that this claim be approved in the amount of $121.74, not including the gratuities. Commissioner Ossenberg seconded the motion. So ordered.

A claim was submitted by Sheriff DeGroote for reimbursement of expenses for lodging and meals while attending the National Jail Managers Seminar that was held in St. Louis, Missouri from 9/25/77 thru 9/27/77, in the amount of 123.11. There was another $10.00 listed for gratuities but was not allowed since it isn't permitted by the State Board of Accounts. This claim was signed by Sheriff DeGroote.

Commissioner Schaad moved that this claim be approved in the amount of $123.11, not including the gratuities. Commissioner Ossenberg seconded the motion. So ordered.

A claim was received from Robert Moran, the Veteran Service Officer, for milcage to and from Indianapolis in attending the Service Officers meeting, in the amount of $56.28.

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

A claim was submitted by Barnett Bros. Inc. for work done on the Old Princeton Road Bridge, Structure #48, in the amount of $24,063.50. It was noted that this claim had been approved previously in the amount of $22,797, but a modification of the extension that was turned in on 10/3/77 changed that figure to $24,063.50. This claim was approved by Dave Guillaum, the Deputy Surveyor.

Commissioner Schaad moved that this claim be approved in the amount of $24,063.50. Commissioner Ossenberg seconded the motion. So ordered.

A claim was submitted by Engineer Associates, Inc. for the Vanderburgh County Traffic Study, in the amount of $8,508.00 which is balance due as per contract. This was approved by Jack Siebeking, the Highway Superintendent.

Commissioner Ossenberg explained that this is reimbursed by the state on a 70-30 basis.

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

RE: VACATION OF CARANZA DRIVE...CONTINUED

County Attorney Wendel looked into the matter of the viewers for the vacation of a road and said that the only thing the statute talks about on compensating the viewers, would be if there were a remonstrance and it was found that it was in the public interest to do it but some adjoining property owner was getting hurt and in that case, the Commissioners would either have the authority to pay for any damages or cost out of the County Treasury or to order the petitioner to pay for it, that it doesn't refer to cost in any other manner, so he would recommend that the petitioner find three viewers, subject to the Commissioners approval and that he would make arrangements with them and if there is any compensation, that he pay it.

Commissioner Schaad moved that County Attorney Wendel's recommendation be carried out and that he contact the petitioner as to what is required of him. Commissioner Ossenberg seconded the motion. So ordered.

RE: MONTHLY REPORT

Commissioner Ossenberg said that Mr. Crooks isn't present today but that he sent in his Report of the Building Commission as to the permits that were issued for Sept. of this year as well as the amount of revenue taken in this year to date. The report shows that building is up in Vanderburgh County in 1977 over 1976. Report received and filed.

RE: MR. HOTZ...SURPLUS PERSONAL PROPERTY AT PLEASANTVIEW

Mr. Hotz submitted a copy of the ad for the auction of personal property at the Pleasantview Rest Home property and said that the Commissioners had previously approved the advertisement of the surplus personal property, that the ad appeared in the newspaper last Friday and will appear again for the next three Friday's with the auction tentatively set for November 5th, subject to the approval of the County Council.

The Commissioners discussed as to whether the ads should now be cancelled, since they didn't think it advisable to sell the personal property without the final disposition of the Pleasantview property having been made, which they now have a problem with, but on the recommendation of the County Attorney, the Commissioners decided to take the matter under advisement for the present time, until they decide what should be done about it.

RE: AUDITORIUM PARKING LOT ...CONTRACT AWARDED

Mr. Hotz said they have received no other bids on the parking lot at the Auditorium.

Commissioner Schaad asked Mr. Stephen who he called and Mr. Stephen said he called Jerry David who said he was interested, that this would be the only other hot mix and that he would come by but he never did, so he would suggest they go ahead and give the contract to Feigel, that Mr. Feigel said this morning, that it is getting late and they should be getting busy.
It was noted that they did try to get other bids but no one but Feigel came forward.

Commissioner Ossenberg asked Mr. Stephen what the amount of Feigel's bid is for this project and Mr. Stephen said it is $28,085 and is for 131 square yards of patch area and $500.00 worth of materials in sealing the cracks.

After further discussion, Commissioner Schaad moved that the contract be awarded to Mr. Feigel and ask him to please get on it right away. Commissioner Ossenberg seconded the motion. So ordered.

RE: REQUEST TO TRAVEL

Mr. Hotz asked that he be permitted to go to Indianapolis some time the latter part of the week, that Mr. Siebeking of the Highway Department, Mr. Wolf of Burdette Park and Mr. Dewes of the Auditorium, would also like to go, to see if they can use any of the surplus items they have there.

Commissioner Schaad moved that all four men be permitted to go to Indianapolis, and that they can use the County car and all go together. Commissioner Ossenberg seconded the motion. So ordered.

RE: UTILITY BILLS AT BOEHNE

Commissioner Schaad said that Dr. Arendell was actually out at Boehne before the sale was closed, while working out there, and of course, the utility bills went up. He said he did say something to him about it, to the effect, that he would be receiving a bill from the County Auditor for the utilities that he has used since he has been out there until the sale was finalized, and he was agreeable with paying it.

The figure owned by Dr. Arendell on utilities was checked out by Mr. Hotz and it was found to be $426.45.
Mr. John was instructed to send Dr. Arendell a letter asking that he pay this amount.

RE: CLAIM

A claim was submitted by the Evansville-Vanderburgh County Building Authority, for one floor phone outlet at $40.00 and one floor electrical outlet in the amount of $40.00, to be installed in the office of the Sheriff of Vanderburgh County, at the total cost of $80.00.
Verbal permission had been given by the Commissioners for this to be done.

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

RE: ABSENTEE REPORT

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

RE: MR. SIEBEKING.....FIRST AVENUE BRIDGE

Mr. Siebeking said he got a call late Saturday night, that someone went through the barricades on the First Avenue Bridge and tore them up and they had no number to call to find out who was responsible for them, that he assumed the contractor was, because they always have been before.
He said the City told them they weren't responsible, so they called him, so he sent someone out to put some temporary barricades up because he had no one to call to take care of it, and he thought he should probably be given a number to call.

Mr. Stephen said that it is in the contract that it is the responsibility of the contractor and he is the one that should be called, that Deig Brothers is the contractor for the First Avenue Bridge and that Southwest Enginners is the contractor for the other bridge.

RE: MR. STEPHEN.....CHANGE ORDER NEEDED

Mr. Siebeking said that Mr. Stephen has something he wants to bring up that involves the Highway Department quite a bit, that he will let him explain it and the Highway Department will do what the Commissioners want them to do.

Mr. Stephen said of the four paving projects, they came up with an underrun which he expected, since they always like to have enough money to work with, that the biggest item was that they only used about 6.4 tons of patch material at $50.00 per ton, laid, that from a total bid of $138,000 plus, they have about $8,000 left that they didn't use and Feigel did some converting and said there are some rough railroad crossings which they can improve, so they can stop now and pay him for what they needed, or they can go ahead and use up the full amount of the contract.

There was a question of whether there should be a change order since they are deviating from the specifications and using the materila to do jobs necessary in other areas, since, Mr. Siebeking said they could repair three or four railroad crossings with the money.

The Commissioners agreed that a change order should be submitted on the under-run.

Mr. Stephen said if it is okay with the Commissioners to do this, they will write a change order for the under-run and bring it back for approval.

Commissioner Ossenberg said that if Mr. Stephen knows what he wants done, the change-order can be approved by phone and the Commissioners can run it through the meeting the following week, for official approval.
He said his main concern is in getting the thing done while the weather is right.

RE: MARYLAND STREET BRIDGE

Commissioner Ossenberg asked if there was anyway they could fix the bad place on Maryland Street at the tracks, and Mr. Siebeking said this would be up to the Railroad.

Commissioner Ossenberg asked if any effort had been made to contact the railroad to tell them the County is fixing the bridge and ask them if they can fix the bad place.

Mr. Brenner said this was L & N Railroad and the City Works Board put a priority out on the Railroads and Mr. Eifler said he thought they get those two west of the bridge.

RE: ROAD TO BE MOVED OVER ON ACRE DRIVE

Mr. Stephen said another problem is an unrecorded plat out off $6 School Road known as Acre Drive and has been in their inventory for quite some time, that it is a 30-foot right of way down to a 50-foot one, that the only problem is that these people are saying that the road isn't on the right of way, that it is in their front yard.
He said he asked Danny Kares to check to see where the County right of way was and he found this to be true and it needs to be moved back on the right of way, and these people feel that if this goes on for a long period of time, they might lose control of their road.
He said these people are willing to cooperate any way they can and he asked how they would go about moving the road back, that they would need to have the area probably graded for a base and put stone on it and get the road back on the County right of way, also that there is now a slight depression on the south side for drainage and when moved, the drainage will be on the north side and the people who live there will need a pipe for each of their drives, but they would like to have the stone

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road off their property, that it is possibly 584 feet long and he will have Mr. Kares to put some right of way markers up.

Commissioner Schaad moved that this work be done to relocate this road to the right of way, since it has to be done. Commissioner Ossenberg seconded the motion. So ordered.

RE: MR. STEPHEN...COMMENT ON YEARLY BIDS

Mr. Stephen said there were two letters received by the Auditor's office that were turned over to him, one from a Highway Drainage Co. of New Albany and another from a Metal & Culvert Co. and they want us to know that if we are going to let bids for next year County work, that they are interested in bidding on them.
He said he knows the County has a purchasing department but asked how do they go about this, if they advertise for bids.

Commissioner Ossenberg said this is between the Companies and the Purchasing Dept., and they should contact the Purchasing Department directly.

Commissioner Schaad said that Mr. Stephen should write to them to inform them of the Purchasing Department, to also tell them that he isn't bringing the bids to them and to give them the Purchasing Agent's name.

Mr. Stephen said he would like to be sure that the Highway Department has all the equipment next year that they may need from time to time.

Mr. Siebeking said that once in a great while Mr. Stephne needs things such as a drag line to put in pipes and he is speaking of going out and letting someone bid the use of a drag line, to either the Surveyor or his department, for a year, so if they need it, all they have to do is call this fellow up and tell him they have such and such a job they need to get done and he is available, but to his knowledge, this has never been done on a piece of equipment.

Mr. Stephen said they did this in the County he came from, for both drainage as well as for any equipment used by the Highway Department, that they had doze s, draglines, backhoes and any piece of equipment they may need, but if they have it listed and need it, they don't have to go back and prepare specifications and get out any bids.

Commissioner Schaad said he thought this was a good idea and he suggested that Mr. Stephne talk to the Purchasing Agent about it and Commissioner Ossenberg agreed.

RE: LAKEVIEW DRIVE

Commissioner Schaad sais he had a call from a resident of Lakeview Drive that is off to the left, off or Old 460 and there was apparently a water cut made out there sometime ago and he suggested that Mr. Stephen get Mark from his department, to check into it, that it apparently has settled and is in very bad shape and no one has been back to finish their job.

RE: FIRST AVENUE BRIDGE

Mr. Brenner said he only has one problem and that is on the First Avenue Bridge, that they are progressing nicely but they have encountered one problem, that there appears to be a major water leak on the North side of the bridge and it has pushed the concrete mud wall out from the pressure and at 50 degrees, the bridge is up against it and the expansion joint is full-extended and when it gets hotter, there is no place for it to go and the water is pushing it up.
He said there is a storm sewer on the Northeast corner, a 36-inch pipe, and it's running from 1/4 to 1/3 full in bone dry weather and the water is crystal clear, so it is coming from the water main.
He said he contacted the Water Company and Mr. Eifler and he said there is an old water line in there that has lead joints and said it probably isn't a major leak but just the total, and it has built up pressure behind our wall and they have gone in and notched it out so it will move, that they can expand further but this wall will continue to come out against the bridge.
He said he has written the Water Company asking their cooperation but his track record with the Water Company is not too good, so if he don't get them to fix their leak, they are going to have to go in with another contract and they will sue the City and put a pipe and a french drain in there to carry the water away to take the water pressure off the wall, that he don't see much hope in the Water Company doing anything.

Commissioner Ossenberg said this is the only thing they can do then.

Mr. Brenner said he will prepare the Commissioners, in that they have agreed to do it on a cost and material basis and he thought they have to do it to keep the thing up there.

RE: MR. LOCHMUELLER.....ROAD STRIPING PROJECT

Mr. Lochmueller said in regard to the contract with STECO on the pavement markings that the Commissioners had asked him to look at, that these are executed contracts and the state is saying that we can now authorize a consultant to proceed.
He said he has rough-drafted a letter but left in in the office, but he will get it down so the Commissioners can give them authorization to proceed with their engineering on the pavement striping.
He said this is 100% federal money, that the bills will come in here, that the County will pay for it and will then be reimbursed.

Commissioner Schaad moved that they proceed. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Ossenberg said this money has already been approved by County Council.

Mr. Lochmueller said he would get the Commissioner's secretary to type the letter so the Commissioners can then sign it.

RE: RAILROAD CROSSING AT BOONVILLE-NEW HARMONY ROAD

Mr. Lochmueller said that two weeks ago, the Commissioners requested that he get a letter out to the Illinois Central Gulf Railroad Company, asking that they begin action on the engineering, that he has now prepared the letter and is submitting it at this time for the Commissioners signatures.
He said that the application for engineering has been sitting there for six months and they have done nothing.

Commissioner Schaad moved that the letter be signed and sent to the Illinois Central Gulf Railroad Company. Commissioner Ossenberg seconded the motion. So ordered.

RE: FIRST AVENUE BRIDGE

Mr. Lochmueller said they discussed the First Avenue Bridge last week, as to what work they are going to do on it, as to the structure being built across there being wide enough to accomodate a future bridge structure, so he was asked to write a letter to the Levee Authority to let them know of the Commissioners interest.
He said that Mr. Brenner has rough-drafted a letter to the Levee Authority as to the width of their opening on the bridge and they are still working on it.

The meeting recessed at 11:45 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Bob Schaad	Curt John	Ed Smith, Jr. Paul Wendel

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
OCTOBER 24, 1977

The meeting of the County Commissioners was held on Monday, October 24, 1977, in the Commissioners Hearing Room with President Tom Ossenberg presiding.

The minutes of the previous Commissioners meeting were approved as engrossed by the Auditor, with the following paragraph added, since it should have been read into the Commissioners minutes instead of into the Drainage Board meeting:

RE: MARYLAND STREET BRIDGE

Commissioner Ossenberg said they had talked about the drainage awhile ago on the Maryland Street Bridge and he asked if there was any possibility with it being closed as of today and getting it started, if that is a priority that they can get that track approval from L & N Railroad Co. along with it, since he can't see any sense in doing a bridge and coming across that track as rough as it is.

Mr. Eifler said they are trying to see if they can find some monies to repair the tracks.

Commissioner Ossenberg asked Mr. Eifler if he has to do this or if it is the responsibility of the Railroad Company.

Mr. Eifler said they work in conjunction with the Railroad in doing these things and it is in the mill trying to get the order out, that they have plenty of time but they will have to worry about the weather.

Commissioner Schaad said this is another case of the spirit of the County and the City working hand in hand for the improvement of the roads and bridges of Vanderburgh County.

The minutes of the Special meeting that was held on October 11th. that was held for the purpose of discussing the lease-purchase or outright purchase of the Pleasantview Rest Home, were also approved today, since Commissioner Willner and Commissioner Schaad conducted that meeting and they were both present today.

The reading of both meetings was dispensed with.

Commissioner Ossenberg again welcomed the students today from the government class of Central High School, and said that he understands that they had a vote, to either attend the meeting of the City Council, the Advisory Board, the School Corporation, the County Council, or the County Commissioners, and they chose the County Commissioners, and again, he congratulated them on their good taste.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AUDITORIUM

Judith E. Sumner	410 Kimber Lane	Temp. Secretary	$2.50 Hr.	Eff: 10/24/77

PROSECUTING ATTORNEY

Sylvia Reutter	3035 Claremont	Support Secretary	$6,982 Yr.	Eff: 10/31/77

RE: EMPLOYMENT CHANGES.....RELEASES

AUDITORIUM

Kim Grossman	2926 Hartig Ave.	Temp. Secretary	$2.50 Hr.	Eff: 10/15/77

PROSECUTING ATTORNEY

Robert Hertzberger	629 S. Red Bank Rd.	Police Inv.	$7,350 Yr.	Eff: 10/31/77
Melanie Heltsley	136 S. Boeke Rd.	Supt. Inv.	$6,982 Yr.	Eff: 10/31/77
Robert Hertzberger	629 S. Red Bank Rd.	Supt. Inv.	$4,371 Yr.	Eff: 10/31/77
Sylvia Reutter	3035 Claremont	Sec./Recept.	$6,225 Yr.	Eff: 10/31/77

RE: MONTHLY REPORTS

The Report of the Bureau of Traffic Engineering was submitted for the Month of September, 1977, by Bill Judd, the Traffic Director.
Report received and filed.

The Report of the Evansville Association for Retarded Citizens, Inc. was submitted for the month of September, 1977.
Report received anb filed.

RE: TELEPHONE REQUEST

The following letter of request was received by the Commissioners, from Sheriff DeGroote:

Gentlemen:

We have two (2) thelphones accessable to minimum security inmates in the Vanderburgh County Jail. These telephones have been used to place direct dial long distance calls, these were unauthorized calls.

We request the telephones to be changed so that anyone using the telephone will have to go through the central operator in the Civic Center, thereby eliminating the direct dial long distance calls.

The telephone numbers are 426-5317, in the jail kitchen, and 426-5147, outside the second floor office.

Thank you for your cooperation,

Respectfully, Jim Moers, Jail Commander
James DeGroote, Sheriff

Commissioner Ossenberg said that last week, the Commissioners approved an extension phone for the detective office of the Sheriff's Department, and that bill was to be $32.00 for installation and $5.50 for the monthly fee, and if this is approved this morning, they will save $20.00 by doing them both at the same time. The total cost will be $45.00 for installation with no additional monthly charge.
Commissioner Schaad moved that the Commissioners grant this request. Commissioner Willner seconded the motion. So ordered.

RE: VACATION OF HAPPEL ROAD

Commissioner Ossenberg said that the Vacation of Happel Road has been postponed until November 7th. at the request of Joe Minor, attorney for the remonstrators, who is out of the City.

RE: PROPOSED ORDINANCES.....ABANDONED REFRIGERATORS...ABANDONED VEHICLES

County Attorney Smith said that he had submitted the Proposed Ordinances on Abandoned Refrigerators and Abandoned Vehicles sometime ago, with the understanding that they would be studied and viewed by the West Side Improvement Association, and they have proposed a couple of minor changes to be made, that he has studied them and finds nothing objectionable about adding the suggested changes to the ordinance as he submitted it.
He suggested that the Commissioners approve the Ordinances with changes included, and then he will submit a corrected copy for advertising.

Commissioner Schaad moved that both Ordinances be approved, as changed, and advertised. Commissioner Willner seconded the motion. The vote was unanimous to approve the Ordinances. The motion carried
The Proposals, with changes made, read as follows:

ABANDONED REFRIGERATORS

WHEREAS, the Indiana General Assembly enacted House Enrolled Act No. 1343, Acts 1975 P.L. 158 (IC 17-2-2.5-1 to IC 17-2-2.5-8 inclusive) which delegates power to the Board of Commissioners of Vanderburgh County, Indiana, to exercise all governmental authority necessary for the effective operation and conduct of government with respect to their county and internal affairs; and

WHEREAS, said Board of Commissioners, in order to protect the health, safety and welfare of the citizens of Vanderburgh County, Indiana, and their property rights, deems it to be in the public interest to enact this ordinance providing for the disposal of abandoned refrigerators which are discarded or otherwise permitted to remain in any place where they are visible from a public place or right-of-way in the County of Vanderburgh.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of Vanderburgh County, State of Indiana, as follows, to-wit:

Section 1.

(a) No person shall leave outside of any building or dwelling in a place accessible to children, any abandoned unattended or discarded icebox, refrigerator, or any other container of any kind which has an airtight door or lock which may

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not be released for opening from the inside of such icebox, refrigerator or container.

(b) No person shall leave outside of any building or dwelling in a place accessible to children any abandoned, unattended or discarded icebox, refrigerator, or any other container of any kind which has an airtight snap lock or other device thereon without first removing the snap lock or doors from the icebox, refrigerator or container. Any such icebox, refrigerator or other container, with or without such doors, so found, may be impounded by any police officer.

Section 2. PENALTY.

Whoever violates any provision of this chapter shall be fined not more than Three Hundred Dollars ($300.00) and costs, or imprisoned not more than One Hundred Eighty (180) days, or both. Every day any such violation shall occur shall constitute a separate offense.

Section 3. EFFECTIVE DATE.

This Ordinance shall be in full force and effect from and after its passage by the Board of Commissioners of the County of Vanderburgh, State of Indiana, together with the signature of the presiding officer thereof, and, its publication in the manner provided by law.

PASSED by the Board of Commissioners of the County of Vanderburgh, State of Indiana, on the 24th day of October, 1977, and upon said date signed and executed by the members of said Board and attested to by the Vanderburgh County Auditor.

ABANDONED VEHICLES

WHEREAS, the Indiana General Assembly enacted House Enrolled Act No. 1343, Acts 1975 P.L. 158 (IC 17-2-2.5-1 to IC 17-2-2.5-8 inclusive) which delegates power to the Board of Commissioners of Vanderburgh County, Indiana, to exercise all governmental authority necessary for the effective operation and conduct of government with respect to their county and internal affairs; and

WHEREAS, the Indiana General Assembly enacted an Act (IC 9-9-1-1-9-9-1-20) known as the Abandoned Vehicle Act (Acts 1969, Ch. 374) enabling local units of government to regulate abandoned vehicles; and

WHEREAS, said Board of Commissioners, in order to protect the health, safety and welfare of the citizens of Vanderburgh County, Indiana, and their property rights, deems it to be in the public interest to enact this ordinance providing for the disposal of abandoned or junk vehicles which are discarded or otherwise permitted to remain in any place where they are visible from a public place or right-of-way in the County of Vanderburgh.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of Vanderburgh County, State of Indiana, as follows, to-wit:

Section 1. APPLICATION OF STATE STATUTE

The Board of Commissioners of Vanderburgh County hereby adopts the procedures for the impounding, storage and disposal of abandoned vehicles as set forth in Acts 1969 Ch. 374 (IC 9-9-1-1-9-9-1-20), specifically including the definitions incorporated in Sec. 4, p. 1527 of said act, with the addition of the words "mobile home, motor home or trailer" to the definition of "vehicle" in Sec. 9-9-1-4 (a), and with the further qualification that whenever in said statute or in this ordinance the term "officer" is used, this shall be taken to mean a regular member of the County Sheriff's Department.

Section 2. ABANDONMENT DECLARED NUISANCE

The Board of Commissioners of the County of Vanderburgh finds that abandoned or junk vehicles which are located in any place where they are visible from a public place or public right-or-way are detrimental to the safety, morals and welfare of the general public and a detriment to the economic welfare of the State, by producing a scenic blight which is adverse to the maintenance and continuing development of the County of Vanderburgh, and such vehicles are declared to be a public nuisance.

Section 3. ABANDONMENT PROHIBITED

No person shall abandon a vehicle or any part of vehicle, on any public premises or private premises in a location which is visible from public premises within the county limits of the County of Vanderburgh.

Section 4. DESIGNATION OF BUILDING COMMISSIONER

The Building Commissioner of the County of Vanderburgh is hereby designated and denominated as the Department of County Government which has the responsibility for the removal, storage and disposal of abandoned vehicles. In order to carry out the purposes of this ordinance and the Abandoned Vehicle Act, the said Building Commissioner is authorized and directed to work in coordination with the Vanderburgh County Sheriff's Department and is authorized to delegate, to the extent practicable, those functions conferred upon the public agency by the Abandoned Vehicle Act. Such delegations by the Building Commissioner shall nevertheless be subject to the concurrence of the Sheriff of the Vanderburgh County Sheriff's Department.

Section 5. AUTHORITY TO CONTRACT

The Building Commissioner is hereby authorized to enter into a contract with a private towing firm or individuals in such business on an annual basis to provide the equipment, storage area and facilities for the removal and the disposal of abandoned vehicles. Such contract shall be on the most favorable terms and conditions as are obtainable by the Commissioner. In addition, the Appraisal Board as established by the Abandoned Vehicle Act may authorize the Building Commissioner to contract for the appraisal of abandoned vehicles and such contract appraiser may be the same firm or individuals entering into the contract for the providing of equipment, storage area and facilities for removal and disposal.

Section 6. TEMPORARY STORAGE AREA

The County, acting through its Building Commissioner or any other department or agency of the County, may, if it is determined by the Building Commissioner to be in the best interest of the County, make available county owned property for the temporary storage of abandoned vehicles impounded in accordance with the procedures established by this ordinance and the Abandoned Vehicle Act. Neither the County nor its contractural agent shall be liable for any loss or damage to such abandoned vehicles which may occur during their removal or while in the possession of the County or its contractural agent or as a result of any subsequent disposition.

Section 7. JUNK VEHICLE FUND

The County Auditor shall establish a revolving fund to be known as the "Junk Vehicle Fund" into which shall be paid the following funds:

(a) Any funds realized from the disposal of abandoned vehicles.

(b) The processing charge established by Section 8 of this ordinance; and

(c) All monies appropriated by the Board of Commissioners of Vanderburgh County for the purpose of administering this ordinance.

The County Auditor shall pay out of the "Junk Vehicle Fund" monies for the following purposes:

(a) Payments to the County's contractural agent for the impounding, storage and disposal of abandoned vehicles in accordance with the terms of the contract entered into by the Building Commissioner and the County's contractural agent.

(b) All other expenses necessary to the proper administration of this ordinance.

Section 8. PROCESSING CHARGE

The owner of any abandoned vehicle who reclaims said vehicle after its impoundment in accordance with the procedures authorized by this ordinance and the Abandoned Vehicle Act shall be required to pay to the Junk Vehicle Fund a processing charge of Ten Dollars ($10.00) before such owner shall be permitted to reclaim such abandoned vehicle. Such processing charge shall be used exclusively for the purposes of defraying the expenses of the administration of this ordinance and shall be in addition to the normal charges assessed by the County's contractural agent representing the necessary and usual charges for the towing and temporary storage of such abandoned vehicle.

Section 9. VIOLATIONS

The owner of any abandoned vehicle shall be deemed to be guilty of the offense of maintaining a public nuisance and upon conviction therefore shall be liable for a penalty of up to Three Hundred Dollars ($300.00) and/or up to One Hundred Eighty (180) days in jail. Each day during which a vehicle is abandoned shall constitute a separate offense.

Section 10. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage by the Board of Commissioners of the County of Vanderburgh, State of Indiana, together

with the signature of the presiding officer thereof, and, its publication in the manner provided by law.

PASSED by the Board of Commissioners of the County of Vanderburgh, State of Indiana, on the 24th day of October, 1977, and upon said date signed and executed by the members of said Board and attested to by the Vanderburgh County Auditor.

RE: VACATION OF CARANZA DRIVE...RESOLUTION TO APPOINT VIEWERS

A Resolution to appoint three viewers for the Vacation of Caranza Drive was submitted to the Commissioners by Mr. Phil Siegel, Attorney for the petitioner, as well as an Order for them to review the road.
He asked that the Commissioners approve Mr. Ray Wigginton, Larry Parker and Oscar Schmidt, as three disinterested free holders of Vanderburgh County, Indiana, as viewers for that portion of Caranza Drive that the petitioner wants vacated.

Commissioner Schaad moved that these three gentlemen be approved as viewers for that portion of Caranza Drive. Commissioner Willner seconded the motion. So ordered.

RE: DISCUSSION ON INCORPORATION OF McCUTCHANVILLE
PUBLIC HEARING SET

Commissioner Ossenberg said that two weeks ago, the proposal for the Incorporation of McCutchanville was filed with the Commissioners and at that time, it was delayed for two weeks, until the County Attorney's could do some checking.

County Attorney Smith said he has reviewed the petition and found it in good order as to the law, on the contents, that the law requires that a copy be sent to the Indiana Department of Commerce and to the Area Plan Commission, which has been done, and what they need to do now is to set a Public Hearing on it, in not less than 60 days nor more than 90 days from the date the petition was filed.
He said it is the responsibility of Mr. Jim Fields to give proper notification to the people as specified in the statute, including the City Council, as well as the adjoining neighbors.

Commissioner Schaad said he remembered that when they had the hearings on the Incorporation of Darmstadt, they held them at the 4-H Center in Darmstadt and he felt sure that the people in the area of McCutchanville would rather we went out there for the hearing rather than for them to have to come here.

Commissioner Ossenberg asked Mr. Fields if he could find a place in the McCutchanville area for the hearing and Mr. Fields said that he could.

Commissioner Willner asked about the boundary of the area in question here and said he understands that some of the area of proposed incorporation is also being asked to be annexed to Darmstadt.

Mr. Fields said he didn't think the petition that was filed by the residents of the Town of Darmstadt came East of Highway 41 or South of Boonville-New Harmony Road.

Commissioner Willner said his understanding is that they went from Campbell Road and Hillsdale to Browning Road and thence North to Inglefield Road, which would be part of this same area.

Mr. Fields said that if they came within this set of boundaries, part of it would be in the area of McCutchanville that is requesting incorporation, but he hasn't seen it, that he didn't understand that any of their petition was in that area.

Commissioner Ossenberg asked Commissioner Willner if the area he is speaking of would be outside of the three-mile range, and Commissioner Willner said it would be.

Commissioner Schaad said this will have to be clarified before anything can be done, since the people won't want to be paying taxes in both places.

Commissioner Willner then asked if this is to go before the City Council before or after the Commissioners act on it.

County Attorney Smith said that the statute doesn't specify on that, that it simply provides for a Public Hearing and that if the petition should be granted, that it would have to be with the consent of the City of Evansville, as a second class City, within the three-miles of the City limits, that the law provides that they go ahead with their normal procedure and before they are able to incorporate, the City would

have to pass an Ordinance granting them permission to do so, but it doesn't specify as to if they should do so before or after the Commissioners act on it, also that the Petitioner would have to send out certified mail to the residents or land owners within the area that is proposed to incorporate, the City Council, the Board of County Commissioners and the Trustees of the township's within that area, and the Notice of Public Hearing is to be advertised, but everything will be taken care of by the attorney for the petitioners.
It was decided that the Public Hearing will be held at 7:00 p.m. on Tuesday, December 6th. 1977.

Mr. Fields said he will find a place for the Public Hearing to be held and that he will co-ordinate this with County Attorney Smith.

RE: NOTICE OF CLAIM AGAINST COUNTY

A Notice of Claim was received by the Commissioners from the Law Firm of Gerling, Moore & McGinn, on behalf of Keith and Debra Baker, which reads as follows:
Gentlemen:

Pursuant to 34-4-16.5-1 et. seq., Keith Baker and Debra Baker, hereinafter referred to as claimants, present to the County Commissioners their written notice of claim for suit in tort.

On or about June 24, 1977, at approximately 6:35 a.m. claimant Keith Baker was traveling in a northerly direction on Green River Road, a certain road located in and under the direction and control of the County of Vanderburgh, State of Indiana.

That at the above time, at a place approximately 200 feet north of Millersburg Road on said Green River Road in Vanderburgh County, an accident did then and there occur causing severe, permanent, and disabling injuries and damages to Keith Baker.

That the accident as described aforesaid was the result of a second motor vehicle being driven by a Treva K. Fortune colliding with the automobile in which claimant was a passenger after said automobile skidded on mud, silt or other slippery substances located on said Green River Road. That the injuries and damages to Keith Baker were the result of the acts or actions or omissions of several persons or organizations including the County of Vanderburgh, which resulted in a dangerous or defective condition on said Green River Road and contributed to cause the accident.

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

The County of Vanderburgh further allowed a nuisance to exist, which nuisance obstructed Green River Road during times of rain in that due to improper drainage adjacent to the said Green River Road, mud, slime, silt and other slippery and sticky substances were deposited directly on the said Green River Road causing extremely hazardous and unsafe conditions, which said condition was known or should have been known by the County of Vanderburgh, and which condition resulted in a nuisance which was not abated by the County of Vanderburgh.

Or the County of Vanderburgh was negligent in that they knew of the aforesaid dangerous condition and defects in the drainage adjacent to Green River Road at the area of the accident and negligently failed to warn passers of said defect or dangerous condition or negligently failed to close said Green River Road during times of rainstorm when the dangerous and unsafe condition of the road during rainstorms was known or should have been known by the County of Vanderburgh.

That as a result of the negligence of the County of Vanderburgh or the failure of the County of Vanderburgh to abate said nuisance, in conjunction with the negligence of other person or persons which culminated in said nuisance and said accident, claimant Keith Baker sustained injuries and damages in that he is permanently paralyzed, his earning capacity is permanently impaired and/or restricted, and he has incurred to date medical bills in the approximate amount of $30,000.00.

That as a result of the negligence and/or actions of the County of Vanderburgh as described aforesaid, claimant Debra Baker, the spouse of claimant Keith Baker, sustained loss of services, society, and consortium with her husband.

At the time of the accident and at the time of the filing of this notice, claimants resided at 417 Darby Hills Road, Newburgh, Indiana.

That as a result of the injuries and damages sustained as described aforesaid, Keith and Debra Baker demand the sum of Five Million Dollars, (5,000,000.00).

Respectfully submitted
Signed Daniel J. McGinn

Commissioner Schaad moved that this matter be referred to the County's Insurance Company. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner said he probably disagrees with the interpretation of what happened, but the fact remains that the said deficiency in the County road is due to the Building Contractor and that situation still exists today, and some weeks ago, he thought the Commissioners asked the County Attorney to give the Building Contractor two weeks to take care of it and at this time, nothing has happened and he thinks they should follow through on it.

County Attorney Ed Smith said he sent a letter and nothing happened and he sent another letter and they got immediate action and Mr. Stephen came in and reported they had contacted him in the Surveyor's office and said they would take care of it.

Mr. Stephen said they are still trying to get a contractor to do the job and he told them verbally, that the Commissioners want it done now, and other than going out and removing the intersection, he didn't know what they could do, other than to wait for the work to be done.

Commissioner Ossenberg said there is a second law suit pending on the same condition but to protect the road, which the Commissioners have every right to do, he is beginning to think they should take a stand in letting the County Highway Garage go out and do the work and then bill the contractor, that it seems to him that every time they are in this type of position, it always involves some type of building, whether it be a subdivision or something else, and he thinks to protect the County roads, they have every right to do it and if they dan't find a contractor, then the Commissioners can find one for them and bill them, so he would entertain a motion that Mr. Stephen contact them today and if they haven't found a contractor, then Mr. Siebeking can move in.

Commissioner Schaad asked Mr. Siebeking if he knew what to do if he moves in, and Mr. Siebeking said they would just cut it out and remove it.

Commissioner Schaad moved that this be done.

Commissioner Willner said if the Commissioners set a deadline, he will second the motion, and they agreed that if the contractor hasn't done this work by Thursday morning, that the Highway Department move in at that time.
Commissioner Willner then seconded the motion. So ordered.

RE: NOTICE OF CLAIM

A Notice of Claim was received by the Commissioners from the Law Firm of Caine, Welborn & Banks, on behalf of William Wilson, which reads as follows:

Dear Commissioners of Vanderburgh County:

In accordance with the provisions of the Indiana Law, this notice is being served upon you.

The complaining party:	William Wilson and Lorraine Wilson 1657 South Fares Avenue Evansville, Indiana 47714
Date of occurrence:	June 24, 1977
Time of occurrence:	6:35 a.m.
Approximately Place of occurrence:	Green River Road 200 feet North of Millersburg Road on Greenriver Road 200 feet North of Millersburg Road.

Conditions and causes:
The complaining party, William Wilson was a passenger in a motor vehicle being operated by one Max L. Lingo of 2518 E. Tennessee, Evansville, Vanderburgh County, Indiana, which came into contact with an automobile coming from the opposite direction, operated by a Treva K. Fortune, R.R. 1, Elberfeld, Indiana. The automobile accident was due to the negligence of Vanderburgh County in maintaining said road, in properly marking said road, in properly providing for drainage of said road, in properly clearing said road of construction debris. That the county has allowed Greenriver Road to exist in extremely hazardous and dangerous condition to persons operating motor vehicles on said road and has allowed contractors to allow dirt and debris to remain on the road, making said road hazardous for all persons, including the complaining party who might attempt to drive upon said road. Said accident was not caused by ice or snow, hot tar or negligence of the complaining party or of the driver of the vehicle with which the complaining party was riding.
Injuries to person:
At the present time, the complaining party has received grievous injuries to his body, including but not limited to multiple fractures to the rib cage, collapsed lung, sustained multiple fractures of his left arm involving the junction middle and

distal thirds of the left humerus lacerations of the tendon, the complaining party suffers numbness in the fingers and hands and has weakness in extension of all the fingers. Said complaining party is at the present time totally disabled, has incurred hospital, medical, pharmaceutical bills and bills from surgeons, and other doctors.

Mrs. Lorraine Wilson has lost the services, company, companionship of her husband the complaining party, and also, has had to undergo expenses and discomfort as a result of his injuries. Wherefore, William Wilson and Lorraine Wilson demand damages from Vanderburgh County in the sum of Five Hundred Thousand Dollars ($500,000.00.

DATED at Evansville, Indiana this 18th day of October, 1977.

Signed by Cole G. Banks

Commissioner Schaad moved that this matter also be referred to the County's Insurance Company. Commissioner Willner seconded the motion. So ordered.

RE: LAW SUIT FILED AGAINST COUNTY

Notice of a Law Suit was received from the Law Firm of Olsen, Niederhaus & Labhart, on behalf of William Flowers VS. the County Commissioners and the County Council, in reference to the sale & lease purchase of the Pleasantview Rest Home.

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

RE: LETTER FROM MRS. RUTH MITZ...COMPLAINT ON TRUCK DAMAGE

The following letter was received by County Attorney Paul Wendel, from Mrs. Ruth Mitz:

Mr. Paul Wendel:

This is to advise you of the incident that happened to me on Vanness Avenue in the City of Evansville. We got over far enough to let another car pass and there was a covered place in the road that had been previously damaged and then half corrected that left holes in the road that let my truck drop down completely and damaged my front right wheel and other parts. I was told to get estimates on the damage and turn it in. I have to have my truck to go to work with and I can't afford to pay this upon repairing of the vehicle.

There were several neighbors (witnesses) that had called in about this street damage that was caused by a wreck and a water main bursting, of which was not fixed to prevent such as this happening.

The witnesses says that this damage should be paid by the ones in charge of the up keep of Vanness Avenue - 4100 block. Signed Mrs. Ruth Mitz.
The two estimates were from Bud's Alignment Service in the amount of $70.00 and from Modern Tire in the amount of $56.47.

Commissioner Schaad asked Mr. Siebeking if this matter could be referred to the Water Company, rather than to the Commissioners.

Mr. Siebeking said they have a meeting with the Water Comapny in the morning, that they don't know if it is a water line break or a sewer problem, so they have a meeting set up in the morning to see what can be done about it.

Commissioner Schaad moved that if they find that it is the fault of the Water Company, rather than that of the County, these people should be written a letter, telling them that the matter is being referred to the Water Company, so Mr. Siebeking should notify the Commissioner's secretary if this is the case, so she can write Mrs. Mitz a letter.
Commissioner Willner seconded the motion. So ordered.

RE: ANNOUNCEMENT ON FEDERAL REVENUE SHARING

Commissioner Ossenberg asked the news media to please print that the Commissioners will hear, on November 14th, the new law that is required by Federal Revenue Sharing, that was last advertised by County Council and approved, that additional monies used for revenue sharing was $1,006.08 for the County Commissioners, $754.56 for the County Auditorium, $1,509.12 for Burdette Park and $8,551.68 for the County Highway, or a grand total of $11,821.44.
He said this is Revenue Sharing money that was granted for raises to these union people for this year and that these notices will be sent to the proper people and the hearing will be on November 14th. at the Commissioners regular meeting.

RE: ECONOMIC DEVELOPMENT ADMINISTRATION PROGRAMS

Mr. Osterholt submitted a memo to the Commissioners, from himself and Mr. Randall Shepard that is in preparation of an Overall Economic Development Program, which reads as follows:

As you may recall, the Economic Development Administration wrote the Board of Commissioners on October 5, 1976, notifying us that the County qualifies statistically for participation in EDA programs if we can achieve final designation as an EDA redevelopment area by preparing an Overall Economic Development Program.

Very little was done in response to this notification. However, it has come to our attention that the Carter Administration is planning a major increase in financing for EDA programs, pushing them up over the billion dollar mark (something like three times the size of the existing program). EDA makes available grants on a matching basis for various kinds of economic development projects, such as industrial parks, extension of water and sewer lines, roads to open up new areas for development, and the like.

We have learned that our eligibility will expire on December 31, 1977, unless we now follow through by preparation of an OEDP. We invited representatives of EDA and the Indiana Department of Commerce to a meeting with various City and County staff offices on October 3, 1977, to discuss what we needed to do in order to have the possibility to participate in this program. It is our opinion after this meeting that it is possible to meet the requirements within the allotted time period if we make a serious effort to do so.

If the City and the County are still interested in pursuing this program (and it seems to us that both should be) the first step would be to agree jointly to appoint a committee to oversee the preparation of the OEDP during the next 2½ months.

We have prepared a draft letter of agreement by which the Mayor and the Commissioners would agree jointly to appoint a committee and provide the necessary staff assistance to complete the job. Our hope is that you would review the document and reach an early decision about whether those of us who serve the City and the County in a staff capacity should continue with the effort to make us eligible to take advantage of EDA programs. Signed Charles Osterholt and Randall Shepard

The draft of the Letter of Agreement...Preparation of an Overall Economic Development Program reads as follows:

WHEREAS, the Economic Development Administration of the U.S. Department of Commerce has determined that Vanderburgh County qualifies statistically for designation as a redevelopment area under the Public Works and Economic Development Act of 1965; and

WHEREAS, such a designation would qualify the city and the county for participation in grant programs of the Economic Development Administration; and

WHEREAS, preparation of an Overall Economic Development Program (OEDP) is a prerequisite to designation as a redevelopment area;

NOW, THEREFORE, it is agreed by the Board of County Commissioners of Vanderburgh County and by the Mayor of the City of Evansville that

1. A committee will be appointed jointly by the Commissioners and the Mayor to constitute the OEDP Committee that is required by EDA and,

2. This committee will be requested to prepare for consideration of the City and County an Overall Economic Development Program, and

3. The City and the County will provide staff assistance for this effort through agencies such as the Evansville-Vanderburgh Area Plan Commission, The Southwestern Indiana and Kentucky Regional Council of Governments, and the Evansville Department of Metropolitan Development.

Mr. Osterholt said they learned from the Indiana Department of Commerce that the time limit expires December 31st, 1977, and they need to develop an overall economic development program by that time and what that amounts to is a preliminary plan, to look at where they are at and what they expect to do in the future and that the initial program will encompass a six month basis, from December 31st until June and then it is continually updated from that point forward.
He said as the first step, Mr. Shepard from the Mayor's office, was contacted and he asked what was needed to be done and said they should take a look at it, also that the first step, as he sees it, is for the City and County to jointly appoint a committee since this is a necessary part of developing a program, that it must be a joint, citizen & governmental effort, in developing the program, and in terms of who the staff would be, it would be a joint effort by several departments in Metro politan development, COG, Economic Development Commission and the Area Plan Commission and what they expect to do is to use Ann Schmitt, who is his project planner on staff and in terms of developing the program, that they already have a lot of data and information accumulated and they need to package it and to also sit down with the committee and come up with a specific plan for goals and objective.
He then explained the letter of agreement, in that Mr. Shepard has prepared, between the City and County to appoint the committee and an agreement to provide staff assistance.

Commissioner Schaad moved that the Commissioners sign the letter of agreement. Commissioner Willner seconded the motion. So ordered.

RE: ORDINANCES ON WEEDS AND ON OBSTRUCTIONS TO VISION

Commissioner Schaad asked if the Ordinance concerning obnoxious plants and Other Obstructions to Vision, is already in effect, that they have been advertised and they have a bad curve out on Hogue Road, that he was out there again and it is just a matter of cutting down the brush so drivers can see around the curve, but it isn't on our County Right of Way and the one Ordinance should cover it. He said he was wondering if it is in effect, and if it is, maybe they need to sit down with the people that are going to administer this and have a joint meeting with the Sheriff and others, as to how they are going about it and how it needs to be enforced and he would like to see something done about this one as soon as possible, and if it is in effect, he would suggest that Mr. Siebeking go out and talk to the lady that owns this property and just elll her that we now have an ordinance that says they do have to keep it cut and maybe she will cut it, and if not, maybe they will need to go through the formalities as spelled out by the Ordinance.
It was found that the Ordinances were read in the Commissioners meeting of Sept. 26, 1977, and that they had been advertised by that the Commissioners hasn't signed them, in order for them to become effective.

Commissioner Schaad moved that both ordinances be signed and approved. Commissioner Ossenberg seconded the motion. The vote was unanimous to approve the Ordinances. The motion carried.
County Attorney Ed Smith said he thought that both Ordinances should be re-advertised since they hadn't been signed by the Commissioners previously.

Commissioner Ossenberg told Mr. Crooks that the Commissioners will be in touch with him in regard to setting up a meeting.

Mr. Crooks said he thought this to be appropriate, that it does need to be done and his letter to them does indicate that there are some problems associated with it that they must clarify.

RE: AMENDMENT TO THE BUILDING CODE FEE SCHEDULE

Mr. Crooks said that about three weeks ago, he presented a proposed Amendment to the Building Code Fee Schedule, that they have wrung it through the wringer now and they agreed that it is presentable and in proper ordinance form and is now being submitted to the Commissioners for approval.

Commissioner Schaad moved that the Ordinance amending the Vanderburgh County Building Code, by amending the fee schedule of said code, be signed and approved. Commissioner Willner seconded the motion. The vote was unanimous to approve the Ordinance. The motion carried.

RE: CLAIM

A claim was received from William W. Deems, Legal Aid Attorney, for traveling expenses on 10/18/77 - 410 miles @ 14¢ to Indiana Women's Prison - Indianapolis, Ind. and Indiana State/ eformatory - Pendleton, Indiana, plus food expense, in the amount of $58.60.

Commissioner Schaad said he wondered if they needed permission from the Commissioners to authorize the travel before they do it, and he asked what authority the Commissioners have if the Sheriff has the budget and why does he have to ask the Commissioners if they can travel.

County Attorney Wendel said this should be looked into, that this is the way it has always been done.

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

RE: ABSENTEE REPORT

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

RE: LAW SUIT FILED AGAINST THE COUNTY ...CONTINUED

In discussing the suit filed against the County Commissioners and the County Council by the Law Firm of Olsen, Niederhaus & Labhart on behalf of William Flowers, a letter was received stating that Mr. Flowers intends to seek $25,000 in damages, contending the bid accepted from developer Kenneth Newcomb by the Commissioners and County Council was not the highest and best bid.
The letter contended the auction should be declared null because the County's acceptance of Newcomb's bid varied from the terms of the lease-purchase agreement made at the sale.

RE: MR. BRENNER

Mr. Brenner said they have completed the paving of Allen's Lane, Weinbach Avenue, Grove Street and Korressel, that as the Commissioners know, they had an underrun on it of about $12,000 and they are continuing with it open, so they can pick up more projects.

RE: CLAIM

Mr. Brenner submitted a claim from Feigel Construction Co. for the resurfacing of these four roads, Allens Lane, Grove, Weinbach and Korressel, from the Highway Acct. in the amount of $101,142.98. This was approved by Dave Guillaum, Deputy Surveyor.

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

RE: AUTHORIZED TO ADVERTISE FOR BIDS

Mr. Brenner submitted a Notice to Bridge Contractors for the bridge on Baseline Road and for two structures on Seminary Road in Union Township that was previously discussed.

Commissioner Schaad moved that the Notice to Bidders be signed and that the County Auditor be authorized to advertise for bids. Commissioner Willner seconded the motion. So ordered.

The bids will be advertised on October 27 & November 3, with the bids to be opened on Monday, November 7th. 1977.

RE: WATER LEAK ON FIRST AVENUE

Mr. Brenner said they discussed First Avenue last week, as to the water leak they found and how it was forcing the abutment out, that the Water Company couldn't find anything, that it tested out and is probably their water but they can't find where it is coming from, so they are putting in a french drain and doing it on time and material basis and due to the buckling, they had to cut the abutments out and the bridge did settle down, that the buckling caused the surface to come off of it and there is going to be a lot more damage than they thought, but it is on a piece basis.

RE: CHANGE ORDER

Mr. Stephen said that in conjunction with what Mr. Brenner had on the Feigel paving of the four roads, he has the change order in the amount of $12,487.36
He said this money , with the approval of the Commissioners, will be used as needed to improve approaches to the railroad crossings located at Boonville-New Harmony, Allens Lane, Red Bank Road, Peerless Road and Boehne Camp Road.

Commissioner Schaad moved that the changeorder be approved and that he be permitted to use this money for the improvement of the approaches, as far as the money will go. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM FEIGEL CONSTRUCTION CO.

The following letter was received from Feigel Construction Co. by Mr. Stephen, in regard to the improvement of the Railroad Approaches:

Dear Mr. Stephen:
Thank you for the opportunity to submit a proposal for the improvement of designated Railroad Crossing Approaches in Vanderburgh County, Indiana.

We propose to furnish and place the H.A.C. materials required for the improvement of said approaches for the unit cost of $39.00 per ton of H.A.C. material placed.

The work to be performed for said unit cost shall include furnishing and placing H.A.C. base, binder, and/or surface as required and shall include the cost of furnishing and applying liquid asphalt for tack coat.

All materials used shall comply with Indiana State Highway Specifications.

Sincerely, Feigel Construction Co.
J. R. Feigel, President

Commissioner Schaad moved that the work on the approaches be done by Feigel Construction Co., as proposed. Commissioner Willner seconded the motion. So ordered.

RE: CUTS IN

There were some road cuts that were submitted for the Commissioners signatures, one from the Water Company at 1814 S. Bosse Avenue and one from the Telephone Company, to make a cut on Hogue Road.

RE: MR. STEPHEN

Mr. Stephen said he gave out some information to a builder the other day, since he wants to be sure that Redgate Road is acceptable to the County standards when he extends it, and he told him that he would have to have a 24-foot pavement, a 50-foot right of way, which he has, but the pavement he is joining on to is only between 22 or 23 foot and it had been accepted in the past.
He also said that Mr. Dunaway out in the Locust Wood Subdivision wanted to be sure his sub-base was acceptable to the County standards, so he checked it before it was paved and he asked if Feigel would certify with him, the amount of paving they put on it, so he wouldn't have to have someone else go out there to check it, that they would know that he put the three inches of surface on it, but they only paved it 22-foot and the County standards show 12-foot per lane and on dead end roads and such as that, if the County is going to accept them, he thought they should reduce their standards if they are going to accept 22-foot pavements, that the Commissioners have accepted some 22-foot pavements in the past and he doesn't know what to tell the people.
He said he told one gentleman if he wanted to deviate from the 24-foot, because it is hooked onto a 22-foot, then he should come in and consult with the Commissioners, since they should come to an understanding as to what people should be putting in, that these are low volume local roads that usually doesn't go all the way through, but the one on Redgate eventually will be tied up so that it will be a thru road.

Commissioner Willner asked Mr. Stephen when the Commissioners approved a 22-foot pavement and Mr. Stephen said when they accepted Redgate last year, so he has a problem here and he needs direction.

Commissioner Willner said they should stay with the standards.

Mr. Stephen said he didn't realize until the letter came, that they were only paving a 22-foot pavement out on Locust Tree Lane.

Commissioner Schaad asked Mr. Stephen if he told him it had to be 24-foot.

Mr. Stephen said that he probably told him that as long as it met specifications, and he assumed that he knew what they were, but he told the man at Browning Estates, that he had better stick with the 24-foot on the new pavement and to be sure that he was down around 10% on the hill that he has there, because he didn't have the plans for the street, and he suggested that the man get his engineer to be sure that he got a copy of the street plans to the County Engineer's office, which they don't have.

Commissioner Ossenberg said he is inclined to go along with Commissioner Willner, that they should stay with the standards.

Commissioner Schaad said if he comes in and asks that it be accepted, the Commissioner's will refuse it.

Mr. Stephen said the other problem would be out on Sunrise Drive, just off Old State Road, that he thought they would find that it was a water line leak.
He said the water is coming out of the ground along side our street, running down the street onto the curb where it dumps into the ditch, but the Water Company says there isn't a leak, but now we have had enough dry weather that it has actually stopped running and the people on East Sunrise want to do some reconstruction to their drive's and they have a contractor waiting to repair them, but they think

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there is something wrong with the tile under there and it is on our right of way, and he wondered, if there is something wrong with it, whose responsibility is it to dig in there and find what the problem is and repair it.
He said he told the people that he would try to get some answers for them.

Commissioner Willner asked if it was bothering our road.

Mr. Stephen said that actually, it is concrete and it really isn't bothering our road, that the water is outside the pavement area, and whatever is causing it, is giving the people problems when they make their entry into their driveways, that this just happens to be one isolated case, that it may be their problem but it does happen to fall in our right of way.

Commissioner Ossenberg asked if they had City water and Mr. Stephen said they did and they thought it might be a leak, so they asked the Water Company to come out and repair it, but they went out to check it and said that it isn't their water, but it has now dried up and isn't running at the present time.

Commissioner Willner asked if they had a City sewer and Mr. Stephen said he didn't know, but from the odor from the ditches, he would say they don't have City sewer, and some of them have their gutter drain tied into some underground drainage and it was definitely put in when the developer built the homes.

Commissioner Schaad said that if it isn't damaging our roads, he didn't see how the County could do anything about it.

Mr. Stephen said the problem is that it is within the 50-foot of right of way.
He said he could call them and tell them that they are permitted to dig into the County right of way and repair whatever they find, but it probably won't make them very happy.

Commissioner Ossenberg wondered if maybe there could be a spring there, that even if it isn't damaging our roads, we don't know what it is doing underneath.

Commissioner Willner asked how much money there were talking about here.

Mr. Stephen said probably $200 to $250 maximum, and if they find that it is a problem in the drainage in the tile, it can be corrected, but if they find that it is a spring-like condition, then some preferations in the tile, filled back with stone that would weep the area into that tile to keep it from the surface, would be the answer.

Commissioner Ossenberg said they could have someone else go in there and spend their money on our right of way and eventually, it could maybe be our mistake and it may be getting under the County road, that his own personal feeling is that he thinks the County Highway Department should go out and do it.

Commissioner Willner said this is allright with him, if the owner of the property will work with them and if they find that the owner is at fault, while they have it open, that he will take care of it, at his expense.

Commissioner Ossenberg said then, that the County will make an effort to help them, and if it is our fault it is the County's expense, but if it is his fault, it is his expense.

Commissioner Schaad so moved that it be acted on in this manner. Commissioner Willner seconded the motion. So ordered.

RE: COMMENT ON TRAFFIC INVENTORY REPORT

Commissioner Schaad said that Mr. Lochmueller has given the Commissioners the Traffic Inventory Report from Engineering Associates last week or the week before, and he thought there were some recommendations in it as to what needs to be done, and the Report is no good if the recommendations aren't followed, so he thought Mr. Lochmueller should come back to them, with the recommendations, as to which one they should implement first and to pursue the possibility of federal funding to accomplish some of them.

RE: FEDERAL AID FUNDS

Commissioner Ossenberg said he wanted Mr. Lochmueller here anyhow, because he received word today, dated October 5th. from the State of Indiana, concerning R & S Funds and Federal Aid Funds to counties ruled secondary and Off System Funds.

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RE: POOR RELIEF

Richard Bertram

The Report from the Pigeon Township Trustee's office, as to their Notice of Poor Relief Action, shows that Mr. Bertram applied for food from the Trustee's office and he received help as a transient but there isn't anything else they can do.

Ms. Vitatoe, investigator for the Pigeon Township Trustee's office, was present, but Mr. Bertram failed to show up, so there could be no further action taken at this time by the Commissioners.

The meeting recessed at 11:10 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Bob Schaad Robert L. Willner	Curt John	Ed Smith, Jr. Paul Wendel

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

BOARD OF COUNTY COMMISSIONERS
OCTOBER 31, 1977

The meeting of the County Commissioners was held on Monday, October 31, 1977, in the Commissioners Hearing Room with President Tom Ossenberg presiding.

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

Commissioner Ossenberg welcomed the students from the Government Class at Central High School that were present today.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY HIGHWAY DEPARTMENT

Dannie Campbell	4206 Longfield Dr.	Head Mechanic	$5.21 Hr.	Eff: 10/31/77

PIGEON TOWNSHIP TRUSTEE (Back from Leave of Absence)

Mary L. Lockett	1507 Florence	Investigator	$6,827.00 Yr.	Eff: 10/24/77

VANDERBURGH SUPERIOR COURT

Joseph Lutz III	Probation Officer	$409.84 Pay	Eff: 10/24/77
Merle C. Melton	Probation Officer	$401.92 Pay	Eff: 10/24/77

RE: EMPLOYMENT CHANGES.....RELEASES

COUNTY HIGHWAY DEPARTMENT

Dannie Campbell	4206 Longfield Dr.	Asst. Mechanic	$4.52 Hr.	Eff: 10/31/77

PIGEON TOWNSHIP TRUSTEE (Temporary Leave)

Ruth Anslinger	1300 E. Oregon	Investigator	$6,827.00 Yr.	Eff: 10/24/77

VANDERBURGH SUPERIOR COURT

Edith Rosenblum	Summer Intern	$300.00 Pay	Eff: 10/21/77
Joseph Lutz III	Probation Officer	$401.92 Pay	Eff: 10/21/77
John MacCauley	Probation Officer (Released from L.O.A.		Eff: 10/24/77
Merle C. Melton	Bailiff Transfer off.	$401.92 Pay	Eff: 10/21/77

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by Levi Brothers on Insured, Evansville Square Dance Council, issued on 10/21/77, Expires on 02/04/78, for the use of the Vanderburgh Civic Auditorium.
Certificate received and filed.

RE: PERFORMANCE BOND

A Performance was submitted by the American Casualty Company, whereby the Contractor, Evansville Wet Heat & Piping Co. Inc. entered into an agreement with the County Commissioners for furnishing all labor and materials required for Boiler Replacement at Vanderburgh County Civic Auditorium in accordance with proposal dated 10/4/77 and acceptance dated 10/11/77.
Performance Bond received and filed.

RE: MONTHLY REPORT

The Report was submitted by the County Treasurer's office for the month of September, 1977.
Report received and filed.

RE: WILLIAM WITTEKINDT JR.....RED GATE AND OAK GATE ROAD

Mr. Wittekindt Jr. appeared and said that he is representing two Subdivision, Browning Road Estates, West, which is owned by his parents, and Browning Road Estates, which he owns, and that he and his father are in the process of putting two road extensions, Oak Gate Road in Browning Road Estates, West, and Red Gate Road in Browning Road Estates.

He said the extension of Oak Gate Road will be an extension of approximately 850 feet, with an extension along Oak Gate which is presently a county maintained road, and Red Gate Road is approximately 500 feet and it is an extension of an already maintained County accepted road, and the reason they are here is to request that the Commissioners accept said road extensions when they are completed, for County maintenance.
He said the said road will have about 6 inches of #53 rock and 2 inches plus 1 inch of blacktop which is to the County specifications, that the only change they would like to make would be to have 23 feet of rock and 22 feet of blacktop instead of the proposed new regulation of 25 feet of rock and 24 feet of blacktop, that the reason for the requested change is that both roads have 23 feet of rock and 22 feet of blacktop at the present time and the extension is to propose the intersection to Pine Gate and the proposed road on Oak Gate, that this would be a good stopping off point, and he believed that the appearance of the road would be much better by using the same number of feet of rock and blacktop on the new road as was on the other road, that it would also be a savings in construction costs since more of the bank would have to be cut off on the West side to allow for the ditches, etc.
He also said there are only 7 homes on Red Gate Roads and there will be only be 12 homes on the new proposed road of Oak Gate, so consequently, they won't be bothered by any traffic problems, that he wanted to stress that they want to build good and sound roads and stay within the County's requirements, that the only thing they ask is that they be allowed to stay with a 23 feet of rock and 22 feet of blacktop, to the intersection, instead of the 25 feet of rock and the 24 feet of blacktop.

Commissioner Ossenberg said that prior to the required code by the County of 24 feet, they were allowed to build a 22-foot road in there and this is an extension being requested for that road, so he got to thinking of the present road being 22 feet and then a request for an extension of that road, and by asking them for 2 more feet really didn't make sense to him and he feels as though Mr. Wittekindt should be allowed to build his 22 feet all the way through his extension, but in the future, any other road built in there would be to the new code.
The other Commissioners agreed.

Commissioner Willner moved that the request of Mr. Wittekindt be granted. Commissioner Schaad seconded the motion. So ordered.

RE: LETTER FROM TEAMSTERS UNION.....AUDITORIUM CONTRACT

The following letter was received from Teamsters Union, Local 215, in reference to the Auditorium Contract:
Dear Mr. Ossenberg:

The Union, by and through its duly authorized representative, does hereby serve written notice upon you that the contract in effect at this time, by and between us, will terminate on December 31, 1977.
The Union hereby offers to meet and confer with you for the purpose of negotiating a new collective bargaining agreement.
Please set a date when you can negotiate.

Very Truly yours, C.K. Arden, President
and Business Manager

RE: LETTER FROM TEAMSTERS UNION .....HIGHWAY DEPARTMENT CONTRACT

The following letter was received from the Teamsters Union, Local 215, in reference to the County Highway Department:

Dear Mr. Ossenberg:
The Union, by and through its duly authorized representative, does hereby serve written notice upon you that the contract in effect at this time, by and between us, covering the Vanderburgh County Highway Department, will terminate on December 31, 1977.
The Union hereby offers to meet and confer with you for the purpose of negotiating a new collective bargaining agreement.
Please set a date when you can negotiate.

Very Truly yours, C.K. Arden, President
and Business Manager

Commissioner Ossenberg said that if the other Commissioners want him to, he will contact Mr. Arden to set up a meeting for negotiations for the Auditorium and the County Highway Department.
Commissioner Schaad moved that Commissioner Ossenberg set up the meeting with Mr. Arden. Commissioner Willner seconded the motion. So ordered.

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RE: REQUEST FROM SHERIFF DeGROOTE...CLAIM TO BE FILED

The following letter was received from Sheriff DeGroote:

Dear Sir:

I do formally request that the Board of County Commissioners instruct the County Attorney's to file and process civil litigation against one Michael Eugene White -Date of Birth: 4/25/58. Mr. White was charged and found guilty of being the driver of a vehicle that struck one of the Sheriff's Department cars and then fled the scene. Damage sustained in the accident to our car, #215, totaled $1,100.80. Mr. White has no insurance and at the time of said accident, had no drivers license nor license plate issued in his name. We may never collect damages, yet I am firmly convinced proper legal action is necessary.

Respectfully submitted,
James A. DeGroote, Sheriff

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

RE: REQUEST FROM SHERIFF DeGROOTE...AUTO INSURANCE

The following letter of request was submitted by Sheriff DeGroote:

Dear Sir:

The Vanderburgh County Council has authorized this department to lease 16 vehicles for the year 1978. Approximately ten (10) of these will be front-line emergency cars, with the others utilized as un-marked police vehicles.

If the cost isn't prohibitive, I'm asking the Board of Commissioners to take necessary action to insure these cars with $100.00 deductible comprehensive insurance.

Respectfully submitted:
James A. DeGroote, Sheriff

Commissioner Ossenberg said they will have to get a price because they will have to have Insurance coverage on them.
He said he would contact the Sheriff if the other Commissioners want him to do so, since there is a notation that this is 8 in addition to the 8 vehicles they now have.

Commissioner Schaad moved that Commissioner Ossenberg follow up on this matter. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM COUNTY CLERK...SCHEDULING OF EMPLOYEES

The following letter was received from Shirley Cox, the Clerk of the Vanderburgh County Circuit & Superior Courts, in reference to the scheduling of Ms. Betty Dosier Kaiser, Deputy Clerk:

Dear Sirs:

I respectfully request your approval for changing job status of one of my employees from a full-time forty -hour week to working five days out of a ten-day pay period. This would be effective November 5, 1977, through at least the remainder of the year and at one-half the salary. She recently returned from a Commission granted Leave of Absence and has been working full time since August 1, 1977, however, is unable to continue due to health limitations. She has been an effective employee and both, she and her position feel this scheduling would be a great benefit to her. This would also allow her to make up a few hours she has used in excess of her allowable sick time to this point, which she feels a responsibility toward. It will be necessary to hire a person to work the remaining hours that are now assigned to Ms. Kaiser. In the event that circumstances change, you will be notified immediately.

Thank you for your consideration,
Shirley Jean Cox, Co. Clerk

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

Mr. John said she will have to get an addendum from the County Council on the Salary Ordinance.

Commissioner Ossenberg asked that he be given a copy of this letter so he can inform Ms. Cox of this.

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RE: NOTICE OF CLAIM AGAINST COUNTY

A certified letter was received by the Commissioners from Charles L. Martin, Attorney at Law, who is representing Ms. Treva Fortune and son, in filing suit against the County. The letter reads as follows:

Gentlemen:

Pursuant to Burns Indiana Statutes IC 34-4-16.5-1 et seq, Treva K. Fortune and Craig Fortune, hereinafter referred to as plaintiff claimants, present to the County Commissioners their written notice of claim for suit in tort.

On or about June 24, 1977, at approximately 6:35 A.M. claimant Treva K. Fortune was the driver of a certain motor vehicle which motor vehicle was traveling in a northerly direction on Green River Road, a certain road located in and under the direction and control of the County of Vanderburgh, State of Indiana.

That at the aforesaid time and place Craig Fortune was a passenger in the aforesaid motor vehicle being driven by Treva K. Fortune and Craig Fortune is the minor son of Treva K. Fortune.

That at the above time, at a place approximately 200 feet north of Millersburg Road on said Green River Road in Vanderburgh County an accident did then and there occur causing severe, permanent and disabling injuries and damages to both Treva K. Fortune and Craig Fortune.

That the accident as described aforesaid was the result of a second motor vehicle being driven by Max L. Lingo colliding with the automobile in which Treva Fortune was the driver and Craig Fortune was the passenger which other automobile was going in a northerly direction over Green River Road after the two automobiles hereinabove referred to skidded on mud, silt or other slippery substances located on said Green River Road. That the injuries and damages to Treva K. Fortune and Craig Fortune were the result of the acts or actions or omissions of several persons or organizations including the County of Vanderburgh, which resulted in a dangerous and affective condition on said Green River Road and contributed to cause the accident.

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

The County of Vanderburgh further allowed a nuisance to exist, which nuisance obstructed Green River Road during times of rain in that due to improper drainage adjacent to the said Green River Road, mud, slime, silt and other slippery and sticky substances were deposited directly on the said Green River Road causing extremely hazardous and unsafe conditions, which said condition was known or should have been known by the County of Vanderburgh, and which condition resulted in a nuisance which was not abated by the County of Vanderburgh.

Or the County of Vanderburgh was negligent in that they knew of the aforesaid dangerous condition and defects in the drainage adjacent to Green River Road at the area of the accident and negligently failed to warn passers of said defect or dangerous condition or negligently failed to close said Green River Road during times of rainstorm when the dangerous and unsafe condition of the road during rainstorms was known or should have been known by the County of Vanderburgh.

That as a result of the negligence of the County of Vanderburgh or the failure of the County of Vanderburgh to abate said nuisance, in conjunction with the negligence of other person or persons which culminated in said nuisance in said accident, claimant, Treva K. Fortune sustained injuries and damages in that she is permanently injured, was unable to perform her duties as an employee for a period of time, and her earning capacity is permanently impaired and/or restricted, that she has suffered and will continue to suffer certain pain and that she has incurred to date medical expenses and will continue to incur certain medical expenses.

That as the result of the negligence and/or actions of the County of Vanderburgh as described aforesaid, claimant Craig Fortune sustained certain injuries and damages including but not limited to the necessity to remove his spleen which causes him to be permanently injured in that among other things the said Craig Fortune must hereafter take certain medication in order to keep his body in balance due to the removal of the said spleen and that the said Craig Fortune has sustained certain other permanent injuries and has incurred certain medical bills and will continue to incur certain medical bills as a result of his injuries arising out of said accident.

At the time of the accident and at the time of the filing of this notice, the claimants herein lived at Elberfeld, Indiana.

That as a result of the injuries and damages sustained as described aforesaid, Treva K. Fortune and Craig Fortune demand the sum of One Million Dollars.

Respectfully submitted,
Charles L. Martin, Att. at Law

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Commissioner Schaad moved that this matter be referred to the County's Insurance Company in the same manner as the two lawsuits were handled last week. Commissioner Willner seconded the motion. So ordered.

RE: STATUS OF PROBLEM ON GREEN RIVER ROAD

Commissioner Willner asked Mr. Siebeking what action has been taken on Green River Road, where this accident occured.

Mr. Siebeking said his crew was ready to go out there last Thursday, as the Commissioners had ordered them to do if something hadn't been done on Green River Road, but at 7:50 a.m. on Thursday, he got a call from the contractor, stating that this wouldn't be necessary, that he had his people out there and he went out there and found that they had made their cuts and he went out there again with Mr. Stephen on Friday and they were getting ready to pour the concrete and were going by the specifications of Mr. Stephen, the County Highway Engineer.

RE: LETTER OF REQUEST FROM SUPERIOR COURT

The following letter was received by the Commissioners from Mr. O'Connor, Court Administrator for the Vanderburgh Superior Court:

County Commissioners:
The Superior Court requests the installation of:

Computer cables to County Auditor's office

Gil Ruston has the details of the work and has estimated the cost not to exceed $1,400. Funds are available for this work.
The Court requests your approval on this matter.

Thank you,
Sincerely yours, Maurice O'Connor
Court Administrator

Commissioner Schaad moved that the request of Superior Court be approved. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE

Mr. Ray Wolf, Manager of Burdette Park, said that the plans for the four lighted tennis courts at the Park are finished and the specifications are completed and he submitted the Notice to Bidders for advertising.
He said that Mr. Ed Boyd did the engineering and he is here in case there are any questions.

Mr. Boyd said that he will have an estimate on the job by the time the bids are submitted.

Commissioner Schaad said he wondered if this is in the right place or if it should go before the Burdette Park Board.

Commissioner Ossenberg gave the other Commissioners an example of what they have had at the Burdette Park Board, that every time they have had some type of bid to go out to the Board, they have received one bid that has been over the Engineer's estimate or received no bid at all, so consequently, he felt as though the Commissioners should take the bids here and make it subject to the Burdette Park Board, that it seems as though, when the Commissioners send out a Notice to Bidders, they receive far more bids than the Burdette Park Board does, so it is still subject to their final approval and the Burdette Park Board has asked the Commissioners to do this.

Commissioner Schaad moved that the Auditor be authorized to advertise for bids on November 3rd and 10th, with the bids to be opened on November 21st. 1977. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR STREET ACCEPTANCE — Old State "One" and Old State "Two" Subdivisions

The following letter of request was received by the Commissioners from Donald Blume of Guthrie May & Co. Inc.:

Gentlemen:
We hereby submit the following concrete streets with integral curbs for your approval and request that they be accepted and maintained by the county:

Strawberry Hill Road from Old State Road east to the east line of Lot 27
Rock Creek Lane from Strawberry Hill Road to Old Cannon Way
Dry Branch Road from Strawberry Hill Road to Old Cannon Way
Old Cannon Way from Rock Creek Lane to Dry Branch Road

The plans for the construction of the streets in Old State "One" were approved November 10, 1976 by the County Commissioners. The plat was recorded April 22, 1977.

The plans for the construction of the streets in Old State "Two" were approved July 14, 1977 by the County Commissioners. The plat was recorded on September 14, 1977.

Sincerely, Guthrie May & Co. Inc.
Donald J. Blume, V.P.

It was also noted that if the County Surveyor will give them a day or two notice, they will wash the streets down before inspection.

Commissioner Willner moved that this matter be referred to Mr. Stephen, the County Highway Engineer, for study and recommendation. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST FOR STREET ACCEPTANCE — Valley Downs II Subdivision

The following letter of request was received by the Commissioners from Donald Blume of Guthrie May & Co. Inc.:

Gentlemen:
We hereby submit the following concrete streets with integral curbs for your approval and request that they be accepted and maintained by the county:

Autumnwood Way from Deer Trail to Derby Lane
Derby Lane from Autumnwood Way to Saratoga Drive

The plans for the construction of the streets were approved by the County Commissioners in September, 1976. The plat was recorded on September 27, 1976.

Sincerely, Guthrie May & Co

It was also noted that if the County Surveyor will give them a day or two notice, they will wash the streets down before inspection.

Commissioner Schaad moved that this matter be referred to Mr. Stephen, the County Highway Engineer, for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

The following claims were submitted by Xerox Corporation for the rental plan on the Xerox Duplicating Machine:

Meter Usage 1/31/77 to 2/28/77	$317.59
Duplicating Charge-February	$130.00
Minimum Meter Charge-February	$ 2.41
185 Sorter	$ 70.02
Accessories February Base	$125.00
Total	$645.02

Meter Usage 12/30/76 to 01/31/77	$410.93
Duplicating Charge-January	$130.00
185 January Charge	$ 80.00
193 January Charge	$125.00
Total	$745.93

Duplicating Charge-June	$130.00
Minimum Meter Charge-June	$320.00
Basic Sorter Charge-June	$ 40.00
Accessories June Base	$80.00
Total	$570.00

4024 Dual Purpose Paper 8½ x 11	$493.75
4024 Dual Purpose Paper 8½ x 14	$688.78
Total	$1,172.53

Total of all claims	$5,289.19
Less Credits	$2,987.90
Grand Total	$2,301.29

Duplicating Charge-August	$130.00
Meter Usage 7/30/77 to 8/31/77	$339.52
Basic Sorter Charge	$ 59.20
Accessories August Base	$ 80.00
Total	$608.72

Duplicating Charge-July	$130.00
Less Prior Months Min. June	$320.00 Cr.
Meter Usage 5/31/77 to 8/4/77	$869.82
Basic Sorter Charge(same dates)	$141.07
Less Prepaid Sorter Min. June	$ 40.00 Cr.
Accessories July Base	$ 80.00
Total	$860.89

Meter Usage 3/31/77 to 4/29/77	$366.06
Basic Sorter Charge	$ 65.04
Accessories April Base	$125.00
Duplicating Charge-April	$130.00
Total	$686.10

Claims for Credit

September 1, 1977-Credit	$1,443.33
October 10, 1977-Credit	$ 635.11
Credit for duplicate payment	$ 909.46
Total	$2,987.90

Mr. John said they sent a representative in and this is supposed to be the actual amount, that they went over it and he agreed that this was correct.

Commissioner Ossenberg said they would have to go back before the County Council for more money.

Commissioner Schaad moved, on the recommendation of Mr. John, that these claims be approved and that the Commissioners Secretary be authorized to use the Commissioners rubber stamp on them. Commissioner Willner seconded the motion. So ordered.

Mr. John said they are asking for more money and he thinks the Commissioner's Secretary wrote the letter, asking for enough money for the rest of the year, that they are $90.90 short of paying these claims and that the September bill isn't in as yet.

Commissioner Ossenberg said he had the $90.90 transferred to this account by letter to take care of these claims, but they would still need money for the rest of the year.

A claim was submitted by Shirley Jean Cox, the Clerk of the Circuit & Superior Courts for expenses incurred in attending the State Board of Accounts in Fort Wayne, Ind. on October 20 & 21, 1977, at $20.00 per day for 2 days on expenses and at 15¢ per mile for 600 miles, as per State Board of Accounts. The total amount of the claim is $130.00.

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

A claim was submitted by Vangard Sales of Evansville for Contract job at Hillcrest Washington Home in the amount of $1,760.00. This claim was approved by Mr. Hotz, the Superintendent of County Buildings.

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

A claim was submitted by Vangard Sales of Evansville for installing the smoke detectors at the Hillcrest Washington Home, in the amount of $1,250.00. This claim was also approved by Mr. Hotz.

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

RE: VACATION OF CARANZA DRIVE

County Attorney Smith said that Mr. Phil Seigel is here with the Report on the Vacation of Caranza Drive, that he has the Report of Viewers, the Oath of Viewers and the Order to Vacate Part of Caranza Drive, that it looks to him like it is all in order, so it can be executed.

Commissioner Schaad moved that Caranza Drive be vacated. Commissioner Willner seconded the motion. So ordered.

RE: PROBLEM ON DREXEL DRIVE

Mr. Stephen said that a Mr. & Mrs. Bill Bryant who live on Drexel Drive have a drainage problem, that this problem had been previously discussed and the Commissioners had approved a wall to be built out there.

Mr. & Mrs. Bryant appeared and said that about three years ago, that 24-inch pipe was installed across the street to eliminate a ditch drainage problem, that they were trying to transfer some of the drainage water to the opposite side of the street, but the real problem was downstream from his property, that there were some driveway culverts in that area which were not of the proper size and not capable of taking the water on his side of the street, so they put that 24-inch culvert across the street and the entrance to that culvert is right in the middle of his property. He said there are two problems, that it creates an eyesore situation for him and he has been penalized, and it didn't correct the water problem which it was intended to do, that they still have the problem, that someone suggested they put a concrete block wall up which would make this culvert take more water but then he is penalized a second time and he doesn't feel that this should be the case, that he feels one of two things should be done and this is, that from his property line, to the entrance of that 24-inch culvert, he feels should either be tiled or as a second alternate, if the County doesn't want to go to that expense, then that 24-inch culvert that is going across the street should be put at the easement side of his property and then, they can build whatever type of concrete wall that has been recommended to eliminate the water problem.

Mrs. Bryant said there is a 12-foot easement, that they have 6 foot and the property next door has 6-foot, and that would be the place to put the pipe and the wall.

Commissioner Schaad asked Mr. Bryant when they acquired the property and Mr. Bryant said they acquired the property about a year and a half ago.

Mrs. Bryant said they built their house on the property.

Commissioner Schaad asked if this condition existed when they built and if they knew it was there.

Mr. Bryant said the culvert was there but Mrs. Bryant said they didn't know the water problem existed nor that the pipe on the driveway next door restricted the water.

Commissioner Schaad said he supposed, that when they bought the lot, the developer didn't tell them either.

Mrs. Bryant said they didn't buy it from a developer, that they bought it from a personal owner and they were sure he wasn't aware of the situation either, that he lived in Louisville and to his knowledge, they didn't think he knew the pipe was put under there.

Commissioner Schaad said this has been a problem out there as long as he can remember.

Mr. Bryant said that no one had been notified about the pipe, as a matter of fact, they lived in that area before moving to Dallas and then they relocated back here in the Evansville area, and they wanted to live in the area, but they were in a different area of that subdivision.

Mrs. Bryant said they assumed though, that the water problem was corrected since the pipe was put under the road, which would be a natural assumption.

Mr. Bryant said if they looked at the situation, they could tell that it wasn't done right, with a sign in the front yard which acted as a dam which would deflect the water.

Mr. Stephen explained that a sign was used to put a restriction in the ditch to divert the water, acting as a dam across the stream and it isn't as high as the tube so as soon as there is a sufficient amount of water, it runs over the top of it and this is why the Commissioners recommended, as one way to help it, was to make the tube take more water and it was recommended that Mr. Siebeking build that wall to divert the water through the tube and at the present time, someone has put a sign in there with some rocks behind it to act as a turning wall to divert the water.

Commissioner Schaad said that when the people on the other side of the street try to develop their property, they are going to have problems also, so here again, it is a problem of it not having been laid out properly by the developer, that there is always going to be a problem there and he didn't know how it is ever going to be solved to everyone's satisfaction.

Mr. Bryant asked if the developer specifies what type of culvert that goes into the driveways or if this is something the County specifies.

Commissioner Schaad said the County specifies the type culvert they use now, but this wasn't done back when that subdivision was developed.

Mr. Bryant asked how long the Commissioners have specified the type of culverts to use and Commissioner Schaad said for three or four years.

Mrs. Bryant said the pipe has been cleaned and the pipe under the road takes the water but what water gets past it, hits the driveway next door, backs up and comes over and fills their yard up and they have put dirt fill in several times and she thinks it unfair that it goes through their pipe and not through the neighbors, plus it goes over the road and down into the peoples house on the corner.

Commissioner Schaad said that the developer should have taken care of this problem when it was built, for the people they were going to sell lots to, so they don't have this problem later on and then have to come before the Commissioners to ask for them to solve the problems.

Mrs. Bryant said that her husband and Mr. Stephen feels if this water is diverted under the road, their pipe can handle the water off their property but a concrete block wall in the middle of their front yard is a little ridiculous.

She said she understands that the people across the street that are getting ready to build, want an okay from the Commissioners to tile that in to a surface drain inlet, that this is what they are planning to do.

Mr. Stephen said they haven't been in as yet to ask permission to do this.

Mrs. Bryant said that her husband felt that even a nice formed wall would be acceptable, but asked if the County even has people who could build a nice concrete form wall, something that looks decent.

Commissioner Schaad said that it seems to him that if they do something for the Bryant's, that someone else is going to complain, so the thing to do would be to get all the people together that are involved and try to solve the problem.

Commissioner Ossenberg said he thought they were going to make some stipulation whereby the Building Commission is to let them know that in advance, before he gives them a building permit, to forewarn them.

Commissioner Schaad told Mr. Stephen that this problem is in University Heights #2, at the corner of Drexel and Crestmont and explained what had been done out there and what the problem is now.

Mrs. Bryant said all they want is a simple solution, but definitely not a concrete block wall in the middle of their front yard, but if they want to form something decent, that would be fine.

Mr. Guillaum said the Bryant's don't object to the wall being on the easement, so they could just move it down, that this would be the cheapest solution.

After further discussion, Commissioner Ossenberg asked that Mr. Stephen go out there and come back with a recommendation, that here again is a situation whereby the Commissioners had no control over this drainage and now University Heights #3 that he is coming up with will be subject to the approval of the Drainage Board before he gets any building at all out there.

Commissioner Schaad said when this comes about they had better get these people involved too, so they can get them all together to see that this doesn't happen again.

He explained to the Bryant's, that the rule usually is that the people buy their own pipe and the County puts it in.

Mrs. Bryant asked if the Commissioners felt that they should buy their own driveway pipe since one year ago they were told what size pipe to put in.

Commissioner Ossenberg said they would have to see what could be worked out and that the Bryant's wouldn't have to come back here though.

RE: MR. HOTZ...ALARM SYSTEM

Mr. Hotz said they had the smoke detector and the alarm system installed at the Hillcrest & Washington Home and something has come up on the alarm system, that eventually, probably next year, it will have to be done, that the Telephone Company will make the installation and when the alarm goes off, it will automatically ring the Fire Department and it won't be necessary to use the phone whatsoever, and in talking to Mr. Work and Mr. Reed, they said that if the County would pay the initial installation fee, that they would take care of the monthly payments, that the installation fee will be $80.00 per phone. He said that he has the money to have them installed.

He said it isn't demanded or required at the present time but it probably will be next year and the installation cost may be greater at that time.

The Commissioners agreed that this was a good idea.

Commissioner Schaad moved that the installation be made by the Telephone Company, at the Hillcrest & Washington Home, as explained by Mr. Hotz. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner said he didn't think they should tell them not to call the Fire Department though, because if they tell them that and they depend on the system, there might be a terrible fire and they might be in trouble, to which the other Commissioners agreed that they also call the Fire Department.

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RE: MR. JUDD...RED BANK ROAD

Mr. Judd said he has had about three complaints on Red Bank Road during the past week, that heavy grain trucks are traveling that road and he thought maybe he should take a look at it to see if they should put a weight limit on it.

Commissioner Ossenberg said that part of Red Bank Road is in the City.

Mr. Judd said he didn't know if the trucks were cutting over from 65 or not, but they are picking these little roads to drive those heavy trucks over.

Commissioner Willner said that is probably the ones that have to use these roads for egress and ingress.

Mr. Judd said he would like to take a look at it, in case the Commissioners get more calls on it.

Commissioner Schaad moved that Mr. Judd make a study on it and come back with a recommendation. Commissioner Willner seconded the motion. So ordered.

Mr. Guillaum said that he would like for the bridge on Red Bank Road, right before they get to Upper Mount Vernon Road, to have a weight limit posted, that the same gentleman called him about three times and he felt that a ten-ton limit would be warranted on that bridge. He said that he would see that Mr. Judd gets a copy of the location of this bridge.

RE: ABSENTEE REPORT

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

RE: MR. SIEBEKING.....PICK-UP TRUCK

Mr. Siebeking said as the Commissioners know, the County Highway Department had an accident with their pick up-truck, that the Farm Bureau Insurance Company has made a settlement, that it was a 1974 Ford and they made a settlement of $4,100.00 and he submitted the check at this time.
He also submitted a release for the Commissioners signatures and said that the Insurance Company has taken the truck, so they must have the release and the title from the Auditor's office.

Mr. John said that he would see that the release and the title are sent to the Farm Bureau Insurance Company.

Mr. Siebeking said he checked with the men that are here from the State Board of Accounts and they said that anything under $5,000 doesn't have to be let out on bid, that he went to Cooke Chevrolet and got a price of $5,120.00 for a new truck and there would be a waiting period of from 6 to 8 weeks since the truck will have to be ordered, that he also got a price from Key Ford of $4,585.00 on a truck that they have in stock, that this is the price on them without them being painted the County's orange color.
He said that as soon as this accident happened he wrote a letter to the Council and asked them for $3,700, since he had no idea that the settlement from the Insurance Company would be this much, which naturally, now, he won't need, that what he actually needs is $710.00 and this will include painting it, because he has checked around several places and found that he can get the truck painted for approximately $200.00 to $225.00.
He said the Council meets tomorrow and he will probably go before them and ask for the $710.00 rather than the $3,700.00 since that is all he needs and he supposed he could do this, also that the check for $4,100.00 should be put in their Truck Account.

Commissioner Ossenberg said this is the procedure, that the $3,700 is the amount that was advertised, so Mr. Siebeking should go before Council and ask for what he needs now and the Council will automatically reduce that figure.

Commissioner Willner moved that the check be accepted, the Council Call be approved and the Ford Pickup Truck be purchased from Key Ford for $485.00 which is the difference over and above the Insurance Check, and that Mr. Siebeking have it painted. Commissioner Schaad seconded the motion. So ordered.

Mr. Siebeking said he would then ask the Council for the $710.00 tomorrow and he asked if it was possible for him to get a verbal okay from the state on this money

rather than to have to go through the channels which would take up to six weeks.

Commissioner Ossenberg said the procedure is to make this request at the County Council meeting, that he should request of the County Auditor, at this time, to ask Mr. Beesley if he could get a verbal okay for him to go ahead and purchase the truck.

Mr. Siebeking said he will call Key Ford then and ask them to put a hold on the truck until he gets the financial part of it straightened out and then he will purchase it.

RE: FISHER ROAD

Mr. Siebeking said that last Friday, he and Mr. Stephen and Jerry spent the entire day checking different things in the County and they pretty well agreed what they are going to do, that they started on one of the jobs this morning, and they looked the situation over on Fisher Road and they have more or less agreed what they want to do out there.

Mr. Stephen said they were to get permission to dump the water across the road and that if they got permission to do this, in writing, that the County would put the pipe in.

Mr. Siebeking said that they were the ones that wanted to get rid of the water and it really isn't the County's place to get permission to dump the water on someone else, so they agreed that if he could get permission to put the water over there, they will lay the pipe.

RE: DRIVEWAY PERMIT APPLICATION

Mr. Siebeking said he received his first application for a driveway permit and he asked if he should turn it in to them or if Mr. Stephen should do this.

Mr. Stephen said that Mr. Siebeking should give it to him first.

RE: CLAIM AND CHANGE ORDER...OHIO STREET BRIDGE

Mr. Guillaum submitted a claim from Southwest Engineering Company for the final estimate on the repair of Ohio Street, in the amount of $6,134.78.
He said that the original amount of the Contract was $64,370.00 but the total cost of the job was $69,020.62, so he submitted a change order for the over-run in the amount of $4,650.62.
He said it was a type of thing, that when they got in there they had to do it and there was no way of knowing until they got the grid off as to what needed to be done and what beams needed to be replaced, and the painting had to be done also and he thought they would probably have over-runs on most of these repair jobs, since they don't know what they've got until they get in there and see the extent of the deterioration.

Mr. Brenner said this is why they bid it on a piece basis and there is enough money in the account to take care of it.

Commissioner Schaad moved that the claim in the amount of $6,134.78 be approved. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad then moved that the change order be approved in the amount of $4,650.62. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM AND CHANGE ORDER..ST. GEORGE AND OAK HILL ROAD

Mr. Guillaum submitted a claim from Feigel Construction Company for the final estimate on the repair of St. George and Oak Hill Road in the amount of $12,038.12.
He said that the original contract price on this project was $26,224.30 but the final cost of it was $28,449.41, so he submitted a change order for the over-run in the amount of $2,225.11.

Commissioner Ossenberg said that Mr. Brenner explained the reason for the change order, that they couldn't get a drying process out there, so they verbally agreed that additional rock and blacktop be used since this was the only way they could get anything solid in there.

Commissioner Schaad moved that the change order be approved in the amount of $2,225.11. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad then moved that the claim in the amount of $12,038.12 be approved. Commissioner Willner seconded the motion. So ordered.

Mr. Guillaum said they are also going to have some over-runs on First Avenue, without a doubt, that this is where they used the french drain, plus the fact that the deck had more extensive deterioration that they had anticipated.

Commissioner Ossenberg asked Mr. Guillaum if they ever found where that water came from that was seeping out.

Mr. Guillaum said that the letter from the Water Company said they couldn't find the problem, however the work crew dug a french drain down sixteen feet and it was pure muck and it was highly saturated fill, that the water is coming from some place, that the Water Company said it wasn't coming from the line but he didn't know where else it could be coming from unless there was an underground spring or something.
He said they also had to notch the mud wall to allow for the expansion of the shoe on the abutment, that without doing that, there wouldn't be any point in doing anything else,if they couldn't get any movement, so they are taking this all on a time and material basis, which he thought the fairest way to do it.

He said that Mr. Nussmeyer is now working on Maryland Street and there are a couple of minor things they are going to have to do here, since they have a little more deterioration on the west end than they had anticipated, also that they aren't sure about the plating underneath as to how they are going to handle it, but he wanted to tell the Commissioners that they may possibly have a couple more over-runs on these jobs, that they just don't know yet.

Commissioner Ossenberg asked Mr. Guillaum if he had been in contact with Mr. Eifler in regard to the L & N Railroad track being paved at the corner to make it smooth all the way through.

Mr. Guillaum said they were going to take their approach back to there, that the railroad tracks are less than 100 feet from the approach of the bridge, but they are essentially going to have a new bridge because they are going up and down, every square foot, with a jack hammer to tell where the rock and concrete are, but they kind of reach a point in wondering where they should draw the line, so they are trying to take it down until they reach good concrete in all cases, that this will mean a little more money, but it means that they are going to have a very good deck.

Commissioner Ossenberg asked about the tracks there, and said that they asked Eifler, in a meeting, if they couldn't get that smoothed out, that it seems crazy to put a new bed on that bridge and go all the way to the approach and then hit that railroad track, and Mr. Eifler was to try to find out if they have some money or if they could get L & N to do something about it.

Mr. Brenner said that L & N has no interest in it, that he finally went to Betty Lou Jarboe and she said that she would pick up the crusade and take it to the Works Board.

Mr. Guillaum said that Franklin Street was a nightmare also, that with the water continually draining through there, with the salt, it just eats them up.

Commissioner Ossenberg asked Mr. Brenner to keep in touch with Betty Lou Jarboe to see that she stays on those tracks, since this is the biggest complaint, that they can see that the street is going to be fixed now, but with the bad tracks, a car's front end could be knocked out of alignment.

RE: HILLSDALE DRAIN PETITION

Mr. Brenner submitted the Hillsdale Drain Petition to the Commissioners and explained that it is a formal petition from the County Commissioners, to themselves, as the Drainage Board, that the Commissioners are initiating the petition.
The petition reads as follows:

In the matter of the Hillsdale Drain Petition, The Board of Commissioners of Vanderburgh County, Indiana pursuant to the 1965 Indiana Drainage Code, Chapter 305, Acts of 1965, and as amended by Chapter 257, Acts of 1969, Article 2, Sec. 201-B-2 and Sec. 202-1) Petition the Vanderburgh County Drainage Board to provide a legal drain, herein called Hillsdale, for drainage of a public highway known as Old State Road.

Attached is the names and address of each landowner as shown by the tax duplicate and record of transfers of Vanderburgh County, Indiana described by tax code number.

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This list describes an area of land equal to three-fourths (3/4) or more in area of all lands which will be affected by the improvements.

The general route of the proposed drain begins at the fork in Little Pigeon Creek in Center Township in a subdivision known as Hillsdale following the West branch to U.S. Highway 41 Northerly to Old State Road and continuing Northerly and Northeasterly to Peck Road, thence Southeasterly to Boonville-New Harmony Road, thence East to Browning Road, thence Southerly to the third farm lane, thence Northwesterly, West, Southwesterly to fork in Little Pigeon Creek.

It is the opinion of the Board of Commissioners of Vanderburgh County that the costs, damages and expenses of the proposed improvement will be less than the benefits which will result to the owners of land likely to be benefited thereby, and that the proposed improvement will improve the public health, benefit a public highway in Vanderburgh County, and be of public utility.

Ed Smith is the Attorney representing the Board of Commissioners in the Drainage Petition.
The cost of notice and legal costs will be provided by Vanderburgh County.

Mr. Brenner said this matter will be taken up again at the Drainage Board meeting, but that they either had to get all the people in the drainage area to do this, or the Commissioners must initiate it, and he asked that the Commissioners sign this petition.

Commissioner Schaad moved that the Commissioners sign the petition. Commissioner Willner seconded the motion. So ordered.

RE: PROBLEM ON COUNTY RIGHT OF WAY

Mr. Brenner said that it has come to his attention that a gentleman on Browning Road has a large solid stone mailbox right in the County right of way, and there is another one that has a brick box around it and some lead pipes filled with concrete, also in the County right of way, and if someone hit them, the County would be responsible.

Mr. Guillaum said that according to A.D.T. and your average vehicle speed on a given County road, you must maintain a certain shoulder, that they had a problem on Oak Grove and St. George with guard rails, that the gentleman out there granted the County the right of way, but he said in return for that, he wanted some posts up around his property because he had a problem with people driving through his yard, but where he originally had them located was within two or three feet of the edge of the pavement and he had to tell the man that they would have to pull them back within eight feet of the pavement, or not at all, but according to the state specifications, they must maintain, be believed, about an eight foot shoulder, that it depends on the vehicle speed.

RE: JUNK TO BE SOLD

Mr. Siebeking said they are getting an awful surplus stockpile of junked culverts, posts and guard rails that they have had to remove at the garage and he wondered if the Commissioners could declare it as surplus junk and he can get some people out there to give him a bid on it so he can get it out of there.
He said that the money they make on it will go into the Highway General Fund.
The Commissioners agreed that Mr. Siebeking get a couple of junk dealers out there and let the highest bidder have it.

RE: RE: MR. STEPHENS

Mr. Stephens said they used up the money from the under-run on Feigel paving the four roads, by repairing four railroad crossings and one bridge and they still have possibly 50 tons of material .
He said he has one recommendation as to where to use it and that is out at the Old State Subdivision where one of the roads is pretty bad and while Feigel is out there, he would like to use the material to smooth up and cap over the area that has been rutted, that it is needed,and he would like to do it if it is okay with the Commissioners.

Commissioner Willner said they fixed the railroad track at Boonville-New Harmony and he wondered if they fixed Inglefield.

Mr. Stephen said that Inglefield isn't on the list, that they did Hogue Road, Allens Lane, Red Bank Road, Peerless and Boehne Camp.

Commissioner Willner said that Inglefield has been the worst for the longest period of time, at the railroad track, that this is the one that really needs it.

Mr. Stephen said that perhaps they had better use the material on Inglefield then, rather than the center of the road at the Old State Subdivision, but the road is kind of bad out there.

Commissioner Willner said if they have 50 tons, they might be able to do them both, but Mr. Stephen said he didn't think they could, that they used up 250 tons on those six places so they have averaged out about 50 tons per crossing.

Mr. Siebeking said that Mr. Stephen can use the material that he has and do the crossing on Inglefield Road and that he will do the center of the road at the Old State Subdivision with cold mix or whatever is needed to best repair it.

Mr. Stephen said he would then do the crossing on Inglefield Road.
He said that the streets are concrete in Old State Subdivision and in Valley Downs, and no one inspected the area before these streets were put in, so they don't really have any method to guage the thickness without requesting them to give them samples. He said they are just now starting the buildings, that this is the one that they put the streets in, and he wondered if the Commissioners approved the streets prior to the buildings being done, that in the past, the Engineering office has written up a resolution and he thought this is the way these should be handled, at the time when they come up for approval, that they should use that resolution form an an amendment to the accepted county roads.

Commissioner Willner asked if there were curbs and gutters over all the streets out there, and Mr. Stephen said there were curbs and gutters but no sidewalks.

Mr. Stephen said they did inspect that area between the end of their pavement and our pavement and found it to be only 3 inches, so he had them to dig it out and put six inches of stone in there before they paved over it, so they were caught a little ahead of time.

Mr. Stephen also said that Mr. Koch pointed out a place on Rode Road, off Oak Hill Road and he and Mr. Siebeking went out and looked at it, and he thinks he has convinced Mr. Koch that he can't really do anything about it, that he wanted them to put some dirt in a low spot where the water is running across the property, but it would mean that they would just be pushing it off on someone else and they would just be asking for trouble.

Commissioner Ossenberg said he has looked at it and if they do anything, they will have to do the whole thing.

Mr. Stephen said he recommends that the County not try to build any diversion there.

Commissioner Willner asked if this is on the County right of way and how much are they talking about.

Mr. Stephen said that it is on the County right of way and they were talking about five entrances, that they have it all tiled in, but if the ditch is opened up, they would probably be obligated to put their drive pipes in, and if they wanted their yard closed back in, they would have to pay for it.

Commissioner Willner asked Mr. Stephen to bring in a dollar and cents figure so they would know what they were talking about.

Mr. Stephen said that he would, also that Mr. Siebeking could have his crew to cut the ditch, but they would probably have to have the driveway pipes put in and replace the stone and filling it back in.

RE: FIRST AVENUE BRIDGE

Mr. Lochmueller said they were talking about the heighth of the First Avenue Bridge and after talking to Mr. Brenner, they felt that maybe they should get the Department of Natural Resources down here or to go up there, because they are finding that the elevation of that bridge could be as high as the future levee, so he feels that they should get with the City, Mr. Brenner, Jim Morley, himself and the Department of Natural Resources.

RE: COMMENT ON HEARING FOR ST. JOE

Mr. Lochmueller said that he has talked to Commissioner Schaad and he is contacting the state today, that they want a location to hold a public hearing on St. Joe, in the St-Joe Corridor.

Commissioner Schaad said he suggests that they use the club house at the Helfrich Park at the Golf Course, that they could handle it and it is near the site.

Commissioner Willner said that on the corridor, there is Welder Supply and also Kauai Industrial Corp. The Plumbers Union Hall and Chem Farm were also mentioned as possible places to hold the hearing.

Mr. Lochmueller said in the case of St. Joe, it is a matter of some right of way questions and the law they must abide by, that they had no choice and are forced to have this hearing.

RE: COMMENT ON INVENTORY ON TRAFFIC SIGNS

Commissioner Schaad told Mr. Lochmueller that Engineer Associates turned over the Report on the Inventory on the Traffic Signs, to the Commissioners, and in it, there were some recommendations that were made.

Mr. Lochmueller said he has a full copy and he will go down the list to see what must be done, that they are taking inventory and utilizing it where they can, that they don't want to repeat anything.

Commissioner Schaad said his point was to see where there are some funds available so they can start implementing some of the changes and doing it, that there is no point in having a report if they aren't going to do anything with it.

Mr. Lochmueller said he would follow up on this.

RE: COMPLAINT ON TRUCK DAMAGE ...COMMENT

A letter was received last week from a Mrs. Ruth Mitz whose truck was damaged when it dropped in a hole on Vanness Avenue, and the matter was referred to Mr. Siebeking so he could find out if this was perhaps the fault of the Water Company.

Commissioner Ossenberg said he wondered what Mr. Siebeking found out.

RE: COMMENT ON INSURANCE CONSULTANT

Commissioner Ossenberg asked Ms. Juras if approval was given on the last Council Call from upstate.

Mr. John said we have their informal approval but haven't received it as yet, that they should receive it today, that they have approved everything except for the Revenue Sharing that they haven't had a meeting on.

Commissioner Ossenberg asked Mr. John if he was going to contact the Insurance Consultant and Mr. John said the money for this has also been approved.

RE: COMMENT ON POSSIBLE REIMBURSEMENT ON FEDERAL PROGRAMS

Mr. John said that a couple of weeks ago, the Commissioners gave him a letter from the Association of Indiana Counties, concerning the possible reimbursement for our expenses on federal programs, that there will be a gentlemen named Robert Hart to come down on November 14th. to tell us what their proposals are.
He said he remembered a company coming down some two years ago and gave us a proposal like that, and it was on a flat fee, that it was a rather large expense with no guarantee of any return on it, and if we could somehow get into an agreement with them where they get a percentage of it, he believed it would be very beneficial to us, that maybe they will get into cost, but they usually like to skip around on that and not tell you what it is going to cost until they are done, that we may get some money back but may be paying more out than we actually receive.

RE: COMPLAINT ON TRUCK DAMAGE...CONTINUED

Mr. Siebeking returned to the meeting and Commissioner Ossenberg explained to him that he was to notify the Water Company to find out if the damage done to Ms. Mitz's truck by hitting a hole off Vanness, was the County's fault or the fault of the Water Company.

Mr. Siebeking said he and Louie met with George Gossett and they are putting dye in one of the peoples houses so they can find out if it is sewage and they have contacted the people who are not hooked on to the samitary sewers, and after this

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is done, if there is still a problem, everyone will have to hook onto the sanitary sewer, that they think this is where the problem is coming from right now.

RE: MR. HOTZ...ALARM SYSTEM...CONTINUED

Mr. Hotz said that earlier in the meeting he had stated that the alarm system at Hillcrest & Washington Home would cost $80.00 per phone, for the installation, that the correct price for the installation will be $60.00 for each phone.
He also said they will need a letter stating that Hillcrest Washington Home is owned by the County and operated by the Department of Public Welfare as a non-profit home for children.

The Commissioners agreed that Mr. Hotz could get the letter from the Commissioners secretary and that she could stamp the Commissioner's signatures on it.

RE: POOR RELIEF

Hollis Johnson.....921 Line Street.....Pigeon Township

The Notice of Poor Relief Action from the Pigeon Township Trustee's office stated that Mr. Johnson applied for food and clothing but was refused because his food and clothing has to wait on his cards plus his clothing, but he called and requested that his case be deferred until next week.
No further action could be taken today.

The meeting recessed at 11:30 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Bob Schaad Robert L. Willner	Curt John	Ed Smith, Jr. Paul Wendel

Secretary: Margie Meeks

Thomas L. Ossenberg

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

BOARD OF COUNTY COMMISSIONERS
NOVEMBER 7, 1977

The meeting of the County Commissioners was held on Monday, November 7, 1977, in the Commissioners Hearing Room with President Tom Ossenberg presiding.

Deputy Sheriff Larry Barchet opened the meeting, this being the first meeting of the month.

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

Commissioner Ossenberg stated that Commissioner Schaad is on vacation this week.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CLERK OF THE CIRCUIT COURT

Lucille Becking	706½ Court St.	Deputy Clerk	$20.00 Day	Eff: 11/1/77

VOLUNTEER SERVICES, VANDERBURGH SUPERIOR COURT

Sue Terry	Secretary - Part Time	$2.50 Hr.	Eff: 11/1/77

YOUTH SERVICE BUREAU

N. Kaye Stoneberger	Part Time Coordinator	$4.71 Hr.	Eff: 10/27/77

COUNTY TREASURERS OFFICE

Edna Casper	Clerk	$241.65 Pay	Eff: 10/31/77

AUDITORS OFFICE

Janet Zeller	Bookkeeper	$6,800.00 Yr.	Eff: 11/7/77

RE: EMPLOYMENT CHANGES.....RELEASES

CLERK OF THE CIRCUIT COURT

Lucille Becking	706½ Court St.	Deputy Clerk	$243.11 Pay	Eff: 10/21/77

VOLUNTEER SERVICES, VANDERBURGH SUPERIOR COURT

Susan Barta	Secretary - Part Time	$2.50 Hr.	Eff: 10/31/77

YOUTH SERVICE BUREAU

Linda Owen	Coordinator	$9,800.00 Yr.	Eff: 10/26/77

COUNTY TREASURERS OFFICE

Norma Jarvis	Clerk	$241.65 Pay	Eff: 10/28/77

COUNTY AUDITORS OFFICE

Janet Zeller	Bookkeeper	$6,423.00 Yr.	Eff: 11/4/77
Willetta Freihaut	Boobkeeper	$7,037.00 Yr.	eff: 10/31/77

RE: CASHIERS CHECKS TO BE RETURNED TO BIDDERS

It is noted that the two Cashier's Checks, in the amount of $5,000 each, that were deposited on Pleasantview Rest Home, are being returned to Dr. Arendell and to Mr. William Flowers, as authorized by the County Commissioners.

RE: AUTHORIZED TO OPEN BIDS

The County Attorneys were authorized to open the bids that were received this morning for the Bridge on Baseline Road and the two structures on Seminary Road.

RE: CONTRACT BOND FOR RECONSTRUCTION

A Contract Bond for Reconstruction of Green River Road - Boonville - New Harmony Road, to Hwy. 57, was submitted on behalf of Feigel Construction Company, as to a Status Query.

Commissioner Ossenberg said this road was finished last year and he well imagined that there are some questions on this form that the County Engineer will have to answer, after which it will have to be signed and returned to the Insurance Company. This matter was referred to Mr. Stephen, the County Highway Engineer.

RE: CERTIFICATE OF INSURANCE...AIKEN MANAGEMENT

A Certificate of Insurance was received from the Southwestern Agency, Inc. on insured, Larry Aiken, d/b/a, Aiken Management, for Blackstone, Jr., Magician on November 25, 1977, at the Civic Auditorium.
Certificate received and filed.

RE: CERTIFICATE OF INSURANCE...AIKEN MANAGEMENT

A Certificate of Insurance was received from the Southwestern Agency, Inc. on insured, Larry Aiken, d/b/a Aiken Management, for the Indianapolis Opera Company on December 18, 1977, at the Civic Auditorium.
Certificate received and filed.

RE: CERTIFICATE OF INSURANCE...HAHN, INC.

A Certificate of Insurance was received from Mike Volkman Insurance Agency, on insured, Hanh, Inc. for Hahn's Christmas Dance to be held at the Vanderburgh Auditorium on December 2, 1977.
Certificate received and filed.

RE: VACATION OF HAPPEL ROAD

County Attorney Smith said that the Final Resolution of the Commissioners on the Vacation of Happel Road is in good order and can be executed.

Commissioner Ossenberg said that the question on this was the fact that Joe Minor, was the Attorney that was representing some people that were remonstrating this vacation, but he understands they were on the other side of the property, consequently, the property involved is not running through their property.

Mr. VanStone said this isn't really the vacation of something that's been improved, that it is a vacation of an easement that has been there for a number of years and there is a house in the easement itself, and Section 16 of the Statute states that if it hasn't been improved in six years, it is automatically vacated, but there are no cases under that.
He said that everyone in the area signed the petition except for the neighbor across the street.

Commissioner Willner moved that the Final Resolution on the Vacation of Happel Road be approved. Commissioner Ossenberg seconded the motion. So ordered.

The County Auditor is hereby ordered to transmit a copy of the Order to the Trustee of Center Township, Vanderburgh County, Indiana.

RE: CLAIMS

A Claim was submitted by the Evansville Water Works Department for service to the Pleasantview Rest Home, in the amount of $25.00, from 9/12/77 to 10/11/77.

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

A Claim was submitted by the Southern Indiana Gas & Electric Company for gas and electric service furnished the Pleasantview Rest Home in the amount of $295.51.

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

A Claim was submitted by French Brothers Excavating Co. for material and labor for construction of base & wall at inlet for culvert under Marx Road 1/4 mile East of Church, in the amount of $317.00.

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This claim was approved by Mr. Stephen, the County Highway Engineer.

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

A Claim was submitted by Brink's, Inc. for services rendered to the Clerk of the Circuit Court during the month of November, in the amount of $94.80, as per contract.

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

A Claim was submitted by Brink's, Inc. for services rendered to the Vanderburgh County Treasurer's Office during the month of November, in the amount of $253.20, as per contract.

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

RE: MRS. RICHARD JAMES...WEST SIDE IMPROVEMENT ASSOCIATION

Mrs. James of the West Side Improvement Association, appeared and said she wanted to thank the Commissioners for their recent Ordinances, that she is sure this will be an asset to the County, and they are looking forward to seeing the improvements. She said she also wished to announce, at this time, that the Organization is going to support the Area Plan Commission in getting a Master Plan for the West Side.

RE: CONTRACT APPROVED FOR INSURANCE STUDY

County Attorney Smith submitted the contract that the Commissioners had requested him to prepare with the Insurance Consulting Firm in Indianapolis.

Commissioner Ossenberg explained that this is the contract that the County Council gave the Commissioners money for, so they could have a consulting firm from outside Vanderburgh County and have them come in and study our Insurance at a total of $5,750.

Commissioner Willner moved that the contracts be approved and forwarded to the Insurance Consulting Firm for signatures. Commissioner Ossenberg seconded the motion. So ordered.

The agreement reads as follows:

This agreement made and entered into this 7th day of November, 1977, by and between the Board of Commissioners of Vanderburgh County, hereinafter referred to as "Commissioners". amd Insurance Audit and Inspection Company, Inc., hereinafter referred to as "Company".

WITNESSETH:

That for and in consideration of services to be rendered and payments to be made, as hereinafter stated, the Commissioners and the Company do hereby agree as follows:

1. That the Company, who is engaged in the insurance consulting service, agrees to review, study and advise the Commissioners as to the insurance program presently in operation in Vanderburgh County, which said service shall be along the general objectives and procedures for Vanderburgh County as follows:

a. Inquire into and understand your insurance philosophy and general problems.
b. Evaluate the risks of loss or liability by
   (1) On-the-spot inspections of representative locations, certainly including those in your immediate area.
   (2) Examination of premises and equipment leases, and important contracts for their insurance implications.

c. Critically analyze your property and casualty insurance policies as to
   (1) Breadth of coverage.
   (2) Policy forms and contractual provisions.
   (3) Appropriateness and adequacy for risks disclosed in our survey.
   (4) Cost and rating formulas or methods.
   (5) Report on the financial stability and general reputation of your insurance companies and our evaluation of their services.

d. If requested to do so, consider the profitability of formal self-insurance, deductibles of various levels, non-insurance, or other alternatives to their first dollar coverage.

e. Develop a comprehensive written report comprising
   (1) Our risk survey findings and evaluation.
   (2) Policy analyses.
   (3) Comments on safety and loss prevention programs.
   (4) Current information on the financial standing and general management practices of your carriers.
   (5) Our conclusions and frank assessment of your performance of the entire insurance function.

f. Be available for continuing counsel by telephone or correspondence or on request by personal visit, in all insurance-related matters.

2. That said service to be performed by the Company as heretofore stated in Paragraph 1, shall be for a period of twelve (12) months from the date of the execution of this agreement.

3. That the Commissioners shall pay to the Comapny for the services to be rendered herein the sum of Five Thousand Seven Hundred Fifty Dollars ($5,750.00).

4. That upon completion of the study and/or service as stated herein, the Company shall make a report to the Commissioners of the results of their study and shall make appropriate recommendations to the Commissioners as to what action the Commissioners might take in order to improve the insurance program in Vanderburgh County as well as to reduce the cost of said insurance program in its entirety.

Letters of information were also submitted that had been received by Ms. Juras, the Executive to the County Council, from the Insurance Audit and Inspection Company.

RE: VETERANS HOLIDAY SET

Commissioner Ossenberg announced that Veterans Day is Friday, November 11th. so all County offices will be closed that day.

RE: LAST CALL FOR FLU SHOTS

Commissioner Ossenberg announced that the last chance for all City and County employees to get flu shots this year, will be on Thursday, November 10th. from 9 a.m. to 11 a.m. in Room 129, the Health Department, and that the cost will be $1.00.

RE: MS. SMITH PLACED ON LEAVE OF ABSENCE

Commissioner Willner moved that the Commissioners put Ms. Marsha Smith, the Executive Assistant to the County Commissioners, on Leave of Absence, without pay, as of 11/11/77. Commissioner Ossenberg seconded the motion. So ordered.

RE: CONDEMNATION SUIT

County Attorney Ed Smith reported that on the Condemnation Suit he filed last year on Smith Diamond Road, they are on the first step toward appealing that decision.

RE: SUIT TO BE FILED ON BEHALF OF SHERIFF

County Attorney Smith said that the County Sheriff wanted a suit filed on an accident in which a Sheriff's car was damaged and the driver of the other vehicle had no insurance, so he will file suit in the Small Claims Court.

RE: SALARY REPAYMENT

County Attorney Smith said he would get with Mr. John, after this meeting, on the Salary Repayment owed by the Prosecutor's employees.

RE: MONTHLY REPORT

Mr. Crooks submitted the Report of the Building Commissioner for the period ending in October of 1977, and said they are still running well ahead of last year. Report received and filed.

RE: HOUSE ON NEW HARMONY ROAD

Mr. Crooks said that in September he brought up a situation on a house on New Harmony Road and at that particular time, the house was ordered condemned and

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razed, that they took out the permit to do this on August 10th. but they haven't made much progress on it.
He said that the legal notice letter he had sent was returned to him, undelivered, and he wondered if the Commissioners wanted them to take their time in tearing it down or what they wanted to do about it.

The Commissioners agreed that Mr. Crooks contact whoever is tearing it down and tell them that the Commissioners will go along with him all they can, if they continue to work on tearing it down.

RE: MR. JUDD...STOP SIGNS TO BE INSTALLED

The following two letters of recommendation were submitted by Mr.. Judd, the Traffic Engineer:

Subject: O'Hara Drive and Dusseldorf Drive

At the present time there are no restrictions at the intersection of O'Hara Drive and Dusseldorf Drive.

It is my recommendation that a STOP sign be erected , O'Hara Drive being preferential.

The Board of County Commissioners approval is requested.

Signed, William T. Judd
Traffic Director

Subject: O'Hara Drive and Bergdolt Road

At the present time there are no restriction at the intersection of O'Hara Drive and Bergdolt Road.

It is my recommendation that a STOP sign be erected at O'Hara Drive and Bergdolt Road with Bergdolt Road preferential.

The Board of County Commissioners approval is requested.

Signed William T. Judd
Traffic Director

Commissioner Willner moved that both recommendations be approved and requested that County Attorney Smith prepare the proper papers on them. Commissioner Ossenberg seconded the motion. So ordered.

RE: ABSENTEE REPORT

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

RE: MR. SIEBEKING...COMPLAINTS ON TRUCK TRAFFIC

Mr. Siebeking said he had received several complaints from residents about the use of the newly resurfaced Smith Diamond Road by heavy trucks enroute to the new Southern Indiana Gas & Electric Company power plant construction site at West Franklin, that earlier this summer, they completely resurfaced this road from West Franklin to the Posey County line and now all the equipment and rock trucks are using this road and people are concerned about the road going bad, and also about the speeding traffic. He said he didn't know if the Commissioners should take action on weight limits, speed limits, or whatever, but the people out there are quite concerned about it, also that the speed limit is 45 miles per hour but actually, it shouldn't be that high because of the hills and curves on that road.

Commissioner Willner asked Mr. Siebeking if the trucks had an alternate road they could use.

Mr. Siebeking said he would think they could come in off the Highway and cut back down through Posey County roads, but some of them are coming through Dog Town and some of them are coming out of Evansville and they are coming down the Old Henderson Road and then cutting through Bayou Creek Road and going out that way and others are are going out Broadway to West Franklin Street and then cutting through there which is a lot shorter for them, coming out of Evansville.

He said the Commissioners may be able to put a weight limit on it.

Commissioner Willner asked what good it would do, since the trucks have to get there.

Mr. Siebeking said this is true, plus there is a new bridge there now that they cross, so they can't be stopped there, so the only recommendation he could think of would be that they maybe could lower the speed limit from the 45 miles per hour which would help the traffic itself, but he didn't know about the trucks.

Commissioner Willner moved that this matter be referred to Mr. Judd, the Traffic Engineer, for him to study the situation and report to the Commissioners next week. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Ossenberg said if they are using Bayou Creek Road, Mr. Judd had better look at that road too, because they'll tear it to pieces, and while he is looking at the roads, he might as well look at all of them which includes Bayou Creek Road, Cypress Dale, West Franklin and Smith-Diamond Road.

RE: QUESTION OF PAY WHILE ON JURY DUTY

Mr. Siebeking said that one of his employees at the Garage has been called to jury duty and he went over to talk to Ms. Cox, the County Clerk, since he was quite concerned because his wife just had a baby and he was concerned about how he would be paid, that Ms. Cox said she couldn't answer, that she didn't really know what the County's policy was on this matter.
He said the days that the people are called in to be picked for jury duty, they are paid $7.50 per day and if they are picked and are serving on the jury, they are paid $17.50 per day, and his question is, what is the policy of the County, if the County pays this man the difference to makeup for his total days wages or do they pay his regular salary or what.

Commissioner Ossenberg explained the situation to the County Attorney's and asked them if there is a law governing this matter.

County Attorney Smith asked what the basis of his pay was and Mr. Siebeking said the man is an hourly employee.

County Attorney Smith said the Judge will excuse him on a hardship case.

Mr. Siebeking said if the man had contacted him when he first received the notification, he could have probably have done something about it, but he didn't call him until yesterday and said he had to be there the first thing this morning. and Ms. Cox said they were picking the jury this morning.
He said the man isn't complaining because he was called for jury duty, that the only thing he is concerned about is his pay check, that he has checked into it and found that some companies pay their employees their daily wage plus what they get paid for jury duty and some pick up the difference.

County Attorney Smith asked what would happen if the man was absent for some other reason, other than jury duty, how would he set the policy then.

Mr. Siebeking said it would be according to why he is absent, that if he is sick, he has sick leave according to the union and of course, they have vacation for which they get paid, but for unexcused absence, they don't get paid, but according to the union, they can't pay him for sick days if he is serving on the jury and he took his vacation when the baby was born.

County Attorney Smith asked if there was anything in the contract that covers this situation.

Mr. Siebeking said he can't remember if there is or not, that he will have to read it over again.

Commissioner Ossenberg said that sometimes there are hardship cases and he happens to be in a situation where, if someone is called to jury duty from their store, they get their pay and the Commissioners agreed that there should be a law to govern this, but said if there isn't, there isn't anything they can do about it.

Mr. Siebeking said he will check the contract again but he didn't think there was anything to cover jury duty, that the man is over there right now, and he thought that after the meeting he would walk over there, since the man wants some kind of an answer and he told him he would try to find out something this morning.

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Commissioner Ossenberg told Mr. Siebeking to go over there and see what's what and then get back to the Commissioners next week.

RE: COUNTY COUNCIL REFUSED MONEY FOR PICK UP TRUCK

Mr. Siebeking said that last week, the Commissioners gave him permission to buy a new pick-up truck and he needed some extra money to do it and the Council turned it down, so the truck hasn't been purchased and the Insurance money, in the amount of $4,100, is still in their Truck Account.
He wondered if the Commissioners wanted him to write another letter and go before the Council in December or what he should do.

Mr. John said there won't be a December Council Call, that there will be one on November 29th. and they must have a letter for that Council Call in the Auditor's office by the end of this week.

Commissioner Ossenberg pointed out that he was at that particular meeting, and one of the reasons they wouldn't give him a new truck was because the 1969 pick-up truck from the Pleasantview Rest Home was taken to the Highway Garage and there was some question then, of them charging the Highway Garage for that truck, that any entity of Government could use the truck, which is deemed advisable by the Board of County Commissioners, that the truck could have well gone to Burdette Park, but they chose to turn down the request for the money needed to buy a new truck and now, they have a situation of having the $4,100 and he asked if this money stays in the County Highway General Fund even after the first of the year.

Mr. John said that it would but that after the first of the year, they won't have the authority to spend it and they will have to go in front of Council again.

Commissioner Ossenberg said that one of the County Councilmen told him, that in December, they could go ahead and get a contract and use the balance of the money in January from what they have coming next year and pay the truck off without having to go back in front of the County Council, and he asked if this was legal.

Mr. John asked if they could enter into a contract if they don't have all the money.

Commissioner Ossenberg said they can by, lease-purchase, but he wants a clarification, since this came to him from a County Councilman, who said he could do this.

County Attorney Smith said he will get with Mr. John after the meeting and they will work together in getting a ruling on the matter.

RE: OPENING OF BIDS.....TWO CONTRACTS AWARDED

Bids are as follows:

Baseline Road Bridge Structure No. 49 located over Ponds Flat Ditch 0.3 mile West of Highway 41 on Baseline Road. The Engineer's Estimate is $20,000.00.

Deig Bros. Lumber & Construction Co., Inc.....$20,900.00
Key Construction Co., Inc.....$19,410.00
G. H. Allen., Inc.....$17,810.00
Barnett Brothers, Inc.....$17,400.00
Southwest Engineering, Inc.....$18,689.00

Seminary Road Bridge Structure No. 129 over Rahm Victory Ditch 0.8 mile North of Kings Road on Seminary Road. The Engineer's Estimate is $36,000.00.

Deig Bros. Lumber & Construction Co., Inc.....$45,531.00
Key Construction Co., Inc.....$47,102.00
G. H. Allen., Inc.....$38,328.20
Barnett Brothers, Inc.....$39,401.00
Southwest Engineering, Inc.....$37,654.65

Seminary Road Bridge Structure No. 130 over Logsdon Ditch 0.1 mile North of Kings Road on Seminary Road. The Engineer's Estimate is $8,000.00.

Deig Bros. Lumber & Construction Co., Inc.....$14,430.00
Key Construction Co., Inc.....$16,692.00
G. H. Allen., Inc.....$13,126.00
Barnett Brothers, Inc.....$17,620.00
Southwest Engineering, Inc.....$14,629.50

Commissioner Ossenberg said that the total low bids on all three jobs is $68,180.65 and the Engineer's Estimates on all three jobs amounts to $64,000.00.

Mr. Brenner said he would recommend that the low bidders be awarded the contracts on the Baseline Road Structure No. 49 and the Seminary Road Structure No. 129, that he has appropriated this much money from County Council and he can transfer funds to cover the $1,654.65 over the Engineer's bid on Structure No. 129.

Commissioner Willner moved, on the recommendation of the County Surveyor, that the Contract for the Baseline Road Bridge, Structure No. 49, be awarded to Barnett Brothers, Inc. Commissioner Ossenberg seconded the motion. So ordered.
The amount of their bid is $17,400.00.

Commissioner Willner moved, on the recommendation of the County Surveyor, that the Contract for the Seminary Road Structure No. 129, be awarded to Southwest Engineering, Inc. Commissioner Ossenberg seconded the motion. So ordered.
The amount of their bid is $37,654.65.

Commissioner Willner moved that the bids received on the Seminary Road Bridge Structure No. 130, be taken under advisement and that Mr. Brenner come back next week with a recommendation, since the lowest bid is $5,126.00 over the Engineer's Estimate. Commissioner Ossenberg seconded the motion. So ordered.

RE: REPORT ON STREETS THAT WERE REQUESTED FOR ACCEPTANCE

Letters were received last week from Guthrie May & Co. Inc. requesting the acceptance of Old State "One" and Old State "Two" Subdivisions, and also Valley Downs II Subdivision This matter was referred to Mr. Stephen for study and recommendation to be made today.

Mr. Stephen said the inspection of the roads in the Subdivisions to be accepted by the County for maintenance was made and that they are all concrete roads and the only way to truly inspect them is by core boring them and then testing the core. He said he checked as to how the City arrived at this and they said they just turn it over to Hansen Testing and ask them to select spots and core the road and they break the core to be sure the concrete is up to proper strength and they give the City their report, and this is what they base the acceptance of the roads on. He stated that he had said the other day, that the only way he knew to check these concrete roads for thickness and the quality, was to do that core drilling and test them.
He said he asked Mr. Siebeking if he had any money to pay for this testing and he said he doesn't have, so they are down to the point now of wondering where they are going to get the money to pay a testing outfit to check these roads, since the County doesn't have the equipment, that they could probably bore a hole in the road but they couldn't test the concrete, that they could test it for thickness but not for the quality of the concrete.

Commissioner Willner asked how much money they were talking about, to have the company bore it.

Mr. Stephen said he heard it would be approximately $35.00 to $40.00 per hole, and he would say they should drill a hole about every 500 feet, so there would be five or six holes, that this would probably be sufficient.
He said, incidently, that one of the roads listed on the request, which is Strawberry Hill, a total of 2,096 feet was run past the Commissioners for acceptance last December, that he couldn't find a request for it to be taken in, but it is in a resolution and it was passed to the Commissioners and has already been accepted as far as he can tell, that it is in the records that Old State "One" has been accepted and now they are asking for that one to be accepted again.
He said he thought the developers should be responsible for the tests, that it hasn't been done in the past and it is changing precident a little bit, but he doesn't see any reason for the County to have to do this, but if the Commissioners want to accept these roads and know what they are accepting, somebody has to run a test on them, since there was no inspection on them from the County level when the concrete was mixed and there was no inspection at the time it was placed, and there is only one way of checking it afterwards.

Commissioner Ossenberg asked Mr. Crooks, the Building Commissioner, if the developer could be liable for the inspection and core drilling of the concrete on the streets.

Mr. Crooks said he would suggest that maybe they work with the developer and convince him that if he develops the land, he should do this work, in order to relieve him of the maintenance of the streets and he might do it, and if, when the subdivision is planned, if they were suppose to verify that the roads were built to standards, they would be undoubtedly responsible for this.

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Mr. Stephen said it is a little different on the blacktop roads, that in two cases they have had the developer to contact him and before putting down the blacktop, they checked the base to see if it was thick enough and then they had the paver to certify that he put down so many tons on so many square yards and if it comes out that he put at least a three-inches that are required, they can certify it, but when it comes to concrete, that is something a little different, and they have never worked out a system of trying to check or to work with a developer, so they could certify that the roads were built to specifications.

Commissioner Willner said he thought they had no choice, that they should either let the Commissioners know when they are pouring or else to core it out.

Mr. Stephen said they may need to prepare a resolution modifying the ordinance covering the roads in the subdivisions in the County then.

Commissioner Willner said he thought the ordinance reads that they are to notify the Commissioners and he asked if this isn't correct, and Commissioner Ossenberg said he is sure that it is.

Commissioner Willner said then, that he thought it to be their responsibility, that the developer should do this, that they can check to see if it isn't in the building code.

Commissioner Ossenberg said, at a given time when they want a road accepted, they are going to have to go out and bore it.

Mr. Crooks said he will check the building code and he will contact them.

RE: DRAINAGE PROBLEM

Mr. Stephen said there was a drainage problem out on Garrison Avenue, which is behind the Theater and just off Hwy. 41, going North from Lynch Road, that the County has a fifty-foot right of way, that was dedicated, and the road was offset from center because there is a drainage ditch in our right of way to the East side of it, that a Chemical Company was going to put additional fence up and he started with it on his property, but when he came South, he went out into the right of way and he wanted to continue to take it out farther into out right of way, as he went on farther to his property with additional chain-link fence.
He said he talked to the gentleman and he thinks he has convinced him to stay back on the right of way, but he was wanting permission to put it in the right of way, and he is already encroaching, so he thinks this gentleman should be notified by letter, so if something happens, and he doesn't move off the right of way, that the County nor the Commissioners can be responsible.
He said in another place on that road, near Lynch Road, Creasey has an oil tank sitting on our right of way and he has enclosed it with a chain-link fence, so he things they ought to be notified, either by the Legal Department or by the Engineering Department as to what the Commissioners thinks needs to be done.
He said it should be done soon, so the Chemical Company knows that they shouldn't construct on the County's right of way, that he thought he convinced him, but you never know.

Commissioner Willner asked if someone runs into these fences, if the Commissioners will be liable, and Commissioner Ossenberg said this is correct, that they will be.

County Attorney Smith said he has talked to someone at the Ulrich Chemical Co. and they were to call him back.

Mr. Stephen said he talked to the owner, that he thought this should be something that would be his responsibility, if he gets out there after he has been notified.

Commissioner Willner moved that a letter be written to both parties. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Ossenberg thought that Creasey Company may have already buried their tank, but Mr. Stephen said the tank is an above ground tank that is sitting along side of their building and then they built a chain-link fence around it.

Commissioner Willner said if someone runs into it and the chemical spills on them, it will be another $1,000,000.00 law suit.

Commissioner Willner altered his motion in that the County Attorney should write the letters to both parties, Ulrich Chemical Company and the Creasey Company. Commissioner Ossenberg seconded the motion. So ordered.

RE: GRADE CROSSING...BOONVILLE-NEW HARMONY ROAD

Mr. Mike Hinton of the Evansville Urban Transportation Study, appeared and said that at an earlier meeting, the Commissioners had agreed to contact the Illinois Central Gulf Railroad about the improvement on the Boonville-New Harmony Road and doing the engineering on it, so he contacted them and received a letter from them in return. The letter reads as follows:

Dear Mr. Ossenberg:

Subject: Grade crossing in Armstrong, Indiana

Your letter of October 17, 1977 to Mr. L. F. Fox regarding the status of the installation of automatic flashing light signals at District track at Mile B-237.43 near Armstrong, Indiana, AAR DOT No. 292 037 U has been referred to me.

Please be advised that, contrary to the last sentence of the first paragraph of your letter, I responded to Mr. R. E. Wheeler of the Indiana State Highway Commission on April 29, 1977 that we were starting our development of the necessary cost figures and preparation of the required plans. We have received the on-site field survey and are currently reviewing it for suitability prior to the preparation of the plans and estimates. However, I wish to advise you that we currently have 511 crossing signal projects on our railroad in some stage of progression, many of which we already have agreements covering their installation, and a very limited number of people to perform the required work. However, you do have our assurance that we are proceeding with this project and should be able to transmit very shortly to the state the necessary cost figures.

Very truly yours,

R. E. Skinner
Engineer-Public Works

Mr. Hinton said, as the letter reads, they have started work on that, and the State Highway Commission was mistaken in the assumption that they hadn't started, however they have a lot of them to do, so it will take some time.

RE: PUBLIC HEARING SET FOR ST. JOE AVENUE

Mr. Hinton said he wanted to notify the Commissioners that he talked to the Indiana State Highway Commission today and they have a date set for a public hearing on St. Joseph Avenue, that it will be on December 15th. 1977, at the Farm Bureau Co-op Association out on St. Joseph Avenue.
He said they want to have an informal meeting from 2:00 p.m. to 5:00 p.m. and then meet for a formal public hearing at 7:30 p.m. that evening, and they will notify the local news media and this will be advertised in the newspaper.

RE: MARYLAND STREET RAILROAD TRACKS

Commissioner Ossenberg asked Mr. Hinton if there was anything he could do, that he has asked the City and he don't know what kind of response he will get, but, on the Maryland Street Bridge, with the railroad track running West of the bridge they are currently doing, to see if he can get some cooperation from that railroad to improve those tracks while the bridge is being improved.

Mr. Hinton said they haven't always gotten good response, but they can contact the railroad, that this is why they have done some of them themselves, but he would be glad to contact them to see if they would be willing to some of the repair work.

Commissioner Ossenberg said the County is spending several thousands of dollars on the bridge and he thinks it is a shame, that they put a new bed on that bridge and then come along and hit that railroad track, that he has had several comments from people in that particular area and he would like to see it all done in conjunction.

Mr. Hinton said that he would contact both, the Illinois Central and the L & N Railroad Companies and then, he will report back to the Commissioners next week.

RE: TRACTOR TO GO TO HILLCREST

Mr. Hotz said he was talking to Mr. Reed at Hillcrest a short time ago, that he has a tractor and if he will transfer this tractor to Mr. Reed, he will assume the cost of the repairs, that it needs a lot of work done on it, such as a new battery and a motor overhaul.

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

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RE: POOR RELIEF

Hollis Johnson.....921 Line Street.....Pigeon Township.....Ms. Vitatoe, Investigator

The Report from the Pigeon Township Trustee states that Mr. Johnson applied for food and clothing but was denied because his food order and his clothing has to wait on cards plus his clothing.

Mr. Johnson said he wanted to know, when the application was made out, how he was to survive, without going out and robbing somebody or something, that he didn't even ask for clothing, that when he asked for a coat, he got one, but when this application was filled out, he didn't ask for clothing.
He said that his card was lost and he went down to get a non-food order from them and Ms. Vitatoe said she couldn't write it, also that he had an accident on August 16th. and ever since then, he has been getting help from the Trustee and the Welfare and every time he goes in there, she acts like she is a psychiatrist, a doctor, and everything else and she treats him like a little boy and he has to bring her a note for everything.
He said a lady by the name of Vicky Jenson comes for help and if she isn't there, they tell him that he has to come back another time, and he has to walk a great distance to get there, that she tells him that there is always someone in there to help her, but when he goes in there for something, it is always a hassle, and has been ever since he has started coming there for help.

Ms. Vitatoe said that Mr. Johnson came in during the month of August, that he had fallen into a manhole on the City street and she had referred him to the attorney to file for insurance purposes from that, and he refused to do so, that he is under Welfare for his accident and they are paying for his medical bills, that since the accident, the Trustee has sustained him for rent and food, that his card was lost in the mail and he got it the following Monday. She said she had referred him to the Salvation Army for the weekend because the Trustee couldn't buy his food nor pay for his food stamps without his card, but he refused the Salvation Army, that he came back in Monday, got his card and got his non-foor order. She said they can't furnish him with clothes because he doesn't need them for work, but she doesn't know what his gripe is, that they require notes from the doctor from all recipients and from landlords, that this is all he has been asked to do, also they write to the drug store for his medicine, since they have to keep a constant check with Osco because he has two different prescriptions of darvon's from two different doctors. She said this is why she is the only caseworker that works with him, because she keeps a check on his narcotic type medicine, that they underwrite it until Welfare takes care of it.
Mr. Johnson asked Ms. Vitatoe if she was the only one qualified to take care of a case like his, and Ms. Vitatoe said that Mr. Morrison said she should take care of his case because of the medicine he gets.

Commissioner Willner said they should talk about the food and clothing and not the caseworkers.

Ms. Vitatoe said Mr. Johnson gets his food stamp card from the Welfare office every month and it costs him less than $1.00 per month, since the Trustee pays the rest of it, and he gets a $5.00 non-food order which is all the state allows and this is all they can do as far as food and they can do nothing on clothing.

Commissioner Willner asked when he got hurt and how long has he been on Welfare.

Ms. Vitatoe said that August 15th was when she wrote his first order.

Commissioner Willner asked what the doctor said about his total case and also if he was employed before.

Ms. Vitatoe said she didn't know, that he wasn't employed when he came into the office.

Mr. Johnson said he was self-employed as a painter and paper hanger.

Ms. Vitatoe said she was under the impression that the manhole was an open one and that the City had insurance to cover things like this.

Commissioner Willner said they probably have, but he would have to file for it.

Ms. Vitatoe said he refuses to file, so this is all the Trustee can do for him.

Commissioner Willner then asked when Mr. Johnson will be able to go back to work.

Ms. Vitatoe said she hasn't received a statement from the doctor he had for his neck injury, that he had surgery in July, and that doctor stated that he was able to go back to work now, so it is up to the doctor that treated him for the neck injury.

Commissioner Willner asked how long has it been since the operation on his neck.

Ms. Vitatoe said it wasn't an operation, that it was more like a whiplash, that he had to wear a collar, that she has sent a statement to the doctor but hasn't received an answer as of this week, that she sent it in two weeks ago, so all she can do is just to wait until the doctor says he can go back to work

Commissioner Ossenberg asked Mr. Johnson why he would refuse to file suit against the City for falling into a manhole.

Mr. Johnson said he hasn't refused, that he was told to wait, and about the insurance thing, he did refuse about that, that he went to the City and asked about it and they said he would have to file suit, and in the meantime, he didn't have any compensation or work, and he has been running around since August 16th without a penny in his pocket and then he had to take all that hassle from them.

County Attorney Wendel told Mr. Johnson that he only has 180 days from the time of the accident to file notice with the City that he might sue them.

Mr. Johnson said this has already been taken care of.

Ms. Vitatoe said this has not been told to the office and she has asked him each time, since if he does file suit, they can provide him with this income that he is suppose to have, otherwise, if he files suit and shows her reason that he has filed, she can put a charge in and get their money back that they have paid out for rent.

Mr. Johnson said that his lawyer told him that he can get nothing until he sees what the City says, that they have until November 18th to give him an answer, and if they don't they then go to court.

Ms. Vitatoe said the Trustee is providing him with food stamps, a non-food order and his rent, that they pay $60.00 per month on rent, that he has just moved to this address where his rent is $75.00 per month, that before that, his rent was $60.00 per month, and as far as she can see, he has no gripe coming.

Mr. Johnson said he pays the other $15.00 per month on rent, that he thinks he has a gripe, that the main thing is that he wants to be treated like a human being, that this isn't money for charity, that he has worked in Evansville all his life.

The representative from the Welfare Department appeared and said they have a report from the doctor stating that Mr. Johnson is disabled, that it is good for 30 days, from October 24 to November 24, that it states that Mr. Johnson is temporary disabled and unable to work for at least 30 days.

Mr. Johnson asked if he is suppose to go along with no money from anyone, because he had an accident that wasn't his fault, until the City matter is resolved and Commissioner Ossenberg said maybe the Trustee could call Goodwill or other charity to help him. Commissioner Ossenberg said he didn't think he was going without anything, that the Trustee is providing him with rent and food, but Mr. Johnson said he needs money for several things, including his laundry, also that he has been to the Salvation Army and they have helped him, that they also gave him a coat.

After further discussion, Commissioner Willner moved that this case be referred back to the Trustee. Commissioner Ossenberg seconded the motion. So ordered.

The Meeting recessed at 11:00 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg	Curt John	Ed Smith, Jr.
Robert L. Willner		Paul Wendel

Secretary: Margie Meeks

Tom Ossenberg

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

BOARD OF COUNTY COMMISSIONERS
NOVEMBER 14, 1977

The meeting of the County Commissioners was held on Monday, November 14, 1977, in the Commissioners Hearing Room with President Tom Ossenberg presiding.

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

RE - EMPLOYMENT CHANGES.....APPOINTMENTS

LAW LIBRARY

Marilyn Merchant	3113 Cherry St.	Vacation Clerk	$80.50 Wk.	11/28/77 to Eff: 12/2/77

PIGEON TOWNSHIP TRUSTEE

Gloria D. Scales	1321 Cedar St.	Clerk	$6,052.00 Yr.	Eff: 11/7/77

PROSECUTORS OFFICE

Scott R. Bowers	1809 E. Powell	Deputy	$19,000 Yr.	Eff: 11/7/77
Charlie Andrus	670 Audubon	Deputy	$15,200 Yr.	Eff: 11/7/77

VANDERBURGH COUNTY CORONER'S OFFICE

Kathleen Taylor	2900 E. Gum	Clerk	$75.00-5 days	Eff: 11/4/77

VANDERBURGH CIRCUIT COURT

Harris Howerton	1707 S. Vann Ave.	Bail Bond Inter.	$3.50 Hr.	Eff: 11/6/77
John Harl Jr.	501 N. Wabash	Probation Officer	$14,500 Yr.	Eff: 11/19/77
Norman Hooe	1100 W. Florida	Bailiff	$4.00 Hr.	Eff: 11/7/77
Patricia L. Titzer	2314 Bellemeade	Bailiff	$3.00 Hr.	Eff: 11/7/77

VANDERBURGH SUPERIOR COURT

Ronald S. Barron	Probation Officer	$401.92 Pay	Eff: 11/10/77

RE: EMPLOYMENT CHANGES.....RELEASES

BOARD OF COUNTY COMMISSIONERS

Marsha J. Smith-Leave of Absence-1035 Burdette Exec. Asst. $9,462 Yr. Eff: 11/11/77

PIGEON TOWNSHIP REASSESSMENT

Susan Hirsch		Clerk	$20.00 Day	Eff: 10/27/77
Gloria Scales	1321 Cedar	Clerk	$20.00 Day	Eff: 11/4/77

PROSECUTORS OFFICE

Scott R. Bowers	1809 E. Powell	Suppt Deputy	$4,725 Yr.	Eff: 11/7/77
Scott R. Bowers	1809 E. Powell	Supt. Deputy	$14,175 Yr.	Eff: 11/7/77

VANDERBURGH CIRCUIT COURT

Harris Howerton	1707 S. Vann	Bail Bond Inter.	$3.50 Hr.	Eff: 11/7/77
John Harl Jr.	501 N. Wabash	Trt. & Program Dir.	$14,500 Yr.	Eff: 11/16/77
Norman Hooe	1100 W. Florida	Bailiff	$4.00 Hr.	Eff: 11/8/77
Patricia L. Titzer	2314 Bellemeade	Bailiff	$3.00 Hr.	Eff: 11/19/77
Ruthetta Graves	2153 E. Bayard Pk.	Crt. Reporter	$ 63.57(Bal.)	Eff: 11/5/77

VANDERBURGH SUPERIOR COURT

Ronald S. Barron	Bailiff	$210.38 Pay	Eff: 11/9/77

RE: CERTIFICATE OF INSURANCE ...FRATERNITY

A Certificate of Insurance was received from Torian Agency, Inc. on insured, Kappa Alphi Psi Fraternity, for the leasing of the Vanderburgh Auditorium from 11/17/77 to 11/19/77. Certificate received and filed.

RE: CERTIFICATE OF INSURANCE...KELLER CRESCENT

A Certificate of Insurance was received from Greene & Greene Agency, Inc. on insured, Keller Crescent Social Club, Inc. for the use of the Gold Room at the Vanderburgh Convention Center.
Certificate received and filed.

RE: CERTIFICATE OF INSURANCE...SWANSON-NUNN

A Certificate of Insurance was received from Lukens & Sons Insurance, Inc. on insured Swanson-Nunn Electirc. Co., Inc. for the use of the Vanderburgh Auditorium on Dec. 15, 1977, for their Christmas Party.
Certificate received and filed.

RE: NOTICE OF RATE INCREASE FROM PITNEY BOWES

A notice of a rate increase on the Postage Machine was received from Pitney Bowes and reads as follows:

To: Our Customers with Specialized Equipment under maintenance Service.

A review of our costs to provide service under Equipment Maintenance Agreements has indicated the need for rate increases on certain sophisticated products.

The models affected are identified on the accompanying address insert. Increases will not take effect until the anniversary date of your Agreement.

We want to thank you for your valued patronage and encourage you to contact your local office, listed on the address insert, if you have any questions.

Signed Rogers A. Wells

Commissioner Ossenberg said this is the only thing that came in the mail, that he didn't know the increase, nor does he know when the agreement runs out.

Mr. John said he will check into it, since he didn't know if the County had any specialized equipment or not that he didn't believe they did.

Letter received and filed.

RE: ANNOUNCEMENT OF PUBLIC HEARING AS TO LOCATION

Commissioner Ossenberg announced that the Public Hearing on McCutchanville, in their request that the Commissioners let them incorporate, will be held on Tuesday, December 6th. at 7:00 p.m. and it will be held at the United Methodist Church of McCutchanville, which is located at 9401 Petersburg Road.

County Attorney Smith said that Mr. Fields called him on the McCutchanville meeting to be held, as to if there would be a particular format.

Commissioner Ossenberg said, "not really", that he thought when they went to the 4-H center on the incorporation of Darmstadt, the Commissioners were more or less there, listening to the people from the Darmstadt area, in giving them reasons as to why they should be incorporated, and when they did get into the business of the incorporation, they had previously had information they had studied, so they did vote that night, to let Darmstadt incorporate, but the format for McCutchanville will be much the same, that they can present their side of the case.

Commissioner Schaad said that the Attorney for Darmstadt made the presentation, and there are certain qualifications that must be met, as to their utilities and other things.

RE: APPOINTMENT TO THE LIBRARY BOARD

Commissioner Ossenberg said the Commissioners have an appointment to the Library Board to replace Mrs. Barbara MacGregor who chose not to be re-appointed, that it is a four-year term and the appointment should have been made on October 23rd.

Commissioner Schaad moved that the Commissioners appoint Mrs. Paula Yeager of 1820 E. Chandler, who is an ex school teacher who has agreed to accept the appointment. Commissioner Ossenberg seconded the motion. So ordered.

RE: REQUEST FOR STREET ACCEPTANCE

The following letter was received by the Commissioners from Guthrie May Co., Inc.:

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Gentlemen: RE: Valley Downs Subdivision

We hereby submit the following concrete street with integral curbs for your approval and request that they be accepted and maintained by the county:

Spring Valley Road west from Green River Road to the east boundary of Valley Downs Subdivision.

Sincerely, Guthrie May & Co., Inc.
Donald J. Blume
Vice President

Commissioner Schaad moved that this matter be referred to the County Engineer for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: INDIANA ASSOCIATION OF COUNTIES...RECOUPING EXPENSES

Mr. David Griffith appeared for Bob Hart who was called out of town.
He explained that the topic this morning is something called A-87 or FMC 74-4 which is a federal circular, that this happens to be under the federal guidelines which implements this circular, that these are published by HEW out of Washington.
He said that in 1963 the State of California brought to the attention of the federal government that there were a number of costs being incurred by the county government that were necessary to support federal programs, but for which the federal government was not participating or paying their fair share of the costs, and because of talking to Mr. John, thought he could bring it home more vividly to the Commissioners, and explained that the federal government recognized that the cost incurred the County Auditor in operating his office or facility, personnel and supplies, etc., that these are necessary for the processing of AFDC checks and they are also necessary to pay the payroll of the 4-D workers or welfare workers, that there are certain functions that go on within the County Auditor that are necessary to those programs and yet the federal government has never paid him back any portion of that cost, and the same is true with the County Treasurer and as the data processing grows, that too will be an eligible cost.
He said however, that the building space is being reimbursed directly by the welfare department since the Commissioners are charging them for their space costs, however space costs chargeable to the County Auditor and a portion of that which is then added to, was his cost of servicing welfare, is not computed, that this also is eligible for federal reimbursement, also various kinds of insurance costs, where they are incurred, such as property, liability, fire, etc. which are all chargeable to federal programs, that where there are federal programs operated within the county structure, all these costs may be added to their eligible costs.
He said there are others, that they have identified that typically, in a County, there are about 20 central services which are either partially or totally paid for by the federal government and what happened then, was that California brought to the attention of the federal government, that they did not believe that the federal government was paying a fair share of all these costs, so the gederal government mulled it over and five years later, announced that they agreed and began a publication called A-87 and was later re-numbered, when the responsibility was transferred to OMB as FMC which is Federal Management Circular, 74-4, that this was then embodied into the guidelines, that he previously explained.
He said that under this particular publication, the federal government says, "we acknowledge we're not paying the full cost of county operations which support federal programs and because of pressure, we are going to pay, but only if you can follow a costing methodiology which is prescribed by the circular."
He said if a person tries to read this, it is about as unintelligable a document as he has run into, but fortunately, because they are an accounting firm and they spend a lot of time in the area, they were able to untangle what is meant and able to develop costing plans that were necessary to support and comply with the federal guidelines, that these plans are called cost allocation plans and what they are, is a costing out of the mentioned services and he asked, what does it really cost to run a County Auditor's operation and that means not only what is shown on the financial statements as expenditures as part of the Auditor's office, but his fair share of the use of data processing, space, light, fringes, insurance, personnel, purchasing or any other cost, that every other department is equally costed out which provides a service to federal programs and then, the share of that department which does service those programs, is determined, identified, summed up and a total amount developed for each federal program, so what they are saying is, that if 10% of the County Auditor specifically serves the welfare department in terms of check writing, record keeping, financial preparations, budget review and all these functions, then 10% of that fully costed amount of the Auditor's department is then identified with the welfare department and all other departments that also provide some service, that cost is also developed, that the sum total of those is developed and a claim is then prepared through the Indiana Department of Public Welfare to them, which they in turn, pass on to HEW, that

it is paid back to the state and then the state passes these funds along to the County.
He said it is also true in the 4-D program and it is also true under the EPA, HUD, and a number of other programs, but some of which are limited, some of which subscribe limitations on the paying of these costs, that it isn't available in all programs, or it is available in limited degrees in some probrams, but they are fully able to recover without limitations in AFDC, food stamps, medical assistance, medicare, medicaid, 4-D, child support, and too, with a minor limitation which doesn't usually apply to the County in the CETA programs and in others, there are certain limitations but frequently, they can get additional funding if they prepare the plan.
He said the process consists of preparing the plan and it must be submitted to the federal government, HEW region 5 out of Chicago, that it must be negotiated with them and once approved, a letter is issued which agrees to those costs for the year and this is then the basis on which they prepare a claim to the Indiana Department of Public Welfare and/or the region CETA cost, etc, that the claims are filed, the reimbursements are presented back to the County, and then those reimbursed funds are available to the County for any use what-so-ever, that they are unrestricted in use at the local level, so they don't have to be used in welfare of the CETA program.
He explained about their role in this program by saying that they have been endorsed as a firm, that they are an accounting consulting firm and are breaking away from the Big-8, and have a firm of eleven progessional staff, that they are small and are based in Glenview, Illinois, and are now opening a branch in Northern Indiana and they have been endorsed solely by the Association of Indiana Counties, the County Commissioners Association of Ohio, Wisconsin County Boards Association and the Association of Minnesota Counties and said they are the only firm that has gotten that recommendation and they are the only firm that has gotten that recommendation and they are the only ifrm that has achieved those endorsements.
He said the program is sponsored by the Association of Indiana Counties, that they have initiated contact with the Commissioners and have reviewed the program carefully, and they are fully behind it, also that there have been approximately 113 counties who are under contract to them in the states he previously mentioned, that the successes to date are numerous, that they have documented some of them again in this document and recoveries arrange from $250,000 a year down to afew dollars for small counties, that the successes are about 1½ million in Minnesota counties, about 2½ million in Wisconsin counties, that Indiana counties are just now getting under way, contracts have now been secured and plans have been prepared and submitted for Porter County, and Marion County, by their firm and additional plans are in the works and will be shortly submitted by Tippecanoe, Howard, DeKalb, LaPorte, and St. Joe.
He said that what they do for the County is to prepare the plans completely, minimize their own site time and know exactly how to go in with the forms and gather all the data they need as quick as possible, that they go off-site and begin the data analysis and begin the process of putting the plan together and they have computer systems which assist in this and once the plan is completely prepared, they file it on the County's behalf, they negotiate its acceptance, get it approved at the state and federal levels with HEW and the State Department of Public Welfare, etc, that they then file the indirect costs, proposals to the various programs, put in the claims and make sure the Commissioners get the claims and that the money flows to the County, that they show then how to transfer or manipulate the money to make sure it is available to the County for unrestricted use and then, if the Commissioners wish, they do provide an update service, or they will transfer the responsibility to the County for an update.
He said they guarantee that the County will have a plan developed which is approved by HEW, by DOL and by the state and no payment is made until that approval is forthcoming, also they guarantee a fixed price, that it will not exceed that amount under any conditions and never have they charged a county any additional amount or even asked for any additional amount beyond the contract price, also the County must recover before they are paid their fees and the procedure is that they are willing to split the recoveries as they accrue to the County, up until the point at which their fees are satisfied and then all further recoveries do float to the County, also they are willing to guarantee, that if the County does not recover for any reason, any money, or not enough to satisfy their fee requirement, the County has no obligation to them what-so-ever, that this is documented in their contract, which they have a copy of, to leave with the Commissioners today.
He said the areas where the Commissioners can recover are ETA, medicare, welfare and other additional areas, but the welfare money will come back to them within two to five months and then their fees will be due and only from those recoveries and only on a split basis.
He said he will leave the contract and brochure as to what they are doing and also provides a list of articles, references and other materials which shows the recoveries that have ocurred to other counties, as well as letters that document their endorsement by a number of associations.
He said their on-site work doesn't require a great deal of time by the County Auditor, that they usually spend about a week to two weeks, on site, depending on the condition

of the accounting records, and from that, they do the rest of their work off site and they do not interfere with any county operations, that the County Auditor is expected to spend a total of a day to a day and a half, and the rest of the time they spend in interviewing other departments, that those interviews usually lasts from one hour to three hours.
He said that the counties, in the past, they have experienced their recoveries under the initial plan, will run 60¢ to 90¢ per capita, so they can take their population and multiply it out and they can get a ball park figure estimate as to what they can expect to recover under their initial plan.
He said that their committment is that unless the County recovers money, it isn't really worthwhile to get into the program, that this is the subjective, to recover the cost of providing services to federal programs that the County has already spent, which the federal government owes the County money which can only be documented and approved through the plan, so unless the County recovers, it is of minimal value, therefore, what they are saying, is that when they file claims on the County's behalf, as they receive reimbursements, the County splits that with them until the County satisfies their fee requirement which is $12,000 which is written in their contract, that once the County has received $24,000 and paid them half, then the County has no further obligation to his firm at all, that usually this is the initial check, so he doesn't want it to sound overly complexed, also that the first check is usually received from the Indiana Department of Public Welfare and it will be way in excess of the $24,000, in which case, the County will just pay them their fee, and then everything else goes to the County, however, they continue to monitor those claims made on the County's behalf during the initial year, which is very important, because they must make sure that the money flows, that all claims are properly made and that the questions are answered, so he doesn't want to minimize this, but then the County's obligation to them has ended, and the working papers are turned over to Mr. John, for the Commissioners review, but they handle everything else in the program.

Commissioner Schaad asked if this is a retroactive program.

Mr. Griffith said that it varies from program to program, that CETA is not, that they have had very poor success in reclaiming, that the CETA programs on the federal fiscal year ends September 30th. that they close out their books on October 31st. and once they do, those contracts are put to bed and it is very difficult to get them to re-open them to make a claim for these costs for 1977.
He said that welfare is different, that they have still been able to claim any year for which they were able to get the plans approved and right now, they have been able to get the plans approved for all of 1976 and they have been able to go back that far, on welfare, in every state they have worked in. so the initial plan would recover for 1976, 1977 and 1978, however, in all honesty, they haven't gotten that committment as yet, out of the Department of Public Welfare of Indiana, but they are very optimistic because the precedent is all over the midwest and it isn't state funding, that it is federal funding, but that 1977 and 1978 starting January 1st, is clearly eligible and there will be no problem.
He said he would prepare the plan for the County based on their financials for 1976 because that is the last year they have available in final form, that the plan will cover 1976, 1977 and 1978, however, it will have to be updated for 1979, using 1977 final financial data.

Mr. John said the Commissioners will remember, that about two weeks ago, he had stated that if they would go on a percentage basis or the County would be guaranteed of not getting into a plan where they paid $20,000 to recoup $10,000, that he would go for it, especially if they would go on an initial plan, since they have the expertise in setting this kind of re-couping up and under this plan, for example, if the County only recoups $10,000, they still get $5,000 of it and they get $5,000, since we are guaranteed at least half of everything that is brought in, up to the $24,000 and after that, the County is guaranteed 100%.

Commissioner Ossenberg said that the plan sounds very good to him, but the only thing that would concern him is that he would think it better, that this board or one that may serve in the future, as long as these monies are available at a reduced rate, would go ahead and contract with them, since Mr. John may choose not to re-run for County Auditor or the Commissioners terms may expire, and they would then have a whole new ball game, so he would say that if they enter into the contract, the expertise would be with a firm such as this, with reduced rate, that he didn't think they would go into the plan per se with elected officials who may be gone at the end of their term, and it would affect the carrying on of the plan.

Mr. Griffith said that their published update costs, right now, in Wisconsin and Minnesota are 75% or less of their original cost, and they would be willing to guarantee it in writing, in Vanderburgh County's case, that their update cost, at least the first year, wouldn't exceed $9,000 and probably less, since it wouldn't be as difficult.

Mr. John said he thought they would want it the first year, initially, to find out whether it would be worth the County's time, to which the Commissioners agreed, and Mr. John said he was sure they would want the County Attorneys to look over the contract that has been proposed, but after the first year, they can determine whether they would want it in future years.

There was a question as to if this matter would have to go before Council and County Attorney Smith said he thought it would.

Commissioner Ossenberg said he thought the only thing that would be required would be a contract by the Commissioners.

Commissioner Schaad said the money would have to be appropriated to pay them, that it didn't make any difference where the money came from, that even when they get money from the federal government, they have to get the Council's approval to spend it.

Commissioner Willner said that Mr. Griffith had originally stated that there was no strings attached to the money coming back, that he is sure he said no strings attached other than Council is concerned, since they must appropriate the money.

Commissioner Schaad explained that before the Commissioners can enter into a contract with Mr. Griffith's company, Council would have to appropriate the funds to pay him, but of course, in this case, if no money comes back, they won't get anything, but at the same time, if they get money back, the Council may want it all.

Mr. John said he would put it on the Council's agenda for November 28th. so if the Council approves it, and the Commissioners desire to enter into the contract, they may do so, also this will give the County Attorney's time to go over the contract.

Commissioner Schaad moved that Mr. John put this matter on the agenda of the County Council for November 28th. Commissioner Willner seconded the motion. So ordered.

RE: REVENUE SHARING HEARING

Commissioner Ossenberg said that a few weeks ago, the Commissioners scheduled the hearing for the revenue sharing today, that it was put on the Council's calender and was advertised as such, also all necessary news media and different groups have been notified as to the Commissioners attentions in spending this revenue sharing money.
He then asked if there was anyone in the audience that would like to remonstrate as to their decision on the spending of the revenue sharing trust fund, which was passed by the County Council recently.
He said this would also have to be approved in the Council, that for the information from the County Commissioners office, came $1,006.08, which were all union increases, to the County Auditorium, $754.56, to the Burdette Park employees, $1,509.12, to the County Highway Department, $8,551.68, or a grand total of $11,821.44.
There were no remonstrators.

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

RE: CLAIMS

A claim was submitted by Torian, Inc. for insurance at Burdette Park as follows:

Aetna policy #92 52 93 A - $110,000, fire, e/c & vmm.....$1,509.00
Continental policy #FDP6 05 79 93 $110,000. fire, e/c & vmm...$1,509.00
Hartford policy #36CF364167 $110,000. fire, e/c & vmm.....$1,509.00
St. Paul policy #113AH7985 $110,000. fire, e/c & vmm.....$1,509.00
The total of the claim is $6,036.00.

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

A claim was submitted by Ray Trapp, the County Recreation Assistant Leader of Perry Heights School, for eleven sessions @ 12.50 per session, from October 11 thru December 20th, in the amount of $137.50.

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

A claim was submitted by Mrs. Gayla Given, the County Recreation Assistant Leader of Perry Heights School for eleven sessions @ $12.50 per session, in the amount of $137.50.

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

A claim was submitted by Charles Given, County Recreation Leader of Perry Heights School, for eleven sessions @ $17.50 per session, in the amount of $192.50.

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

A claim was submitted by County Attorney Smith for his September office allowance, in the amount of $125.00.

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

A claim was submitted by County Attorney Smith for his October office allowance, in the amount of $125.00.

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

A claim was submitted by County Attorney Wendel for his September office allowance, in the amount of $125.00.

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

A claim was submitted by County Attorney Wendel for his October office allowance, in the amount of $125.00.

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

A claim was submitted by Szabo Food Service, Inc. for meals served to jail deputies from October 1st. thru October 15th, in the amount of $170.95, and for meals served to the deputies from October 16th. thru October 31st. in the amount of $170.95, the total amount of the claim being $341.90.

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

A claim was submitted by Kokies Catering Service for Black Expo, as per contract dated September 30th. 1977, in the amount of $500.00. The check will be made payable to Black Expo and Kokies Catering Service.
Commissioner Schaad moved that this claim be allowed. Commissioner Ossenberg seconded the motion. So ordered.

A claim was submitted by the Vanderburgh County Auditorium for the Black Expo, as per contract, in the amount of $130.00. The check will be made payable to Black Expo and the Vanderburgh Auditorium. This claim was approved by Mr. Dewes.
Commissioner Schaad moved that the claim be approved. Commissioner Ossenberg seconded the motion. So ordered.

It is noted that the claim for this same Black Expo from Indiana University in the amount of $500.00 has not been received.

RE: RESOLUTION ON STOP SIGNS TO BE INSTALLED

Last week, Mr. Judd submitted letters of recommendation on stop signs being installed on various streets, so County Attorney Smith prepared the resolution which reads that on Bergdolt Road and O'Hara Drive; In that all vehicles proceeding upon and along O'Hara Drive shall Stop before entering said intersection, and on O'Hara Drive and Dusseldorf Drive; In that all vehicles proceeding upon and along Dusseldorf Drive shall stop before entering said intersection.

Commissioner Schaad moved that the Commissioners sign and approve this resolution. Commissioner Willner seconded the motion. So ordered.

RE: MEETING SET FOR DISCUSSION ON BETTER CONTROLLED ELECTIONS

Commissioner Willner said he wondered if he could set up a meeting for two weeks from today, which will be November 28th., with the Commissioners, the County Election Board, the County Council and Mr. Blankenship.

He said it was brought to his attention that he has some pertinent information on how they can better control the election board with computers and he would like to have this meeting, that it would be a short meeting and would be held during the Commissioners regular meeting.
The other Commissioners agreed to have the meeting and said that it will be put on the agenda.

RE: MR. JUDD

Mr. Judd said he traveled West Franklin Road and Smith-Diamond Road about three times and the only thing he knows to do out there would be to lower the speed limit to about 35 miles per hour.
He said when he traveled the roads, he didn't see any trucks on them, but he believed it to be a cut-off for the employees at the power plant.
He said he would like another week to further observe the situation, to see if he can catch those big trucks out there and to see what they are doing.

Mr. Guillaum said that he has had a man to call in weekly on Red Bank Road and Upper Mt. Vernon Road on the bridge, in that there is a lot of semi traffic on it and they shouldn't be on the bridge, and he wondered if Mr. Judd ever posted a sign.

Mr. Judd said that the sign has been up for more than a week, and it is posted for a ten-ton limit.
Mr. Guillaum said that this is probably a matter for the Sheriff then, so he will notify him.

RE: QUESTION OF PAY WHILE ON JURY DUTY.

The matter was discussed, last week, as to the pay policy of a County employee who must serve on the jury since Mr. Siebeking had an employee who was called to serve and the man was very concerned about his pay check, since when anyone is called in to be picked for jury duty, they are paid $7.50 per day and if they are picked to serve, they are paid $17.50 per day.

Commissioner Ossenberg said this is a couple with a new baby and it is a hardship case, and the question is whether the County pays him from the $7.50 to his regular pay or pay him plus the $7.50, and no decision was made.

Commissioner Willner asked Mr. Siebeking if this man had to serve on the jury, and Mr. Siebeking said that he didn't have to serve right now, but he is on call until December 10th. so he was back out at the Garage between 9:30 and 10:30 a.m. that morning.

RE: ABSENTEE REPORT

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

RE: CONTRACT AWARDED ON SEMINARY ROAD STRUCTURE # 130

Mr. Guillaum said that the Commissioners awarded contracts on the Baseline Road Bridge Structure No. 49 and on the Seminary Road Bridge Structure No. 129, but not on the Seminary Road Bridge No. 130, since the lowest bid was from G. H. Allen., Inc. in the amount of $13,126.00, which was $5,126.00 over the Engineer's estimate, but that he has decided that he didn't want the job.
He said that Southwest Engineering will be on the job site and they have a bid of $12,179.50 after the mobilization was deducted.
He said they are going to recommend that they go with this, since he thought the big thing is that Southwest Engineering will be mobilized, since they are already down there and this will be a cost savings, that the cost is still $4,179.50 over the Engineer's estimate but apparently, this amount was in the beam itself which is a little extra cost against what they had figured, but never the less, he thought they would have to recommend to go ahead with it, that this is Mr. Brenner's, his and Mr. Hartmann's recommendation.

Commissioner Schaad wondered if the $4,179.50 over the estimate would keep them from doing it.

Mr. Guillaum said they could completely knock the mobilization off of it, that his original bid was $14,629.50 and there is no point in having mobilization if he is already there, so this makes him the lowest bid, so if they had known that they would have gotten the other bid within one-tenth of a mile, he undoubtedly wouldn't have had a mobilization on it, so this knocked out $2,450.00.

560

Commissioner Schaad moved that Southwest Engineering be awarded the contract for the Seminary Road Bridge Project on Structure No. 130 at the cost of $12,179.50. Commissioner Willner seconded the motion. So ordered.

RE: COMPLAINT ON PARKING AT CIVIC CENTER

Mr. Guillaum said there is one other matter he would like to bring up but he didn't know if there was a solution or not, but a number of the men on the survey crew has been getting parking tickets, that sometime they have to come in and pick up plans in a hurry and it seems like the City vehicles are on the side, and as he understands it from the letter they got, there is on parking around front for any County or City vehicles, but the side is a mess and the men try to park and run in for a minute and right back out again, so they have accumulated a few tickets and he guessed they would have to pay them.

Commissioner Ossenberg said he wrote Nancy Worden a letter explaining the situation and she returned a letter and also a memo from Mayor Lloyd stating that department heads or anyone else would be responsible for any tickets they received.
He said he again wrote a letter to Nancy Worden and he sent the Mayor a copy, that he also wanted the Evansville Police Department cars and all City vehicles that were on the County lot to be ticketed and them to be responsible and stay off the County lot, that he wanted them ticketed just like they have ticketed County cars.

Mr. Guillaum said it is a bad situation, particularly with the equipment that they keep in the vehicles, to have to park out in the North Forty when they have $4,000 of $5,000 of equipment in a van or a truck, that it is a lot safer if they could park closer to the building.

RE: FIRST AVENUE AND MARYLAND STREET TO BE OPENED

Mr. Guillaum said they are looking for Maryland Street and First Avenue to be opened by Monday, that he understands the Railroad and the City has gotten together on the tracks on Maryland Street, but he thought it would have been better if they could have done the work while it was shut down, that this would have been the ideal time to do the work they are going to do.

Commissioner Ossenberg said if the weather holds, Mr. Nussmeyer told him that Maryland Street would be open as of Wednesday but he also expressed that while they are in there, he would also like for the tracks to be done at the same time.
He said he wondered if there was any way that Mr. Guillaum could get in touch with them today and ask if we go ahead with it, if they will reimburse us.

Mr. Guillaum said he would talk to Dick Eifler, since he would be the man that could tell him.

Commissioner Ossenberg said he sure would like to get the work on the tracks done at the same time.

Commissioner Willner said if it is within 500 feet they could do it out of the Bridge fund.

After further discussion, Commissioner Willner moved that if the City doesn't do the work, that the County does it. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Ossenberg said he would entertain a change order if it is necessary, but asked Mr. Guillaum to find out if they will do it even if they will pay the County at a later date.

Mr. Guillaum said he would find out, also that this would be the best way to do it.

RE: MR. STEPHEN

Mr. Stephen said to get some items bid for next year by the Purchasing Department, he needs authorization, that he talked to Mr. Kinder who said that he would do it but he wants authorization from the Commissioners.
He said sometime back they used to have corrugated metal pipe and other items pertaining to that, but apparently they never bid on it last year, so he would like to have it bid this year, along with calcium chloride and rental of equipment, so he would like to include these items on the yearly bids and if the Commissioners so authorize, he will take it to the Purchasing Department.

Commissioner Schaad moved that the Commissioners so authorize to include these bids with the other yearly bids, to be advertised by the Purchasing Department. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner said that he didn't understand why the Commissioners have to sign this in order for anyone to go to the Purchasing Department to ask for a bid, that this is what that Department is for.

Mr. Stephen said it seems they are getting a little run around, but that he is acting for the Commissioners and they told him to go down there, so he did and that is what Mr. Kinder told him.

Commissioner Willner said the Commissioners should write Mr. Kinder a note and tell him that anytime a department head comes in and asks for a bid, he should supply one, and the other Commissioners agreed.

RE: AUTHORIZED TO ADVERTISE FOR BIDS ... NURRENBERN ROAD

Mr. Stephen submitted the specifications for the earth work that needs to be done on Nurrenbern Road, and said they are asking for barricading plus compaction of almost 15,000 cubic yards of earth, compacted.
He said that after it got up to that point, Mr. Siebeking said he will put the base stone on and chip and seal it afterwards, also that when they come to the curve, he finds that no additional right of way has yet been purchased and the curve is in the contract, so if they don't get to do the curve at the present time, the earth material will be slightly less.

Commissioner Schaad said he thought there was some sort of an agreement, that he and Jack were out there on that cemetery and they were going to permit us to pull that bank down and they then came back and changed their minds, but then it seemed that someone was out there to talk to people that lived on the other side who said there wouldn't be anything wrong with elevating it and bank it, that the people on the other side would go along with it.

Mr. Siebeking said that a Mrs. Sanders, out there, refused to sign to sell her lot that is right on the curve.

Mr. Stephen said to be able to do what they want and do the embankment, they will be out on that property and they need to buy some right of way, that the other right of way has been acquired.

Commissioner Schaad asked if this is a temporary easement they need to work or will they actually use some of her property.

Mr. Stephen said they would be out there a little bit, but they could give some of it back, since they would use most of the right of way, that they needed some temporary easement to slope it out and they could then have it back.

Commissioner Schaad said that maybe someone needs to talk to Mrs. Sanders again, to see if she would go along with that, and he asked if they could do anything at all to improve it without acquiring right of way.

Mr. Stephen said a recommendation would be to see if they could go behind the cemetery.

Commissioner Ossenberg asked Mr. Siebeking if what they didn't have is immediately on the curve, and Jack said this is correct

Commissioner Schaad said it is a shame that they can't solve that dangerous problem at the corner while they are doing the project.

Mr. Siebeking said that he and Mr. Brenner had been out to talk to a Mrs. Outlaw several times and she is afraid that there could be some graves right in the corner, and he asked if they could find out and if there are, if they could be moved, and they they could maybe buy some ten feet on the curve.

Commissioner Schaad said when they were out there, she wanted to know if they could take the dirt they dug from that hill and put it on the low spots.
He said the older generation went along with it but then the younger people got into it, and he thought maybe if they could sit down and talk to them, that maybe they have changed their minds.

Mr. Siebeking said that when these interstates go through the country, they buy up entire cemeteries and move them, however in talking to several people, they were almost positive that there were no graves up in that corner, that he has walked it a dozen times and there are no stones, no nothing, but she was afraid that there was a baby or someone might have been buried in there at some time that they had no record of, and he wondered if there was any legal way the County could buy it, check it and if there is, to move it.

Commissioner Ossenberg said they could do this if the people agreed to let them do it, but if they don't agree, there isn't a law in the land that will let them do it.

Commissioner Schaad said that he would suggest that Mr. Siebeking and Mr. Stephen go back out there and talk to the old people and find out who the young people are.

Commissioner Willner asked what was wrong with going on the back side of the cemetery.

Commissioner Schaad said they would first have to get the people to sell it to them and they would have to condemn it to get it.

Commissioner Willner said they should do it right if they are going to do it, or forget it, that even if they get ten feet, they haven't got anything, so he doesn't even want to talk about the project unless they go behind there and straighten it out.

Mr. Siebeking and Mr. Stephen explained how they thought the work could be done to everyone's satisfaction.

Commissioner Ossenberg said his concern is, that naturally he would like to do the whole thing, but where it goes 37 feet in two different low spots on that particular road, which in this contract, brings it up, and BOR money, if a letter of intent from the Commissioners, stating what they are going to do to bring that up, Burdette Park stands to gain $350,000 federal money, that he didn't think they have any concern over this curve at all, that the only concern they have is the low spots.

Commissioner Willner said if they go behind the cemetery, that it also stops the bad intersection there.

Commissioner Ossenberg said this is the way he originally wanted to do it, but when they went out to talk to them, he thought this way was out.

Mr. Stephen said that by doing it this way, it will increase the cost, and that could be worked a little later with this carrying the traffic without shutting the road down, whereas this down here is definitely going to shut the road down for a time, since it would be a different type of project of building a new road, compared to the reconstruction of the other road.
He said after they get the contract, they can either delete the corner and let them complete that contract and line up another one for this, or if they have enough money they can negotiate an addition to that contract by putting in an addendum.

Commissioner Ossenberg said that is his only concern, that they are waiting for a letter of intent from the Commissioners about the two low spots.

Mr. Stephen said what they need to do is to set a bid date on this and advertise it if the Commissioners want to go ahead on it at this time, and as far as what they do at the corner, he could make an addendum to this and just delete that amount of earth work at the corner for the time being.

Commissioner Ossenberg said this is what he would choose to do, so he can go ahead and give them a letter, since they have no concern on the corner, that this is our concern, that their concern is of the water going over the road and there are several weeks out of the year that you only have one way into Burdette Park.
He said there is one of two ways, that they are really talking about if they can go behind the cemetery and just get the property from the other side.
He asked Mr. Guillaum if he thought he could go out and talk to them again and Mr. Guillaum said he could try.

Mr. Stephen said that Robert would prefer to buy up whatever is necessary North of the cemetery even if they have to condemn it, and he has to agree with this since this is the place they should go rather than to mess around with that corner, because they don't really have much of anything once they expend the money to get the job done.

After further discussion, Commissioner Schaad moved that the specifications be approved and that Mr. Stephen add an addendum to eliminate some of the earth work at the corner, and that the Auditor be authorized to advertise for bids on November 18th & 25th. with the bids to be opened on December 5th. 1977. Commissioner Willner seconded the motion. So ordered.
The plans were signed by the Commissioners at this time.

RE: MARYLAND STREET RAILROAD CROSSING

Mr. Guillaum said that he just talked with the City and they promised that within one month, they will have the crossings repaired, that they were contacting the railroad for what it is worth, that Mr. Eifler wasn't in so he talked with Fred and

he asked him if he was aware that we were about to wrap up the job out there and they need to repair these tracks and that it would be an opportune time to do it right away if they could, and he said that they are working on it and that he will guarantee that within one month they will have it done.

Commissioner Schaad said they will go along with it and see what they will do.

RE: PURCHASING DEPARTMENT AUTHORIZED TO ADVERTISE FOR BIDS

Mr. Stephen submitted specifications for four structural plate structures to be erected at the job sites on St. Joe, Cypress Dale, Nurrenbern Road and Inglefield Road.

He said the last one mentioned for Inglefield Road is of a box culvert type and is a little expensive but that it eliminates a bridge, but the opening that they need almost forced them to go to this higher priced structure.
He said that with the Commissioners approval, he could take this to the Purchasing Department, that they said they would advertise this for us if we want to do it that way.

Commissioner Schaad moved that the specifications for the four structural plate structures be approved and that the Purchasing Department be authorized to advertise for bids. Commissioner Ossenberg seconded the motion. So ordered.

Mr. Stephen said he would have the bid opening date on the culvert material to be on December 5th. 1977.

RE: SPRING VALLEY ROAD

Mr. Stephen said that they were getting ready to go ahead on Spring Valley Road, but what happened was that they were getting ready to sign papers and when they came to his office to check something, and nowhere could he find that Spring Valley Road, across someone's property that was built by May for Blessing, had ever been accepted as a county road, and these apartments have an entrance onto that road, and this is the reason for their asking for that road to be taken over.
He said he checked with May and talked with others and they are going to pick up the bill for drilling and testing the specimens.

RE: PROBLEM OF FENCE ON RIGHT OF WAY...GARRISON AVE.

Commissioner Ossenberg said that last week, they spoke of Garrison Avenue, with Creasey Company and with Ulrich Chemical, and at the time, they authorized County Attorney Ed Smith to write them a letter and explain the situation to them, and in the meantime, Harold Spaetti of Ulrich Chemical and Dick Wersick of Creasey Company were both in to talk to him, that Mr. Spaetti even wrote a letter, and it appears as though, in a previous administration, a previous surveyor gave them permission to put their fence, etc. where it is.

Mr. Stephen asked how the previous surveyor could do this, when only the Commissioners can do it.

Commissioner Willner said that the Commissioners can't even do it, that they can't give anyone permission to build on the public right of way.

Commissioner Ossenberg said they concurred two different times, and if you will remember, the Commissioners said that the County could be liable on anything that could happen, that in the meantime they have indicated their intent, that they would write a letter and sign an agreement where the County would not be liable.

Commissioner Willner asked County Attorney Smith if he would write a letter saying that the County would be relieved of their liability, that there is no such thing.

County Attorney Smith said he prepared the brief on a contract to be entered into with Ulrich Chemical.

Commissioner Ossenberg said, anyway, this is what they propose and they have agreed that the County would not be liable if anything was to happen, that he didn't know who has done it in the past, However Mr. Spaetti said he could identify him.

Mr. Stephen said this doesn't allow him to continue to do it, if he is going to add to his fence, that he has part of it out there now, and he asked the Commissioners if they are going to permit him to be outside of his legal right of way.

Commissioner Ossenberg said that the only explanation made to him was that if he does not go this way, he guessed they experienced this out on that road, he didn't really know, but said that there is a driveway in there and people come in there and they are drinking.

Mr. Stephen said he wants to enclose his lot but he wants to enclose some of the County's land so that he can block them from parking in the drive, since they can park there and view the screen directly across, that he didn't blame him for wanting to fence it off, but he says if he doesn't get the fence out there far enough, they can throw rocks through his window, which apparently, he has had some windows broken out of his office.

Mr. Emil Altmeyer of Ulrich Chemical Company appeared and agreed that what Commissioner Ossenberg and Mr. Stephen has said is true, that what he wants will be on County property and what he wants is an encroachment or easement to be able to fence it in.
He said that what has happened is that on the North end of the property where they started the fence is on their ground, but the road being what it is and not being straight, but when they initially put the road down, they followed the old gravel road and when they ran the fence, they stayed the same distance away from the ditch, as a guideline, so when they ended it up they were on the County property on one end at about three feet.
He said they would still be 17 foot from the edge of the blacktop on the North end which is on the property line and on the South end of the property they will still be 17 feet from the edge of the blacktop.

Mr. Stephen said he can only see that they constructed the road off the center line primarily to get the drainage ditch along the one side of the road and still stay within the County's right of way, that this appears to him what has happened in the past.

Commissioner Ossenberg said he would like a contract with the company so the Commissioners would be out of it, that this was their concern last week, that this was the way he understood it.

Commissioner Willner said he didn't think the contract was worth the paper it was written on, that if they had, say $100,000 of insurance and whoever was hurt, sued for $200,000, that the County would be liable, that this is the way he sees it.
He suggested that the Commissioners sell him that piece of ground.

Commissioner Ossenberg asked that he approach Mr. Spaetti of Ulrich Chemical Co. on that and he will call Mr. Wersick of Creasey Co. and ask if he would be interested in doing this, that previously, they had agreed that they would absolve the County of all liability and this is what he had drawn up, since this was their main concern.
He said they will proceed this way, that they may just decide to sell them the right of way, that he didn't know who made the laws in those days but there were laws where they abandoned natural drains and everything else.

RE: REQUEST OF COVERAGE ON COUNTY INSURANCE POLICY

Mr. Allen Henson of the Vand. Co. Work Release Program appeared and said that he regrets this unscheduled presentation but Judge Miller thought this to be a matter of some emergency in the time problem they are having here.
He said that the Vanderburgh Co. Work Release Program is attempting to sign a contract with the Department of Corrections to bring pre-releasees and work release eligible inmates from the Department of Corrections back to the Evansville area, that these will be inmates that will be returning to our area anyway, the idea being that the work release program can facilitate the finding of jobs for them before their terminal release date.
He said the problem seems to lie on the fact that the Department of Corrections, which is the County, to resume responsibility for the inmates while they are down here on the work release program, and in talking to the Sheriff and Torian Insurance Agency, through Hartford, they find that the Sheriff's Deputies, etc. are covered under the general liability that the County has and they would like the Commissioners to approve the Work Release Program, Judge Miller and himself, to come under the same type of general liability Insurance policy.
He said the Judge is going through the court to put up the money for this, but they need the approval of the Commissioners to come under this policy, also that there is a clause in the agreement that they will be signing that states the County will resume full and complete responsibility for any injuries to the person or the property of any person selected to assign the performance of this assignment or such injuries to any person or property caused by a participant assigned to the County's program.
He said he believed it would be their responsibility to initiate and seek further

liability coverage for this action, since as he understands it right now, through the Torian Agency, inmates, themselves, are out as runners or working outside the jail, are not covered as to their actions, be it against another person or property. He said he thought the Work Release Program will have to assume responsibility to secure separate liability insurance for the inmates themselves, but they are asking the Commissioners to grant them approval to come under the general policy, through the liability policy that the County, Sheriff, and his officers are now under. He also said that he understands that the County Attorney's have to go into this and look over the agreement, that he didn't think there would be any problem there.

Commissioner Schaad said they just want to come under the County's blanket coverage policy, that they will pick up the tab for the additional work release program.

Commissioner Willner asked if it would be cheaper for them under the County's blanket policy and Mr. Henson said it definitely would be cheaper for himself, the Judge and their employees, but he has no idea of what the outside coverage will be that he will have to obtain for the inmates, or how they are going about it, but they will have to secure that to meet the Department of Corrections demands.

Commissioner Schaad moved that this matter be referred to the County Attorney's for study and advice. Commissioner Willner seconded the motion. So ordered.

RE: PUBLIC HEARING SET ON ST. JOE AVE.

Commissioner Ossenberg said it was announced today that the Indiana State Highway Commission representatives will conduct a Public Hearing on Thursday, December 15, 1977, at 7:30 p.m. local time, in the Farm Bureau Co-op at 5015 St. Joe Avenue in Evansville, Indiana, regarding currently proposed designed plans for the proposed improvement and upgrading of St. Joseph Avenue, located approximately three miles Northwest of the central business district of the City of Evansville in Vanderburgh County.

RE: REQUEST TO TRAVEL

Mr. John, the County Auditor, requested permission of the County Commissioners, to travel to Indianapolis, to get approval for the new forms and checks to be used on the Computer System as of January 1st.

Commissioner Schaad moved that Mr. John be allowed to travel to Indianapolis. Commissioner Willner seconded the motion. So ordered.

The meeting recessed at 11:40 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg	Curt John	Ed Smith, Jr.
Bob Schaad		Paul Wendel
Robert L. Willner		

Secretary: Margie Meeks

Tom Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

BOARD OF COUNTY COMMISSIONERS
NOVEMBER 21, 1977

The meeting of the County Commissioners was held on Monday, November 21, 1977, in the Commissioners Hearing Room with President Ossenberg presiding.

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

RE: HOLIDAY CLOSING

Commissioner Ossenberg announced that the County offices will be closed on Thursday, November 24th, which is Thanksgiving Day, and on Friday, November 25th, since the County employees decided that they would rather have Friday as a holiday rather than take off on Columbus day which was on October 10th so the County offices will closed both these days, but the City offices will be open on Friday.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

PROSECUTOR'S OFFICE

Bettye Smith	500 S. Evans	Receptionist	$6,225.00 Yr.	Eff: 11/14/77
Edward Anderson	1308 Washington, Boonville	Supt. Dep.	$4,725.00 Yr.	Eff: 11/14/77
Edward Anderson	1308 Washington, Boonville	Supt. Dep.	$14,175.00 Yr.	Eff: 11/14/77

RE: EMPLOYMENT CHANGES.....RELEASES

Gloria D. Scales	1321 Cedar St.	Clerk	$6,052.00 Yr.	Eff: 11/11/77

BURDETTE PARK

Patricia Altman	10000 Old State Road	Receptionist	$5,899.00 Yr.	Eff: 11/4/77

RE: MONTHLY REPORTS

The Report from the Evansville Association for Retarded Citizens, Inc. was submitted for the month of October, 1977.
Report received and filed.

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

RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was submitted by Torian, Agency, Inc. on Lessee, Tennis & Patricia Hatfield, for the use of the Convention Center for the Arts & Craft Show to be held from November 26 - November 28th. 1977.
Certificate received and filed

A Certificate of Insurance was submitted by the Hartford Accident & Indemnity Co. on the Watchtower Bible & Tract Society of New York, Inc. etc. for the use of the Vanderburgh County Auditorium & Convention Center.
Certificate received and filed.

RE: AUTHORIZATION TO OPEN BIDS

The County Attorneys were authorized to open the bids that were received today for the construction of four lighted tennis courts at Burdette Park.

RE: RESOLUTION IN HONOR OF REITZ HIGH SCHOOL FOOTBALL TEAM

The following Resolution was passed by the Commissioners on the 18th day of November, 1977:

WHEREAS, the Reitz High School football team is undefeated and untied this season; and,

WHEREAS, through the years the Reitz football teams have deservedly gained a state-wide reputation as one of the truly top teams in Indiana; and,

WHEREAS, by its consistent winning record, Reitz has indeed established itself as a disciplined powerhouse, exemplifying the finest tradition in high school football,

while at the same time maintaining high standards of sportsmanship, and,

WHEREAS, this year's team is truly outstanding, both on and off the field, and through its continued efforts to achieve excellence, places it in the highest tradition of Reitz High School; and,

WHEREAS, Coach Padgett has displayed outstanding leadership and coaching ability, which is reflected by the team both on and off the field; and,

WHEREAS, this year's number one ranked team in the State of Indiana must be acknowledged as one of the all time great teams of Reitz;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Vanderburgh County as follows:

That the County Commissioners of Vanderburgh County, as the governmental head of the county, on behalf of itself and the citizens of Vanderburgh County do hereby express their deep appreciation to Reitz High School, its team, coaches, faculty, and fans for bringing great honor and recognition to both Evansville and Vanderburgh County, Indiana.

The Commissioners have great confidence in the Panthers' ability to win the last big one Saturday night against Portage for the State AAA championship.

We, the Commissioners, do hereby declare each member a honorary citizen of Vanderburgh County, Indiana; secure in the knowledge that we all can be proud of this team, both now and after they win the State Championship tomorrow night.

DATED this 18th day of November, 1977.

Commissioner Schaad said it is a shame they didn't win the State Championship.

RE: REQUEST FOR PETTY CASH ACCOUNT...AUDITORIUM ...CLAIM

The following letter was received by the Commissioners from Mr. Dewes, the manager of the Vanderburgh County Auditorium:

Gentlemen:

Examiners from the State Board of Accounts have recommended that the Auditorium establish a Petty Cash account. Establishment of this account in the amount of $100.00 would simplify bookkeeping for the many items purchased for cash that will not require a purchase order or requisition. This would include gas for the mowers and power equipment, and numerous repair and maintenance tiems costing less than ten dollars.

Receipts and accounting would be maintained and posted to the proper accounts now established.

Attached is a claim for $100.00 to begin this practice.

Very truly yours, Fred G. Dewes, Manager
Vanderburgh Auditorium

Commissioner Ossenberg said he understands that Mr. Dewes has this money on hand and it is to be transferred, also that he has cleared this with the Chief Deputy in the Auditor's office.

Mr. Dewes said this is correct.

Commissioner Schaad moved that Mr. Dewes' request be approved. Commissioner Willner seconded the motion. So ordered, thereby also approving the claim.

RE: OPENING OF BIDS

The following bids were received for the four lighted tennis courts that are needed at Burdette Park:

Deig Bros. Lumber & Construction Co., Inc.	$78,784.00
Midwest Construction Materials, Inc.	$75,979.23
Pepper Construction Co., Inc.	$99,896.00
Engineer's Estimate	$91,250.00

Commissioner Schaad moved that the bids be referred to Burdette Park Board for recommendation. Commissioner Willner seconded the motion. So ordered.

RE: NOTICE OF CLAIM FILED AGAINST THE COUNTY

RE: Claim for injuries for David J. Zwiesler & Pamela A. Zwiesler

The following letter was received from McHale, Cook & Welch Law Firm:

Dear Sir:

Please be advised that we are counsel for David J. Zwiesler (hereinafter referred

to as "David") and Pamela A. Zwiesler (hereinafter referred to as "Pamela"). In accordance with I.C. 1971, S17-2-1-1, this letter shall constitute the claim of Mr. and Mrs. Zwiesler against the County required to be filed with you, the County Auditor, and to be presented by you to the Board of County Commissioners. We have given earlier notice of this claim to the Board of County Commissioners (with a copy to counsel for the County) by letter dated October 1, 1977.

David and Pamela were, at the time of their injuries, and are now, residents of 3562 Olive Branch, Greenwood, Indiana 46142.

During the early morning of May 20, 1977, in the ordinary course of David's employment by Indiana Transit Service, David was making deliveries of film to the movie theaters in Evansville, Indiana. At approximately 5:00 a.m., while making these deliveries, David was stopped by deputies Beckman and Winfield of the Vanderburgh County Sheriff's Department at the intersection of Green River and Vogel in Evansville, Indiana. David was stopped in connection with an alleged armed robbery at the Busler Service Station located at Washington and Lodge Streets in Evansville, Indiana.

David was informed by the officers that they believed he matched the description of the suspect of the alleged robbery. He was told to accompany the officers to the Busler Service Station for identification by the alleged victim, Timothy Flener.

Prior to the trip to the Busler Service Station, the Vanderburgh County Sheriff's Department received assistance form officers Merle and Pullom of the Evansville Police Department. Upon the arrival of the Evansville police, the officers from both the county and city police made a search of Dvaid's vehicle, without David's consent and without having informed David of his rights.

David was then taken to the Busler Service Station and was identified by the alleged victim, Timothy Flener as the person who allegedly perpetrated the armed robbery.

David was then incarcerated and accused of the armed robbery of Timothy Flener of $19.96. David was accused of the alleged crime even though the city and county officers had taken no steps to verify the story of Timothy Flener (and indeed, Mr. Flener's story was obviously contrived), and even though they had not made an inquiry into Mr. Flener's criminal record to determine his veracity.

Prior to this arrest, David had no criminal record of any sort.

On May 26, 1977, all charges against David were dropped. The service station attendant and alleged victim, Timothy Flener, had since admitted that he had not been robbed, but rather, that he had caused the shortage which appeared on the records of the Busler Service Station.

David has been severely injured by the actions of the Vanderburgh County Police and the Evansville Police Department. David has been falsely imprisoned, falsely arrested, defamed and suffered severe emotional stress, has been denied his civil rights and has incurred significant expenses in defending against the charges made against him and has lost compensation for work he was unable to perform as a result of his incarceration. Pamela has been injured by the loss of consortium, defamation, and severe emotional distress and has lost compensation for work she was unable to perform as a result of David's incarceration.

The Zwiesler's seek $250,000.00 from the County of Vanderburgh for the wrongful acts set forth above.

We ask that you respond to us concerning the allowance or disallowance of the above claim within the next two weeks.

Sincerely, McHale, Cook & Welch, p.c.
Daniel P. Byron

Mr. John said this claim had come in some time ago and he brought it up, that they are stating that this is the same as a blue claim against the County and he believed that the Commissioners have to either approve or deny it.

County Attorney Smith said he discussed this with Sheriff DeGroote and also, wrote a letter to the City Attorney, concerning this claim.
He said it is just a statutory notice that is required before any suit can be filed.

Commissioner Schaad said, on the recommendation of the County Attorney, that this claim be should be denied, so after further discussion;

Commissioner Schaad moved that this claim be denied, on the recommendation of the County Attorney. Commissioner Willner seconded the motion. So ordered.

RE: NOTICE OF CLAIM FILED AGAINST COUNTY

The following letter was received from Thomas H. Barefoot, Attorney for Max L. Lingo and Antimina M. Lingo who is filing suit against the County:

Gentlemen:

Pursuant to 34-4-16.5-1 et. seq., Max L. Lingo and Antimina M. Lingo, hereinafter referred to as claimants, present to the County Commissioners their written notice of

claim for suit in tort.

On or about June 24, 1977, at approximately 6:35 a.m. claimant Max L. Lingo was the driver and owner of a certain motor vehicle, which motor vehicle was traveling in a northerly direction on Green River Road, a certain road located in and under the direction and control of the County of Vanderburgh, State of Indiana.

That at the above time, at a place approximately 200 feet north of Millersburg Road on said Green River Road in Vanderburgh County, an accident did then and there occur causing severe, permanent, and disabling injuries and property damages to Max L. Lingo.

That the accident as described aforesaid was the result of a second motor vehicle being driven by a Treva K. Fortune colliding with the automobile in which claimant was the driver after said automobile skidded on mud, silt or other slippery substances located on said Green River Road. That the injuries and property damages to Max L. Lingo were the result of the acts or actions or omissions of several persons or organizations including the County of Vanderburgh, which resulted in a dangerous or defective condition on said Green River Road and contributed to cause the accident.

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

The County of Vanderburgh further allowed a nuisance to exist, which nuisance obstructed Green River Road during times of rain in that due to improper drainage adjacent to the said Green River Road, mud, slime, silt and other slippery and sticky substances were deposited directly on the said Green River Road causing extremely hazardous and unsafe conditions, which said condition was known or should have been known by the County of Vanderburgh, and which condition resulted in a nuisance which was not abated by the County of Vanderburgh.

Or the County of Vanderburgh was negligent in that they knew of the aforesaid dangerous condition and defects in the drainage adjacent to Green River Road at the area of the accident and negligently failed to warn passers of said defect or dangerous and unsafe condition of the road during rainstorms was known or should have been known by the County of Vanderburgh.

That as a result of the negligence of the County of Vanderburgh or the failure of the County of Vanderburgh to abate said nuisance, in conjunction with the negligence of other person or persons which culminated in said nuisance and said accident claimant Max L. Lingo sustained painful, severe and permanent injuries, loss of income, present and future medical expenses, and suffered property damages to his motor vehicle and other personal property.

That as a result of the negligence and/or actions of the County of Vanderburgh as described afore said, claimant Antimina M. Lingo, the spouse of claimant Max L. Lingo, sustained loss of services, society, and consortium with her husband.

At the time of the accident and at the time of the filing of this notice, claimants resided at 2518 E. Tennessee St., Evansville, Indiana.

That as a result of the injuries and property damages sustained as described aforesaid, Max L. and Antimina M. Lingo demand the sum of Fifty Thousand Dollars.

Respectfully submitted, Thomas Barefoot
Attorney at Law

Commissioner Schaad moved that this matter be referred to the County's Insurance Company. Commissioner Willner seconded the motion. So ordered.

RE: LEW VOLPE...DELINQUENT TAXES OF MR. McFARLAND

Mr. Volpe, the County Treasurer, said that first, he would like to find out what the status of the Shreve property is.
He said this is the property that has something to do with the case today, that in November of 1975, just a few weeks before the County was to take title to a piece of property, the Shreve's who owed $800.00 on it came in and paid $100.00 at that time, and ten months later, in August of 1976, they paid another $25.00 and right now they owe better than $1,300.00 and they haven't made any further payment, that the County Attorney did sent them a letter and now the November 10th payments made have not been posted as yet but they will be posted shortly, and on the chance that they could have paid November 10th. 1977, and paid it un entirely, he has asked that he be given another week or two to see if they have paid it and if not, he urged the Commissioners to do what should have been done a couple of years ago, because this is rental property and he would imagine that they have been collecting the rent for the last 2½ years and paying no taxes on it.

Commissioner Schaad moved that this matter be deferred until next Monday. Commissioner Willner seconded the motion. So ordered.

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Mr. Volpe said this particular case today, arose with Mr. McFarland coming in the other day, that six parcels of property that the County is suppose to take title to in a couple of weeks and it is exactly the same as the Shreve case.
He said the taxes owed on the parcels of property are as follows:
24-29-7....$164.65
24-29-8....$164.65
24-36-14...$586.37 - Could be updated and there could be a slight variation.
24-36-15...$186.68 - Have just bill and not demand notice. Could be slight variation.
24-10-38...$305.48
24-46-10...$204.42
Total $1,611.94

Commissioner Ossenberg said the Rev. John Caldwell who is a City Councilman, called him to explain that Mr. McFarland was in arrears in his taxes and that he would like to make some type of payment, that he would initially start off with a payment of $200.00 and then a plan could be worked out so Mr. McFarland came to see him and he immediately sent him down to theCounty Auditor and the County Assessor, that he talked to Mr. Volpe about it and he said the procedure for Mr. McFarland would be for him to come in front of the County Commissioners and he understands that Rev. McFarland now has a veterans pension and he is willing to pay the $200.00 down and establish a monthly payment, so if this be the case, they can work this thing out, since he can't see the County taking his property and as he told Mr. Volpe, if there would be default on payment, then the County would immediately take the property.
He asked Rev. McFarland if he had anything further to say and also what kind of a plan he could make to pay the County back for the taxes he owes.

Rev. McFarland said he could pay the $200.00 now and then pay $100.00 per month until the balance is paid in full, beginning on January 3rd.

Commissioner Schaad moved that Rev. McFarland pay the $200.00 down and $100.00 per month beginning January 3rd and pay $100.00 the 3rd. of every month until the delinquent amount is paid in full, with the understanding that if he misses a payment after 15 days, he has had his opportunity and the County Treasurer will start proceedings and the property will return to the County Commissioners. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner asked what type properties there were and Mr. McFarland said there is Church property and the rest are residences, that he just transferred it to a Church and the delinquency was on the property before it became a Church.

RE: PROBLEM ON GARRISON AVENUE

Commissioner Ossenberg said that last week and the week before, the Commissioners had discussed the property on Garrison Avenue where there are two parcels of property that has a fence on one side and a tank on the other side in the County right of way and at that time, it was Ulrich Chemical Co. and Creasey Co.
He said he talked to the gentlemen of both corporations and they had agreed at that time, to obtain liability Insurance that would exclude the County from being liable of anything and at that particular time the Commissioners felt as though this was not a good idea, that they could sell these men the property and now he finds they can't sell them the property, that they have to vacate the property and take bids, however, in talking with both parties again, they were willing to buy the property and now, they are back to where they must vacate the properties and take bids on them and it has to be declared surplus before they can sell it, so the request now is, that if they want to vacate and put it up for acution, but according to the County Attorney's they could be excluded entirely of any responsibility or any liability by them taking the Insurance where they have the fence on the County property and the tank on County property, but last week, they decided to just sell them the property, but now he finds they can't sell them the right of way, that they have to vacate the right of way.

Commissioner Schaad asked Mr. Stephen if he saw anything wrong with vacating the right of way, declaring it surplus and taking bids.

Mr. Stephen said they have a fifty-foot right of way out there and it would depend on what would ever happen that they may want that full fifty feet later on and he didn't know how much they could give up, since they have a drainage ditch along one side and he supposed they were talking about three to six feet and for Creasey Co., it might not be enough, that he may need as much as ten feet which would leave the County with a forty-feet right of way.

County Attorney Smith suggested that the Commissioners contact the liability carriers to see if there is any question about getting coverage on it since it extends out.

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Commissioner Ossenberg said his main concern is liability, that this was the way he dealt with them to begin with and at the same time, as he had said before, that the gentlemen claimed they could name names of person or persons who gave them permission to put that fencing in there, from the previous administration and he has no idea as to how far this dates back, because he don't care to get into it, that he is only trying to get something resolved.

Commissioner Schaad said he didn't think they should vacate it though, since in the future, they may run into some kind of problem, that maybe it could be solved by the Insurance route.

The Commissioners agreed that County Attorney Smith contact the Insurance Company to check on the possible coverage of liability.

RE: REZONING PETITION...THIRD READING...VC-71-77

Petitioner and Owner of Record...Sheldon Ray Wilson of 8217 Division Street.
Premises affected are situated on the South side of Division Street, a distance of 2070 feet East of the corner formed by the intersection of Fuquay Road and Division Street, more commonly known as 8217 Division Street.
Petitioner requests a change from zone R-1 to a C-1B zoning.
The present existing land use is an office and sales and the land use is non conforming, so the proposed use is for the office and sales.
This petition was denied by Area Plan with 8 negative and one affirmative vote.

Mr. Wilson said he basically bought the place as a business for business use, that it was for sale and he checked with an attorney at the time, that they had assumed that it was zoned agriculture and frankly, he didn't expect any problems because the location is such that he didn't know what else anyone could do out there except to operate some sort of commercial establishment.
He said he didn't immediately petition for rezoning which in retrospect, he should have done before he bought it, but he didn't that he feels aside from his petition, that the area along Division Street needs further study by the proper people, that he can see the reason for not rezoning one piece of property which is spot zoning, since it is a busy thoroughfare with traffic coming in and out, that these were valid reasons, none of which were brought up at the Area Plan hearing and he feels that it will have to be something else rather than residential bordering directly on Division and this is why he felt the petition would be approved.
He said from his own standpoint, since he feels that the Commissioners will turn the petition down, based on the action of the Area Plan Commission, that he would like some sort of temporary permit or permission to continue to operate while possibly a further study is done by the Plan Commission or while he finds another location.
He said there were only two remonstrators at the first hearing and only one since then, that the individual owned this piece of property and sold it at auction some years ago and he has said he sold it because it was unsuitable for residence because of the high traffic noise, because of people frequently stopping for car repairs and people coming to their doors and it just isn't suitable as a residence.
He said it was sold at auction to a man by the name of Johns and he purchased it from him who had put it on the market for the same reason and in addition, around the time of the sale, a car came off the road and hit the house.
He said he don't really see the remonstrator who does not live there, who sold a house because it wasn't suitable for residential, has much basis, other than a legal right, for his complaints in someone using it for a purpose it should be used for and if he wanted to retain the property, he shouldn't have sold it.
He said there have been some complaints from him regarding the fact that he has infringed across his line, but he thinks the solution to this would be some sort of line fence worked out between them, so if the Commissioners turn this petition down, he would like some sort of permission to continue to operate, either while the thing is studied further or while he finds another business location.

Commissioner Ossenberg asked Mr. Osterholt if this petition was amended from A to R-1 and Mr. Osterholt said it was.

Commissioner Ossenberg then asked if this is City or County, since there is a place for the Mayor's signature.

Mr. Osterholt said it is County and the information on the ordinance is correct and it needs to be transferred to a County Ordinance form, that Mr. Wilson received the wrong form from the Area Plan's office.

Commissioner Schaad said this is on non conforming use and he asked Mr. Wilson how long he has been operating there. and Mr. Wilson said for almost two years.

Mr. Osterholt said that Mr. Wilson received a notice of violation from the Area Plan and this is how the petition was initiated.

Commissioner Schaad asked Mr. Wilson how much time he would need and Mr. Wilson said he would have to locate a place and he would need a minimum of 90 days and could use a little more time than that.

Commissioner Schaad said he supposed they could give him 120 days, that he shouldn't be pushed out of business and he thought Mr. Wilson's attitude was fine about it.

Commissioner Schaad then moved that petition VC-71-77 be denied and that Mr. Wilson be given 6 months with no extension and that no charges be filed during that time.

Commissioner Willner asked Mr. Osterholt what seemed to be the feeling of Area Plan as to their action in the denial of this petition.

Mr. Osterholt said he thought the staff felt that the zoning would be out of harmony with the surrounding area as it is right now, in terms of how the property out there may develop along Division Street.

Commissioner Ossenberg said he did vote against the zoning in the Area Plan Commission and he did so because all the property surrounded by Mr. Wilson are the people who are remonstrating, so consequently it looks to him like they aren't going to give up this property unless they go in for a residential subdivision, that there was some question as to if it was zoned A or R-1 so they had to amend the petition to R-1 and this was the main reason Mr. Kaufman and the other people had talked before and indicated that they intended to keep their property and they were against the zoning and called it spot zoning, so this is the reason he voted against it.

Commissioner Willner then seconded the motion. The vote was unanimous in the affirmative to deny this petition. The motion carried.

RE: REZONING PETITION...THIRD READING...VC-83-77

Petitioner and Owner of Record...Harlan H. Brand of Brand Realty Co. of 2605 Lincoln Avenue.
Premises affected are situated on the North side of Upper Mt. Vernon Road at the intersection of Upper Mount Vernon Road and Boehne Camp Road which is more commonly known as 5759 Upper Mt. Vernon Road and 1235 Boehne Camp Road.
The petitioner requests a change from an A zoning to an R-3 zoning and the proposed land use if for Apartments.
This petition was denied by the Area Plan Commission with five negative votes and five affirmative votes.

Mr. Andy Easley appeared and said that there was some confusion on the staff report on this petition that came to light after the Plan Commission meeting, that the staff report said that there were no sanitary sewers available and there were drainage problems, but he has met with Mr. Stephen who has checked the drainage plans for the drainage way just North of Upper Mt. Vernon Road and that he was prepared to state, if they built the facilities as planned with one pipe size increase from 42 inch to a 48, that this area would have no drainage problems.

Mr. Stephen said this is in Westwood Hills and he did check the amount of water and they do have an easement for right to get across other property and it will revert the water underneath the new pipe and he sees no drainage problems.

Mr. Easley said that Mr. Lochmueller has looked at the traffic and he did recommend that they put a de-acceleration lane, in which Mr. Brand has reviewed that letter and is willing to do.

The letter from Mr. Lochmueller reads as follows:

The Evansville Urban Transportation Study staff has reviewed the proposed Westwood Hills project on Upper Mt. Vernon Road and Boehne Camp Road.
Our recommendation is that an acceleration-deceleration lane should be constructed at the main entrance to the proposed development. The additional lane will provide the development with safe and efficient ingress-egress. The acceleration-decelaration lane should be constructed to conform with the counter curb cut standards. With the construction of the additional lane our office would recommend approval of the development.

Sincerely yours, Keith Lochmueller, Director
Evansville Urban Transportation Study

A letter was also received from Mr. Osterholt on this petition which reads as follows:

In the Area Plan Commission Staff Field Report of October 27, 1977, we indicated that there were no sanitary sewer facilities available. This statement was inaccurate and sanitary sewers have been extended to just east of the property line of this parcel of real estate.

A remonstrator said he would like to see exactly where they intend to lay this new piece of pipe because they already had water laying on one side of the road this morning, that the way it sounded was that they were going to run it from Mr. Brand's side to his side.

Mr. Easley explained where it would be and said that it would be diked up in a diversion ditch, cut along the west property line and a new ditch cut south of the road to the creek and that it would save all the water coming down there and it will get away faster and the easement is already in existance and Mr. Stephen will agree that this will eliminate the drainage problems to the west.

The remonstrator asked if Upper Mt. Vernon Road was wide enough to handle the increased traffic, since there are other subdivisions coming up and Upper Mt. Vernon Road is the main artery coming into the west side.
He said he didn't think that apartments would blend in with the rest of the area and Mr. Easley said they would see that the architecture blends in, that it is low density and is some 60 units.

Mrs. Dale ~~Gray~~ DRAKE appeared and asked if they intended to build more apartments and Mr. Easley said no, that it is all subdivided and platted.

She then asked what price range these single family homes would be and Mr. Easley said between $40,000 and $45,000 and the apartments would range from about $200.00 to $275.00 per month.
He also said these aren't to be modular homes, that they are to be custom built.

Mrs. ~~Gray~~ DRAKE said they also have traffic problems out there and that there are holes in the road, that she called just the other day to get a line down the road and was told by the County Garage that they couldn't afford it, so how can they afford to keep the road in shape for the traffic, also that they have a factory in the area.

After further discussion, Commissioner Schaad moved that petition VC-83-77 be approved. Commissioner Willner seconded the motion. The vote being unanimous in the affirmative, the motion carried.

Commissioner Ossenberg said he voted against this petition in Area Plan on the condition on the condition that there were serious drainage problems out there plus the fact of the traffic problem but in the meantime, he found that this is clear, so he has voted now to approve it.

RE: COMMENT ON ROAD STRIPING

Commissioner Willner said before they go any further, he would like to follow up on the striping, that they have gone to the City-County Traffic Department to ease some of their problems, that they have considerably less than they thought they had and he has been asking for some six or seven years, to do something about it and he thought it high time to do so.
He said if his memory serves him right, the County is paying $54,000 per year to the Traffic Department and he didn't know what they were getting other than a few signs and the striping on the roads that survived the winter are in terrible shape.

Commissioner Ossenberg asked if they are out of money and can't stripe this road.

Mr. Judd said he didn't know who Mrs. Gray talked to but he didn't take the call because he would have tried to get it striped. He said he would check it out.

RE: REZONING PETITION.. VC-84-77 ...WITHDRAWN

Petitioner and Owner of Record...William W. and Caroline L. Rosemeyer of 7700 Henze Road.
Premises affected are situated on the West side of Henze Road, a distance of 782.24 feet south of the corner formed by the intersection of Henze Road and No. 6 School Road, more commonly known as 7650 Henze Road.
The petitioner requests a change from A zoning to C-1B zoning and the proposed land use is for an Office and equipment storage.

The following letter of withdrawal was received from Toby Shaw, the Attorney for the petitioner:

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Gentlemen:
As the Attorney for the petitioners herein, I am requesting the immediate withdrawal of the above-noted petition and ordinance from any further consideration.

Thank you very much
Sincerely, Toby D. Shaw

RE: REZONING PETITION...THIRD READING...VC-85-77

Petitioner...Citizens Realty & Insurance Inc. of 111 S.E. Third St.
Owner of Record...Willard C. Shrode of 4218 Lincoln Avenue.
Premises affected are situated on the North side of Petersburg Road, a distance of 4580 feet West of the corner formed by the intersection of Hwy. 41 North and Petersburg Road, more commonly known as 6500 Petersburg Road.
The petitioner requests a change from A zoning to R-1, R-3 and C-1 for the purpose of single family dwellings, condominiums, small apartments and a site for a convenient market. This petition was denied by Area Plan with 7 negative votes and 3 affirmative.

Mr. Willard Shrode, Attorney for the petitioner appeared and said they seek to rezone approximately 61 acres of land lying immediately North of Petersburg Road, that this land commences six-tenths of a mile West of Hwy. 41 and runs for approximately one-quarter of a mile West of that point along Petersburg Road.
He submitted a preliminary site plan that has been prepared by Andy Easley Engineering for Citizens Realty and Insurance for a proposed development to be used here.
He said that the West 350 foot strip is to be rezoned R-1 with the entire balance to the East which is 970 feet wide, to be zoned R-3, except for a small plot of 110 feet wide in the Southeast corner which they are asking to be rezoned C-1 for a convenience market.
He said this tract is very well situated and contains two sanitary sewers, one runs along Petersburg Road at the South end of the property and another large sanitary sewer runs across the Northern part of the property and everything will be of a gravity sewer syste.
He pointed out that this is a needed and desirable development and will be undertaken by a financially responsible and otherwise responsible local Corporation, Citizen's Realty and Insurance Co., also that this is a large tract and will provide a good deal of stimulous for archtects, contractors, builders and most importantly, will considerably increase the tax value which is very much needed and is at the heart of the annexation issue which is pending.
He said they have agreements of the people of the surrounding area in writing and there is no objection to this rezoning, that to the East, clear to the Railroad track, is owned by Multicare Corporation and they have their agreement in writing, that to the West is Jerry Wells and Green Briar Acres who is developing some 50 acres residentially and he has no objection to this petition.
He said they have tried to do their homework very carefully on this project and they honestly believe they are right and that this is good zoning, that they have also consulted Mr. Rayburn, Mr. Wallace, Mr. Easley, himself and his son and with Mr. Osterholt and members of his staff at the Plan Commission and they thought this to be good zoning also.
He said the only problem he heard about was traffic so they tried to learn about that and he has a letter to the Commissioners from Mr. Lochmueller of Urban Transportation Study.
The letter reads as follows:

Dear Tom:
The Evansville Urban Transportation Study staff has reviewed the proposed Citizen's Realty proposed development on the Willard Shrode property on Petersburg Road. We are in complete concurrence with the proposed plans as shown and would recommend approval of that development.

Sincerely Yours,
Keith Lochmueller, Director

Mr. Shrode said that the only other problem that was brought up was drainage so they tried to combat that so he personally has made trips to the City Engineer's office and they could see nothing wrong with the zoning, he also made a special trip to the United States Soil Conservation office and that gentleman got out a previous file and could see no objection to the zoning, they also consulted Mr. Stephen of the County Surveyor's office and worked with him and they definitely determined that this property is above the 100-year flood stage that would back up from either the Ohio River, Pigeon Creek or Little Pigeon Creek which they thought was a plus.
He also said he talked to the Building Commissioner, Jesse Crooks, who couldn't see why it would be a deterent in any way to this rezoning, also he talked to Mr. Brenner, the County Surveyor, this morning and he indicated that it was desirable zoning and also, as far as the drainage was concerned, that before a subdivision or a building permit was issued, it would be subject to his reasonable approval and he also thought the approval of the County Drainage Board, that they also employed two engineers,

Andy Easley and Jim Moreley, who studied the elevations as to how the water flows and to how it drains, etc. and he assured them that this property could be developed and that it was good zoning.

Commissioner Schaad asked Mr. Easley and Mr. Moreley if they would stake their reputation in that there were no problems of drainage in the area.

Mr. Easley said there are no major flooding hazards and he thought the structures could be engineered to pass the head waters through the projects, that they would stake their reputation on it.

Mr. Moreley submitted and explained a drawing of the development plan and submitted a copy of their calculations that covers all the information.

There were no remonstrators.

Commissioner Willner moved that petition VC-85-77 be approved. Commissioner Schaad seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: REZONING PETITION...THIRD READING...VC-86-77

Petitioner and Owner of Record...Gregory G. & Edwina Kempf of 2200 Lexington Ave.
Premises affected are lots 46 through 55 of St. Joseph Village, a recorded subdivision in Vanderburgh County and it is more commonly known as the Liberty Court.
The requested change is from A to R-3 and the proposed land use is for one 4-plex on each of ten lots.
This petition was approved by Area Plan with nine affirmative votes and one negative vote.

Ed Johnson, Attorney for the petitioner appeared and said the Kempf's want ten lots in St. Joseph Village Subdivision to be rezoned R-3 so that on 8 lots they can construct four-plexes with a total square footage of 3,000 and two of the lots for duplexes with 1500 feet of square footage, that they would have common egress and ingress, so there would be only one cut per two buildings on Liberty Court.
He said the reason they are seeking the R-3 zoning and are seeking the construction of multi-family dwellings is because there is a need for rental property with proximity to the catholic church out there since there are a number of people out there who have expressed an interest to Mr. Kempf of living in that area near St. Joe which is of low density and will serve the need for people who really can't afford to buy a lot and build their own home, that it puts them in the proximity of the catholic school and the catholic church, also that there were no remonstrators at the Area Plan Commission meeting and Mr. Kempf owns most of the land himself and he has been working with the church because they have a common drainage problem, so they have no objection to the construction and he asks that the Commissioners follow the Area Plan Commission and approve the rezoning.

Commissioner Ossenberg said they will submit their drainage plan when they get their final plat.
There were no remonstrators.

Commissioner Schaad moved that Petition VC-86-77 be approved. Commissioner Willner seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: REZONING PETITION...FIRST READING...VC-87-77

Petitioner and Owner of Record...Herdis W. and Anna Ruth West of 406 N. Wills Ave.
Premises affected are on the north side of Upper Mount Vernon Road, approximately 1300 feet east of Boehne Camp Road and being a part of the west half of the east half of the northeast quarter of Section 21, Township 6 South, Range 11 West, lying in Vanderburgh County, State of Indiana.
The petitioner requests a change from an A zoning to an R-3 zoning and the proposed land use is for apartments.
There were no remonstrators present.

Commissioner Schaad moved that petition VC-87-77 be referred to the Area Plan Commission on first reading. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION...FIRST READING...VC-89-77

Petitioner...William L. Koester of Poseyville, Indiana
Owner of Record...Casper M. Gardner of Inglefield Road in Evansville.
Premises affected are situated on the east side of U.S. Highway 41, northeast of the intersection of Inglefield Road and U.S. Highway 41, more commonly known as the 600 Block of Inglefield Road.

The petitioner requests a change from A zoning to M-2 and the proposed land use is for heavy equipment repair and storage.

Commissioner Ossenberg said that Wayne Kent is the attorney for this particular petition and he had to go to court on a trial so was unable to be here.

There were no remonstrators.

Commissioner Schaad moved that this petition be referred to the Area Plan Commission on first reading. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION...FIRST READING...VC-90-77

Petitioner...Agri-Steel, Inc.
Owner of Record...John W. Chappell of R.R. 3, Box 245 State Hwy. 57.
Premises affected are situated on the west side of State Hwy. 57, a distance of 376 feet south of the corner formed by the intersection of State Hwy. 57 and Ruston Lane.
The petitioner requests a change from an A zoning to an M-2 for the purpose of manufacture and sale of grain bin floors.

There were no remonstrators present.

Commissioner Schaad moved that this petition be referred to the Area Plan Commission on first reading. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST OF COVERAGE ON COUNTY INSURANCE POLICY

Mr. John told the Commissioners that Allen Henson of the Work Release Program was here last on that Insurance program so the Work Release Program could get under the blanket coverage of the County and the County Attorney said he saw no problem there, that Mr. Henson had stated that they have the money in their budget, that they could reimburse the County if there is an added expense.

County Attorney Smith said that they are county employees under a county program, so they would be in no different position than any other employee of the County, that he sees no difference, so there shouldn't be any problem.

Mr. John said they were going to have to be covered one way or another, that they are either going to have to get a policy of their own and pay for it from their budget and it would probably a greater expense than if they are added to the Insurance of the County.

County Attorney Smith said he thought they should be added to the County's policy and that the liability carrier should be notified and then if they have any question on it, let them notify us.

Mr. Henson said he has contacted Torian Agency, Inc. and was told that there is no problem as far as the general coverage that the county has, in covering the Work Release Program which includes the employees, himself and the judge, because they cover the Sheriff and their job is definitely no more hazardous that the Sheriff of Vanderburgh County.

Mr. John said he thought if the Commissioners approve it and that it is a matter of record, then if they have any questions, they can call the Commissioners, that it will be in the official minutes of the Commissioners meeting.

Commissioner Willner moved, on the recommendation of the legal council, that the request be approved. Commissioner Schaad second the motion. So ordered.

RE: DRAINAGE PROBLEM

Ms. Georgia Beliles appeared and said that she needs some help on what to do about a drainage problem in their rear yards on the 400 block on Kirkwood Drive and asked if this is where she should start.

Mr. Brenner said this isn't a legal drain but that it falls into a subdivision and they made an additional request for it.

Commissioner Ossenberg explained to Ms. Beliles that this matter will come up during the Drainage Board meeting that will be held after this meeting.

RE: CLAIMS

A claim was submitted by Indiana University for Alice Watson - Scholarship, as per contract with Black Expo dated 9/3//77, in the amount of $500.00.

Mr. John said they have this claim ready and when the invoice gets in, they can pay it.

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

A claim was submitted by Feigel Construction Corp. for the repairs to the Auditorium parking lot in the amount of $2,582.90. This has been approved by Mr. Hotz. This amount is less than bid price.

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

A claim was submitted by the Evansville Vanderburgh County Building Authority for labor and material to provide electric service for tape deck in Computer Room 200-B, Courts Bldg. in the amount of $182.78.

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

A claim was submitted by the Evansville Vanderburgh County Building Authority for labor for pulling 630 feet coaxial cable from Courts Building Room 200-B to Auditor's Machine Room 210-B Administration Building, as per authority Mr. Tom Ossenberg's letter dated 11/2/77, in the amount of $270.00.

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

A claim was submitted by Jane Griffith, Court Reporter, for transcript of the trial of Anna Joeckel vs Board of Commissioners of Vanderburgh County. Indiana, Cause No. 75-CIV-2356, in the Vanderburgh Superior Court, including all of the testimony, exhibits, certificates, together with marginal notes, 168 pages @ $2.00 per page, in the amount of $336.00.

County Attorney Smith said they are fighting this case in the courts and as he understands, the Commissioners want to appeal it, so they have to get a copy of the transcript and determine the feasibility of it. He said he tried this case last year for the Commissioners, that he found a motion to correct errors and it was taken under advisement for almost a year and then he ruled on it only about a month ago, overruling the motion to correct error.
He said he hasn't heard anymore from the judge.

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

Commissioner Ossenberg said he read the testimony on this case and he went over to talk to the judge and the judge appears as though he wants the Commissioners to make a settlement with Mrs. Joeckel on the trees, but he can't see anywhere in the transcript where there were trees, other than the fact that they said there were trees there, supposedly pecan trees, but nevertheless it appears that the land buyer favored Mrs. Joeckel, but he can't even believe that.
He said that it never has been proven to him that there were pecan trees in the transcript and the Judge wants the Commissioners to settle between the attorney's to settle it out of court and he thinks the Commissioners approached them with $1,000 and they laughed at that, so he went over to talk to Judge Dietsch and he informed him that the Commissioners were going to appeal his decision, and the judge informed him that he didn't think the lady had enough money to fight the Commissioners appeal, and he said he thought that it was duly unfair that the Commissioners even have to pay the $1,000 because he can't see any proof of any pecan trees, that it did read in the transcript that the lady asked the buyer what he intended to do with the five acres and he stated that they intended to clear it out.
He said that years ago when he went out to see it with Mr. Nussmeyer, it looked to him like nothing but high terrain and the wild brush, so he didn't know where the pecan trees were.

Mr. Guillaum said he walked the entire area and he didn't see any pecan trees either when they were doing the survey and it was just wild undergrowth and if there were any trees of any value, they should have been pointed out before they bought the land.

Commissioner Schaad said the fact remains that when the five acres were bought, they never said anything about the pecan trees and she settled for that amount of money and she had thought about it later.

County Attorney Smith said he had been County Attorney for about a week when this trial came up, so he went ahead and tried the case without being completely familiar with the details, but the actual results of it, after it came out, was that she had signed the right of way agreement at something like $500.00 per acre and in effect, what she was doing by this law suit was trying to set aside and repudiate her agreement, claiming that she is entitled to more compensation because she wasn't compensated on the trees that were within the area that was granted and was paid for, and the only basis they could set this aside is that if she could possibly show them that she was fraudulently mispresented, otherwise, she is bounded by her agreement. He said he thought they were claiming that even though the right of way was granted, on the easement for its use, that still didn't include the trees within the area, so he discussed this with Judge Dietsch and he didn't ask for special findings of conclusions prior to this but he wished he had, and again, he has requested that the Judge state his conclusions on this question here because he doesn't see that she has the grounds to come in now and set aside her own agreement and ask for more money.
He said the next step for a hearing like this would be a hearing for damages but legally speaking, if a person could come in and repudiate their own agreement, then it seems to him that they might be opening pandora's box here in the County, that there will be a lot of work in appealing it but legally, as far as he can see, the County is right on it.
He said he offered Mr. Griffith $1,000 but he didn't think that was enough.

Mr. Guillaum said he has had Mrs. Joeckel down there before and discussed several other complaints she had and at the time, there was absolutely no mention of any pecan trees, that she wasn't satisfied with the way the ground had been restored or not restored and she was mad about that but there was no mention of any pecan trees.

Commissioner Ossenberg said his feeling was then and is now and was to the Judge, that if they bought the five acres in good faith at $500.00 per acre, it was our property and in his statement, he asked several times if she was going to clear the property and in the transcript, it said yes.

County Attorney Smith said that the Judge seemed to take the position that Griffith did, that it was all in the Surveyors office to determine her value but he thought it was the other way around, that he thought it was the landowners duty to determine the value.

RE: CLAIMS...CONTINUED

The following claims were submitted by the City of Evansville:

For County's share of Health Department at 17.8% for August & September....$14,852.99.
Commissioner Schaad moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

For County's share of Health Department at 17.8% for May.....$ 6,459.40.
Commissioner Schaad moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

For County's share of Building Inspection at 40% for August & September...$11,551.14.
Commissioner Schaad moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

For County's share of Building Inspection for May at 40%.....$6,032.13.
Commissioner Schaad moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

For County's share of Traffic Engineer at 14% for August & September.....$6,736.87.
Commissioner Schaad moved that this claim be approved. Commissioner Ossenberg seconded the motion. So ordered.

For County's share of Traffic Engineer at 14% for May.....$7,410.02
Commissioner Schaad moved that this claim be approved. Commissioner Ossenberg seconded the motion. So ordered.

For County's share of Purchasing at 50% for August & September.....$4,967.10.
Commissioner Schaad moved that this claim be approved. Commissioner Ossenberg seconded the motion. So ordered.

County's share of Purchasing at 50% for May.....$1,555.28.
Commissioner Schaad moved that this claim be approved. Commissioner Ossenberg seconded the motion. So ordered.

County's share of Weights & Measures for August & September at 42%.....$1,640.52.
Commissioner Schaad moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

County's share of Weights & Measures for May at 42%.....$ 688.23.
Commissioner Schaad moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: MR. HOTZ...COMMENT ON ENCUMBERING FUNDS

Mr. Hotz said it is getting close to time to encumber money in the accounts and he wondered what steps to take for Pleasantvies since Mr. John said they can't encumber money without a purchase order or a contract, that they have utilities and such as that out there and he wondered what he should do if it was still in operation under the County.

Mr. John said he would suggest that the Commissioners write him a letter asking for funds for the January 2nd. Council Call and have it under the Commissioner's budget since there is no longer a Pleasantview budget and since it is their building, and that Mr. Hotz can come up with what amount of money he will need.

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

RE: WEST FRANKLIN & SMITH DIAMOND ROAD

Commissioner Ossenberg said that Mr. Judd had to leave to go to another meeting but that he submitted the following recommendation on West Franklin and Smith Diamond Road:

After driving these roads several times it is my recommendation we reduce the speed limit from 45 miles an hour to 35 miles an hour. This based on the heavy truck traffic, speeding, dangerous curves and structures along the road.
The Board of County Commissioners approval is requested.
Signed William T. Judd, Traffic Director

Commissioner Schaad moved that they draw up an amendment to the ordinance.

Commissioner Schaad said this letter doesn't state from where to where but it should be in the ordinance.

Mr. Siebeking said he thought he meant from County Line to probably West Franklin Road.

Commissioner Willner asked if this is going to do what they started out to do.

Mr. Siebeking said this is about all they can do, that they can't keep the trucks off, that the one lady that called him asked that they keep the trucks off the road and with that new bridge, they can't put a weight limit on it to keep the trucks off so he didn't know if there was any way they could keep them off, that Mr. Judd thought if he put a speed limit on it, it would maybe slow up the traffic since one of the other complaints was that when the men got off from work, they came flying through there and if they lower the speed limit and the Sheriff enforces it a little, it may help.

Commissioner Willner said he is sure that the Sheriff could enforce the 45 mph as well as he could the 35 mph, that 10 mph isn't going to help that road any. He said he didn't want to start tearing up the speed limit that they have, with a bunch of needless different speeds, and he believed they would just have to live with it.

After further discussion, Commissioner Schaad withdrew his motion.

Commissioner Ossenberg said he thought the Sheriff should be notified to keep an eye on that road and the other Commissioners agreed.

RE: ABSENTEE REPORT

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

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RE: CLAIM

Feigel Construction Corporation submitted a claim for the resurfacing of Allens Lane, Weinbach Avenue, Grove St. and Korressel in the amount of $17,742.08.

Mr. Siebeking said this makes up the total contract bid of $118,885.06.

Mr. Stephen said there was a slight underrun so it was a little less than the contract price.

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

RE: MR. SIEBEKING... COUNTY OWNED BUS DECLARED AS SURPLUS

Mr. Siebeking said that a few weeks ago he asked permission to pile up some used culverts and things out in the yard at the garage, that there is a 1964 Dodge school bus sitting out there that came from Boehne Camp and he was wondering what the Commissioners wanted to do with it, that he would say it belongs to the County because it was a county vehicle at Boehne Camp and he thought they used it to haul employees back and forth and he didn't think it would cost too much to repair it if maybe someone would want to buy it on auction and he wondered if it could be added to the surplus items they have at Pleasantview for the sale, if they have it.

Commissioner Schaad moved that the bus be declared as surplus. Commissioner Willner seconded the motion. So ordered.

RE: MR. SIEBEKING... DISCUSSION OF COUNTY OWNED ITEMS

Mr. Siebeking said that a wrecked van from the Surveyors office is also out there at the garage, that he imagined there was insurance collected on it and they put it out there because they didn't have any place else to put it, but he didn't know the Insurance Company didn't take it like they did his and he wondered if it could be declared as surplus along with the bus, that it completely demolished but he thought the motor was good.

Commissioner Ossenberg said they couldn't declare it anything but scrap and he asked if there was any way that could be kept separate so it wouldn't go in his account. He said the reason he brought this up was because Burdette had a truck that broke right in half, that it was the old Boehne truck and they took the bed and mounted it on something else but the rest of the truck was useless and they just can't hold an auction or call a scrap dealer for one thing and he suggested they get in touch with him to see if they could move it to his place when the scrap auction is held but to keep that separate, that it would go back into the Highway Fund.

Mr. Siebeking said he is cleaning up the yard and they want to get rid of their scrap and he was just wondering what to do with these two pieces.

Commissioner Ossenberg asked Mr. John if they could just ask for salvage and try to keep them separated.

Mr. John said they could estimate the amount and they could have whoever that gets it, to put a price on how much of that should go to the General Fund.

Mr. Siebeking said he thought that when he gets all their scrap put together, that he would just call a couple of scrap dealers and let them come out and give them a bid and he can have them look at these two pieces when they come out.

Commissioner Ossenberg told Commissioner Willner that Burdette Park called him the other day and another truck had all the U joints to go out of it and he asked him what that meant.

Commissioner said that U joints are about $10.00 each at the most and there are two or four, so they are talking about perhaps $100.00 so it would be minor unless they bent the drive shaft, in which case it could get a little expensive.

Commissioner Ossenberg said they are one truck short at Burdette so he was thinking they could send the one truck that came from Pleasantview to Burdette Park, so he would find out more about what is wrong with that truck at Burdette.

RE: QUESTION OF RIGHT OF WAY BEING PURCHASED

Mr. Siebeking said that about three or four months ago, he went before the Council

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and asked for some money to be put in his account to buy some right of way on Lincoln Avenue and on Boonville-New Harmony and the 65 intersection, that he hasn't heard anything and he wondered if this right of way has been purchased and if any contracts have been let, so he would know about encumbering the money.

Commissioner Willner said he could answer to the 65 intersection, that he has one side, that the other side is pending and he has high hopes of getting that but he didn't know about Lincoln Avenue.

Mr. Siebeking said they have to get the money encumbered and they are going to have to have something in writing before Mr. John can encumber it and it must be done by December 2nd.

Mr. Stephen said they made application for R&S monies for Lincoln Avenue and this was approved but they haven't gotten the money as yet.

Mr. John said they had some money to come in last week, that he received three checks on R & S Accounts, that two were something like $300.00 and the other one was something like $15,000.00.

Commissioner Willner said they were figuring on $1,000 for Boonville-New Harmony & 65 and $3,000 for Lincoln Avenue.

Mr. Stephen said they will just get Mrs. Edmund to sign a claim and sign the agreement for the sale of the property and the claim can be processed and the money will be encumbered.

Commissioner Willner said he would have the right of way for the 65 intersection done by December 2nd., that the one side, they will sell, but he is being held off on the other side, so he will work on it.

RE: HIGHWAY DEPARTMENT TO PURCHASE TRUCK

Mr. Siebeking said that Commissioner Willner was to go by and look at the truck he wants to buy and he didn't know if he has had time to do it yet or not.

Commissioner Willner said he hasn't had time to go by there but he talked to Key Ford and they said it is in perfect shape, that it does have 30,000 miles on it and they said the blue book price on it was $4,995.00 but they would sell it to us for $4,100 which is what Mr. Siebeking has.

Commissioner Schaad moved that Commissioner Willner go look at the truck and if it is okay, Mr. Siebeking should buy it. Commissioner Ossenberg seconded the motion. So ordered.

RE: OHIO STREET

Mr. Guillaum said he strongly feels that they are going to have some welding done on Ohio Street in the future, that he got Mr. Nussmeyer back down there to re-weld some of the grids that have popped up.

Mr. Siebeking said that the man that did the work didn't even have the courtesy to bring his people back to where they started from, that he let them stand on the street and he even furnished them flagmen and he had to go get them.

Mr. Guillaum said the point he was trying to make is that technically, Mr. Nussmeyer is out of the contract, so if some of the grids pop up in the future and he suspects they may, so he wondered if they could possibly get Mr. Siebeking's men to do it.

Mr. Siebeking said his crew could do it.

RE: FIRST AVENUE & MARYLAND STREET BRIDGES OPENED

Mr. Guillaum said that they opened First Avenue & Maryland Street and he thinks this is the balance of the contract on the four bridges and he thought they did a pretty good job on them.

RE: REPORT ON BASELINE & SEMINARY ROAD BRIDGES

Mr. Guillaum said they have one bridge on Baseline Road and two bridges on Seminary Road that were let out on contract two weeks ago, that the contractor will be mobilized on Seminary Road within a week.

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RE: COMMENT BY MR. GUILLAUM

Mr. Guillaum said he has one other point relating back to what they were talking about on Mrs. Joeckel, that before that contract was wrapped up, he personally sat down and asked her if she felt that anything was due her from the County or the contractor and at that time, she told him no, that she didn't have any problems or qualms about anything.

County Attorney Smith said it's too late now, that Mr. Guillaum should have been a witness at the trial, but perhaps if the case was re-opened in a lower court, he could be a witness.

Mr. Guillaum said the thing is that she never mentioned any trees, to his knowledge, and that on every contract they had where they had any sort of disagreement with the people in regard to right of way, they try to get it ironed out before the job is over, also that there is something in the State Highway manual for a valuable tree but these things have to be specified from the beginning of the contract.

RE: REPORT ON BRIDGE PROJECTS

Mr. Guillaum said that he thought the bridges here in town are good for ten to fifteen years and they shouldn't have any problems with the exception of possibly some painting and if they further develop out on First Avenue, they may want to go with cleaning and painting that one, and they didn't do everything on Maryland Street that they could have possibly done, but it's kind of where do they draw a line on the thing and as he mentioned, this morning, he is working on the figures right now with the contractor on First Avenue and as soon as he can get something specific in terms of the overruns on it, he will give the Commissioners a change order on it, that it will be a considerable overrun.

Commissioner Ossenberg said one thing he requests that Mr. Guillaum do is to sit with the City until they get those railroad tracks fixed on Maryland Street.

Mr. Guillaum asked what the Commissioners wanted him to do if they couldn't get any results.

Commissioner Ossenberg said they can't go on the one track since he thought it was outside the 500 feet.

Mr. Guillaum said he didn't know, that he was thinking about that the other day, but he thought they were both within the 500 feet and he believed they could get them both in.

Commissioner Ossenberg said to measure it and see and if nothing else, again, if they don't assure him in 30 days, he should tell them that the County will move in and then bill them.

RE: MR. STEPHEN

Mr. Stephen said he checked into the bills of Peyronnin Construction Co. and he checked to see if the amounts paid to the people were the same as listed or not and he checked with their superintendent and he might have to sign an affidavit that he was actually paid that amount of $15.00 per hour, but it checks out with the amount they have listed. He said he would hold it up until he gets a blue claim on it.

The meeting recessed at 12:15 p.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg	Curt John	Ed Smith, Jr.
Bob Schaad		
Robert L. Willner		

Secretary: Margie Meeks

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

BOARD OF COUNTY COMMISSIONERS
NOVEMBER 28, 1977

The meeting of the County Commissioners was held on Monday, November 28, 1977, in the Commissioners Hearing Room with President Ossenberg presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor, with one correction, in that while discussing the Rezoning Petition of Harlan Brand, it read that a Mrs. Gray made a few comments and it should have read Mrs. Drake. (Page 8) The reading of the minutes was dispensed with.

RE: LEW VOLPE...DELINQUENT TAXES OF MR. SCHU

Mr. Volpe said this case is similar to the case he brought before the Commissioners last week, that it concerns the property, tax code 22-18-13, and the County is to get a deed on this property next week, that according to the book, the delinquency is $847.86 and the current taxes are $173.64, that the penalities after November 10th. haven't been put on as yet, so it will be over $1,000.00.
He said that Mr. Schu is here and he would like to make payments to clear his property of the delinquent taxes that is owed.

Mr. Schu said this matter came up rather unexpected, that he didn't realize that it was this way, but he said he could pay $200.00 today and then perhaps $100.00 per month until he could get the delinquent taxes paid.

Commissioner Schaad moved that Mr. Schu pay the $200.00 now and a minumum of $100.00 per month until his delinquent taxes are paid, and anytime that he is 15 days delinquent, and the Commissioners haven't been notified, that the property will revert back to the County. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORTS

A Report was submitted by the Metropolitan Evansville Convention and Visitors Bureau for the month of October, 1977.
Report received and filed.

A Report was submitted by the Bureau of Traffic Engineering for the month of October, 1977.
Report received and filed.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY AUDITOR

Vanessa Adams	615 E. Oregon St.	Clerk	$6,209.00 Yr.	Eff: 11/21/77

VANDERBURGH CIRCUIT COURT

Harris Howerton	1707 Vann Ave.	Bail Bond Interviewer	$3.50 Hr.	Eff: 11/12/77
Michael Bonnell		Probation Counselor	$2.85 Hr.	Eff: 11/28/77

RE: EMPLOYMENT CHANGES .....RELEASES...Leave of Absence

COUNTY AUDITOR .. Mildred Fuquay 100 N. Frederick 1st Dep. $9,650.00 Yr. Eff: 11/21/77

VANDERBURGH CIRCUIT COURT

Harris Howerton	1707 Vann Ave.	Bail Bond Interviewer	$3.50 Hr.	Eff: 11/13/77
Richard Reed	625 Chateau Apts.	Probation Counselor	$3.00 Hr.	Eff: 11/27/77

RE: SAM BLANKENSHIP.....COMPUTER VOTING

Commissioner Ossenberg said that a letter went out from the Commissioners office last week, under his signature, to the County Council and to the members of the Election Board on the Computer Voting, which reads as follows:

It has been brought to Commissioner Willner's attention that Mr. Sam Blankenship has some pertinent information on Computer Voting and he will be at our meeting Monday, November 28, 1977 at 9:30 a.m., to make a presentation.

Mr. Willner has requested that the members of the County Council and the Election Board meet with the County Commissioners at this time to hear the presentation.
Please plan to attend.

Signed by Tom Ossenberg, President
Board of County Commissioners

Mr. Blankenship, a Computer Scientist and Assistant Professor of Business at the Indiana State University of Evansville, appeared and said he would like to take the opportunity to address the Commissioners concerning this problem as he sees it and perhaps he may have a broader viewpoint that the Commissioners may want to consider, in considering the introduction of other technology into the public sector.
He said in this particular problem it is important that they understand the problem definitions they are looking at and his particular problem definition will differ from the Commissioners because they are faced with a particular problem on a particular scope that his problem is, as he sees it, in looking at it with as wide a scope as he can.
He then explained the technical rationality of a voting process which is the clause effect relationship that exists between the hint the voter has when he enters the booth and the expression of that intent in totals as they appear in the final results and therefore affects the outcome of the election.
He explained the program, the hardware, ballot layout, validation, etc. and demonstrated how the computer voting works and how a computer card can be altered to change the vote count for a particular candidate.
He then ran a sample test in which a stack of cards representing a precinct was submitted to the computer for counting. The machine recorded 20 votes for one candidate and 23 for the second on the card.
He repeated the process, this time inserting an extra card with a hole punched in it in a crucial place. The result changed the vote-count, favoring the candidate who lost on the first run through the machine.
Mr. Blankenship said that the validation of the count by the computer would show nothing improper in the count, that no matter what validation system is established, there will always be someone who can by-pass it.
He said the entire vote in the County could be altered to favor a particualr candidate by someone with some computer knowledge.

Mrs. Cox, the County Clerk and Mr. Frank, the Election Board President, both, had questions that Mr. Blankenship answered, and Mr. Frank said he agreed that there was probably no fool-proof system against vote fraud, but that it is his feeling that this system is virtually tamper-proof, much more so than the old paper ballots or the old voting machines, and that they have the ballots to recount if anyone calls for it.

The Commissioners thanked Mr. Blankenship for appearing before them to explain the voting system and said they appreciated it.

RE: LETTER FROM INDIANA EMPLOYMENT SECURITY DIVISION

A letter was received from the Indiana Employment Security Division concerning Unemployment Tax, addressed to the Commissioners, and reads as follows:

Gentlemen:

As a result of PL 262, the State and all political subdivisions as defined by statute will become employers under the Indiana Employment Security Act effective January 1, 1978.

It is the responsibility of this office to contact all potential employers in this area to secure all completed forms required by the Division to properly establish each new account.

Attached to this letter you will find a summary of PL 262 and copies of the above mentioned forms. If you need assistance in completing the forms or have any questions concerning your status or the options available to you, you may write or call this office to arrange a personal contact.

Very truly yours,
Indiana Employment Security Division
Leland E. Gibson

P.S. If you have no employment, please make a note to that effect on the Form 1020-A and return in the enclosed envelope. Otherwise please complete the option on the back of the form.

Commissioner Ossenberg said that basically what this amounts to is that as of January 1, 1978, political subdivisions become under the law subject to unemployment compensation and during budget session, the County Council budgeted 1% of the first $6,000, so there are other options, however, he thought that every political subdivision in Vanderburgh County, on the School Board as well as the rest, took the 1% of the first $6,000, so if the Commissioners choose to do this, they will check the proper box on the form and he and Mr. John must sign it, have it notarized and send it back to them.
He said if they choose not to do it, then they will have to refer it to Mr. John to see what other availabilities there are that would cover the unemployment compensation, but to the Commissioners and to the County Council, it seems that the best way is to take the 1% of the first $6,000 and this is what the Council budgeted for.

Commissioner Schaad asked Mr. John if he didn't say that there were other counties that are using this.

Mr. John said he is sure that there are, that he talked to Mr. Gibson and his Regional Director and he submitted a copy of the law that will tell them how involved it is, that it is about as long as it is broad, but they were in agreement that the 1% would probably be best for the size of Vanderburgh County, as to the number of it's employees, that there is really only one other option involved and that is on a reimbursable basis and there is a possibility of having, say two people that were unemployed, and they could spend as much as they would in total at the 1%, and they would be required at the end of three years to go on the percentage basis anyway, that it is just an option, so his suggestion would be the 1%.

Commissioner Willner moved that the Commissioners elect to pay the 1% on the first $6,000.00 paid each employee in a calendar year, that the form be completed and returned to the Indiana Employment Security Division. Commissioner Schaad seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE

Mr. Hotz submitted the specifications and Notice to Bidders for a commercial Washer-Extractor-Conditioner for the Vanderburgh County Jail, that was drawn up by Mr. Stephen. He said the County Council and the State has both approved the money.

Commissioner Schaad moved that the specifications be approved and that the Auditor be authorized to advertise for bids on December 1st. & 8th. with the bids to be opened on December 12th. 1977. Commissioner Willner seconded the motion. So ordered.

RE: ABSENTEE REPORT

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

RE: COMMENTS ON SNOW ROUTES

Mr. Siebeking said that last winter, he suggested to the School Board that they establish some emergency snow routes and for them and Mr. Rode to get together and this is what they would concentrate on in severe weather conditions.
He said he hasn't heard anything from them and he thought he heard on the news this morning that they have established these routes and they were going to present it to the School Board for their approval, and that the City Garage has established snow routes as other Cities up North have had for years, and he thought this was to be presented before the City Council for approval, so with the approval of the Commissioners, he will get with him after they establish the routes and he will coordinate the County routes with the City routes and they will call these emergency routes and this way, the ones from the County will tie in with the City's snow routes.

Commissioner Ossenberg said he also heard this on the radio this morning, and he suggested that Mr. Siebeking contact Mr. Patrick Henry of the School Corporation, that they are to give it to the School Administration tomorrow and present it to the School Board on Wednesday.
He said he thought this was the way it works and that the City of Evansville has more or less adopted this off South Bend, Indiana, so he might check to see that Vanderburgh County's snow routes are incorporated at the same time.

RE: AUTHORIZED TO ADVERTISE FOR BIDS

Commissioner Ossenberg said that Mr. Stephen is on vacation but he has submitted the specifications and Notice to Bidders for Corrugated Metal Pipe, Pipe Arches, Sectional Plate, Structural Bridge Flooring, Guard Rail and other Culvert and Bridge Material, Calcium Chloride and the Rental of Construction Equipment, that is needed by the

County for next year.

Mr. Stephen had said that the Purchasing Department would take care of advertising for bids on these items with the approval of the Commissioners and this matter was discussed in the meeting of November 14th. but after checking with the Purchasing Department, it was found that they will receive the bids but they will not advertise for bids.

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

The dates the ad will appear in both newspapers will be on December 2nd. and 9th. with the bids to be opened on December 19th. 1977.

RE: LETTER SENT TO PURCHASING DEPARTMENT

Commissioner Ossenberg said that on the instruction of the other Commissioners, he wrote to the Purchasing Department and so informed them that each and every time a bid went through, that the Commissioners weren't going to approve it, that they more or less felt that the Department Heads and Officeholders know what they need and it isn't the job of the Commissioners to write a personal letter each and every time, so at the beginning of the year, they are going to take this into consideration.

RE: TAX DELINQUENT PROBLEM DEFERRED.....MR. SHREVE

Commissioner Ossenberg said that Mr. Volpe, the County Treasurer, had asked the Commissioners to allow Mr. Shreve one more week, since the Treasurer's office still hasn't processed all the checks that have come in on property, and he wants to make absolutely sure, since the check on the Shreve property may have come in, so he would like one more week on it.
The Commissioners agreed that this matter be deferred for one more week.

RE: MATTER OF INSURANCE ON GARRISON AVENUE

County Attorney Ed Smith said he has written a letter to the Insurance Company as to the liability coverage on the problem of the fence out on Garrison Avenue that is on the County right of way, and that he sent them an amended agreement incorporat[illegible] in the agreement, the right of encroachment to the Company and adding another paragraph which he didn't put in the original, giving the County the right to have them remove the encroachment at any time with sufficient notice, so he has prepared the amended agreement and has sent it to them and the question that they put on a rider on the agreement of the Insurance Company showing coverage there as far as liability is concerned. It was sent to Ulrich Chemical Company.
He said it was actually Mr. Stephen's suggestion and he thought the suggestion was good so he sent it out to Mr. Spaetti, that in his opinion, this would be the way to handle the matter, that as long as the County has the right to remove it, it would be satisfactory.

Commissioner Ossenberg asked Mr. Smith if he had done anything as far as Creasey Co. was concerned.

County Attorney Smith said he hasn't, that he wasn't familiar with the improvements that Creasey Company had out there.

Commissioner Ossenberg said that as he understands it from Mr. Stephen, that Creasey Company has a tank on County right of way about the same distance out as Ulrich Chemical Company has, so he thought Mr. Smith should prepare a similar agreement for them and County Attorney Smith said he would take care of it.

RE: GARNISHMENT ORDER

County Attorney Smith said he had a Garnishment Order against a Deputy Sheriff, on Sheriff DeGroote, on behalf of the Plaintiff, A.C. Tilley Co. Inc., that was served on him this morning.

This matter was referred to Curt John, the County Auditor, for proper disposition.

RE: STATUS OF BIDS ON TENNIS COURTS

Commissioner Ossenberg said that the Vanderburgh County Burdette Park Board is calling a special meeting for this evening, at which time they will make a recommendation

on the bids that were received last week for the Tennis Courts at Burdette Park.

The meeting recessed at 10:50 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Bob Schaad Robert L. Willner	Curt John	Ed Smith, Jr.

Secretary: Margie Meeks

BOARD OF COUNTY COMMISSIONERS

BOARD OF COUNTY COMMISSIONERS
DECEMBER 5, 1977

The meeting of the County Commissioners was held on Monday, December 5, 1977, in the Commissioners Hearing Room with President Ossenberg presiding.

Deputy Sheriff Terry Hayes opened the meeting, this being the first meeting of the month.

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

RE: CHRISTMAS DECORATIONS IN THE CIVIC CENTER COMPLEX

A Notification was received from the Fire Prevention Office of the Evansville Fire Department, on December 1, 1977, addressed to All Elected and Appointed Officials. It reads as follows:

All Christmas trees and decorations must either be flame-proofed, or artificial trees and decorations must be used in place of live ones.

Signed, Evansville Fire Department

RE: AUTHORIZED TO OPEN BIDS

The County Attorneys were authorized to proceed with the opening of the bids that were received today for the Elevating of Nurrenbern Road and for the Pipe, Pipe Arch and Box Culverts needed on St. Joe, Cypress-Dale, Nurrenbern and Inglefield Roads.

RE: NOTICE OF PUBLIC MEETING...INCORPORATION OF TOWN OF McCUTCHANVILLE

Commissioner Ossenberg read the following Notice of Public Meeting concerning the Proposed Incorporation of the Town of McCutchanville:

Pursuant to the terms of Burns Indiana Statutes Annotated, Code Edition, Section 18-3-1-7, you are hereby notified that the Board of County Commissioners of Vanderburgh County, Indiana, will hold a public meeting and hearing on a petition filed with said Board requesting the incorporation of the Town of McCutchanville, said meeting to be held on the following date, time and place:

DATE: Tuesday, December 6, 1977
TIME: 7:00 O'clock P.M.
PLACE: McCutchanville United Methodist Church
9401 Petersburg Road

RE: TAX CERTIFICATES AND TAX SALE DEEDS

The County Auditor submitted the Tax Certificates and the Tax Sale Deeds to the Commissioners.
He said that the Tax Certificates are to be referred back to the Auditor's office, for them to be held in abeyance for one year, at which time, they will come back to the Commissioners as Tax Sale Deeds.
He also said that he would see that the Tax Sale Deeds are recorded and then referred to the County Assessor for appraisals.

Commissioner Schaad moved that the Tax Sale Deeds be referred to the County Assessor's office, after they have been recorded and that the Tax Certificates be referred to the County Auditor's office.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY AUDITOR

Mabel Winkler	7608 E. Chandler	Clerk	$20.00 Day	Eff: 12/1/77

BURDETTE PARK

Kim Alan Betts	R.R. 1 Box 352	Ground Crew	$ 3.00 Hr.	Eff: 11/21/77

VANDERBURGH AUDITORIUM

Darrell Lawrence	1632 Red Bank Rd.	Maintenance	$3.00 Hr.	Eff: 11/28/77

RE: MONTHLY REPORTS

The Report of the Traffic Engineer was submitted for the month of November, 1977. Report received and filed.

The Report of the County Treasurer was submitted for the month of October, 1977. Report received and filed.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received from Torian Insurance Agency on Lessee, Oriel Woods of Henderson Ky. for a dance and activities they will hold from December 24th thru December 26th. 1977.
Certificate received and filed.

RE: LETTER FROM JUDGE MILLER...REQUEST TO REMODEL

The following letter was received from Judge Miller of the Circuit Court:

Gentlemen:

Due to the need of additional space, I respectfully request that C.G. Ruston be authorized to install an interior door connecting room 212 & 213, and install another interior door connecting the court room to the grand jury room. The grand jury room may then be used as a witness room when not used by a grand jury. The regular witness room will be occupied by the probation department.

The cost of the installation will be paid from my budget.

Sincerely, William H. Miller, Judge
Vanderburgh Circuit Court

The following letter was received by Judge Miller from Mr. Ruston, the General Manager of the Vanderburgh County Building Authority:

Dear Judge Miller:

Pursuant to our conversation of yesterday, we quote as follows:

Necessary labor and material:

(1) Cut a 32" x 7'0" solid wood door, transom and grille between Room 212 and Room 213, where specified

.....$ 717.00

* (2) Cut a 32" x 6'8" doorway thru 6" building tile between back of Circuit Court Room and Grand Jury Room.
Install steel frame and 32" solid wood door and hardware.

.....$1,240.00

*Note: This work will be done on Saturday because of noise and dirt.

If you desire us to proceed, please issue purchase order or written authorization accordingly.

Sincerely, C. G. Ruston,
General Manager

Commissioner Willner moved that the request of Judge Miller be approved. Commissioner Schaad seconded the motion. So ordered.

Commissioner Ossenberg said he would write Judge Miller a letter to inform him of the Commissioners approval, as well as informing Mr. Ruston.

RE: CLAIMS

A Claim was submitted by Comaier Service, Inc. for police security at Pleasantview Rest Home from August 25, 1977 to December 4, 1977, in the amount of $1,020.00. This claim was approved by Herman Hotz.

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

A Claim was submitted by Brink's Incorporated for services rendered to the Clerk of the Circuit Court for the month of December, 1977, in the amount of $94.80 as per contract.

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

A Claim was submitted by Brink's Incorporated for services rendered to the County Treasurer for the month of December, 1977, in the amount of $253.20 as per contract.

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

A Claim was submitted by Evansville Wet Heat & Piping Co. Inc. which is partial billing for the installation of the oil storage tank and boiler, in the amount of $25,000.00. This claim was approved by Louis Stephen.

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

RE: DRAINAGE PROBLEM ON DREXEL DRIVE

Mr. Stephen said that the matter of the drainage problem in University Heights #2 had previously been discussed, that the problem is at the corner of Drexel and Crestmont, and Mr. & Mrs. Bryant are here to find out what action is to be taken, that there seems to be some misunderstanding as to what they were supposed to do.

Commissioner Ossenberg said he didn't know what action is to be taken but that they aren't getting their University Heights #3 okayed yet.
He asked Mr. Stephen if he knew what action has been taken on University Heights #2.

Mr. Stephen said he didn't think any action has been taken as yet, that his recommendation still stands as to what they should do, and whatever they do will have to be done under the Highway Department and he presumed the Commissioners would have to decide what they want to do and so order and they will carry it out, that their recommendation is still to put the ditch back where it originally was or they will still be compounding their problem.

Commissioner Ossenberg said he understands that the property across the street has been sold and something is being built there.

Mrs. Bryant said she knows the people and they are going to have all their's tiled in, that she could see two other things they could do, that one is to move that pipe down on their easement and put the wall there and she understood that the Commissioners said okay to a wall in their front yard and they said "no", but they could put the pipe on their easement since they have a six-foot easement and so does the lot next door and a wall down there doesn't look bad.

Commissioner Ossenberg said this was the recommendation the Commissioners had heard but they never did say they would do it.
He asked Mr. Stephen if this would be feasible.

Mr. Stephen said this would be going upstream and not downstream and when they do that, they will be moving the pipe from where it is now, the half width of their lot, on to the generally Easterly direction upstream, which will increase the length of pipe that the people on the south side will have to enclose and they may object to that, and it may be on someone else's property and they will have to open that ditch up and they will be very close to the next persons drive.

Mrs. Bryant said they could angle it past their drive, that those people take on virtually no water in that area during a heavy rain.

Mr. Stephen said, but then, they would have to open that ditch up on the South side of the road as much as they would need the pipe, if they used the same angle on the piece of pipe going across the street.

Mrs. Bryant said there is one other thing, that they could keep the pipe where it is and from their easement to the pipe they can put some kind of pipe in and curve it around and throw some dirt on it, but she prefers the mess to be on their easement and that the ditch just be left open, also that if they just put the pipe to it, they

don't move the pipe and this would stop the water from getting past there just like a wall would.

Mr. Bryant asked Commissioner Ossenberg if he has been out in the area or if he has just heard someone tell about the problem they are having.

Commissioner Ossenberg said he has been out in the area, that he toured the area of University Heights #3, that the problem wasn't really pointed out to him but he has held up on University Heights #3 because of the problems they are incurring in University Heights #2, that Mr. Lutterbach is unaware of this, so this Subdivision just hasn't been approved and he imagined that it will come up again Wednesday night, but he is going to hold steadfast until something is done.

Mrs. Bryant said there should be correct drainage, also that they have spent a lot of money on it and will have to spend still more on it, also that from that pipe to the other side of their property line, they have everything fine.

Commissioner Ossenberg said he thought it was agreeable with the other Commissioners and he told Mr. Stephen he had better go out there and see what the County Garage can do and to work with these people and the other neighbors to get the problem solved.

Mr. Stephen said what it boils down to is who pays for the pipe if they enclose it, since this would be the easiest way, that he would say if these people would pay for the pipe, the County could install it, that he didn't know if the County should set a precident of furnishing pipe for someone.

Commissioner Ossenberg said he really didn't think they would be setting a precident, that he thought originally, their engineering was wrong, the way they laid it in there.

Commissioner Schaad asked who sized the pipe across the street from them.

Mrs. Bryant said they are having to put 24-inches in and surface water drains to catch it.

Mr. Stephen said this is the existing size that is now going under the road and that should be all the larger that they should have to be required to put in.

Mr. Bryant said if they do decide to tile it, they really con't care if the pipe is put down the street and if they put up a wall on the easement, they are ready to go along with that and if they do decide to tile it, there will be no problem in getting an okay from the neighbors, that there are possibly three neighbors that would really be concerned with the situation.

Mrs. Bryant said that the concern they have is that they want nothing changed as far as where the water is going across the street in that pipe now, also that the people down the way would like to see the water not run over the road anymore, that this is why they are taking water in their garage and they know the water is getting past that pipe and going next door.
She said they have a double problem, that the water comes up to their drive and the wall would stop it, that they will go along with the wall and the pipe on their easement or they will go along with the pipe, that if this situation hadn't been created, they would just have an open front yard and this would be fine with them because the rest of it looks nice because they have worked with it.

Commissioner Schaad said the only reason he said what he did is because he was in on it originally and he wants the neighbors to be in agreement as to what they want done.

Mrs. Bryant said she understands what Commissioner Schaad is saying, but she has talked with the lady next door that they had problems with, about the situation, and she is adamant of not moving their driveway pipe.

Commissioner Schaad said that Mr. Stephen will go out and talk to the other three people and then they will see who is to pay for the pipe and draw up the plans on what they agree to do to correct the situation.

RE: OPENING OF BIDS

The following bids that were all in good order, were received on the Pipe, Pipe Arch and Box Culvert Structure:

SOUTHWEST ENGINEERING INC.

St. Joe Road.....$ 9,525.00
Cypress-Dale Road.....$21,885.00
Nurrenbern Road.....$14,000.00
Inglefield Road.....$ 6,045.00

Total Bid is $51,455.00

KAISER ALUMINUM & CHEMICAL CO.

St. Joe Road.....$ 6,678.00
Cypress-Dale Road.....$15,126.40
Nurrenbern Road.....$ 9,238.60
Inglefield Road.....$ 8,141.04

Total Bid is $39,184.04

Commissioner Schaad moved that these bids be referred to the County Engineer for study and recommendation. Commissioner Willner seconded the motion. So ordered.

The following bids were all in good order, that were received for the elevation of Nurrenbern Road:

Jerry L. David Excavating Co.....$30,184.00
Deig Bros. Lumber & Construction Co., Inc.....$38,730.00
Southwest Engineering Inc.....$69,274.80
Key Construction Co., Inc.....$54,611.20

Commissioner Schaad moved that these bids be referred to the County Engineer for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: MR. HOTZ.....AUTHORIZED TO RE-ADVERTISE FOR BIDS

Mr. Hotz said they advertised for bids on the Washer-Extractor for the jail, that they checked it out and the factory representative came down last week to see about installing a 130 pound washer and found that it would be necessary to remove part of the building, that apparently the washer that is in there now had been put in there and the walls built around it, so the manufacturers representative was there and suggested that they go to a 60-pound washer and they are making a survey at the present time and it could be that one 60-pound washer will do the job, but it will require no more than two, so according to him, they will be saving maybe $7,000 by using these two because there will be no problems with the installation.
He said apparently they won't receive any bids that are now being advertised for, or if they do, the bids will exceed the amount of money they have for that, so he would like to prepare the bids for these one or two 60-pound washers, with them removing the old washer and installing the one or two new ones, so they can be advertised next week and the week after next and the bids can then be opened on December 27th. and at that time they can encumber the amount of money they have in that account for those machines.
He said they will know whether then need to buy one or two washers before they award the contract and he will have them bid separately and he is having Mr. Stephen re-write the specifications.

Commissioner Schaad moved that they advertise for one machine and then incorporate into the bid as to how much they would be willing to supply a second for, if they need it. Commissioner Willner seconded the motion. So ordered.

RE: MR. HOTZ.....AIR COMPRESSOR

Mr. Hotz said there is a large air compressor in the garage out at Pleasantview and in talking to Mr. Siebeking, he found that there is a possibility that they could use it out on the job on a trailer or tractor if they could put a gasoline motor on it, that he would come out and look at it to see if this were possible.

Commissioner Schaad moved that Mr. Siebeking take the air compressor for use by the County Highway Department if he can use it. Commissioner Willner seconded the motion. So ordered.

RE: ABSENTEE REPORT

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

RE: PROPOSAL SUBMITTED FOR SCHOOL BUS SNOW ROUTES

Mr. Siebeking submitted a drawing showing the new snow route plan that he and Bob Reutter has come up with.
He said it goes before the School Board this coming Wednesday afternoon for their approval and adoption and he is to be there to answer any questions they might have, that this is primarily what they have been working on all summer and it is what he considers to be all the main primary roads leading into the City, that the school buses will run on these roads and the parents will have to get their children to these roads.

Commissioner Schaad asked if these school routes co-ordinate with those of the City.

Mr. Siebeking said they pretty well co-ordinate with those of the City as to the main arteries such as St. Joe, Darmstadt Road, Oak Hill, Old State, Pollack, Mesker Park, Upper Mt. Vernon, Middle Mt. Vernon, Broadway, and Old Henderson Road, that they pretty well tie in with theirs, that he has their list and checked it over and found that it did.
He said this figures out to be approximately a total of 360 miles and in breaking it down for six trucks, it will be on an average of 60 miles per truck, plus two graders and one extra salt truck, if they need them, so he doesn't think there will be any problems with the Highway Department on these roads.
He said he did want the Commissioners to see what these roads were, since they will go before the School Board for their adoption and they asked that he be there to explain what the County Highway Department can do.

RE: MONEY TO BE ENCUMBERED FOR EASEMENT ON LINCOLN AVENUE...CLAIM

Mr. Siebeking said that Mr. Stephen has the claim for an easement on Outer Lincoln Avenue and he has signed it.
He asked Commissioner Willner if he got anything on the right of way.

Commissioner Willner said he will know this afternoon and he will get with him.

Mr. Stephen said he wants to get the money incumbered on some property for the right of way easement on Outer Lincoln Avenue and he was told he would have to change the wording since the man is deceased.

The claim is from Mary E. Edmond for 30' right of way easement in the amount of $2,000.00, for the encumbrance of this amount, not to be paid until January of 1978.

Commissioner Schaad moved that the County Attorney change the wording and that the money be encumbered. Commissioner Willner seconded the motion. So ordered.

RE: BUJEY DRIVE

Commissioner Willner asked Mr. Siebeking if he got that cave in on Bujey and Mr. Siebeking said he has had it taken care of.

RE: CLAIM AND CHANGE ORDER...MARYLAND STREET BRIDGE

Mr. Guillaum submitted a claim from Southwest Engineering for the final estimate on the Maryland Street Bridge and a change order for the same.
He said they have prepared a run down on the over-run of $5,847.50, that the original contract was $31,024.50, so the claim is in the amount of $36,872.00.

Commissioner Willner moved that the claim and the change order for the Maryland Street Bridge be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIM AND CHANGE ORDER...FIRST AVENUE BRIDGE

Mr. Guillaum submitted a claim from Deig Brothers Lumber & Construction Co. for the First Avenue Bridge and said that the original contract price was $13,305.00 and he has a change order of an over-run in the amount of $3,852.66, making the total amount of the claim to be $44,157.66.
He said they had to put a french drain in the North section and also had additional deck removal, the removal of the mud wall for shoe clearance and additional HAC with sidewalk replacement.
He said he has it all broken down as to the time and material, the man hours and equipment involved as well as the labor, also, that on both jobs they had additional blacktop.
He said they are still relatively close to the Engineer's original estimate which was approximately $40,000.00.

Commissioner Ossenberg said he would like to see this bridge paved sometime during this coming year.

Commissioner Willner said he wondered why they didn't coat the asphalt on the bridges with a sealer.

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

RE: MARYLAND STREET RAILROAD TRACKS

Commissioner Ossenberg said they are still after the City on those railroad tracks on Maryland Street.

Mr. Guillaum said they are within 500 feet of those tracks and they have two more weeks to go, so they will surely have it done by then.

Commissioner Ossenberg said that Mr. Guillaum might check with them.

RE: REQUEST TO TRAVEL

Mr. Stephen asked the permission of the Commissioners to attend the Indiana Association of Counties at no expense to the County.

Commissioner Schaad moved that Mr. Stephen have permission to attend this Association meeting. Commissioner Ossenberg seconded the motion. So ordered.

RE: MR. BRENNER ...OPPOSED TO PUBLIC LAW 88

Mr. Brenner said he would like to call the attention of the Commissioners to Public Law 88 which was just passed in 1976, that it affects Vanderburgh County and it takes away the responsibility of the railroads whenever they cross a legal drain, that before, they had to pay the full cost if it was a cut off or a revision of an existing crossing, they had to pay half, that when they bid the re-opening of the old canal and they figured that about $65,000 would come from the railroad and as it is, with this law, it removed the railroad from having all responsibility and he feels that this is extreme special interest and he didn't really believe the legislators knew what they were doing when they did this.
He said he would ask the Commissioners to write a letter to their representative & the Associations of Counties which has their annual convention this week.

Commissioner Ossenberg asked when Mr. Stephen was going to the Indiana Association of Counties and Mr. Brenner said that Mr. Stephen is going up Wednesday and Thursday.

Commissioner Ossenberg said they should let Mr. Stephen hand carry the letter up there.

Commissioner Schaad moved that the Commissioners go on record as being opposed to Public Law 88 and that it be repealed. Commissioner Willner seconded the motion. So ordered.

Mr. Brenner said they will contact all the representatives from our area and he added that if they can't get this law repealed, there isn't enough money to do the old canal, and they would probably have to raise the assessments by one-third.

RE: WATER CUTS IN

The Evansville Indiana Water Department submitted an application to cut into 617 Vanness Avenue to repair a water main.

RE: POOR RELIEF

Wanda Sue Joyce...903 Judson Avenue...Pigeon Township....Investigator, Ms. Vitatoe

The Notice of Poor Relief Action from the Pigeon Township Trustee stated that Ms. Joyce requested help on her rent but was refused since they cannot issue any rent due to fraud with the Welfare Office.

Ms. Joyce said this was in the past and it doesn't apply to the present time, that she is just asking for some temporary help now, since she has no source of income and her rent of $120.00 is due today and her landlord isn't going to wait for the money.

Commissioner Ossenberg explained to Ms. Joyce that the Trustee can't allow her any more on rent than $60.00 per month, since this is the state law.

She said $60.00 would be half of it and that she is looking for a job, that she isn't married and has five children that are living with her and that she isn't on ADC.

Ms. Vitatoe said that it is the responsibility of the father to support his children, that the fraud with the Welfare Office happened about two years ago but has just caught up with her and she hasn't paid the money back.

Commissioner Schaad asked how much she was supposed to pay the Welfare Department.

Ms. Joyce said the amount was $600.00.

Commissioner Schaad asked Ms. Joyce how she was going to repay it.

Ms. Joyce said she supposed monthly, but she doesn't have a job, so she hasn't paid any of it back.

Ms. Vitatoe said she has a year to pay it back, that the father of her children was paying her support, her rent and everything, so she has never had to pay, but he was laid off, but it is still his obligation, since he is the reason that she can't get any ADC, and he lives upstairs and was laid off about a week ago.

Commissioner Ossenberg asked if she had made any attempt to get low rent housing.

Ms. Vitatoe said that she has made no attempt to move out, that if either of them moved out, she could draw the $200.00 per month from ADC.

Ms. Joyce said she doesn't have any place to move to.

Ms. Vitatoe said that the father was in the office last week and applied for rent for her, but she asked that Ms. Joyce come in because it was in her name and the children are with her.

Commissioner Ossenberg also said that legally, they can't do anything about the rent until it is past due and then it would only be $60.00, so they can't do anything until January 9th.

Ms. Joyce said that the landlord will give her a chance if she had a written statement to the effect that the Trustee would help her when they can, and maybe then in a couple of weeks, she could work out something.

Commissioner Schaad said they couldn't do this, since in that time they may both find jobs and they could pay it themselves.

Ms. Vitatoe said if she comes in on January 9th. for the $60.00 on the rent, the landlord wouldn't see it until February anyhow.

The Commissioners agreed that Ms. Joyce should apply for public housing, since she would then get ADC, that the only thing they could do at this time is to refer the case back to the Trustee, and then if she is in the same situation on January 9th. she can come back before the Commissioners.

Commissioner Schaad moved that this case be referred back to the Pigeon Township Trustee. Commissioner Willner seconded the motion. So ordered.

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Margaret Imogene Jackson...319 N. Fifth Ave.....Pigeon Township, Ms. Anslinger, Invest.
Ms. Jackson applied for help on Hospital bill but was denied because of Excessive Income which is over limitations allowed by the Department of Public Welfare.
Ms. Jackson failed to appear today, so no action could be taken by the Commissioners.

RE: CONTRACTS AWARDED

Mr. Stephen said he has studied the bids that were received for the elevation of Nurrenbern Road and for the Pipe, Pipe Arch and Box Culvert for four roads and made recommendations as to who should get the contracts.

Commissioner Willner moved that Jerry L. David Excavating Co. be awarded the contract for the elevation of Nurrenbern Road at the price of $30,184.00, on the recommendation of Mr. Stephen. Commissioner Schaad seconded the motion. So ordered.

Commissioner Willner moved that Kaiser Aluminum & Chemical Co. be awarded the contract for the Pipe, Pipe Arch and Box Culvert Structures as needed on St. Joe Road, Cypress-Dale Road, Nurrenbern Road and Inglefield Road at a total cost of ~~$51,455~~.00, as recommended by Mr. Stephen. Commissioner Schaad seconded the motion. So ordered.

$39,184.04
mm

The meeting recessed at 10:45 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Bob Schaad Robert L. Willner	Curt John	Ed Smith, Jr. Paul Wendel

Secretary: Margie Meeks

Bob Schaad

BOARD OF COUNTY COMMISSIONERS

PUBLIC HEARING ON THE
INCORPORATION OF McCUTCHANVILLE
DECEMBER 6, 1977

The special meeting for the public hearing on the Incorporation of McCutchanville was held on Tuesday evening, December 6th. at 7:00 p.m. with County Commissioner President, Tom Ossenberg, presiding.

Commissioner Ossenberg introduced the County Commissioners to all who were present and said he would start with a general statement as to the background and information for the purpose of this public hearing and to give everyone a brief outline of the possibility of incorporation.
He said that a petition to incorporate the Town of McCutchanville was filed on October 4th. 1977, with the County Commissioners pursuant to the Town Government Act of 1969, that this petition has been examined and meets the legal requirements, that the required notice of the petition has been sent to the Plan Commission and the Indiana Department of Commerce.
He said that the purpose of this public meeting is as follows:

a. The law requires a public hearing on the petition in not less than 16 or more than 90 days from the filing of the petition.

b. The law requires the petitioner to send notice by certified mail to the residents and land owners in the affected area, the City Council of all cities and Town Boards, any part of which lies within 3 miles of the perimeter of the proposed new town and the Trustee of any township within which lies all or a portion of the proposed new town.

Commissioner Ossenberg then asked Mr. Jim Fields if he has a certified receipted copy from the City Council, and Mr. Fields said that he did.

Commissioner Ossenberg then gave a brief statement as to the scope of this meeting by saying that there will be no decision made tonight as to a final vote, that probably another public hearing will be held.
He said he understands that there is some question of the law, that the Commissioners cannot vote before the City Council, so they are taking this matter up the 15th. of December, that he didn't really know, but that we will have one more meeting.
He said that before he calls on the public for the pro and con, he is going to read the outline, briefly, on the conditions which must be met before incorporation could be approved by the County Commissioners. They are as follows:

a. The proposed area is urban in character and reasonably compact and includes territory for future growth.

b. A substantial majority of the property owners in the proposed town have agreed that at least 6 of the following municipal services shall be provided on an adequate basis, those being;

1. Police Protection
2. Fire Protection
3. Street Construction - Maintenance & Lighting
4. Sanitary Sewers
5. Storm Sewers
6. Health Protection
7. Parks & Recreation
8. Schools & Education
9. Planning, Zoning & Subdivision Control
10. One or more Utility Services
11. Stream Pollution Control or Water Conservation

c. Services proposed to be undertaken are capable of being financed by the proposed town with a reasonable local tax rate using the current assessed valuation of properties as a basis of calculation.

d. Incorporation is found to serve the best interest of the territory involved.

In making this determination the County Commissioners shall consider;

1. The expected growth and governmental needs of the surrounding area of which the particular territory is a part.
2. The extent to which essential services and regular functions can be provided more adequately and more economically by an existing unit of government, and;
3. The extent to which the incorporators have indicated a willingness to execute cooperation agreements under the Interlocal Cooperation

Act of 1957 (18-5-1-1 thru 18-5-1-7) with the largest neighboring municipality if that municipality has proposed such agreements.

Commissioner Ossenberg said this was the Acts of 1969, Chapter 252, Section 208, Page 987.
He said that this is the general outline in order for the Commissioners to even consider any incorporation of the McCutchanville area, so at this particular time he called on those who are in favor of the incorporation.

Mr. Ray Lasher appeared and said that McCutchanville, as identified in the Incorporation Petition, which they filed, represents roughly six square miles of residences and farm land and about 2,000 people, that the area is circumscribed roughly by Hwy. 41 on the West, Hwy. 57 on the South and East, and by Boonville-New Harmony Road on the North, but that the petition itself has a more precise definition.
He said that defines McCutchanville, the place, that it is more than a place, that it is a state of mind with a heritage and a tradition which rivals out of Evansville, itself, that behind the old church, there is a graveyard where the early Scotch-Irish immigrants that settled in this area, are buried, that up the road a piece, they have a Volunteer Fire Department with a crew that provides a community service at a fraction of the cost which would be involved if the City were to take over this function.
He said there is a park to the North that was deeded to the community years ago, that provide recreation and pleasure to people from all over the surrounding area, and as to what McCutchanville doesn't have, in a phrase, nothing they don't need, that they don't have street lights and they don't have sidewalks, that they don't need them.
He said they don't have City trash pickup, that they think they have something better, that they have a private contractor, proving once again, that if they give free enterprise a chance, it will do the job better and more efficiently than any governmental unit, that the point is, McCutchanville is a community in every important respect but one, that it is not a legal entity.
He said that through the years, since the settlement of this community which was more than 150 years ago, neither the early leaders or those who followed felt the need to make it legal, believing as they believe today, that a little bit of government goes a long way, and not until now has it become necessary to seek incorporation as a Town to protect what has taken 158 years to build, to insure the survival of the community of McCutchanville.
He said that almost from the beginning, McCutchanville has sent it's leaders and it's skills to the City of Evansville, that the natives and residents of McCutchanville have served in government in Evansville and at the State and National levels as well, that they have supplied skilled labor to industry, entrepreneur to business, leadership and manpower to community service organizations, and even the produce from their farms, that everyone should know that there is little or no commerce in Evansville, only the essentials, that they have a tavern, a restaurant, a general store, and a dress shop for the ladies, which he was told that this is a necessity.
He said this means that the people of McCutchanville trade in Evansville and they spend their dollars there, that it isn't a one-way street, that there is a kin-ship between Evansville and McCutchanville and they don't deny it, that they simply do not think it is necessary for McCutchanville to be part of Corporate Evansville, to continue to make it's contribution to the good of Metropolitan Evansville.
He said, those opposed to the incorporation of McCutchanville have sited the need to attract new industry as one of the main arguments for annexation, and he asked, where is it written that prospective new industry wants to be located within the city limits, and where does it say that industry or people cannot be good citizens of a metropolitan community without being citizens of the corporate community, that they have good examples to refute that, right here in Vanderburgh County.
He asked what could be wrong with having enclaves of residential areas incorporated within a metropolitan area, sanctuaries of homes protected from industrialization and urbanization, a place for people to live as opposed to a place where people work.
He said if Evansville does not provide for the preservation of such areas which already exist, like McCutchanville, then the people who want such areas will manage to find them in Posey County, in Warrick County, Gibson County or in Henderson County, that they think the incorporation of McCutchanville, to preserve it as it exists today, will be a benefit to Vanderburgh County, and they urge the County Commissioners to give favorable consideration to this petition.

Mr. Andy Easley appeared and said if they are allowed to incorporate, they believe they can put together a group of people who can put an organization together, to take of the services they will need as a community, that police protection can be provided as in other small towns, by a Town Marshal, that for fire protection they have their Volunteer Fire Department and they propose to make a contribution to them, that street construction, maintenance and lighting can be provided by either contracting with contractors or to have some equipment of their own, that the sanitary sewer system, when and if it is economically feasible, could be constructed, that there are numerous ways to finance it and the most popular method for a small community is the Farm Home

Administration of the Department of Agriculture, that he, personally, has designed systems for Poseyville and Elberfeld which have been constructed and were financed in this manner.
He said they really shouldn't need any storm drainage systems to supplement what they already have, that they have a system of natural drains and the community can take care of the storm drainage system that they have, and as far as Health Protection Services are concerned, they continue to be provided by the Evansville-Vanderburgh County Health Department which their present tax dollars are paying for, and as for Parks and Recreation, as Mr. Lasher pointed out, they have a park that is maintained by the McCutchanville Community Association, and if they need assistance, the town can supplement their present income.
He said that their schools are provided for by the Evansville-Vanderburgh County School Corporation and in planning, zoning and subdivision control, which they feel is very important, can either be provided for by the town or by contracting with the Area Plan Commission and having a representative on that Commission.
He said that their proposal to pay for these services would be, he believed that the tax rate was calculated at approximately 45¢ per one hundred dollars valuation, and the budget that was put together for the petition, which they think is realistic, that the Town Board of Trustees would be compensated with an annual salary, that the President would get $30.00 per month or $360.00 per year, that the members of the Town Board would each recieve $240.00 per year and the Town Clerk and Treasurer who has quite a responsibility in a small town, they have proposed an annual salary of $900.00, that they budgeted $50.00 per month for Town Attorney, Town Marshal, which is the largest item in the budget, will be paid $4,800.00 per year and this would be a part-time position, that for postage, telephone and office supplies, they have budgeted $900.00 per year, that for street maintenance they have budgeted $3,600.00 per year.
He said that their streets are basically in good shape and have a good base, such as Petersburg Road, Browning Road, and others, so they hopefully wouldn't have any great expenditures there, and as for street light expenses, he thinks there are some key intersections such as in the front of the fire station and others that should have some street lighting, that he has suggested an annual budget of $1,000 for this, that the street lights cost approximately $100.00 per year, so this would give them about 10 street lights, and for insurance they have budgeted $900.00 per year, for fire protection, a budget of $4,000 per year, for the town hall rent and utilities, they have budgeted $2,400 per year, which adds up to $19,940.00 which their 45¢ per one hundred dollars would cover.

Attorney James Fields, who represents both the committee and North Siders Opposed to the Proposal to Enlarge Evansville, asked, rather than speaking fully at this time, if he if he could have the opportunity to make any wrap-up comments at the end of any comments Commissioner Ossenberg has, that his feeling at this time is, that everyone is going to be better served by having received comment here, as to the questions the people have and the statements they may have, because they are the people we are dealing with at this point and time and the people that are really interested in preserving their heritage, so he thought it would be better to hear from them at this point and time.

Mr. Richard Becker appeared and said that he has lived in the area since 1960 so he thinks he has a reasonable knowledge of what has happened there, as a resident, that he hasn't taken part in the discussion because he thought it would put him in a position that wouldn't be absolutely fair in listening to the various sides of things that might be brought up.
He said that there are some things that perhaps should be emphasized in this meeting, particularly for the gentlemen who are here because they are trying their very best to get out what should be out on this situation, that he first wants to call to the attention of the Commissioners, what they see on trash collection, that all they have to do is to run down the road like Stringtown Road in Evansville where Browning Ferris collects the trash and they see all the torn up galvanized cans left by contractors, and then they find that here, there is already a very fine organization which has already been talked about, which will come, for a very low rate, and even gets the trash from their garage and leaves everything clean in the area.
He said, at this point, they say that you should depend upon the fact that our dear Mayor is going to take care of this and he didn't know how much of this they should necessarily believe, and some of them who have lived here long enough, have put some water mains and other things in and paid for them from their own pockets, and he found that a cover wasn't put on one of the holes after a water line had been installed, so he called the Mayor and the engineer, that it has been four to five years and it has never been covered, but he stopped calling because it doesn't do any good, and these are the type of things that are concerning them and he thinks the Commissioners should have this type of information, also that they have a lot of fine feeling for the people here that do their work, such as the Fire Department, that if they haven't been doing

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the caliber of work that they have been doing, they wouldn't be getting the support they are getting in this area for this type of work.
He said he just wanted to pass this information along because their dear friend, Russell, needs to open up his eyes and his ears and see and hear some of the things that are taking place that are causing some of these feelings the people have and he personally feels that this matter is part of what they have to do, that it isn't that they are just trying to say that they have everything in McCutchanville the way they want it or that it is a great situation, but they want to look at it carefully and coldly, and he for one don't know exactly what they are going to get after the annexation is all over, that he would like to hear something about that sometime.

Mr. Paul McDaniel said that one thing he has noticed lately, if they look in the paper, they will see maybe three or four pages of court records on speeding and all kinds of misdemeanors and if they were to accumulate the amount of people and the amount of fines that have been paid, it would be an astronomical fee for every day and what he doesn't want to see is a bunch of speed traps set around out in their neighborhood where they can't even drive without worrying about getting a ticket, like over on Stringtown Road and on Mill Road, where there happens to be a speed trap, that McCutchanville don't need any city police out there sitting around, trying to catch the local residents in some kind of speed trap where they might be going about ten miles over the speed limit.
He said that the only trouble they have in the way of lawlessness is when the city roughnecks come out and tear down the mailboxes and do other things like that, that they don't need the city police protection or anything like that because they are law abiding people and they don't have any of those kind of problems.

Mr. Don Dailey said he feels that he has lived in McCutchanville as long as anyone, that he has lived next door to the Fire Department since 1950, that they have been great neighbors and he thinks they have done a terrific job for McCutchanville and he didn't think the Evansville Fire Department could come anywhere near having the devotion and dedication that they have.
He said he also thinks our Vanderburgh County Sheriff's Department are on the spot whenever needed, also that there is one thing that hasn't come up and that is the trash collection, that in the City, he believed, everyone must take their trash to the curb and so many McCutchanville residents live so far back from the road, that this is why they came to McCutchanville, because they wanted air and space and they wanted to be away from the road, and he can't quite imagine him and his wife carrying their trash 400 feet up the road with their trash every week and then wonder if it got picked up or if it got dumped out or torn up by vandals, that there are just a great many things that the city does not realize about how the people live in McCutchanville and why it is different and how it cannot be changed and how they can't possibly conform to the city pattern.

Commissioner Ossenberg said this will be taken under advisement, that he doesn't know the feelings of all the Commissioners but he does know how he feels but that he intends to withhold his opinion until a vote is actually taken.
He said that an ordinance must be adopted by the City before McCutchanville can incorporate and under the state law, even if the Commissioners decide in favor of the incorporation, their action would be overridden by a negative City Council vote.
He said a question that he has asked the City and hasn't gotten an answer to is what are they even doing being involved, since City government is just not recognizing County government, that since the Commissioners are the legislative and executive branch of County government, they should at least have as much authority to determine what gets incorporated within the County as does the City.
He said that the Commissioners must also receive recommendations on the request from the State Commerce Department and the local Area Plan Commission before they can vote on the petition.

Mr. Steve Appel, Assistant City Attorney, appeared and said he had been asked to represent the City and convey it's objections if the Commissioners decided to vote before the Council completes action on the McCutchanville request, which will be on December 15th.

It was noted that the state law gives second class cities a three-mile limit on deciding if areas of the County can incorporate and that Evansville is a second class City.

Mr. Fields said they might consider challenging City Council, that he hasn't extensively researched past court rulings on annexations but his research, so far, has turned up no case where the three-mile limit has been directly challenged.

He said that citizens have a right to live where they choose and why should those rights be destroyed by a City that says, "no, we won't let you do it," that there are many things in question here, that these people want to preserve their heritage and not many places can be found where these things exist, and these people have a right to exercise how they want to work and live, the right to their religion and learning and they ought not to have their rights destroyed or kept from them, and why, from a City that won't let them do it, by a City that only wants a head-count for additional money and can't give them anything.

Commissioner Ossenberg said that on advice of the County Attorney, the Commissioners will have another public hearing at a later date, at which time the Commissioners will take a vote, that this will be after the City Council votes on the petition.

Commissioner Willner said he wished to make his feelings known, that he isn't a resident of McCutchanville but he was instrumental in the Incorporation of Darmstadt and he believes that it is the intent of the Constitution of the United States, where it reads that a community is allowed to govern themselves and when they vote on the Incorporation of McCutchanville, his vote will be in the affirmative.

Commissioner Schaad said that when the petition was filed, he didn't make any comment so everyone thought he was against the incorporation, which isn't necessarily true, that he thought they need to hear all sides and they don't have reports as yet from all other sources, and it wouldn't be proper to make a decision until the Commissioners have all the facts and only then can he make an intelligent decision.

The public hearing recessed at 8:15 p.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Tom Ossenberg Bob Schaad Robert L. Willner	Curt John	Ed Smith, Jr. Paul Wendel

Attorney James Field, for the petitioners
Assistant City Attorney, Steve Appel
Residents of McCutchanville

Secretary: Margie Meeks

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

BOARD OF COUNTY COMMISSIONERS
DECEMBER 12, 1977

The meeting of the County Commissioners was held on Monday, December 12, 1977, in the Commissioners Hearing Room with Vice President Bob Schaad presiding.

The minutes of the previous Commissioners Meeting and the minutes of the Public Hearing that was held on the Incorporation of McCutchanville proposal on December 6, 1977, was approved as engrossed by the County Auditor and the reading of them was dispensed with.

Commissioner Schaad said that Commissioner Ossenberg is unable to be here since he sustained several broken ribs after falling on the ice.

RE: ORDINANCE TO BE PREPARED FOR HEALTH DEPARTMENT

County Attorney Wendel said that it was called to his attention, last week, that the Evansville-Vanderburgh County Health Department has been charging fees for some services without any City or County ordinance on them, so he would like to request the permission of the Commissioners to contact them to find out just exactly what type of ordinance they would like and what specific charges they want in it, etc, for the Commissioners consideration.

Commissioner Willner moved that County Attorney Wendel have permission to do this. Commissioner Schaad seconded the motion. So ordered.

RE: CONTRACTS SIGNED BY COMMISSIONERS

Contracts were awarded last week to Jerry L. David Excavating Co. for the elevation of Nurrenbern Road at the cost of $30,184.00 and to Kaiser Aluminum & Chemical Co. for the Pipe, Pipe Arch and Box Culvert Structures as needed on St. Joe Road, Cypress-Dale Road, Nurrenbern Road and Inglefield Road at the cost of $51,455.00.

Commissioner Willner moved that the Commissioners sign the approval of these contracts at this time. Commissioner Schaad seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

Sherry J. Brooks	3018 Adams Ave.	Receptionist	$5,899.00 Yr.	Eff: 11/25/77

COOPERATIVE EXTENSION SERVICE

Michael J. Thomas	Rte. #4 Fischer Rd.	4-H Asst.	$3.50 Hr.	Eff: 11/4/77

KNIGHT TOWNSHIP ASSESSOR

Mona Barrett	1550 Marshall	Deputy	$20.00 Day	Eff: 12/5/77
Naomi Kreisle	4107 E. Morgan Ave.	Deputy	$20.00 Day	Eff: 12/5/77

PIGEON TOWNSHIP ASSESSOR

June Hallenberger	1409 Fountain	Clerk	$20.00 Day	Eff: 12/5/77
Viola Schmahlenberger	1325 Fountain	Clerk	$20.00 Day	Eff: 12/8/77

PIGEON TOWNSHIP TRUSTEE

Helen A. Eickhoff	2700 W. Pennsylvania	Clerk	$6,052.00 Yr.	Eff: 12/12/77

RE: EMPLOYMENT CHANGES.....RELEASED

COUNTY TREASURER

Viola Schmahlenberger	1325 Fountain	Extra Help	$20.00 Day	Eff: 12/7/77

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received from Southwestern Agency, Inc. on insured, Larry Aiken, for a concert that was held on December 6th. 1977, at the Civic Auditorium. Certificate received and filed.

RE: NOTICE OF PUBLIC HEARING BY STATE

Commissioner Schaad said he thought this was mentioned before, but that the State is holding a Public Hearing on the widening of St. Joe Avenue, from Diamond Avenue to Mill Road, which is scheduled to be held on December 15, 1977, at the Farm Bureau Co-op Association, Inc. which is located at 5015 St. Joe Avenue.
He said there will be an informal meeting from 2:00 p.m. until 5:00 p.m. and a formal Public Hearing at 7:30 p.m. that evening, also at the Farm Bureau.

RE: POSITION OPEN FOR ASSISTANT TO COUNTY COUNCIL

A Notice of an add for an Assistant to the County Council to replace Anika Juras was submitted to the Commissioners.

Mr. John said that the County Council is looking for an Assistant to replace Anika, that he put a notice in all the officeholders boxes and he sent it to the newspaper, that he just submitted it for the record.
He noted that the County Council has their own budget now.

The ad reads as follows:

EQUAL OPPORTUNITY EMPLOYER

The following position is now open with Vanderburgh County. Preference will ge given to Veterans and unemployed applicants - in that order. If interested, please contact the Auditor's office or phone 426-5420. All applications must be received in the Auditor's office, Room 208, by December 19, 1977, 4:00 p.m.

POSITION	DEPARTMENT	SALARY	ADDITIONAL INFORMATION
Assistant	County Council	To be determined	Degree in Urban Affairs, Business Administration, Public Administration, or related field, or equivalent experience. Prefer several years experience in government, business, or industry, also must be familiar with Vanderburgh County government, and a resident of Vanderburgh County.

RE: LETTER FROM CIVIL DEFENSE

The following letter was received by Commissioner Ossenberg by the Defense Civil Preparedness Agency:

Dear Mr. Ossenberg:

What would you and members of your staff do in the event of a nuclear attack by an aggressor nation upon the continental United States?

To answer this question members of the Indiana State Civil Defense Office will present an informative and current slide presentation entitled "Nuclear Civil Protection Planning". This showing will be held in the City Council Chambers, Room 301 of the Civic Center Building on December 15, 1977 from 1:00 to 2:-- p.m. You have been invited to this presentation due to your emergency assignment in the event of any disasters in Vanderburgh County.

In preparing our plans for a Nuclear Attack we will, also, formulate all necessary plans that would be implemented in the event of any disaster in our County. You are most urgently requested to attend this important meeting. Please feel free to bring other members of your staff or in the event that you cannot attend, please send a representative.

Mr. Phillip N. Cleary, Disaster Planner, from the Indiana State Civil Defense Director's Staff will discuss specific plans formulated for our County and those in the southwestern part of Indiana. He will be prepared to answer any questions that would relate to your department's functions.

Looking forward to seeing you at this meeting. Happy holidays to you and all the members of your staff.

Sincerely yours,
William F. Montrastelle,
Director

RE: CONTRACT APPROVED WITH XEROX CORPORATION

Mr. John submitted a letter from Mr. Daniel Oates of the Xerox Corporation and said that Mr. Oates is in the audience and they have discussed the possibility of going into a new contract with some savings on the current plan, if they do go with a two-year lease plan, that they would save approximately $52.00 per month over the current plan, and that it does have a funding out clause in case the Council would not allow duplicating services in the future
He submitted the contract plus the amount of approximate savings, and said that he would like to make the latter a part of the minutes.

The letter reads as follows:

Dear Curt:

As you requested, I have prepared the following cost analysis between your present rental plan and the new Two Year Plan that we recently discussed. The new plan is called Xerox Duplicating Plan 5 and here is an explanation of the pricing plan:

Monthly Duplicating Charge.....	$180.00
Meter Charges:	
1-5 Copies	.0375
6 + Copies	
First 67,950 Copies	N/C
67,951 +	.0028

The new Two Year Plan will fix your cost for the next 24 months, while providing you a funding out clause each year. As we discussed, the 3600-1 is the best alternative available to the County and the Two Year Plan offers you the lowest possible cost. Here is a cost analysis of the two plans:

Present Cost	$ 630.00
Proposed Two-year Plan	$ 578.00
Monthly Savings	$ 52.00
Annual Savings	$ 624.00
Savings Over Contract Period	$1,248.00

This is submitted for your review and immediate action. Should you have any questions, please do not hesitate to call immediately.

Sincerely, Daniel Oates, Major Accounts
Representative of the Xerox Corp.

Mr. John said this is a guarantee that the County will have it for two years instead of for one year, but it is for the exact same services they are receiving right now.

Commissioner Willner moved that the new plan be approved and that the Contract be signed. Commissioner Schaad seconded the motion. So ordered.

RE: CONTRACT MODIFICATION.....CETA

Ms. Juras said that the CETA Contract simply does three things, that it increases the CETA money to the County by $18,000, picks up three jobs which the City has been paying for because the County didn't have the money, that they are County jobs and that they are back on the County CETA payroll, and includes the wage increase at the County Highway and Burdette Park.

Commissioner Willner moved that Commissioner Schaad sign this contract. Commissioner Schaad seconded the motion. So ordered.

RE: NOTICE OF CLAIM AGAINST THE COUNTY

The following letter was received by the County Treasurer and the County Commissioners from Arthur Griffith, Attorney at Law, who is representing Ms. Norma Jarvis:

Gentlemen:

Norma Jarvis is making claim against you for the actions of Lewis Volpe as Treasurer in terminating her employment on or about October 28, 1977 for her political activity and also is making claim for the slander involved in the false statement by Lewis Volpe that she was a liar and deceitful.

Her damage is that she lost her livelihood as a result of her being fired and she was embarrassed, humiliated and held up to ridicule by the slanderous statements which has adversely affected her health and has made it impossible for her to secure other employment.

She is asking to be reinstated in her employment, that she be paid for the time which she has been off work because of the illegal firing together with her costs and attorney fees and damages for the slander in the amount of $25,000.00.

Sincerely yours, Arthur Griffith

This matter was referred to the County Attorney's and it will be brought up again next week.

RE: NOTICE OF SUIT AGAINST THE COUNTY

The following letter was received by the County Commissioners and the County Auditor from Adolph H. and Virginia Grein:

Gentlemen:

Please be advised that the undersigned wish to put you on notice as to claim that has been filed against Vanderburgh County, rising out of the following incident:

That on or about the 27th day of June, 1977, Mr. Adolph H. Grein was operating his motor vehicle north on Old State Road or near the intersection of Wortman and Old State Road, and as Mr. Grein came around the curve, he found himself facing an unlighted barricade and caused property damage to a 1966 Buick automobile and potential personal injuries. The County of Vanderburgh and others were negligent in that they failed to light the street barricade, failed to erect any suitable or adequate warnings of barricade, failed to inspect the site to see whether or not the barricade was lit, failed to inspect the site to see whether adequate warnings were posted, and failed to inspect to see if warning signs and lights had been erected and were in operation.

That Mr. Grein and his wife, Virginia looking to the County of Vanderburgh and others for adequate and reasonable compensation for injuries received.

Property damage to the vehicle exceeds $800.00.
Attached is a copy of sheriff's accident report.

Signed, Adolph H. and Virginia Grein

Commissioner Schaad noted that there is no accident report attached to the notice.

Commissioner Willner moved, on the recommendation of County Attorney Smith, that this matter be referred to the County's Liability Insurance Carrier. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST FOR ADDITIONAL PHONE BY JUDGE MILLER

The following letter was received by the County Commissioners from William H. Miller, the Judge of the Circuit Court, in reference to an additional phone for the Court:

To Whom It May Concern:

This is to advise you that an additional phone is needed in Circuit Court, Room 210. Included will be needing to have the phones hooked into the Centrex System, transferring of present phones, and transferring the bell system.

Thank you for your attention and Co-operation.

Sincerely, William H. Miller
Judge, Vanderburgh Circuit Court

The note attached read that he actually wants phone number 5415 moved to Room 213, number 5194 moved to Room 212 and a new phone in Room 210-C, that all phones be hooked up to their push button answering device, that Gil Ruston is installing the receptacle and that the Telephone Company is getting the price together, that the installation cost will be approximately $77.00 and the monthly payments will be approximately $15.85.

Mr. John said that the installation cost will come from Judge Miller's budget, but that the County will have to pay the monthly operating costs.

Commissioner Willner moved that the request of Judge Miller be approved. Commissioner Schaad seconded the motion. So ordered.

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RE: DENIAL OF CLAIM OF DAVID AND PAMELA ZWIESLER

County Attorney had been instructed to write a letter to Mr. Byran of the Law Firm of McHale, Cook & Welch of Indianapolis, Indiana.
He sent them the following letter:

Dear Mr. Byron:

As Vanderburgh County Attorney, I have been authorized to advise you that your claim submitted on behalf of David J. Zwiesler and Pamela A. Zwiesler was denied by the Commissioners of Vanderburgh County.

Very cordially yours, Edwin J. Smith, Jr.
Vand. Co. Attorney

Commissioner Schaad said this claim was denied by the Commissioners at their meeting of November 21st. 1977.

RE: CLAIMS

A Claim was submitted by Peyronnin Construction Co., Inc. for the repair of sewer lines, for the removal and replacement of concrete slabs and other necessary work to correct existing conditions at the Civic Auditorium, in the amount of $12,760.12, which was approved by Mr. Hotz.

Mr. Hotz also attached a letter to the claim which was addressed to Mr. John, which reads as follows:

Dear Curt:
After all bills are posted, please encumber the remaining balance of Acct. 131-253 (Repairs to Buildings and Grounds).
We want to apply whatever money that is left in this account towards a bill from Peyronnin Construction Company for work done at the Auditorium.
Thank you, Sincerely, Herman T. Hotz,
Supt. of County Buildings

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

Commissioner Willner then moved that the money be encumbered as requested. Commissioner Schaad seconded the motion. So ordered.

A Claim was submitted by the Evansville-Vanderburgh County Building Authority for labor to install second coaxial cable from Courts Computer Room to S.E. corner Auditor's Machine Room, 45 feet of coxial cable from front of 216 Support Office to rear, in the amount of $162.00, as approved by Maurice O'Connor.

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

A Claim was submitted by County Attorney Paul Wendel for his office allowance for November and December in the amount of $250.00.

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

A Claim was submitted by County Attorney Ed Smith for his office allowance for November and December in the amount of $250.00.

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

A Claim was submitted by Szabo Food Service Inc. for the meals of the Deputies for the period of November 1st thru November 15th. in the amount of $183.95, as approved by Sheriff DeGroote.

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

A Claim was submitted by Szabo Food Service Inc. for the meals of the Inmates for the period of November 1st thru November 15th. in the amount of $3,537.95, as approved by Sheriff DeGroote.

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

A Claim was submitted by The National City Bank of Evansville for the County's fixed rental due December 30, 1977, for the first six months of 1978, in the amount of $331,285.00, and signed by Gil Ruston.

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

A Claim was submitted by the Evansville-Vanderburgh County Building Authority for the County's additional rental due December 30, 1977, for the first six months of 1978, in the amount of $381,947.00, and signed by Gil Ruston.

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

The following claims were submitted by the City of Evansville for the County's share of Combined Departments:

Traffic Engineer at 14% for the month of October in the amount of $3,312.84, signed by Fred Shatara, Deputy Controller.

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

Purchasing Dept. at 50% for the month of October in the amount of $1,938.59, signed by Fred Shatara.

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

Weights & Measures at 42% for the month of October in the amount of $900.21, signed by Fred Shatara.

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

Health Dept. at 17.8% for the month of October in the amount of $7,459.49, signed by Fred Shatara.

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

Building Inspection at 40% for the month of October in the amount of $5,569.64, signed by Fred Shatara.

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

RE. CLAIM FOR CREDIT

A Claim showing a credit of $110.00 was received from Torian Agency, Inc. by deleting the boiler coverage at 801 N. Boehne Camp Road.

Commissioner Willner moved that the credit of $110.00 be approved. Commissioner Schaad seconded the motion. So ordered.

RE: AUTHORIZED TO RE-ADVERTISE FOR BIDS

Mr. Hotz said that bids were to be received today for the Washer-Extractor that is needed by the County Jail but none were submitted, as he expected, that this matter was discussed last week and it was decided that they re-advertise for bids for one or two 60-pound washers.
He submitted the specifications and Notice to Bidders at this time, to re-advertise for bids for two 60-poind washers, since he thinks that two washers will do a better job.

Commissioner Willner moved that the specifications be approved and that the County Auditor be authorized to advertise for bids on December 15th and 22nd with the bids to be opened on December 27th. 1977. Commissioner Schaad seconded the motion. So ordered.

RE: FUNDS REQUESTED TO OPERATE PLEASANTVIEW BUILDING

Mr. Hotz said that funds for operating the Pleasantview building after January 1st. were discussed previously and Mr. John had suggested that they put the funds in the County Commissioner's budget, and the Commissioner's had asked that he submit some estimates as to the amount of funds that would be needed.
He said that in January of 1976, the gas & Electric was $1,628.79, in February, $1,556.46, and in March, $1,062.16, that they have a minimum rate for water in the amount of $25.00 per month and the Security Service that is contracted, runs $350.00 per month.

Commissioner Willner asked what he has the thermostat set at, since this sounds like an excessive amount of gas and electricity for a building that is in mothballs.

Mr. Hotz said he has it as low as possible to keep everything from freezing and it would be about the same for next year for the first three months, since they are in the same position as they were this time last year.

Commissioner Schaad said this amounts to $5,372.41 in total for three months, so they should ask for approximately $5,500.00 in the two accounts.

Commissioner Willner moved that this amount be approved for the operation of Pleasantview for the first three months of 1978 and that Mr. Hotz prepare a letter to Mr. John so it can be advertised and placed on the Council Call for January. Commissioner Schaad seconded the motion. So ordered.

RE: ABSENTEE REPORT

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

RE: COMMENT ON REVENUE SHARING FUNDS APPROVAL

Mr. Siebeking asked if the hearings for the Federal Revenue Sharing Funds have been held for the approval of the raise for his people.

Mr. John said it has been approved by the Council and the hearing is this week sometime, that when Mr. Eades comes down, they will get verbal approval over the phone and it will be approved as of the last pay.

RE: EMERGENCY SNOW ROUTES APPROVED

Mr. Siebeking said that the School Board did approve the emergency snow route plan for the school buses last Wednesday afternoon that he had submitted to the Commissioners previously, also that it will be left up to Dr. Fisher as to when the routes are put into effect, that he will keep in touch with Dr. Fisher to see that they co-ordinate.

RE: MARYLAND STREET BRIDGE

Commissioner Schaad said that Mr. Guillaum appeared before the Commissioners last week and stated that they were still after the City on the Railroad tracks on Maryland Street and that they had two more weeks, and he was told that nothing has happened yet and that they have one more week to get the job done.

RE: REPORT ON INDIANA ASSOCIATION OF COUNTIES

Mr. Stephen said that the meeting of the Indiana Association of Counties was about wrecked because of the weather and they did condense some of it.
He said they had reservations for from 1,200 to 1,500 people but it turned out that they only had from 400 to 450 people and due to the bad weather in the North, the speaker of the house who was to be on the program wasn't able to get there, but that it was an interesting meeting and he did pick up some information.

RE: DREXEL DRIVE

Mr. Stephen said he thought they came to a solution out on Drexel Drive which the Commissioners were using to possibly keep University heights #3 from being okayed at this point, so if he gets a phone call from Andy Easley, he wondered what he should tell him and he asked what the procedure is now since it was turned down.
He said he thought it was held off the agenda and would be put on for the next meeting of the Area Plan Commission, and he asked if it should come back before the Commissioners or the Drainage Board for their approval.

Mr. Brenner said that the Area Plan Commission will just schedule it back through again.

RE: MONTHLY REPORT

Mr. Crooks submitted the Report from the Building Commissioner's office for the month of November, and he said he believed that the total monthly figure to be 35% over last year.

RE: OUTER LINCOLN AVENUE

Commissioner Schaad asked Commissioner Willner how he came out on the right of way easement out on Lincoln Avenue.

Commissioner Willner said he has one but not the other one, so he didn't think they could encumber the money unless they just wanted to buy one of them.

RE: OAK HILL ROAD

Mr. Brenner said that on the by-pass of a driveway they were going to have on Oak Hill Road, he had sent a letter telling him that his office had the plans ready and he didn't respond at all and the Commissioners are the ones that approved the zoning.
He said he was talking about Mr. Saletta, the architect, and he would like for the Commissioners to contact him and have him come to the Surveyor's office.

Commissioner Willner moved that County Attorney Smith write Mr. Saletta a letter. Commissioner Schaad seconded the motion. So ordered.

RE: BOONVILLE-NEW HARMONY AND HWY. 65

Commissioner Willner said that on the corner of Boonville-New Harmony Road & Hwy. 65, Mr. Reising has agreed to take $500.00 for 50 feet each way off the intersection, and that Mr. Rexing, across the road, said the County could use the property any time they wanted to but he didn't want to sell it.
He said he asked Mr. Rexing to change his mind but he hasn't done so as yet, so there is still a possibility, but he hates to do one without the other, that the one he has agreed to sell is the worse kind and it also has a telephone pole that blocks the view of the highway.

Commissioner Schaad said there is no point in encumbering the money, that they would have to let it go and just come back and ask for it again.
He wondered what they should do in the meantime to pursue it, and he asked Commissioner Willner if he would continue to work with Mr. Rexing to see if he will sell.

Commissioner Willner said he would work with Mr. Rexing until he definitely refuses to sell.

This matter will go by the wayside for the present time since they can't encumber the money without a committment.

RE: DECISION MADE TO RE-ADVERTISE FOR SALE OF PLEASANTVIEW

County Attorney Smith had prepared a letter to send to Mr. Gary Gerling, the attorney for Mr. Newcomb who had previously bid on the Pleasantview property and it reads as follows:

Dear Gary:

This letter will supplement our conference on Monday, December 5, 1977. As we discussed, subsequent to the auction of Pleasantview there occurred good faith misunderstandings on the part of both the County Commissioners and your client, Mr. Newcomb, which presented unsolvable differences which in turn has prevented the finalization of the sale of Pleasantview to Mr. Newcomb.

As you also know, there was another bid submitted by Mr. Flowers, which bid was rejected by the County Commissioners and subsequent thereto, Mr. Flowers filed suit contesting the validity of the sale of Pleasantview to Mr. Newcomb. Mr. Flowers is represented by Mr. Ole Olsen, Sr., with whom I have recently conferred concerning this suit.

In order to resolve the apparent impasse, all interested parties have agreed as follows:

1. Mr. Newcomb will withdraw any claim he might have concerning the purchase of Pleasantview as a result of his bid on September 28, 1977.
2. Mr. Olsen will dismiss, with prejudice, the suit by Mr. Flowers against the County Commissioners concerning the sale of Pleasantview.

3. The Board of Commissioners of Vanderburgh County will void all prior actions taken in connection with the proposed sale of Pleasantview and will re-advertise and conduct a new public auction for the outright sale of pleasantview pursuant to law, subject to terms and conditions.

I am addressing this letter to all interested parties, and this may serve as a letter of intent and agreement between the heretofore stated interested parties. If there is any question concerning the matters contained in this letter by any of you gentlemen, then you should immediately contact either myself or Mr. Wendel.

Thanking you very much, I remain Very cordially yours,

Edwin R. Smith, Jr.
Vanderburgh County Attorney

The Commissioners then discussed the possibility of the outright sale of the Pleasantview property and Commissioner Schaad asked Commissioner Willner if he was willing to go with the outright sale and do away with the possibility of leasing it all together.

Commissioner Willner said he would, but the only thing he would like is the committment of the other Commissioners, that they put a minimum price of $300,000.00 on it.

Commissioner Schaad said that won't keep them from sending the letter to Mr. Gerling.

Commissioner Willner said that it would to him, that he didn't want to make this agreement if they can't set a minimum limit on it.

County Attorney said he sees nothing wrong with doing this, since it might protect the Commissioners in not getting a lower bid.

Commissioner Willner moved that it be approved with a $300,000.00 minimum on the re-sale of the property, that they terminate the present sale and re-advertise, that it will only be for sale and not for lease or lease purchase.
He said that he didn't want to lose their present bid they have and then re-advertise and take say $200,000.00.
Commissioner Schaad seconded the motion. So ordered.

The Commissioners instructed both County Attorney's to prepare the specifications for the sale of the Pleasantview property and only for sale.

RE: POOR RELIEF

Janice Wilson.....434 S. 13th. Street.....Pigeon Township...Robert Olsen, Deputy Trustee

The Notice of Poor Relief Action by the Trustee shows that Ms. Wilson requested help on her rent but was denied because the situation created by laxity of Housing Authority in collection of rent, that their position is that amount owed can be prorated by the housing authority.

Mr. Ron Graul of a Ministry Program for the United Methodist Church appeared and introduced Tom Ulrich, Associate Service worker with the Catholic Charities, Edna Robinson who is manager of the Lincoln Gardens Area Homes for the Evansville Housing Authority, Mrs. Ron Meyer who is Associate Service worker with the Housing Authority.
He said that at the present time Ms. Wilson is in arrears with her rent with the Housing Authority in the amount of $668.45, that at one time she was about $1,100.00 behind but she has attempted to pay it back and now owes the $668.45, that part of the problem that it is this high is the fact that her husband, at one point, was in the home and he has a rather large income, which meant that the rent per month that they were paying was $244.00 per month, so if you get several months behind, at this payment, the rent adds up very rapidly, and several months during the summer when their rent was this amount, the husband was not in the home and Ms. Wilson didn't have the means to pay that amount of rent.
He said that right now, Ms. Wilson has against her, a writ of possession filed by the Housing Authority, and this writ was to be served on December 9th. 1977, which means that she should be on the street, with six children, looking for housing, but the Housing Authority put off that action until they could get some kind of ruling today on the possibility of her getting some emergency assistance from the Township Trustee.
He said she does have six children, that she was employed with the Housing Authority but was laid off, that she and her husband have had marital problems and her husband has a social problem which led to their separation and subsequent divorce, so he is no longer in the household but he is paying some child support for four of the children.

He said that Ms. Wilson is also receiving some assistance from the Welfare Department through ADC, that her income has been substantially reduced though, due to the fact that her husband is no longer in the household, and the fact that she is no longer working due to a lay-off, that her rent has now been adjusted and is approximately $36.00 per month with the Housing Authority and they want their back rent, so there is a possibility of her looking for housing in Evansville, where there is an extreme housing shortage, that the reports are that there is a less than 1% vacancy rate, so it is very difficult to find, but they hope they can work out some kind of settlement so they can keep Ms. Wilson in the house.
He said that he hoped that Ms. Wilson and her family will not be punished, that the reason for the denial by the Trustee is that the Housing Authority was negative in collecting the rent and letting it get that far behind, so he hoped they weren't punished, since they have had problems with some governmental agencies in doing the best job.

Mr. Olsen said that the Trustee inquired on this case personally, because in the process, Mr. Ulrich came in to see Mr. Morrison, that Mr. Ulrich is a representative of Catholic Charities, and they discussed this case, that the Trustee feels that any number of cases have come to them recently and there are very large back rents that are owed by individual tenants in almost all the projects except for the Hi-Rise Apartments and this is an illustration of negligence on the part of the Housing Authority, that a few individuals are allowed to run up rents and this one is over $1,000.00, and should this process continue this year and next year, their budget is going down the drain before it ever starts, and if the Housing Authority doesn't take some measure to correct this, as they are always public stating that they will not allow any tenant to be more than 30 days delinquent.
He said that when they talk to the Housing Authority about reducing these rents, they say that they can't be blamed about not lowering it because all tenants understand that when financial circumstances change, they come in and delineate those circumstances and upon proof, they will lower the rent, but they don't come in to ask for it, so they can't do what isn't requested, that this is how the big pile up came about, and the Trustee said this is a good pattern case as to what has been going on, and it is very rare for someone in housing to owe $1,000 and not to have had some action taken on it before, so there is negligence on their part, and also that someone offered to pay so much per month on it, so someone at the main office should crank up and accept this money instead of taking a negative attitude and trying to throw the whole matter back to the Trustee.

Ms. Hall said they helped Ms. Wilson in September and told her the best they could do was to pay $52.00 rent then, but they feel that if there was a difference in her income when her husband wasn't in the home, there should have been something done between her caseworker and housing to make the difference so they could lower her rent but this wasn't done.

Ms. Robinson said that she did make an adjustment in Ms. Wilson's rent at the time she and her husband separated, from $244.00 to $130.00 which was based on her income of support and ADC and during this time Ms. Wilson lost her job which was on October 1st. and it was at this time that the Trustee paid a month's rent, and then her rent was changed to $87.00 and then it was changed again to $36.00 which is just based on support and now that she is getting ADC and support, her rent will be changed again as soon as her account is cleared up, that she is the one that is holding the rent up at $36.00 now, and should housing know that she is getting ADC and support, her rent will be adjusted according to her income.

Commissioner Schaad asked Ms. Robinson if Ms. Wilson wasn't paying her rent when she should have been paying it, when the rent was high.

Ms. Robinson said that when the rent was high, was when they were going through the process of their divorce and the rent was $244.00 per month, and when Ms. Wilson came to them, her rent was adjusted and about that time she owed about $907.00 but she wasn't paying the rent at that time and when her husband did pay on the rent, he paid on the current rent and the accumulated balance was still there.

Mr. Graul said that Mr. Wilson has an alcohol problem which led to the other problems and divorce, and he again hoped that the family wouldn't have to suffer because of this.

Commissioner Willner asked what Ms. Wilson's income is at the present time.

Ms. Hall said that Ms. Wilson's support is $55.00 per week and her ADC is $174.00 per month.

Mr. Graul said what he would like to propose as a possible solution to the problem is that if the Trustee would agree to pay one-third of the back rent, the Catholic Charities will pay one-third of it and the Housing Authority has said that with this

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kind of committment, they will then accept Mr. Wilson's agreement to pay on the remaining balance, so with this kind of committment, he thought it would be a fair compromise and it wouldn't hurt the Trustee's budget.

Mr. Olsen said he would take this information back to Mr. Morrison and come back next week, that if they had this proposal before now they may have been able to put something together before coming before the Commissioners.

Commissioner Willner moved that this case be referred back to the Pigeon Trustee. Commissioner Schaad seconded the motion. So ordered.

Commissioner Schaad asked Ms. Hall if she can keep Ms. Wilson in the home for another week.

Ms. Hall said that she talked to Mr. Hayes of the Sheriff's Department and asked that he hold up on the writ of possession until she talks to him again.

Commissioner Schaad said the Commissioners would appreciate it if she could hold up any action for another week, to give everyone time to try to resolve this problem. He said this case has been referred back to the Trustee, together with Mr. Graul going down to make the proposal.

Larry Wayne Cardwell....Civic Plaza Hotel ....Pigeon Township....Mr. Olsen, Chief Deputy
Room 310

The Notice of Poor Relief Action from the Trustee states that Mr. Cardwell requested help on his rent but was denied because he refused to accept the Men's Social Center. Mr. Cardwell failed to show up today so no action could be taken by the Commissioners at this time.

The meeting recessed at 11:00 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Bob Schaad Robert L. Willner	Curt John	Ed Smith, Jr. Paul Wendel

Secretary: Margie Meeks

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

BOARD OF COUNTY COMMISSIONERS
DECEMBER 19, 1977

The meeting of the County Commissioners was held on Monday, December 19, 1977, in the Commissioners Hearing Room with President Tom Ossenberg presiding.

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

RE: AUTHORIZED TO OPEN BIDS

County Attorney Smith was authorized to proceed with the opening of the bids that were received today for corrugated metal pipe, guard rails and other bridge materials that will be needed by Vanderburgh County for next year.

RE: EMPLOYMENT CHANGES.....APPOINTMENT

CORONERS OFFICE

Kathleen Taylor	2900 E. Gum St.	Vacation Clerk	$86.00	Eff: 12/19/77

RE: EMPLOYMENT CHANGES.....RELEASED

PROSECUTORS OFFICE

Teri L. Wallace	1104 Shiloh Sq.	Secretary	$7,182.00 Yr.	Eff: 12/31/77

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by Lukens & Sons Insurance on insured, Swanson-Nunn Electric Co. Inc. etal, for their Christmas Party which will be held at the Vanderburgh Auditorium.
Certificate received and filed.

RE: MONTHLY REPORT

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

RE: CONTRACT TO BE SIGNED...PROFESSIONAL CONSULTING SERVICES

A Contract was submitted by David Griffith, President of David M. Griffith & Associates, Ltd. for an agreement for Professional Consulting Services to Vanderburgh County.

Commissioner Ossenberg said this matter was brought up in a previous meeting of the County Commissioners and he thought it was a $12,000.00 fee.

Mr. John said this is correct and that it has been approved by the County Council.

Commissioner Ossenberg said this contract provides the development of a central services cost allocation plan, the negotiation of the plan with the representatives of DHEW and the State of Indiana, the assistance in preparing the initial claims to the state for recovery of funds due the county and the preparation of indirect cost proposal for the Department of Public Welfare and the Child Support Program, and to prepare memo billings for the CETA program.
He asked if this contract has been heard by the State Board of Accounts.

Mr. John said that the State Board of Accounts hears it on Wednesday, December 21st, and they will be given approval over the phone and if he does, he will go ahead and send it in.

Commissioner Schaad moved that the contract be approved, subject to the approval of the State Board of Accounts. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg told Mr. John that he will sign the contract after it has been approved by the State Board of Accounts.

RE: LETTER FROM RED CROSS BLOOD CENTER

The following letter was received by Commissioner Ossenberg from the Evansville Subcenter of the Louisville Regional Red Cross Blood Center:

Dear Tom:

Since April 1, 1977, the Red Cross has supplied the total blood needs of the Evansville community, assuring the community of quality blood supply.

On January 4, 1978, the city-county employees will participate in a bloodmobile. We would like to hold the bloodmobile in the Gold Room at the Civic Center. This location enables all city-county employees to give blood at a site conveniently located to their offices.

Since the Blood Center is a non-profit organization, we have no funds allocated for rental purposes. We would appreciate your consideration regarding the use of the Gold Room.

Sincerely, Terry L. Stumpf
Donor Resources Consultant

Commissioner Schaad asked Mr. Dewes if there was any conflict with that date, and Mr. Dewes said that the Gold Room is available on that date.

There was discussion on the use of the Gold Room at no charge and Commissioner Willner said that if the Commissioners allow this, they will have to do it for others.

Commissioner Ossenberg said that no one has used the Gold Room for free, but in most cases the people have gone to the County Council, and if they needed the money, the Council has granted the money and then they paid the money to the County. He said he didn't know how they could make an exception.

Commissioner Schaad said they couldn't go through this procedure here, since they want it on January 4th. and there won't be enough time to get it from the County Council.

Mr. David Schmitt, President of the Board of Directors of the Red Cross, appeared and said the reason this is in such a hurry is because they have approximately five days over the holidays where there won't be an opportunity for a blood drawing and if they waited until the 3rd. of Janaury, then they wouldn't have an opportunity to set up appointments for the people to come to a planned location, so this is one of the reasons it is a hurry-up deal and he realizes this.

Commissioner Ossenberg said he thought the Commissioners were going to have to take a look at this and to use their own disgression, as these kind of requests come in, that he knows they need blood and he has no objection, but by the same token, if some other non-porfit organization comes in, they would have to look at the situation by the same degree.

Commissioner Schaad told Mr. Schmitt that the Commissioners understand that this is a worthwhile cause, and he hope he understands, but usually what happens, as has been done in the past, is that the County Council approves the money to be given for the cause and then it goes back, which keeps it from being for free, that it has been done in other instances, but as sure as they let one have it for free, it would open Pandora's box, not that they wouldn't like to, since there are a lot of good causes, but they have always gotten around it this way, but the time is of the essence here and they don't have the time to do it.

Commissioner Ossenberg asked what the total cost of the rent for this would be and Mr. Dewes said that it would be $ 175.00 per day.

The Commissioners wondered if there could be another place set up in the Civic Center for this.

Mr. Schmitt said there isn't, that this is why they were requesting the Gold Room, that they must have 1400 Square feet minimum and they don't have this much room.

After some discussion between the Commissioners, Commissioner Ossenberg said he thought a decision would be made and that he would be in touch with Mr. Schmitt, that in all fairness, since they have gone through procedure in the past, they are not denying this request, but he thought the Commissioners could come up with some anonymous donors that would pay Vanderburgh County $175.00 so they can grant the Health Department the use of the building, so they can make their necessary preparations and he will be in touch with him.

Mr. Schmitt thanked the Commissioners for their consideration.

RE: NOTICE OF CLAIM

A Notice of Claim was received on foreclosure of a Mechanic's Lien.

Mr. John said that he talked to Commissioner Ossenberg about this last week, that it is just a mechanic's lien between some individual and a contractor, for tax purposes, and against Vanderburgh County, since this property was sold at tax sale.

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

RE: HOLIDAY CLOSINGS ANNOUNCED

Commissioner Ossenberg announced that all County offices will be closed on Monday, December 26th. due to the Christmas holiday, so the next Commissioners meeting will be on Tuesday, December 27th. and likewise, the County offices will be closed on January 2nd. and the Re-organization meeting of the County Commissioners will be held on January 3rd. 1978.

RE: REZONING PETITION.....VC-88-77.....POSTPONED UNTIL JANUARY

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

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

Premises affected are situated on the South side of Upper Mt. Vernon Road, formed by the intersection of Upper Mt. Vernon Rd. & Red Bank Rd.
The requested change is from A to C-1B.
The present existing land use if for Agricultural crops and the proposed land use is for a shopping center.
This petition was denied by the Area Plan Commission with three affirmative votes and nine negative votes.

Commissioner Ossenberg said that a letter was received from Silver Realty Co. which reads as follows:

Because of insufficient time to complete engineering and prepare data regarding water run-off in connection with our above numbered rezoning petition, as required by the Area Plan Commission, by your next Board meeting, we respectfully request postponement of our hearing until the January scheduled meeting.
Thank you,

Yours very truly, Silver Realty Co.
Sol Silver

Commissioner Schaad moved that Silver Realty Co. be granted the postponement as requested, for 30 days, which will be in January of 1978. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....VC-87-77.....WITHDRAWN

Petitioners and Owners of Record...Herdis W. and Anna Ruth West of 406 N. Wills Ave.

Premises affected are on the north side of Upper Mt. Vernon Rd. approximately 1300 feet east of Boehne Camp Road, more commonly known as 5317 Upper Mt. Vernon Road.
The present existing land use is zoned as agricultural and the requested change is to R-3.
The present existing land use is vacant and the proposed land use is for apartments.

This petition was denied by the Area Plan Commission with 12 negative votes.

Mr. Ed Johnson, Attorney for the petitioners, requested that this rezoning petition be withdrawn.

Commissioner Schaad moved that petition VC-87-77 be withdrawn. Commissioner Willner seconded the motion. The vote was unanimous in the affirmative, so this petition is withdrawn.

RE: REZONING PETITION.....VC-89-77

Petitioner... William L. Koester of Poseyville, Indiana
Owner of Record....Casper M. Gardner of Inglefield Road, Evansville, Ind.

Premises affected are situated on the east side of U. S. Hwy. #41, more commonly known as the 600 block of Inglefield Road.

The requested change is from A to M-2
The present existing land use is agricultural and the proposed land use is for Heavy equipment repair and storage.
This petition was approved by the Area Plan Commission with twelve affirmative and one negative vote.

Mr. Wayne Ketn, Attorney for the petitioner appeared and explained that Mr. Koester operates Koester Equipment Co. which is a large earth moving equipment company, presently operating in Posey County, but that they would like to change their operation to Vanderburgh County and for this reason, they have entered into an option to purchase certain property from Mr. Gardner who owns the property involved.
He also said that the area east of highway 41 is zoned as agricultural with Mr. Gardner owning the property immediately east and immediately south, that the property to the west of highway 41 is zoned as M-2, that there are two matters involved here in addition to what they have this morning which will have to be presented to the Commissioners at a subsequent time.
He said that an application for a driveway permit was filed in the Surveyor's office for a driveway from the subject property down to and including Inglefield Road, however there is an error on it and they are having the necessary personnel contact Mr. Stephen in the Surveyor's office to make the necessary changes there and secondly, he understands they must appear in front of the Commissioners as far as the Drainage Board is concerned, in order to secure their approval with regard to the drainage.
He then explained the map he had submitted in regard to the proposed access to Inglefield Road, showing the start of a road and also the drainage.
He said there is a proposed lake up there and their effort, as far as drainage is concerned, is to present detailed plan showing what happens on the overflow when the lake is full and things of that general nature, that there will be a paving over a portion of this property which rather obviously hinders the drainage to the point of view of seepage at that time, showing the end of the proposed lake and thereafter, that Mr. Koester does propose to move his operation from Posey County to Vanderburgh County and for this, he does require an M-2 zoning in this particular area.
He said the one negative vote at the Area Plan was on the basis of the necessity of the largeness of the area rather than the use of the area, that he questioned whether the twelve acres was necessary, that he spoke to Mr. Koester about this matter and to be honest, this is his problem right now, a lack of space.

Commissioner Schaad asked if this has been approved by the Drainage Board and Commissioner Ossenberg said it hadn't but that the zoning can be approved subject to the drainage.

Commissioner Schaad then asked if Mr. Lochmueller had looked at the access road off Inglefield Road.

Mr. Kent said that the access road was just presented this morning, that he has discussed it with Mr. Stephen and there is a change that must be made there and his people will contact Mr. Stephen today on that matter.

Commissioner Ossenberg said the rezoning is also subject to the engineer's okay.

Commissioner Willner asked if the outside storage would be fenced and Mr. Koester said it will be fenced and that the fence will be about seven feet high.

There were no remonstrators.

Commissioner Ossenberg said there were no remonstrators at the Area Plan Commission, that the only thing brought up there was the fact that the acreage involved was from equipment of this particular gentleman having run an equipment company about thirty years ago and that size equipment to this size equipment today which was pointed out to him.

Commissioner Schaad moved that petition VC-89-77 be approved subject to the approval of the Drainage Board, to the approval of the curb cut off Inglefield Road by the County Engineer. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....THIRD READING.....VC-90-77

Petitioner.....Agri-Steel, Inc.
Owner of Record.....John W. Chappel, Rte. #3, Box 245, State Hwy 57

Premises affected are situated on the west side of State Hwy 57, a distance of 376 feet south of the corner formed by the intersection of State Hwy 57 and Ruston Lane, more commonly known as 14120 State Highway 57 North.
The requested change is from A to M-2.
The present existing land use is a Livestock Auction Barn and the authority for said

land use is Conditional Use 30-74-APC which was approved by the Area Plan Commission on August 14, 1974.
The proposed land use is for the manufacturing and sale of grain bin floors.
This petition was approved by the Area Plan Commission with eleven affirmative votes and two negative votes.

Mr. Ed Johnson, attorney for the petitioner appeared and said that the existing location houses the Livestock Auction Barn which is either going out of business or changing location, he didn't know which, but they have given Agri Steel Inc. an option to purchase subject to the rezoning, and that Agri Steel will not change the existing facilities, since they believe, at the present time, that they can get their operation into the existing facility but they might do some interior work once they are in there to accomodate the manufacturing, storing and sale of steel grain bin floors.
He said this particular real estate is zoned as agricultural, however in 1974, the Area Plan Commission did grant the Livestock Auction Barn a conditional use so they were presently zoned to accomodate the nature of their business, also that Agri Steel is relatively a new business in the Evansville area and are presently leasing space in the old Chrysler building but they are cramped there and they must get out of there, also it isn't good for those big trucks to come through the heart of the City, so it would not only be beneficial to Agri Steel, but beneficial to the community if they could get this operation on the outskirts of the City.
He said they have heard a lot about zoning for manufacturing uses along 41 North but they haven't heard much about any along Hwy. 57 North and it seems to him that they are both equally good zoning for manufacturing.

Commissioner Willner asked if there would be any outside storage and if so, would it be fenced in.

A representative of Agri Steel said there would be outside storage but it wouldn't be fenced.

Commissioner Willner asked if it was unsightly and he was told that it would be agriculture equipment and won't be unsightly, also that the floors they manufacture will be stacked neatly outside.

There were no remonstrators.

Commissioner Schaad moved that petition VC-90-77 be approved. Commissioner Willner seconded the motion. The vote was unanimous in the affirmative. The motion carried.

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

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

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

The requested change is from A to R-3.
The present existing land use is Agricultural and the proposed land use is Multi-family residential.

Mr. Ted Ziemer, attorney for the petitioner appeared and explained that Mr. & Mrs. Robuck are petitioning to have 4.98 acres rezoned and that the area surrounding the area they are seeking to rezone is all zoned as agricultural except for real estate directly east of this real estate which is zoned M-1 for an Industrial Park and if the rezoning is granted, it is the intention of the petitioners to build apartment buildings on this acreage, that there would be three buildings, each containing 16-one bed room apartments, 1 building containing 16-two bed room apartments and two town houses, each which would contain 6-two bedroom apartments and 2-one bedroom apartments, that all of them would be two stories and the access to the project would be from Green River Road and they will be meeting with the Urban Transportation Study and with the County Surveyor's office for any determination that need to be made regarding access to Green River Road and they will provide either acceleration or decleration lanes as required by those offices.
He said the sewer for this project would be the contemplated sewer along old Boonville Highway and they would run down the east side of their property, running south, to connect to the extension of the sewer at Old Boonville Highway.
He said they haven't had a report as yet from the Building Commissioner's office or the Soil Conservation Service, but they will meet any requirements by then regarding

elevation to take care of any flooding possibilities, that Mr. Biggerstaff has reviewed the drainage for them.

Mr. Biggerstaff then outlined the drainage proposals for the area in question.

Commissioner Willner moved that petition VC-91-77 be approved on first reading and that it be referred to the Area Plan Commission. Commissioner Schaad seconded the motion. So ordered.

RE: OPENING OF BIDS

County Attorney Smith looked at all the bids received today and found them in good order. The request for bids was on Corrugated Metal Pipe, Pipe Arches, Sectional Plate, Structural Bridge Flooring, Guard Rail and Other Culvert and Bridge Material, Calcium Chloride and the Rental of Construction Equipment for 1978. The bids are as follows:

Orbie of Illiana, Inc. Crawfordsville, Ind....
Item #1B- 4,000 gal. loads of 38% liquid calcium chloride FOB Evansville or job site.....33.5¢ Amount $1,340.00
The above material delivered and applied to any road in the county.....39¢ Amount $1,560.00

Commissioner Schaad moved that this bid be referred to Mr. Stephen for study and recommendation. Commissioner Willner seconded the motion. So ordered.

American Timber Bridge & Culvert, Inc. of Fort Wayne, Indiana...
Treated Timber Bridge Plank, 3" material, random lengths (FOB shipping point, design drawings not furnished, this item only).....$385.00 MFBM
Treated Timber Bridges.....$983.09 MFBM
Panelized Bridge Decks, Longitudinal.....$1,092.74 MFBM
Timber Box Culverts & Panel-Lam Decking.....$820.45 MFBM

Commissioner Schaad moved that this bid be referred to Mr. Stephen for study and recommendation. Commissioner Willner seconded the motion. So ordered.

Guard Rails...Item 1A...10 gauge-12' -6" Galvanized W/Hardware

James Drew.....$3.78 per L.F.
Bauer Bros.....$4.50 per L.F.
All Metal .....$4.10 per L.F.

County Attorney Smith said that James Drew Corp. was low at $3.78 per L.F., that Mr. Stephen has examined the bids and recommends that this bid be accepted.

Commissioner Schaad moved that these bids be referred to Mr. Stephen. Commissioner Willner seconded the motion. So ordered.

P. & H. Construction Co., Inc. ...
Item 1C...Equipment Rental.....$25.00 and $35.00 per hour, W/Operator.

County Attorney Smith said this does require a bid bond which is attached and in good order.

Commissioner Schaad moved that this bid be referred to Mr. Stephen for study and recommendation. Commissioner Willner seconded the motion. So ordered.

CULVERT MATERIALS

Bids were received on Culvert Materials from All Metal Inc. and Bauer Bros.

County Attorney Smith said that he and Mr. Stephen has taken random samplong on various units of different guages and came up with Bauer Bros. being the low bid, but Mr. Stephen recommended that the Commissioners accept both bids because one will have lower prices on one item that the other company, since they are all on a per item basis.

Commissioner Schaad moved that these bids on Culvert Materials be accepted. Commissioner Willner seconded the motion. So ordered.

Mr. Stephen noted that when they bid this, someplace along the way, yearly bids for

some materials were dropped off, that apparently the Purchasing Department had gone ahead and taken bids for anything that was used by both, the City and the County, but not when it was just used by the County.

Mr. Stephen recommended that all other bids received on calcium chloride, timber, guard rails be accepted and that P.& H. Construction Co. be awarded the contract for the equipment rental.

Commissioner Willner said he has some problems with these bids and he asked that a decision be made at a later date, after he has talked to Mr. Stephen about them, so the awarding of a contract on these items were deferred for the time being.

RE: SIECO.....COUNTY PAVEMENT MARKING PROGRAM

Mr. Lochmueller said that originally there was 40 miles of road that was going to be striped at 100% federal money and now he sees that it is up to 100 miles, so if they go with this they are going to have to ask for more 100% money,so he has a supplemental draft for the request of money for the additional mileage for the Commissioners signatures. He suggested that the roads not be striped until the surface of the roads have been repaired and that this is for next year.

Commissioner Schaad moved that the Commissioners sign and file the supplemental draft. Commissioner Willner seconded the motion. So ordered.

Mr. Lochmueller said there is a claim attached, that he has checked it and finds it to be in order.

RE: LYNCH ROAD

Mr. Lochmueller said he has checked with Leo Weiss on Lynch Road and he was told they sent the letter that was requested by the state so they could move on it and that he would like to see it advertised and he would see that the secretary gets a copy of the letter.

RE: ST. JOE AVENUE

Commissioner Schaad reported that the state did have the hearing out at the Farm Bureau on the extension of St. Joe Avenue, that it was a very fine meeting and the people were very anxious to see the work completed, so there weren't any remonstrators but there were a few questions by people who have proposed projects out there, as to what is going to happen, so it shouldn't be very long before they are under contract, perhaps from next July to September with construction following.

RE: REPORT ON SAFETY CHECKS

Commissioner Schaad asked how they are coming along on the implementation of the safety checks that Engineer Associates did for them.

Mr. Lochmueller said he doesn't have anything on this as yet, that he is trying to work it in, so when they come down on March 1st. they can do it.

Commissioner Schaad said they have had a study made so if they don't do something with it, it will all be for naught.

RE: CLAIMS

A claim was submitted by SIECO, Inc. for Professional Engineering Services provided in conjunction with the Pavement Marking Demonstration Program as per Agreement from 10/1/77 thru 11/30/77, in the amount of $458.51, which was checked and approved by Keith Lochmueller.

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

A claim was submitted by Torian Agency, Inc. for Insurance covering the Boehne Hospital Property in the amount of $1,822.00, with a credit of $547.00 due to the cancellation of coverage, making the total amount owed to be $1,275.00.

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

RE: LETTER FROM ULRICH CHEMICAL

The following letter was received by County Attorney Smith, from Ulrich Chemical, Inc.:

Dear Ed:

Pursuant to your letter of November 22, 1977, enclosed is a statement from our insurance company indicating coverage on the fence and the agreement which we have executed.
Please present it to the Commissioners.

Very truly yours,
Ulrich Chemical, Inc. Harold M. Spaetti
Vice President - Southern Region

Enclosed: Encroachment and Indemnification Agreement
Certificate of Insurance

P.S. Ed, I would appreciate if Commissioners would execute Monday, December 19, so I can get this fence completed.

County Attorney Smith said he feels pretty good about this, also that they attached an Insurance Rider on it which he requested, as to specific liability coverage on the fence.

Commissioner Schaad moved that the letter be signed. Commissioner Willner seconded the motion. So ordered.

RE: MR. HOTZ

Mr. Hotz said some steel shelving at Pleasantview that isn't attached to the building is available, that he is in need of some inactive storage downstairs and he would like to use this shelving.

Commissioner Schaad moved that Mr. Hotz be permitted to use this shelving. Commissioner Willner seconded the motion. So ordered.

RE: ABSENTEE REPORT

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

RE: SOUTH WEINBACH AVENUE

Mr. Siebeking said that last year, he brought up the suggestion of closing off South Weinbach Avenue when the river is up, with some gates and he thought it kind of hung fire.
He said that Mr. Judd has given him a couple arms that hold up the lights over the streets and he has a lot of problems out there when the water is up, with the barricades being torn up and flares being destroyed, so he would like the permission of the Commissioners to go out there and set two posts on each end and hang this gate up with a "closed" sign on it designating the high water and painting it with reflector paint so when they have to close the road, all they will have to do is to close that gate, chain it and lock it, that they can then take the gate down in the spring.
He said this past week there was a car sitting in the middle of the road in the high water, who had run the barricade, so the man just walked off and let his car sit and there were other problems, so he thought this to be a way to stop it.

Commissioner Willner said this would be agreeable with him if they put a warning sign up before that.

Mr. Siebeking said they would put up a warning sign about 100 feet back designating that the road is closed ahead.
He also said they use flares but they lose them as fast as they put them out there,

that the blinker lights cost about $16.00 each and they get shot out as fast as they put them out there, so they have gone to the burning flares which run about $7.00 each, that they chain those on but vandals take the whole thing.

Commissioner Willner said they should be sure the florescent paint is adequate.

Commissioner Willner moved that these installations be approved. Commissioner Schaad seconded the motion. So ordered.

RE: FIRST AVENUE BRIDGE

Mr. Brenner reported that they intend to start this week on the surveying and engineering to put an extra two lanes on First Avenue across Pigeon Creek.

Commissioner Willner asked if they have an agreement with the City before they start the work.

Mr. Brenner said the Commissioners had received a letter from the City about two months ago asking that the County do it, that they want a four-lane to take off all the parking and maybe make limited access on First Avenue in places.

Commissioner Willner said he thinks they should have this in writing, from the Board of Public Works, since he would hate to spend a lot of money for nothing.

Commissioner Ossenberg said he has no objection to it, that he would like to see it done too, but he would also like to see them fulfill it like the County asked them to do before, which is to do it all the way down to Pennsylvania Street, since it won't do one iota of good if they don't.

Commissioner Ossenberg asked Mr. Brenner to contact the City Engineering Department requesting a letter of their intentions.

RE: GROVE STREET AND WEINBACH AVENUE

Mr. Stephen said that the gentleman from the Environmental Protection Agency has been out and looked at it and they don't have any real big levers and he brought the complaint in, that there was an article in the newspaper the other day about the situation of trucks hauling trash in and dirt out, so any time a truck goes in or out in this wet weather, they track it on our new pavement, so this gentleman was in the Surveyor's office and wanted to know if they could do anything about it.
He said he told the gentleman that the only thing he could do would be to bring it before the Commissioners and if they so desired, they could have the Sheriff arrest someone for damaging the road by tracking mud on it or they could be made to clean it off, and that after it dries out, the people are then complaining about the dust.
He said this same condition apparently exists out on Weinbach Avenue, just across the levee where they are filling in an area and as the trucks back out, they are tracking mud.

Mr. Brenner told Mr. Stephen that he does have control of open dumps such as a landfill and that they are digging a hole and filling it with trash.

Mr. Stephen said that Staub is the biggest offender out on Grove Street but he didn't know about the one on Weinbach Avenue.

Mr. Brenner said that on Weinbach Ave. they came through the City and dump over a hill and all the debris that will float will be picked up there and carried down Eagle Slough and the Commissioners are then responsible for getting the trash out of Eagle Slough.
He said that with the approval of the Commissioners, they will work through the Sheriff's office to stop this, also that the Environmental Protection AGency has contacted Staub but they haven't heard anything at this time.

Mr. Stephen said the Commissioners could have the County Attorney write a letter, telling them what recourse the County is going to take, also that there is a state law which prohibits this sort of thing.

Commissioner Willner moved that the County Attorney follow through with a letter, giving them one week, as well as Mr. Stephen also following through on it and that the Sheriff be put on notice. Commissioner Schaad seconded the motion. So ordered.

RE: POOR RELIEF

Bobby Earl McCorkle .....1314 Parrett St. Apt. D..Pigeon Twp....Ms. Anslinger, Invest.

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The Notice of Poor Relief Action submitted by the Trustee states that Mr. McCorkle requested help on his hospital bill but was denied because his income exceeds limitations allowed by the Department of Public Welfare.

Ms. Anslinger said the Trustee allows $250.00 per month for two people and their income is $260.00 per month, that Ms. McCorkle works part time at the Red Lobster Restaurant and Mr. McCorkle was working at the Evansville Courier & Press before he got sick.

Commissioner Ossenberg said here again, the Commissioners hands are tied and he feels as though the Federal Government and the County Welfare Department is wrong at $250.00 per month, so the Commissioners simply can't do anything about it.

Mr. McCorkle said that his wife's income isn't always $260.00 per month, that her salary varies, since she doesn't always work eight hours per day.

Ms. Anslinger asked Ms. McCorkle to bring in her check stubs and she would recheck it.

Commissioner Schaad asked Mr. McCorkle if the doctor has released him as yet.

Mr. McCorkle said the doctor has released him but he didn't know how long his job would be held for him and he has to go there today and find out.

Ms. Anslinger said that Mr. McCorkle was in the hospital for his nerves and she suggested that if he ever has to go to the hospital again, that he go to a veterans hospital since he is a veteran and it wouldn't cost him anything.

Commissioner Schaad moved that this case be referred back to the Trustees office. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg told Mr. and Mrs. McCorkle that the Trustee may be able to help them if their income doesn't exceed the $250.00 per month.

The meeting recessed at 11:00 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
Tom Ossenberg Bob Schaad Robert L. Willner	Curt John	Ed Smith, Jr.

Secretary: Margie Meeks

BOARD OF COUNTY COMMISSIONERS

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A total of $753,501.92 has or will be used for projects developed by this office the past year. These projects have been

23 New Pipe or Bridge Structures

8 Improvements to existing pipe or bridge structures

5 Major road paving projects

7 Major Ditch improvement projects

1 Major intersection improvement

1 A comprehensive study of the County Road System

17 Ditch cleaning projects

Sincerely,

Robert W. Brenner
Vanderburgh County Surveyor

BOARD OF COUNTY COMMISSIONERS
DECEMBER 27, 1977

The meeting of the County Commissioners was held on Tuesday, December 27, 1977, in the Commissioners Hearing Room with President Tom Ossenberg presiding.

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

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CIRCUIT COURT

Norman Hooe	100 W Florida	Bailiff	$4.00 per hour	12/5/77
Don Fuchs	522 S Boeke Road	Prob. Coun.	$120.00 week	12/19/77
David Hatfield	632 S Willow	Prob. Coun.	$120.00 week	12/19/77
Harris Howerton	1717 Vann Ave.	Bail Bond Inter	$3.50 per hour	12/16/77

RE: COUNTY TREASURER

Mr. Volpe said Mr. Wendel asked him to come before the Commissioners today concerning a property with code number 25-94-8. He said this is a duplex on Missouri Street.

Mr. Volpe said the owners are a Mr. & Mrs. Shreeve, he said they came before the Commissioners in 1974 and said they wanted to get this straightened out and they agreed to pay the back taxes. He said they paid $100.00 in 1974 and nine months later they paid $25.00 and have paid nothing since. He said in August the County Attorney sent them a letter, but they have had no reply.

Mr. Volpe said they owe back taxes in the amount of $1,203.44 and current taxes in the amount of $165.63. He said this is not a property they are living in but one that is rented out.

Commissioner Schaad moved they take the property back, seconded by Commissioner Willner. So ordered.

RE: NEW YEARS HOLIDAY

President Ossenberg said the County Offices will close at noon Friday and will not reopen until Tuesday, January 3rd. and that is when they will have their next County Commissioners meeting.

RE: MONTHLY REPORT

President Ossenberg said they received the monthly report from the Evansville Association for Retarded Citizens and to let the record show it received and filed.

RE: BIDS ON WASHERS FOR JAIL

President Ossenberg said they received no bids on the washers for the jail. Mr. Hotz said he sent bid forms to a firm out of Chicago and he doesn't know why they did not submit it.

RE: MRS. KATHERINE APPUHN

President Ossenberg said they received the following letter from Mrs. Appuhn on October 3, 1977:

Mr. Tom Ossenberg, President
Vanderburgh County Commissioners
Civic Center
Evansville, Indiana

Dear Mr. Ossenberg,

I am requesting a leave of absence as assistant manager of Vanderburgh Auditorium for the period beginning October 1, 1977 and ending December 31, 1977. This request is necessary due to serious illness in my family.

I would ask permission to return to work prior to December 31st if conditions improve.

May I have your earliest consideration of my request.

Sincerely,

Katherine Appuhn

President Ossenberg said this request was approved October 3, 1977. He said Mrs. Appuhn has contacted him and wants her leave extended until Jebruary 1, 1978.

Commissioner Schaad moved they approve the request by Mrs. Appuhn, seconded by Commissioner Willner. So ordered.

RE: REPORT OF GRAND JURY INSPECTION OF COUNTY JAIL

President Ossenberg said they received the following report:

Honorable William H Miller
Vanderburgh Circuit Court
Evansville, Indiana
December, 1977

REPORT OF GRAND JURY INSPECTION OF COUNTY JAIL

The Grand Jury inspection of the Vanderburgh County Jail was Commenced December 15, 1977, and was completed December 15, 1977. The inspection consisted of a tour of the physical plant of the jail and interviews with a cross-section of jail inmates and employees. The Grand Jury submits its report as follows:

1. Physical Plant

   a. Size and Construction---Although the Grand Jury is aware that any problem in this area would be expensive to correct, plumbing facilities such as commodes should be replaced and there should be more adequate ventilation.

   b. Cleanliness---With the exception of commodes and showers the Grand Jury felt that an adequate standard of cleanliness was being maintained, but could be improved on.

11. Prisoners

   a. The Grand Jury felt that the standard of living in the jail was pretty high. The Grand Jury found television and phone privilages and an excellent library. The food is prepared in a very healthy and clean kitchen. The Grand Jury found the prisoners receiving three hot meals a day. The Grand Jury did not feel that an adequate area for physical excercise had been provided for the prisoners.

111. Deputies

   a. Education and attitudes---While the Grand Jury was made aware by the interviews and relationship between jail deputies and prisoners are apt to be strained, it is felt that enough emphasis was being placed on the education of jail deputies in reference to interpersonal and psychological relationships.

   The Grand Jury recommends that:

1. The present system providing prisoners with cleaning equipment be continued and that closer attention should be given to those areas that the prisoners themselves are not responsible for cleaning.

2. Special emphasis should be given to all in-service training for jail personnel especially in the area of social, psychological and human relations.

3. All sources of funding, including city funding, should be explored for the purpose of increasing the number of deputies assigned to jail duty.

4. Continued attention should be given to all prisoners in reference to their constitutional rights.

In conclusion, the Grand Jury was favorable impressed with the jail, its staff and its general appearance and in making its recommendations, seeks only to make an already good operation better. All recommendations, also were made with consideration of the facts that the jail at the present time is understaffed and in consideration of the inadequacies of the physical structure.

Respectfully submitted:

Orval P Hadley
Grand Jury Foreman

President Ossenberg said to let the record show the above report received and filed.

RE: NOTICE OF CLAIMS

President Ossenberg said they have three Notice of Claim suits which are as follows:

Anna C Rueger, Richard and Jo Ellen Clouse and David J and Pamela Zwiesler.

President Ossenberg said the one pertaining to Richard and Jo Ellen Clouse is for Drainage.

County Attorney Ed Smith said on the Zwiesler case, he has entered an appearence . He said he knew nothing about the Anna C Rueger case.

Commissioner Schaad moved they refer these Notice of Claims to the County Attorney, seconded by Commissioner Willner. So ordered.

RE: SHERIFF DEPARTMENT REQUEST FOR ADDITIONAL TELEPHONE NUMBER

The following letter was received by the County Commissioners:

Board of County Commissioners
Mr. Tom Ossenberg, President
RE: Additional Telephone Number

Gentlemen:

I do hereby request approval for a separate telephone number to be established in an area where we have one number serving tow different departments. There are presently tow telephones in service, so we won't need an additional phone.

The problem involves the number 426-5316, which presently serves the Jail kitchen and the Jail nurse. As you might imagine, this situation creates an undue hardship on the department NOT being summoned.

I ask that the number 426-5316 remain as the one for the Jail kitchen, and that another number be devised for the Jail nurse.

Respectfully submitted this 21 day of December.

James DeGroote, Sheriff

Attached to Mr. DeGroote's letter was the following comment:

Mrs. Pyle from Phone Company says the approximate installation charge will be $35.00 with an additional monthly charge of $8.05.

Commissioner Schaad moved they approve the request, seconded by Commissioner Willner. So ordered.

RE: ROAD CUT

Mr. Mark Tuley said he sent the the following letter to Jebco Inc.

Jebco Inc.
3032 N Fulton Ave.
Evansville, Indiana

RE: Upper Mt. Vernon Road - 100' West of Tupman Road 6 Cuts

Dear Sirs:

Our records show that nothing has been done to correct the bad cuts on Upper Mt. Vernon Road. I have contacted you previously on two occasions about this problem.

We have received numerous complaints regarding this situation-several of the cuts have sunk and are causing a serious traffic problem.

Under authority of Louis Stephen, Vanderburgh County Highway Engineer, I am turning this problem over to the Vanderburgh County attorneys within fifteen (15) days, we hope that you make a strong effort to get these fixed.

I can be reached at 426-5201 if you would like to discuss this problem.

Thank you,

Mark Tuley,
Vanderburgh County Road Inspector

cc; L.H. Stephen, Vanderburgh County Highway Engineer
Vanderburgh County Commissioners
Jack Siebeking, Vanderburgh County Garage Superintendent

President Ossenberg said they would take this under advisement and bring it up again January 3rd.

CLAIMS:

President Ossenberg said they received the following letter and claim from the Council of Governments.

Mr. Curt John
Vanderburgh County Auditor
Evansville, Indiana

Dear Curt:

Enclosed please find a claim form in the amount of $5,467.50. This represents Vanderburgh county's share of the operation of the COG for the first six months of 1978. Please note that $5,250.00 has been deducted for the rent and utilities.

Thank you for your cooperation.
Mary Reno Brown
Deputy Director

cc: Vanderburgh County Board of County Commissioners

Commissioner Schaad moved they approve this claim, seconded by Commissioner Willner. So ordered.

RE: MARK TULEY

Mr. Tuley said he was presenting a list and costs, contractors, and dates of projects initiated and/or completed from January 1, 1977, through December 31, 1977, by the Vanderburgh County Surveyor's Office; Robert W Brenner, Surveyor. (Copy Attached)

RE: JESSE CROOKS

Mr. Crooks said out on Burkhardt Road, Mrs. Bunch was supposed to clean up a lot and erect a fence. He said that nothing has been done and he has received a bid from Crow Wrecking Company for $275.00. He suggested that they accept this bid and get this mess cleaned up.

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

President Ossenberg said due to the end of the year, if Mr. Crooks will draw up the contract, he will entertain a motion to have their secretary use their name stamps on the contract.

Commissioner Willner so moved, seconded by Commissioner Schaad. So ordered.

RE: JACK SIEBEKING

Mr. Siebeking was not at the meeting but President Ossenberg said they received his absentee report and to let the record show it received and filed.

RE: DAVID GILLIUM

Mr. Gillium showed the Commissioners a map of a sub-division drawn up by Sam Biggerstaff. He said overall they feel negative over approval of this thing. He said it is a bad intersection and any expansion of Lynch Road will be wiped out if this is put in.

President Ossenberg asked Mr. Crooks if he knew anything about this subdivision at Oak Hill Road and Lynch Road.

Mr. Crooks said he has to agree with the Surveyor's office.

RE: POOR RELIEF

President Ossenberg said they had a poor relief case, but he has left and it will be deferred un til next week.

The meeting recessed at 10:10 a.m.

PRESENT

COUNTY COMMISSIONERS		COUNTY AUDITOR	COUNTY ATTORNEY
Tom Ossenberg	Chief Dep.	Alice McBride	Edwin Smith, Jr.
Bob Schaad			
Robert L. Willner			

Secretary: Margie Meeks
by Jean Wilkey

Tom Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

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SURVEYOR'S OFFICE

VANDERBURGH COUNTY
ROOM 325 ADMINISTRATION BUILDING
CIVIC CENTER COMPLEX
EVANSVILLE, INDIANA 47708

December 22, 1977

The following is a listing along with costs, contractors, and dates of projects initiated and/or completed from January 1, 1977, through December 31, 1977, by the Vanderburgh County Surveyor's Office; Robert W. Brenner, Surveyor.

1. Adler Road
   Pipe Project
   Began 5-16-77
   Completed 6-22-77
   Contractor- County Forces
   Cost: $4,476.68

2. Baseline Road
   5 Isolated Headwall Removals
   Began 8-27-77
   Completed 9-5-77
   Contractor- County Forces
   Cost: $500.00

3. Baseline Road
   Width and Guard Rail Improvement
   Began 8-20-77
   Completed 8-25-77
   Contractor- County Forces
   Cost: $1,000.00

4. Baseline (At Martin Station)
   Pipe Project
   Began 8-24-77
   Completed 8-30-77
   Contractor- County Forces
   Cost: $6,196.00

5. Baseline Road # 49 Baseline Road # 44A, Schutte Road, Kansas Road, Old Boonville Highway, Boonville New Harmony.
   Joint Repair Contract
   Began Construction November 18, 1976
   Completed Construction June 22, 1977
   Contractor- G.H. Allen Inc
   Cost: $63,560.06

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6. Bender Road Improvement .2 Mile South of Baseline Road
Began Construction June 1, 1977
Completed Construction June 3, 1977
Contractor- Deig Bros.
Cost: $1,785.00

7. Crawford Brandeis and Extension Ditch Improvement
Began 5-5-77
Completed
Contractor - Quienten Stahl
Cost: $51,944.00

8. Heddon Road
Pipe Project
Began 8-15-77
Completed 8-17-77
Contractor- County Forces
Cost: $1,100.00

9. Kelly, Nurrenburn, Stockfleth, and Boesches Ditches
Ditch Improvement
Began 8-20-77
Completed
Contractor- Floyd I. Staub
Cost: $20,053.00

10. Koressell, Allen Lane, Weinbach, Grove Street
Six Rail Road Crossings
Joint Paving Contract
Began 10-4-77
Completed 10-10-77
Contractor- Feigel Construction Company
Cost: $106,466.30

11. Marx Road #64
New Structure
Began 2-16-77
Completed 5-10-77
Contractor- G.H. Allen Inc.
Cost: $60,554.10

12. Marx Road
Pipe Replacement
Began 7-13-77
Completed 7-22-77
Contractor- P&H Construction Company and County
Cost: $5,700.48

13. Old Princeton Road
New Structure
Began 9-12-77
Completed 9-19-77
Contractor- Barnett Bros.
Cost: $25,330.00

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14. Ohio Street, Maryland Street, First Avenue, Columbia-Delaware
Joint Bridge Repair Contract
Began 8-22-77
Completed 11-17-77 Cost Total: $172.750.28

Cost:			Contractor:
	First Avenue -	$47,837.60	Deig Bros.
	Maryland St. -	36,872.00	Southwest Engineering
	Ohio Street	69,020.62	Southwest Engineering
	Columbia-Delaware-	19,020.00	Deig Bros

15. Oakhill- St. George Road
Intersection and Drainage Improvement
Began Construction 7-15-77
Completed Construction 9-17-77
Contractor - Feigel Construction Company
Cost: $28,088.67

16. Pigeon Creek Log Jam
Removal of Jam on Creek
Began 5-6-77
Completed
Contractor-
Cost: $4,700.00

17. Roesner Road. Pipe .1 North of Hogue Road
Began Construction 4-15-77
Completed Construction 6-10-77
Contractor: Southwest Engineering Inc.
Cost: $24,428.36

18. Comprehensive Study Analysis, and Recommendations of County Road
Began 1-2-77
Completed 7-15-77
Contractor- County Forces
Cost: Approximately $12,000.00

19. # 3 School Road
Pipe Project
Began 9-26-77
Completed 9-30-77
Cost: $6,205.72

20. Seminary Road # 129
New Bridge
Began
Completed
Contractor- Southwest Engineering
Cost: $37,654.65

21. Seminary Road # 130
Bridge Improvements
Began 11-28-77
Completed
Contractor- Southwest Engineering
Cost: $12.179.50

631

22. Baseline # 49
New Structure
Began 12-16-77
Completed
Cost: $17,400.00

23. Nurrenburn Road
Road Improvement
Began
Completed
Contractor- Jerry David Inc.
Cost: $30,184.00

24. St. Joe Road, Nurrenburn, Cypress Dale, Inglefield Road
Joint Isolated Pipe Projects
Began
Completed
Contractor- County Forces - Kaiser Aluminum
Cost: $39,184.04

25. Eagle Slough
Spraying For Weed Control By Airplane
Contractor- Green Grasshopper Flying Service
Cost: $1,051.40

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DITCHES	COST	CONTRACTOR
26. Baehl Ditch	$ 679.70	Leo C. Paul
27. Barr's Creek	2,996.86	Leo C. Paul
28. Wallenmeyer Ditch	835.50	Leo C. Paul
29 Pond Flat Lat. "A"	531.10	Ralph Rexing
30. Pond Flat Lat. "B"	279.70	Ralph Rexing
31. Singer Ditch	318.50	Eugene Rexing
32. Pond Flat Lat. "D"	641.06	Eugene Rexing
33. Pond Flat Lat. "C"	1,084.32	Big Creek Drainage Inc.
34. Pond Flat Lat. "E"	433.92	Big Creek Drainage Inc.
35. Pond Flat Main	3,522.12	Big Creek Drainage Inc.
36. Rusher Creek	533.28	Big Creek Drainage Inc.
37. Lower Big Creek	750.10	Big Creek Drainage Inc.
38. Buente Upper Big Creek	3,029.25	Big Creek Drainage Inc.
39. Lower Big Creek	750.10	Big Creek Drainage Inc.
40. Maidlow Ditch	1,721.25	George Seib
41. Buente Upper Big Creek Lat. "A"	549.90	Paul Seib
42. Henry Ditch	317.90	George Seib