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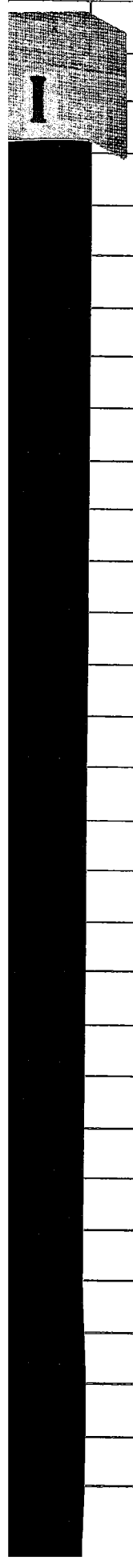

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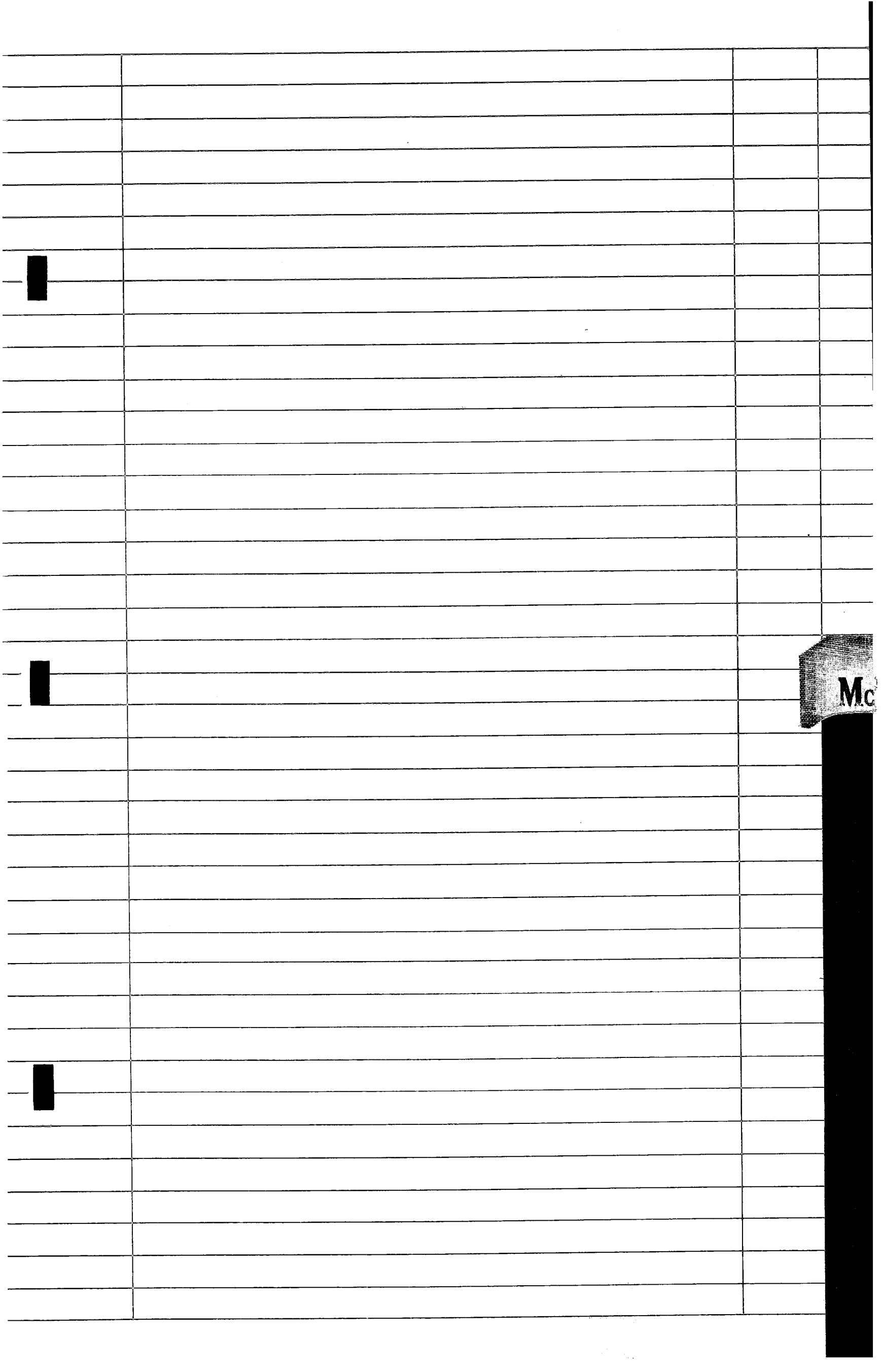
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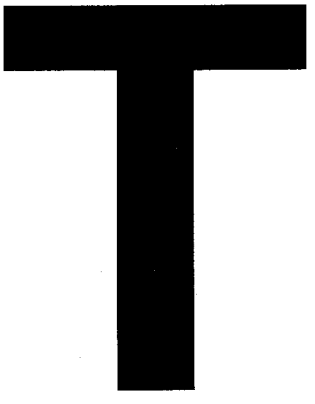

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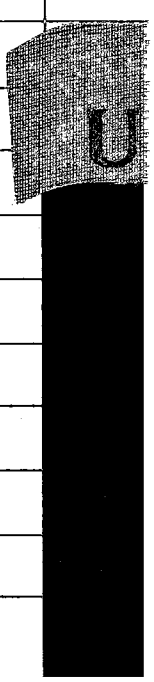

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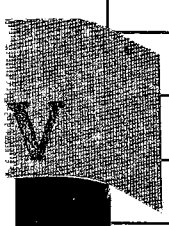



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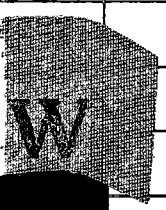

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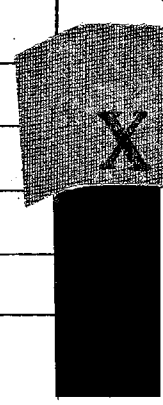

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COUNTY COMMISSIONERS MEETING
DECEMBER 1, 1980

The meeting of the County Commissioners was held on Monday, December 1, 1980, at 9:30 a.m. in the Commissioners Hearing Room with President Davies presiding.

Deputy Sheriff Pete Swaim opened the meeting, this being the first meeting of the month.

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

RE: COMMENTS BY COMMISSIONER SCHAAD

Commissioner Schaad said that before we get into the items on the agenda he would like to get in a couple of things for the record.
He said that last week there were some questions asked about how things were done, and he would like to make a statement on Mr. Willner saying he was just advised on the Ohio Street Bridge, since the information was on his desk a week before the letter that was submitted was written.
He said he would like to move, and that our record show, that the Commissioners are asking for$1.5 million to be appropriated to build a bridge over Pigeon Creek that will be extending to Second Street and hitting into Ohio Street, since they used the $1.5 million that was originally appropriated into the First Avenue Bridge Fund.
He so moved that the Commissioners go before Council to ask for this money.

Commissioner Willner said this is fine but the deadline is past, but it is still on the agenda.

Commissioner Schaad said he just wants it in our record.

Commissioner Davies seconded the motion. So ordered.

Commissioner Schaad said, also, that we transfer $25,253.50 from Account #130-522, Retirement Contributions into Account #130-261 for Legal Services.
He said this is so we can pay the attorney's for the work they did in accordance with the contract.
He so moved that this also be made part of the record, that this money be transferred.

Commissioner Davies seconded the motion. So ordered.

RE: AUTHORIZED TO OPEN BIDS

The County attorney's were authorized to proceed with the opening of the bids that were received today for the Electronic Typewriter and Dictation System that is needed by the Area Plan Commission.

RE: MEMO FROM BUILDING AUTHORITY

The following Memo was submitted from Mr. Ruston of the Building Authority:

MEMO TO: ALL ELECTED AND APPOINTED OFFICIALS
SUBJECT: HOLIDAY SEASON IN THE CIVIC CENTER

As we approach the Holiday Season, your attention is called to the following:

Decorations

The Evansville Fire Department has again emphasized that all Christmas trees and decorations must be artificial or flame proofed, if live.

The use of candles, straw, hay, and other flammable materials is prohibited.

Turn off all electrical displays at closing time.

Use masking tape in lieu of scotch or pressure sensitive tape for hanging various decorations, signs, etc.

Do not hang decorations, etc. from ceiling panels.

Do not place decorations, etc. on the outside of hallway glass doors

Do not use snow spray on inside/outside hallway doors or windows.

Liquor

We request that no alcoholic beverages be served in the Civic Center during the Holiday Season.

We solicit your cooperation.

C. G. Ruston, General Manager

Letter received and posted.

RE: JERRY LINZY.....COUNTY GARAGE

Absentee Report

Mr. Linzy submitted the Absentee Report on the County Highway employees for the past week which ended 11/28/80.
Report received and filed.

RE: COMMENT ON TRAFFIC DEPARTMENT

Commissioner Willner said he has quite a bit for the Traffic Department, and he asked if we are in a change-over phase.

Ms. Wolf said that Mr. Savage is in charge since Mr. Judd is no longer with the department so she doesn't know if Mr. Savage will come to the meetings or if he will send someone else.

RE: LOUIS STEPHEN.....COUNTY HIGHWAY ENGINEER

ST. JOE ROAD.....Change Order to be Signed

Mr. Stephen said he has a change order on St. Joe Road to be signed by the Commissioners, that this has to do with omitting a 60 foot section of the modified curb in front of Commercial Court so it will permit left turns out of there.
He said this has been discussed before, that it is a decrease of $781.37.

Mr. Gerard said this is agreeable with the Evansville Urban Transportation System.

Commissioner Schaad moved that the Commissioners sign the change order. Commissioner Willner seconded the motion. So ordered.

ECHO HILLS SUBDIVISION

Mr. Stephen said he has a copy of a letter in regard to Echo Hill, that the people out there do not want the County to accept that road, which is gravel, that they want it blacktopped before it is accepted.

Commissioner Davies asked if they have made a request for the roads to be accepted.

Mr. Stephen said they requested that we accept three roads out there on October 31, 1980, that they are Echo Hill Drive, Stacey Crt. and Arrowhead Drive, that the request was received from Grace Eisterhold.
He said these streets are still gravel and the people who live out there, knowing that they will be gravel from now on, if accepted, so they don't want it to be accepted, that they want the developer to pave them before they are accepted for maintenance.

Commissioner Willner asked if we didn't accept part of that street though.

Mr. Stephen said he thinks it was something like 660 feet, but this was done back in 1976 or sometime around that time, that he doesn't know if that was blacktopped when it was accepted or not, but it was blacktopped at one time, then it broke up afterwards.

Commissioner Willner said that Ms. Eisterhold blacktopped it once and we blacktopped it once, and he asked if this isn't correct.

Mr. Linzy said this is correct.

Mr. Stephen said the first letter that was received from Ms. Eisterhold, requesting that these streets be accepted was turned over to him, but no further action has been taken on it, and now he has received a letter requesting that no action be taken, so we can sit on it until the people out there come to some agreement between them and the developer, that we shouldn't even get into it then.
He said that he has had notice by phone that these people are asking that we do nothing, so he suggested that they write a letter requesting this, and with their signatures on it, so he isn't going to take any action on it.

Commissioner Davies said he thinks we are finding with the review of the S.I.P., that we are going to have to not accept unpaved roads, it looks like, for the County to come into attainment.

Mr. Guillaum said that whether or not it meets requirements, that is something else and this hasn't been decided, but we do have standards for rock or gravel roads.

Commissioner Willner said, but we aren't accepting them as such for County maintenance.

Mr. Brenner said we are accepting them if they meet our requirements, but this one doesn't meet the specifications for rock road standards, so we are off that way, but if the road meets specifications, he doesn't know if it can be turned down, whether it be rock or concrete.

Commissioner Schaad said just because the neighbors want it paved before it is accepted, he doesn't think this is justification for us to do it.

Mr. Stephen said he didn't think we should even get into it, one way or the other, that we should let them decide which way they are going to go.

RE: PROBLEM OF OUTLET FOR MIKE SANDERS

Mr. Stephen said he has a print of an outlet onto a limited access road for Mike Sanders, but he isn't sure it meets the standards.
He said it is between New Harmony Road and S. R. 65 which is an extension off Old 460, and he was under the impression that it would be used for other people to get to their property and he is only allowing an 8 foot roadway, and not only that but if one person's property is cut off, this roadway is being placed in front of somebody else's property, but according to the Subdivision Control Ordinance, you can't do that, in other words, you can't have your drive over in front of someone else, that the radius can't even be in front of the other person's property.
He said that he is putting a drive in front of property that he doesn't own and he can't do that, and also making it awfully small for an access to property that might be developed later on.

Commissioner Willner said he thinks Mr. Stephen has in mind is when an individuals property line comes to the center of the road, in which case this would be true, but where the County does own the property he sees that not being pertinent, and what Mr. Stephen is saying is that we couldn't even build a road here.

Mr. Stephen said that would be something different because we would have to get the right of way from someone if we were going to build a road, but here is a private individual wanting to put a drive in front of someone else's property, so he thinks that the Area Plan Commission should take a look at this and see if it is permissible.

Commissioner Davies said he thinks this should be given to Chuck Osterholt of the Area Plan Commission so he can take a look at it and see if we are violating any laws or Subdivison Ordinance, also if this is entirely on the other man's property, that it was his understanding form the man that he would give access to that, but he doesn't know if that is going to be written out or not.

Mr. Osterholt said there are several backers that need to be considered, so he thinks that Mr. Stephen, Mr. Gerard and himself can check on it.

Commissioner Schaad moved that this matter be referred back to Mr. Osterholt, Mr. Gerard and Mr. Stephen. Commissioner Willner seconded the motion. So ordered.

RE: TANGLEWOOD HILL SUBDIVISION

Request for approval of Design for Construction

Mr. Stephen said that Tanglewood Hill Subdivision was approved sometime back and now the streets are up for approval.

He said this is located off Boonville-New Harmony Road and they are going to build a section of street in there, but the only thing is that he has kept it down to the maximum that the Commissioners said they would permit a long time ago of a 10% grade and it conforms with the right of way, but it isn't scheduled for construction at this time.

Commissioner Schaad moved, on recommendation of Mr. Stephen, that the design for construction be approved. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner asked if Lot #1 and Outlot A both drive onto Brookwood Drive instead of onto Boonville-New Harmony Road.

Mr. Stephen said they should, but at the present time, it doesn't show where it will come out but he would assume that when they want a drive they will ask for it by an application for a drive permit which could be turned down.

Commissioner Willner asked if it couldn't be approved subject to these conditions on Outlot A and Lot #1.

Mr. Stephen said that is what it says in the Subdivision Control Ordinance, that those lots have their own street access, that we could convert back to that and say he has to put his outlet onto that street, unless there is already an access there, but he doesn't know if there is one or not.

Commissioner Davies said he doesn't see why we can't approve this road with that stipulation in it, that he is all for it.

Commissioner Willner said that's not happening in some of the subdivisions, regardless of what Mr. Stephen says, it's not happening.

Commissioner Schaad then amended his motion to read that the road network be approved subject to the stipulation that Outlot A and Lot #1 have ingress-egress on Brookwood Drive rather than on Boonville-New Harmony Road.
Commissioner seconded the amended motion. So ordered.

RE: DAVE GUILLAUM.....DEPUTY SURVEYOR

Bridge and Guardrail Report

Mr. Guillaum said that during the past week the crew worked on Pollack Avenue and Oak Hill Road on the guardrail and bridge repair.

He said that Mann Road has been discussed before and it appears that we aren't going to be able to work the re-route out without going through condemnation or whatever, that they have had several thoughts of removing or replacing the structure on Mann Road, that there are a couple of possibilities on it and he thinks they feel that it definitely needs to be taken care of, since immediately under the deck there are some stringers that are in pretty poor shape too, that they could go either way, probably the logical way to approach it would be to go with a cost comparison of some kind towards repairing it versus replacing it, but there again we are talking about a 70 foot bridge, so we are talking about some money.

Commissioner Davies said he thinks it would be a good idea for us to get some sort of idea so we can find out where we are according to the two cost estimates, that he thinks this would probably be the best way to go about it.

Mr. Guillaum said he will do that then.

Hamilton Golf Course

Mr. Guillaum said in reference to the Hamilton Golf Course, they checked it this past week, that there was some discussion as to the heighth of the bridges but there apparently hasn't been any improvement made or any raising of the structures.

Report on Roads

Mr. Guillaum said they have Middle Mt. Vernon Road and Schmuck Road open and they are shooting for this week on Schlensker Road and McCutchan Road to have it under construction, that the contractor had said he was going to be there in a week or two but it looks like he will start on it this week.

Commissioner Schaad said he just noticed on the Bridge & Guardrail Report that Dave had seven men working on Oak Hill Road and Lynch Road, and he asked if there wasn't

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a question as to whether we should do this work or not, that we discussed it because it has nothing to do with the bridge.
He asked if this isn't correct.

Mr. Guillaum said that after looking at the curbs and checking the layout, they felt that it was necessary and needed to be done.

Commissioner Schaad asked Mr. Guillaum if that is his decision or if it is the decision of the Commissioners.

Mr. Guillaum said that it would be his and the Surveyor's decision.

Commissioner Schaad asked if this isn't the bridge crew.

Mr. Guillaum said this is correct.

Commissioner Schaad said this doesn't have anything to do with the bridge then. He asked if this is correct and if the money doesn't come from the bridge fund.

Mr. Brenner said, yes, but the Commissioners do give them money from the Highway Fund, something like $10,000 worth for guardrail which they put up all over the County.

Commissioner Schaad said the only thing he is referring to is that there was a question as to whether we should do it or not, that we have had many requests that way.

Mr. Guillaum said he thinks it comes down to a matter of common sense too, that if you look at a situation that is hazardous and they have definitely had problems there, they felt that it was necessary.

Commissioner Schaad said there are many such places in the County where an automobile runs off the curb, that we have had many requests before for putting up guardrail to protect people's property of something of that nature, or someone getting hurt and this falls in the same catagory, and he asked who makes the decision on which one should be done and which one shouldn't.

Mr. Brenner said he doesn't know but that they would like to put them all up.

RE: OPENING OF BIDS...ELECTRIC TYPEWRITER & DICTATION SYSTEM

The following bids were received today on the Electric Typewriter and the Dictation System that is needed by the Area Plan Commission:

	Electric Typewriter	Dictation System
Dictaphone Corporation	$13,195.00	$ 800.00
VanAusdall & Farrar Inc.	$13,512.00	$1,146.00
I.B.M.	$10,445.00	$1,706.00
Forms Feeder.....$475.00		
With software without math...$16.00 per month		
With software with math.....$25.00 per month		
Maintenance.....$103.00 per month		
Installation & Freight.....$115.00 per month		
I.B.M. Alternate Bid.....$12,900.00		$1,491.00
Software.....0		Maintenance....$149.00 Yr.
Maintenance.....$ 129.00 per month		Supplies.....$100.25 Yr.
Installation & Freight.....$ 130.00 per month		

Commissioner Schaad moved that these bids be referred back to the Purchasing Dept. and to Mr. Osterholt for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM BLUE CROSS-BLUE SHIELD

Commissioner Davies said the Commissioners received a letter from Blue Cross-Blue Shield stating that the amount would remain the same if we would agree to take the $42,156.82 cash refund which we would return back to the County General Fund. He said the 1981 rate would be $33.90 per single plan and $94.20 for the family plan, that the cost is a little higher than before and the coverage would be the same.

Commissioner Schaad moved Blue Cross-Blue Shield be given our Health and Accident Insurance with the same coverage as we had before and we ask for the rebate check

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so it can be put back in the General Fund.

Commissioner Willner said that Bill Taylor, a member of the County Council, was here and he did want to have some imput on this matter, so he asked that it be delayed until Mr. Taylor returns.
The Commissioners agreed to defer further discussion until Mr. Taylor appears.

RE: TRAVEL REQUEST.....CORONER'S OFFICE

Commissioner Davies said a request was received from the Coroner's office, that the Coroner would like for Dr. R.F. Brown to attend the American Academy of Forensic Sciences, the 33rd. annual meeting which will be held on February 17th thru 20th. 1981 in Los Angeles, California, that the round trip fare would be $750.00 but with super-saver it will be $442.00 for the round trip, but to make an advance round trip with the same airline can be reduced to about $375.00.

Commissioner Schaad moved that the Coroner's request be approved.

Commissioner Willner said he will need more information before he can act on this, that he needs to know if it is available closer or not and if it has a direct relation with his job, that what he guesses he is saying is that he doesn't know what Forensic Sciences is.

Commissioner Schaad said apparently the annual meeting would be held at one place.

This request was deferred until more information can be obtained.

RE: TRAVEL REQUEST.....SHIRLEY JEAN COX

The following letter was received by the Commissioners from Ms. Cox regarding her attendance at the AIC Clerks Meeting:

Dear Sirs:

I respectfully request your permission to attend the Association of Indiana Counties meeting to be held in the Sheraton Inn - West December 3rd and 4th in Indianapolis.

As President of the Association of Clerks and a member of the AIC Board, I will be an active participant in the session.

No lodging allowance will be necessary as arrangements are made to stay with relatives while there.

Thank you,
Most Sincerely, Shirley Jean Cox
Clerk

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

RE: OFFICIAL SURETY BONDS

Surety Bonds were submitted for the County Recorder, the Deputy Recorder and the County Treasurer for 1981.

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

RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was submitted by the National Union Insurance Co. of Pittsburgh, Pa. on insured, Sunshine Promotions Inc. / Aiken Management for the use of the Vanderburgh Auditorium on 11/25/80.

A Certificate of Insurance was submitted by Southwestern Agency, Inc. on insured, Larry Aiken, DBA, Aiken Management, for the use of the Vanderburgh Auditorium for the Harry Chapin Concert which was held on 11/29/80.

A Certificate of Insurance was submitted by the Southwestern Agency, Inc. on insured, Larry Aiken, DBA, Aiken Management, for the use of the Vanderburgh Auditorium for the Broadway Show, "Chorus Line" which was held on 11/20/80.

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A Certificate of Insurance was submitted by Aetna Life & Casualty Insurance Co. on insured, Christian Athletes Ministries, for the use of the Vanderburgh Auditorium for a concert to be held on 12/13/80.

A Certificate of Insurance was submitted by Alexander & Alexander Ins. Co. of Texas, Inc. of Dallas, Texas, on insured, Playback, Inc. for the use of the Vanderburgh Auditorium in order to have shows 11/24/80 thru 11/26/80.

All Certificates of Insurance received and filed.

RE: CLAIMS

A Claim was submitted by Mrs. Gayla Given, Assistant County Recreation Leader at Perry Heights School for Student Recreation, 8 sessions @ $19.00 per session on October 15, 21, 28, 29 and November 4, 12, 18 & 25 in the amount of $152.00, as per agreement.

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

A Claim was submitted by Mr. Charles Given, County Recreation Leader at Perry Heights School for Student Recreation, 8 sessions @ $20.00 per session on October 15, 21, 28, 29 and November 4, 12, 18 & 25 in the amount of $160.00 as per agreement.

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

A Claim was submitted by Mr. Ray Trapp, Assistant County Recreation Leader at Perry Heights School for Student Recreation, 4 sessions @ $12.00 per session on October 21, 29, November 12 & 25 in the amount of $48.00 as per agreement.

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

A Claim was submitted by Mr. Gary Stone, County Recreation Assistant Leader at Perry Heights School for Student Recreation, 4 sessions @ $12.00 per session on October 15, 28, November 4 & 18 in the amount of $48.00 as per agreement.

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

A Claim was submitted by Engineer Associates for Engineering Inspection on St. Joe Avenue for 11/17/80 to 11/21/80 in the amount of $3,170.84 which has been approved by Mr. Stephen.

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

A Claim was submitted by Engineer Associates for Engineering Inspection on Lynch Road for 11/17/80 to 11/21/80 in the amount of $3,659.35 which has been approved by Mr. Stephen.

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

RE: BLUE CROSS-BLUE SHIELD.....CONTINUED

Mr. Taylor appeared and asked if Blue Cross-Blue Shield gave the Commissioners a proposal this time, and if so, did they increase any of the benefits.

Commissioner Davies said they did receive a proposal and he thinks that the benefits are about the same as they were before, however we are getting a refund of $42,156.82 which we have made a determination that this refund would go back to the County General Fund.

Mr. Taylor asked the Commissioners if they remember when the insurance was up for bid the last time which was two years ago, and said there was a discussion about dental insurance and an improvement on the charges for individual services, that he was under the impression that these things were going to be implemented over the next few years, that he was also under the impression that one particular committee that was assigned, at that time, was going over the insurance coverage when it came up for renewal again.

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He said he noticed on the family rates that it went up $6.20 and on the single rate it went up $2.20, so if it is going up and they are giving us a refund, it seems to him that somewhere in that area they could work in those dental plans and some of these services that definitely need to be increased.
He said his thoughts are, and he thinks it is entirely fair, that with this type of Insurance Group, that they should review those benefits to see if they can't improve them, because we have no dental coverage at all, that they may pay for it -- and they may not, that it depends on how it happened.
He said he was under the impression before, that they were going to look into those things, and as far as the refund is concerned, we knew we were going to get a refund, that this was also worked out two years ago, but he thinks that before the Commissioners approve it, if not the present committee, some committee needs to be formed, or a letter written to Blue Cross asking them about any additional improvemen or benefits.
He said he is sure they are aware of it and if we pulled that file out again, they will see that the dental program was supposed to be looked into as a possibility for implementation within the next few years and this is the second year.

Commissioner Schaad said he thinks they did offer another plan at an additional premium, of course.

Mr. Taylor said, but if we are getting a refund of over $40,000 he can see where we can justify paying a little more since it is something that is definitely needed.

Commissioner Schaad said the refund is based on last year's experience, but we do have a proposal for next year.

Mr. Taylor asked if they increased the services.

Commissioner Davies said he thinks they were held the same, but he would have to look at it to really know.

Mr. Taylor said this is just one company and he would hate to think that it would get to the place it was before, to where Blue Cross knows they can come in and give us a proposal and we take it.
He said if the Commissioners will recall, that the last time we had the problem with insurance, a number of other companies put in bids and then Blue Cross came back, they lowered their rates and upped their benefits and we got a pretty good deal out of it, so he thinks as long as they know they are going to get it, there isn't going to be any discussion on it and they are the only ones bidding, and we are going to see those kind of increases in premiums but no increase in benefits.
He said he really thinks the Commissioners should give them a call in relation to these benefits at a lower rate, also that if we were faced with a deadline before and they came back with a coverage, as a matter of fact, they extended the time and then came back with a better rate and an improved program.
He said this is definitely something that should be looked at because medical expenses are out of this world.

Commissioner Davies said that the Independent Benefit Plans, Inc. who consulted with them recommended that they take the lump sum.

Mr. Taylor said the only program they had to look at was the one from Blue Cross, that other companies don't bid on it because they feel that Blue Cross will come in and under-bid them, but he has no problem with this, that we should give them the opportunity to come in and under-bid them, but he hopes the Commissioners don't approve it until they do more study on it to see if they are interested in the dental at a lower figure or some improved services.

Commissioner Davies said we can do it one of two different ways, that we already have a quotation on the dental, that we could go ahead and accept this proposal and ask them for additional information on the dental program that Councilman Taylor has asked about.

Mr. Taylor said not only the dental program, but also on the services, since costs are going up every day.

Commissioner Willner said he isn't against asking for more information, that he just base his okay of Blue Cross-Blue Shield on the fact that since we have had them, he has only had one complaint from the entire Civic Center or people that are covered, on the insurance, and prior to that it was kind of a monthly thing, but if they want to look into it, it is perfectly allright with him.

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Commissioner Schaad moved that this matter be referred to Commissioner Willner, since this covers the policy for next year and neither he nor Commissioner Davies will be here, for him to research it and do what he would like to do and for him to come back with a recommendation. Commissioner Davies seconded the motion. So ordered.

RE: COMMENT ON SURETY BOND.

Mr. Brenner said his Surety Bond is still in force, so all that needs to be done is for the premium to be paid for his renewal of it.

Ms. McBride said that all he has to do then is to submit a blue claim.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AREA PLAN COMMISSION

Joseph Storey	1270 Hatfield Dr.	Planner	$11,000 Yr.	Eff: 11/26/80

CLERK OF THE CIRCUIT & SUPERIOR COURTS

Ella Mae Sheets	3307 Bayard Pk. Dr.	Dep. Clerk	$326.19 Pay	Eff: 12/1/80

CORONERS OFFICE

Kathleen Taylor	2900 E. Gum	Vacation Clerk	$116.50 Wk.	Eff: 12/1-5/80

COUNTY BOARD OF REVIEW

Martha Scheessele	2169 S.E. Blvd.	Clerk-Typist	$25.00 Day	Eff: 11/25/80

COUNTY HIGHWAY DEPARTMENT

George Gossard	2028 E. Blackford Road	Foreman	$12,825.00 Yr.	Eff: 12/1/80

RE: EMPLOYMENT CHANGES.....RELEASES

AREA PLAN COMMISSION

Joseph Storey	1270 Hatfield Dr.	Intern	$3.55 Hr.	Eff: 11/26/80

CLERK OF CIRCUIT & SUPERIOR COURTS

Colleen Hilgeman	2805 Hartmetz	Deputy Clerk	$326.19 Pay	Eff: 11/28/80

COUNTY BOARD OF REVIEW

Joni Gentry	11 S. Iroquois	Clerk-Typist	$25.00 Day	Eff: 11/19/80

COUNTY HIGHWAY DEPARTMENT

Ella Mae Sheets	3307 Bayare Pk.	Bkkr. Payroll Clk.	$9,678.00 Yr.	Eff: 12/12/80

There being no further business, the meeting recessed at 10:30 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Robert Davies Bob Schaad Robert L. Willner	Alice McBride	Ed Smith, Jr. Paul Wendel

Secretary: Margie Meeks

Robert Davies

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
DECEMBER 8, 1980

The meeting of the County Commissioners was held on Monday, December 8, 1980, at 9:30 a.m. in the Commissioners Hearing Room with President Davies presiding.

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

RE: SHERIFF DEGROOTE.....EVANSVILLE-VANDERBURGH AIRPORT AGREEMENT

Sheriff DeGroote said he has a copy of the agreement with the Airport Authority, that it is the same agreement with the revisions that the Commissioners had stipulated in return for his taking over the law enforcement responsibilities at the Airport, which they did on December 1, 1980.
He said the Airport Authority agrees to let us utilize the old State Police Post as a substation for $1.00 per year which is in the present agreement, that the only change in the agreement is because he inadvertently had only figured the salary of one officer when it should have been for three officers, so he has now corrected this, that he is sure that the Commissioners are aware of the problems and delays they had in getting this funded, that he went back to Council six times and they did finally approve it in November.
He said the Airport Authority is going to sign the agreement this evening, stipulating that the new figure is going to be what they are going to reimburse the County for, and he has to request a special Council Call and go back to them for the addition of $2400 but this agreement, in effect, is correct.
He asked if this agreement can be dated December 1st. since this is the date they took over the substation and the money for the officers was appropriated as of December 1st.

County Attorney Smith said that since the agreement was so dated and everyone agrees with it, he may do so.

Sheriff DeGroote said that County Attorney Wendel has had a copy of the agreement for ten days, that he doesn't know where he is this morning, but this is the lease that was tentatively approved by the Commissioners and also by the Airport Authority, that there has been no change in the language other than the dollar per year lease agreement that we have.

Commissioner Schaad moved that this agreement be approved, subject to the approval of the Airport's attorney, Phil Hayes and County Attorney Paul Wendel. Commissioner Davies seconded the motion. So ordered.

RE: RESOLUTION CONCERNING WORK RELEASE PROGRAM

Sheriff DeGroote said he talked to County Attorney Ed Smith on this matter, that effective October 1st. all the Sheriff's in the State of Indiana were authorized by a state law to form certain work details, for the sake of the Ordinance saying Work Release, the statutes stipulating Work Release, this is actually what it is called, but he doesn't want anyone to think that this is in conflict or going to be structured along the same as the Work Release Program that they are now working under, that it has no conflict with this program what-so-ever, that it is handled by Judge Miller in Circuit Court and he doesn't intend to do that,
He said this program authorizes the Sheriff to send certain inmates, those that have been sentenced to the County Jail, to certain details and he would assume the full responsibility for determining those details and whom he is going to send, that he has already had a request from the Evansville Police Department to send a couple of inmates out to the City Garage on a regular basis to do nothing but wash City police cars, that he also envisions, sometime down the line, if we have a lot of inclement weather, of sending some of these inmates to the Senior Citizens Centers to clean the sidewalks, etc., that they can also assist the Westside Improvement Association in cleaning up roadways and for almost any work detail.
He said the statute also gives him authority to send inmates who have been sentenced to the County Jail to various various vocational training centers, that it also includes medical provisions, that this can be legalized by Resolution or Ordinance and they figured the simplest way would be by Resolution, and this was discussed several months ago, knowing that this law was going to take effect October 1st. and since it has he wants to take advantage of it.
He said that all accountability, reports and everything pertaining to it will be very accurately kept and if the Commissioners determine that he makes this report to them on a regular basis, he will certainly do so.

Commissioner Willner said the only question he has was on the Insurance possibility for the new program in regard to liability.

County Attorney Smith said he thinks the Insurance that we have would extend, even they would be out on a temporary basis on a program such as this, since it is still under the Sheriff's Department and he is still responsible for them, so he thinks the Insurance would extend to them.

Commissioner Willner said that County Attorney Smith is saying maybe, that he has got to have this in writing, that he wants to know for sure that they are covered, since he is sure that the liability on the street is greater than the liability inside in confinement, so he is saying that there may be some question on it and he doesn't want to find out the answer after the fact, that he wants to find out before.

County Attorney Smith said, in his opinion, the Insurance would pertain to these people regardless of whether they are confined or outside, but maybe he doesn't understand Commissioner's question.

Commissioner Willner said what if we send an inmate out to shovel snow and a truck comes along and kills him or amputates his legs or whatever, but is in a serious accident, then we send him to the hospital, and he asked what if the Insurance Company says they aren't going to cover him because this liability is beyond their coverage for the County jail inmates. He said we would then be faced with a lawsuit and no coverage, that he has got to know before he can make a decision on it.

Commissioner Davies said we have a work release program right now, so asked what happens right now if something were to happen.

County Attorney Smith said he thinks this to be a good question and Torian should be contacted to check on it.

Sheriff DeGroote said he won't send anyone out until this has been checked so we can make sure that they are covered.

The Resolution concerning the Work Release Program reads as follows:

WHEREAS, the acts of 1979, P.L. 120 Section 5, provides authority for the establishment of work programs for persons committed to the Vanderburgh County Jail for conviction of a crime or adjusdication of contempt, and

WHEREAS, said act further provides that a person confined in a county jail as aforesaid may be required to work on the public streets, highways, parks, and other public lands, buildings, or facilities within the county when such work is approved by resolution or ordiannce of the board of county commissioners or the city-county council, and

WHEREAS, said act further provides that the county sheriff may establish a work program for persons committed to the county jail as aforesaid, and

WHEREAS, said act stipulates that any such release pursuant to any such work program shall be upon a temporary basis and subject to disallowance by the committing court, and

WHEREAS, said act may be found in BURNS INDIANA STATUTES ANNOTATED IC 11-12-5-1 thru 11-12-5-4, and

WHEREAS, the authority contained in these acts was effective as of October 1, 1980.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Vanderburgh, State of Indiana;

SECTION I It is hereby determined to be in the public interest that a work release program be established by the Vanderburgh County Sheriff pursuant to the authority contained in IC 11-12-5-1 and 11-12-5-2.

SECTION II Said work release program to be administered by the Sheriff of Vanderburgh County pursuant to the provisions contained in the acts of 1979, P.L. 120, Section 5.

SECTION III The Sheriff of Vanderburgh County shall make due report to the Board of Commissioners of Vanderburgh County of his actions taken pursuant to this resolution, and shall keep said board currently advised of the operation of any such work release program, said report to include, but not be limited to, the name and number of jail inmates involved, the jail sentence applicable to such inmate, the description and place of any such work being performed by such inmate, plus any such additional information that shall be deemed mat3rial or pertinent by the Sheriff of Vanderburgh County or the Board of Commissioners of Vanderburgh County.

SECTION IV The authority contained in this resolution shall continue until terminated by resolution of the Board of Commissioners of Vanderburgh County.

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Commissioner Schaad moved that this Resolution be approved subject to the final opinion on the Insurance. Commissioner Willner seconded the motion. So ordered.

RE: MR. CROOKS.....BUILDING COMMISSION

E.A.R.C. Building Roof

Mr. Crooks asked the Commissioners if the money has been approved for the money for the roof at the EARC building.

Ms. Wolf said we are supposed to know later this afternoon, that Ms. McBride is suppose to call the state and find out if this money has been approved.

RE: BUSTER GORDON.....COUNTY BUILDINGS

E.A.R.C. Building Roof Hillcrest-Washington Home Roads

Mr. Gordon said that we should know about the money for the EARC building roof this afternoon after 1:00 p.m., that he would like for the Commissioners to go ahead and sign the contracts for the roof at the EARC building and for the roads at Hillcrest-Washington Home.

The Commissioners agreed that they will sign the contracts this afternoon after they receive word that the money has been approved. These are agreements, not contracts.

Inventory List Submitted

Mr. Gordon submitted an Inventory List of equipment and supplies he has on hand at the present time.
This list is noted as having been received and filed.

Items from the old County Home

Mr. Gordon said that Mr. Hotz brought him some things from the old Poor House the other day and he thinks they are quite valuable, that they are old handcuffs, a key to the Poor House and a set of rules from there.
He said he would like permission to take these things to the museum.

The Commissioners agreed, so Commissioner Schaad moved that Mr. Gordon see if the museum would want these antiques. Commissioner Willner seconded the motion. So ordered.

RE: DAVE SAVAGE.....TRAFFIC

Stop Sign Down

Commissioner Schaad told Mr. Savage that he noticed a sign down on the corner of St. Joe Avenue and Bismark Avenue, that it is laying over in the cemetery, so he would like it put back up.

RE: DAVE GUILLAUM.....DEPUTY SURVEYOR

Bridge & Guardrail Report

Mr. Guillaum said that during the past week the bridge and guardrail crew have been working down on Ohio Street on the curve that approaches the bridge, putting rail up.

RE: MR. STEPHEN.....COUNTY HIGHWAY ENGINEER

Extra Work Agreements

Mr. Stephen said he has two Extra Work Agreements for St. Joe Avenue, that one is for the extension of some pipe over the drive where they were a little short in the design, so the pipe will make the sod stay in position, that the increase in cost is $2,674.00 which is for 75' of 12 inch pipe, 8' of 15 inch pipe and an oval pipe of 43' by 27'.

Commissioner Schaad moved that this Extra Work Agreement be approved. Commissioner Davies seconded the motion. So ordered.

Mr. Stephen said the other one is for Hobart and St. Joe Avenue in a lady's front yard.

Commissioner Davies said the Commissioners went out and looked at this and it is really a bad situation, that there is a decrease in one area of $130.00 and an increase for making special pipes that have to go in there of $3,512.00.

Commissioner Willner moved that this Extra Work Agreement be approved. Commissioner Schaad seconded the motion. So ordered.

Meadow Village Subdivision
Street Acceptance Requested

Mr. Stephen said he has a letter requesting the acceptance of the following streets:

Eleventh Street.....	420 feet
Allen Court.....	200 feet
Chris Court.....	200 feet
Eric Court.....	225 feet
Total	1,045 feet

He said the test results meet all requirements and he recommends they be approved, that he has crossed out some of them is because they have the same thing coming up for Commercial Court when they accept that, but he hasn't brought that up as yet because he didn't know if the Commissioners want to bother with it until the feds okay the leaving out of that section on St. Joe Avenue.

Commissioner Schaad moved that these streets be approved as recommended by Mr. Stephen, and that a Resolution be prepared. Commissioner Willner seconded the motion. So ordered.

Anthony Drive

Mr. Stephen said he also has one for the extension of Anthony Drive in Roman Acres which consists of 738 feet.
He said the first part of Anthony Drive was accepted by the County on 7/6/76 and the tests on this part of it are okay, so he would recommend that it be approved.

Commissioner Schaad moved that the 738 feet of Anthony Drive be accepted for maintenance. Commissioner Willner seconded the motion. So ordered.

RE: DRAINAGE PROBLEM

Mr. Stephen said that coming up soon apparently there will be a rezoning, that there has been some correspondence concerning the rezoning in the area of Tanglewood Drive for apartments and we have a drainage problem out there.

Commissioner Schaad asked if her name is Katherine McGlothin.

Mr. Stephen said this is correct.

Commissioner Schaad said he had a call on this.

Mr. Stephen said another lady out there already has drainage problems and all he wants to do is to bring this to the attention of the Commissioners because he isn't going to be here for the next three meetings since he will be on vacation, because what is happening is that the water is coming down to where they have a bad drainage problem and they have a pipe that starts out as a 24 inch, an inlet at one point, then to the corner of the substation and it is overloading since it is way too small, that it comes right across private property, that the pipe was put in by the developer and it is too small to handle any additional load and that is where it is all going to go.

Commissioner Schaad asked if they even clean the side ditches, will it help.

Mr. Stephen said no, that the Commissioners have a real problem here when this comes up for rezoning.

Commissioner Davies said he thinks the first reading on it will come up next week.

Mr. Stephen said they will have to address the drainage problem and do something with it.

Commissioner Schaad asked if they should address the drainage problem and maybe try to drain off some of that water that is coming this way, if that would ease the situation.

Mr. Stephen said if they can but that is where all their water is going to go too.

Commissioner Davies said this problem has been brought up before, that it isn't a new one.

Mr. Stephen said he dug this out of his file because these people have been complaining before, so he has put on paper what they have out there because these people have been complaining for a couple of years about the water not draining out.
He said this street right now is only one-half a street that was dedicated and then it is gravel, so there should be another 25 or 30 feet on the other side when this area is developed.

RE: PLATS FOR DRAINAGE

Mr. Stephen said that the Area Plan Commission has given him three plats for drainage, that two of them are in the City and one is in the County, so he will bring these up at the Drainage Board meeting today.

RE: DAVE GERARD.....E.U.T.S

Mr. Gerard said he has some FA-2 Forms on the County Bridge Marker Project with SIECO that needs to be signed by the Commissioners, that it is 100% federally funded.

Commissioner Schaad moved that these forms be signed. Commissioner Willner seconded the motion. So ordered.

RE: FRED DEWES.....AUDITORIUM

Authorized to advertise for bids

Mr. Dewes said that last week the County Council approved a total of $106,000 for repairs and improvements at the Auditorium, that this will include stage drapes, stage lighting and ceiling repairs, so he would like to advertise for bids on December 22nd and 29th. 1980, with the bids to be opened on January 12th. 1981.

Commissioner Schaad moved that the Purchasing Department be authorized to advertise for bids on these items. Commissioner Willner seconded the motion. So ordered.

RE: CHUCK OSTERHOLT.....AREA PLAN COMMISSION

Contracts awarded for office equipment

Commissioner Davies said we have contracts to award this morning for the equipment for the Area Plan Commission on the bids that were received last week and were taken under advisement at that time.

Mr. Osterholt said this includes an Electronic Typewriter and the Dictation Equipment, that there were three bids, two of which were adequate for their needs and of the two they are very comparable, and the bid that he would recommend to the Commissioners would be the one from Van Ausdall & Farrar, Inc. for both, the Electronic Typewriter and the Dictation Equipment, basically because of the records management on the software program.

Commissioner Davies asked if it is compatible with the County computer.

Mr. Osterholt said it is and also there is communication capability that can be tied into that, and the total price on the Lanier equipment from Van Ausdall & Farrar, Inc. is $14,658 and the I.B.M. bid was $14,606 so it is about $52.00 more.

Commissioner Schaad moved that the contract be awarded to Van Ausdall & Farrar, Inc. which is also known as Lanier Business Products Center, at the bid price of $14,658, as recommended by Mr. Osterholt. for the Electronic Typewriter and the Dictation Equipment. Commissioner Willner seconded the motion. So ordered.

Mr. Osterholt said that he will get the contract from Mr. Evans so the Commissioners can sign it, also that this price doesn't include installation charges.

RE: MR. DAVID STUMPF.....BLUE CROSS-BLUE SHIELD

Mr. Stumpf said the main problem on the Insurance is that it will stop on January 1st unless the Commissioners have some kind of decision on it, that new employees will not be able to be added by the County Auditor, that she will not have a billing, that contract renewals are supposed to be in 35 days prior to renewal date and we have already passed that point.

He said if the problem is the small increase, if you take the refund agreement as a reduction you will be paying less per person than you paid last year, that he figured it out and based on the same number of employees you now have, providing you have the same number next year, by taking the reduction on the single and the family cost, it comes out at the exact same amount of the refund agreement and his main concern is, that come January 1st. the people will have to start paying the claims and also the fact that there will be people you want to remove from the billing and new employees that you will want to put on, that they will be jeopardized.
He said if you took the $2.50 reduction in single or the $7.20 in family it would bring your cost down to $31.40 or the $87.00, that last year you were paying $31.70 and $88.00, so there would be no need to get additional funding from the Council if you take the refund agreement.

Commissioner Schaad said this doesn't mean that it will cost less, that it will cost mroe but with our refund it will bring it down, because it is our money.

Mr. Stumpf said this is correct, that it is our money either way we go.

Commissioner Schaad said that if we use the refund there will be enough money in the account without asking for an additional appropriation.

Mr. Stumpf said this is correct, because we will be paying less per month for the coming year than we were actually paying last year.

Commissioner Schaad said it did say in the Insurance Report that unless there was going to be a great reduction in the number of employees, it would be better to not take the rebate, but to apply it against the coming year.

Mr. Stumpf said also if the employment goes up this is to our advantage because we will be having a refund on a larger number of employees.

Commissioner Willner said he remembers a couple of years ago when we went on a month to month basis for two or three months and he asked if this is still possible.

Mr. Stumpf said it is no longer possible, which is due to the phase of work in having to renew the cost involved, that the other item is that on a month to month basis he wouldn't give us a refund because if we terminate, the refund is held or washed out. He said he wants to point out that our claim experience here is only thru 8/31/80 but since then, all three of the hospitals have raised their rates, so we know without question that for the next 12 months there is going to be an increase in cost and the thing that worries him is the fact that St. Mary's Hospital has announced that they are going to have a $23 million expansion program and when they were asked if they were going to have a fund drive, they said no, that they were just going to raise their rates, so he is personally working for not only the increases that they had in July of this year, but you have another one if July of next year which they have to absorb under the fee basis.

Commissioner Willner asked if we can raise the coverage at any time or get additional coverage.

Mr. Stumpf said that we can do this.

Commissioner Schaad said the original agreement was that we were going to let the coverage as it was and take the rebate, and he asked Commissioner Willner if he wants to leave it this way.

Commissioner Willner said this is correct, that he wants the $42,000 back to put in the County General Fund.

Commissioner Willner so moved that the Insurance coverage remain as it was and that we get the refund. Commissioner Schaad seconded the motion. So ordered.

Commissioner Willner again asked if it isn't correct that we can raise the coverage or get additional coverage at any time.

Mr. Stumpf said this is correct, that if an annuity on an individual segmentation, negotiations would be made which has been done in the City for the Police and Fire Deaprtments and they had better benefits for the rest of the people through negotiations, but the only thing is that if you change benefits by catagory, you will just have to set up that catagory under a new plan.

Commissioner Willner said this isn't funded until 1981 so he doesn't think we can do anything with it now anyhow because those funds aren't available.

Mr. Stumpf said this could be done January 1st.

RE: POSTING OHIO STREET BRIDGE AT A 14 TON LIMIT

Commissioner Schaad said he read a letter to the Council and he would like to read it now, that the letter is from Nick VanNielen, District Engineer for the State Highway Department out of Vincennes, Indiana and dated December 2, 1980. The letter reads as follows:

Dear Mr. Schaad:

The Indiana State Highway Commission always tries to cooperate with Cities and Counties, as per your request, our Bridge Maintenance Field Engineer, Mr. Ellis E. Dayton, P.E. reinspected the bridge on November 26, 1980 and his report to me is attached. Please note that this structure was inspected both in 1979 and again last week relative to maintenance. If this bridge was on our system of State Highway based on decking, width, volume of traffic, heavy truck use, design and age of structure, I would recommend replacement as soon as funds were available. In the meantime I would recommend posting the bridge for a 14 ton load limit immediately.

Mr. Dayton would be happy to meet with you and the Commissioners if you have further questions.

Commissioner Schaad said he just felt that with this letter from licensed enginners, regardless of what anybody else says, that if we don't post it for a 14 ton load limit, that if there should be an accident, it seems like we would certainly be liable and there are trucks using this bridge that weigh over 30 tons.
He so moved that it be declared an emergency and that the bridge on Ohio Street over Pigeon Creek be posted with a 14 ton load limit.

Commissioner Willner said he thinks we should have a load limit but he was wondering why not for 20 tons.

Commissioner Schaad said he is going by what a licensed engineer recommended, that he isn't an engineer but if Commissioner Willner has other opinions in writing he would like to see them.

Commissioner Willner said he thinks that the study we bought and paid for did say 20 tons.

Commissioner Schaad said to be honest about it, 6 tons isn't going to make any difference anyway because those cement trucks weigh 14 tons empty and bulk cement trucks weigh upwards of 30 tons loaded and those rock and gravel trucks weigh more than 20 tons.

Commissioner Willner then seconded the motion. So ordered.

RE: REQUEST TO FUND OHIO STREET BRIDGE

Commissioner Schaad said that before we go to another item on the agenda, he would like to move that if there is another Council Call in the month of December, that we advertise for $1.5 million to build the Ohio Street Bridge and transfer those funds from the First Avenue Bridge, that it be advertised and be heard at the next Council Call if there is one this month. Commissioner Davies seconded the motion. So ordered.

RE: NOTICE OF CLAIM

A Notice of Claim was received by the Commissioners from the Gerling Law Offices which reads as follows:

Gentlemen:

Pursuant to IC 34-4-16.5-1, et seq, you are notified that our client, Maryetta Turpin, individually, and by her next friend and natural mother, Jacqueline Wilson, and Jacqueline Wilson, individually, give notice of a claim against a political subdivision.

On October 20, 1980, at approximately 3:10 p.m., Maryetta Turpin was a passanger in a certain motor vehicle, to wit: a 1973 Ford school bus owned by the Evansville-Vanderburgh School Corporation, bearing license number 4970, and said school bus was proceeding in a westerly direction on a certain street located in the City of Evansville, County of Vanderburgh, State of Indiana, commonly known as Bellemeade Avenue. At or near the intersection of the aforesaid Bellemeade Avenue and Kentucky Avenue, an incident did then and there occur in which the aforesaid school bus was involved in an automobile collision, and our client, Maryetta Turpin, sustained injuries and damages. The school bus was driven by Paul H. Gibson, 1813 E. Columbia Street, Evansville, Indiana.

Mr. Gibson's license number is S404-10-6185. The school bus struck the rear of a vehicle that was stopped at the intersection of Bellemeade and Kentucky, and at or about the same time, the school bus was struck in the rear by a third vehicle. The accident as described afore said was a result of the negligence of the agents, servants, servants or employees of the Evansville-Vanderburgh School Corporation in that the driver of the school bus negligently failed to keep and maintain a proper lookout for other vehicles on the road, negligently changed lanes without maintaining a proper lookout for other tra-fic, and negligently operated his motor vehicle at a speed that was greater than was reasonably prudent under the circumstances then existing.

As a result of the negligence as described afore said, Maryetta Turpin was thrown about the interior of the school bus, she sustained bruises, contusions and abrasions to her right shoulder area, back of her neck, she has pain in the back of her neck radiating down her spine, and pain in the left shoulder upon movement. The claimant, Maryetta Turpin, also struck her knees on the interior of said bus with resultant bruises, contusions, abrasions and pain.
Claimant will incur expenses for future medical care and treatment for said injuries. Maryetta, by her next friend and natural mother, Jacqueline Wilson, requests damages from the Evansville-Vanderburgh School Corporation in an amount sufficient to compensate her for her pain and suffering and injuries and damages, and claimant, Jacqueline Wilson, requests damages to compensate her for medical expenses, past, present, and future, and for the loss of services of her minor child. At the time of the accident which is the subject matter of this notice, claimants, Maryetta Turpin and Jacqueline Wilson, lived at 605 S. Evans Avenue in the City of Evansville, County of Vanderburgh, State of Indiana, and live at the same address at the time of filing this notice.

Respectfully submitted,
Gerline Law Offices
Daniel J. McGinn, Attorney

This matter was referred to the County Attorney's.

RE: HALT OF ACTION REQUESTED.....ECHO HILLS SUBDIVISION

Commissioner Davies said he received a petition for the County Commissioners from the residents of Echo Hills Subdivision which reads as follows:

We, the undersigned owners of lots or residences in the Echo Hills Subdivision, hereby call for a halt of any action by the County of Vanderburgh to accept the streets of Still Meadow Court, Stacey Court, Robin Place, and the remainder of Echo Hills Drive, as county roads or streets until these aforementioned roads or streets are paved by the developer of this subdivision.

It is our understanding that approximately 660 feet of Echo Hills Drive has been approved and accepted by the County of Vanderburgh. It is also our intention that the County be allowed to accept Arrowhead Drive as a county road, since it has been paved, if this street meets the county specifications.

Commissioner Schaad said this was discussed before and he doesn't see how we can not take it because he thinks that it was Mr. Guillaum that said we do have standards for gravel roads and rock roads, so how can we not okay them as rock or gravel roads if they meet our standards, that we can't tell the developer that he must pave those roads, that they should have taken care of this with the developer before they bought the land, that as far as the roads being paved, he doesn't think we can enter into it.

Mr. Stephen said they don't want it taken in as a County gravel road, so this is a petition against them being accepted by the County, although they are saying that they don't object to Arrowhead Drive being taken in, because it was paved just this summer, but he doesn't know if it still meets our specifications or not, but it is in a lot better shape than the others.

Commissioner Davies said he doesn't know of any action we can take on it.

Letter received and filed.

RE: LETTERS OF RESIGNATION

Jean Ritter

The following letter was received by Mr. Dewes, the manager of the Auditorium from Mrs. Jean Ritter:

Dear Fred:
Effective December 31, 1980, I am resigning my position as Assistant Manager.
Signed, Mrs. Jean Ritter

18.

Dave Stratman

The following letter was received by Mr. Dave Stratman, District Technician:

Dear Mr. Davies:

This letter is to notify you and the County Commissioners as of December 14, 1980, I will be resigning my job as Vanderburgh County Soil and Water Conservation District Technician. At that time I will be accepting a position with the Soil Conservation Service as a Soil Technician.

I regret that I will no longer be directly responsible to the County Commissioners. However, I feel this is a positive step toward a more stable career in Soil & Water Conservation.

I have enjoyed my work as a District Technician and am looking forward to serving Vanderburgh County further through my new position with the Soil Conservation Service.

Sincerely, Dave Stratman, District Technician

Both letters received and filed.

RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was received from Wausau Insurance Companies on insured, Bucyrus-Erie Co. for use of the Vanderburgh Auditorium from 12/14/80 thru 12/19/80. Certificate of Insurance received and filed.

Also, Alice McBride, the County Auditor, received the following Policy endorsements from the Commissioners:

Endorsement #11 to Policy 36C 725336E from the Hartford, effective April 1, 1980.
Endorsement #21 to Policy 36AB 119345E from the Hartford, effective August 4, 1980
Endorsement #22 to Policy 36AB 119345E from the Hartford, effective August 4, 1980
Endorsement #23 to Policy 36AB 119345E from the Hartford, effective October 3, 1980

Ms. McBride signed for having received these policies and they will be filed in the Auditor's office.

RE: REVENUE SHARING NOTIFICATION

Ms. McBride said she received notification of the Revenue Sharing monies yesterday and it must be signed by Commissioner Davies, so we will get the money for next year.

Commissioner Willner moved that the claim for the Revenue Sharing be signed. Commissioner Davies seconded the motion. So ordered.

RE: CLAIMS

A Claim for credit was received from Torian Agency, Inc. for Auto policy Hartford #36AB119345E Voiding end. #12, #22 and #23, the credit being in the amount of $33.00.

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

A Claim was submitted by Brink's for services rendered to the Clerk of the Circuit Court for the month of December, 1980, as per agreement, in the amount of $195.30.

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

A Claim was submitted by Brink's for services rendered to the County Treasurer for the months of October, November and December of 1980, as per agreement, in the amount of $911.55.

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

A Claim was submitted by Charles Griffith, Attorney for Anna Joeckel for judgement that was handed down in the case of the Board of Commissioners vs. Anna Joeckel, in the amount of $19,973.32.

Commissioner Schaad moved that this claim be approved, on the recommendation of County Attorney Ed Smith, subject to the entered computation on the interest being correct. Commissioner Willner seconded the motion. So ordered.

A Claim was submitted by Engineer Associates for Engineering Inspection on Lynch Road for the period of 11/24/80 to 11/28/80 in the amount of $3,642.35 which has been approved by Mr. Stephen.

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

A Claim was submitted by Engineer Associates for Engineering Inspection on St. Joe Avenue for the period of 11/24/80 to 11/28/80 in the amount of $3,136.84 which has been approved by Mr. Stephen.

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

A Claim was submitted by Sharon Campbell for the transportation of Kenya Mattingly, for foster child reimbursement for November, 1980, per individualized educational plan, in the amount of $212.16.

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 the Joint Departments:

For reimbursement of County's share on the department of Weights & Measures at 42% for the month of July, 1980, in the amount of $1,149.82.

For reimbursement of County's share on the department of Weights & Measures at 42% for the month of August, 1980, in the amount of $1,110.25.

For reimbursement of County's share on the department of Weights & Measures at 42% for the month of September, 1980, in the amount of $1,238.27.

For reimbursement of County's share on the department of Weights & Measures at 42% for the month of October, 1980, in the amount of $1,046.39.

Ms. McBride said there isn't enough money in the account to pay the City for the County's share on Weights & Measures, so money will have to be transferred from under other accounts in the budget.

Commissioner Willner moved to approve the transfer of monies needed into Weights & Measures so Ms. McBride can get it on the Council Call for these claims to be paid. Commissioner Schaad seconded the motion. So ordered.
For reimbursement of County's share on the department of Purchasing at 50% for the month of October, 1980, in the amount of $2,238.95.

For reimbursement of County's share on the department of Traffic Engineering at 14% in the amount of $3,475.40 for the month of October, 1980.

For reimbursement of County's share on the department of Building Inspection at 40% in the amount of $7,505 for the month of October, 1980.

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

A Claim was submitted by Southwest Engineering Inc. for Estimate No. 2 & final payment for the Boonville-New Harmony Road Bridge, No. 14, in the amount of $13,432.73.

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

A Claim was submitted by Deig Brothers for First and Final estimate on the Middle Mt. Vernon Road, Structure #58-A, in the amount of $8,305.50 which has been approved by Mr. Brenner.

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

A Claim was submitted by Deig Brothers for First and Final estimate on the Schmuck Road Structure #126-A, in the amount of $13,552.00 which has been approved by Mr. Brenner.

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

20.

A Claim was submitted by Jerry Stinchfield for the purchase of a 1973 Chevrolet pick up truck by the County Surveyor's office, in the amount of $1,300.00, which has been approved by Mr. Brenner.

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

A Claim was submitted by Bette Ann Carrigan for Notary Commission Renewal which is needed for office business, in the amount of $30.95. She is the Clerk in the Auditor's office.

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

A Claim was submitted by Szabo Food Service for meals served the inmates and the deputies for the period of November 1st thru November 15th. 1980, in the amount of $7,831.05 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 for meals served the inmates and the deputies for the period of November 16th thru November 30th. 1980, in the amount of $7,750.30 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 Deloris Robinson of the Drug & Alcohol Deferral Service, for for meals purchased in traveling to and from Indianapolis, In. on October 28th. 1980 thru October 31st. 1980, in the amount of $31.23 which has been approved by Judge Kissinger.

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

A Claim was submitted by Mr. Osterholt of the Area Plan Commission, for hotel and airport shuttle service while traveling to a seminar on November 29th. in the amount of $113.79.

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

A Claim was submitted by Mr. Osterholt of the Area Plan Commission for lodging while at Seminar on October 4th thru October 7th. 1980, in the amount of $94.16.

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

A Claim was submitted by Shirley Jean Cox, Clerk-Secretary of the Election Board for mileage and meals to and from Indianapolis, in the amount of $75.81.

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

A Claim was submitted by Paul Wendel, the County for balance due for legal services not included in the County Attorney's salary, in the amount of $14,961.50.

Commissioner Schaad moved that this claim be paid.

Commissioner Willner asked if this brings Mr. Wendel up to date.

County Attorney Wendel said it brings him up to date as far as he can submit a bill on, that there are other cases and there is December but he can't bill us for it.

Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AREA PLAN COMMISSION

Donna Collins (End of maternity leave)	37 Washington Ave.	Secretary B	$8,481.00	Eff: 12/8/80

APPOINTMENTS.....CONTINUED

CIRCUIT COURT

Lucille Smith	600 Cullen Avenue	Special Reporter	$200.00 Wk.	Eff: 12/8/80

COUNTY AUDITOR

Larry Simpson	215 Blackford Ave.	Part-time	$25.00 Day	Eff: 12/5/80

COUNTY TREASURER

Carmen McAtee	2109 Taylor Ave.	Posting Clerk	$8,080.00 Yr.	Eff: 11/24/80
Barbara Hedges	2238 E. Iowa St.	Posting Clerk	$8,580.00 Yr.	Eff: 11/15/80

PIGEON TOWNSHIP TRUSTEE

Mary E. Hart	1505 N. 3rd. Ave.	Clerk	$320.00 Pay	Eff: 11/17/80

SHERIFF'S DEPARTMENT

Richard E. Reed	760 Chateau Dr.	Prob. Patrolman	$13,484.00 Yr.	Eff: 12/1/80
Thomas E. Wedding	7215 E. Blackford	" "	$13,484.00 Yr.	Eff: 12/1/80
Thomas A. Vachet	2610 Adams Ave.	" "	$13,484.00 Yr.	Eff: 12/1/80
Bryon C. Klaser	713 Monroe Ave.	Civiliam Jailer	$ 9,915.00 Yr.	Eff: 12/1/80

RE: NOTICE OF CLAIM.....CONTINUED

The Notice of Claim from the Gerling Law Office was discussed and referred to County Attorney Wendel earlier in this meeting.
County Attorney Wendel said this would be a claim in which Vanderburgh County would have no liability, but the School Corporation itself might, so he recommends that the claim be denied and he will go ahead and send it to the Insurance Company anyway.

Commissioner Schaad moved that this claim on behalf of Maryetta Turpin be denied. Commissioner Willner seconded the motion. So ordered.

RE: BID ON BACKHOE CAB THROWN OUT

County Attorney Wendel said that only one bid was received for the backhoe cab that is needed by the Surveyor's office but it arrived too late, so it will have to be thrown out, but the cost is under the amount to where it would have to be advertised for, so the Commissioners may want to throw it out and buy the cab on the open market.

Mr. Guillaum said the only comment he would like to make is that they will have to do what needs to be done because it is hard for the men to work under the conditions they have to work under, so he wondered if he could go ahead and buy it and just submit a claim.

Commissioner Willner said he should tell the Purchacing Department to buy it. He so moved that this be done. Commissioner Schaad seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....RELEASES

BOARD OF COMMISSIONERS

Dave Stratman	435-A Benninghof	Soil Technician	$12,000 Yr.	Eff: 12/14/80

COUNTY GARAGE

Thomas O. Blocker	928 W. Maryland	Truck Driver	$5.82 Hr.	Eff: 12/4/80

COUNTY TREASURER

Barbara Hedges	2238 E. Iowa St.	Postage Clerk	$8,080.00 Yr.	Eff: 11/14/80

SHERIFF'S DEPARTMENT

Thomas E. Wedding	7215 E. Blackford	Civilian Jailer	$9,915.00 Yr.	Eff: 11/30/80

VETERANS SERVICE

Aleshia Dobbelstein	1231 S.E. Riverside	Part time	$25.00 Day	Eff: 12/2/80

RE: REQUEST TO TRAVEL

County Attorney Smith said the hearing before the Public Service Commission on the railroad overpasses will be held on Wednesday in Indianapolis and he wants to go up there early that morning, so he would like permission to go.

Commissioner Willner asked Mr. Guillaum if either he or Mr. Brenner plans to go.

Mr. Guillaum said he believes they are going but he isn't sure how Mr. Brenner wants to do it.

County Attorney Smith said there is also another witness that should go.

Commissioner Willner said he would like to go to testify and that two members of the Surveyors should go as well as another witness such as a school bus driver, so they will all need permission to travel.

Commissioner Schaad said we can't pay for the travel expenses of the school bus driver though.

Commissioner Willner said he supposes he could drive and take the witness along.

Commissioner Schaad moved that permission be granted for travel. Commissioner Davies seconded the motion. So ordered.

Commissioner Willner said if any of them want to go with him they are welcome to do so.

POOR RELIEF

Linda Green.....1216 W. Florida St.....Pigeon Township....Ms. Eickhoff, Investigator

Ms. Green had applied for help on purchasing school books but she failed to return within a reasonable time limit.

Ms. Green was to appear before the Commissioners today but Ms. Wolf said that Linda was out in the hall, that she talked to Ms. Eickhoff who said there was just a lack of communication and they worked out the problem, so she is withdrawing her appeal.

Philip Harvey.....2212 Walnut Lane....Knight Township.....Ms.Mary E. Mueller, Deputy

Commissioner Davies said there is no report from the Knight Trustee on Mr. Harvey, that there is only a letter to Mr. Harvey from Mr. Dant, the Knight Township Trustee, in regard to St. Mary's Medical Center since this is where he owes money for his wife's holpital bill.
The letter reads as follows:

Dear Mr. Harvey:

Since you are residing with your parents and have no rent to pay, we suggest that you seek some type of employment even at minimum wage and start paying on this account.

I would suggest that you go to the Evansville Printing Corporation and I know from time to time that they have routes and other kinds of work available. You might also check with Manpower and be there every morning about 6:30 a.m. (This is only day work but every dollar will count.)

We will refer the baby's bill to the Department of Public Welfare however, they will not take care of pregnancy bills.

We are enclosing this statement and suggest you contact St. Mary's Hospital and make arrangements to pay on this bill so much each month.

Sincerely, E. James Dant
Knight Township Trustee

Commissioner Davies asked Mr. Harvey to explain what he needs.

Mr. Harvey said he was laid off in September and he can't possibly pay his wife's bill at the hospital, that she had a baby which was premature by 2 months and it had to stay at St. Mary's Medical Center for five weeks, that he isn't sure how much the bill was but it was sent to the Knight Township Trustee, and then the Trustee called and said they couldn't pay it.

Commissioner Willner asked the amount of the total bill.

Ms. Mueller said she has in the letter that the Commissioners have a copy of, that they are referring the baby's bill of $8,169.00 to the Welfare Department, but they won't pick up maternity cases, so she thought he might be able to get a job and pay the $1,395.00 which is owed for his wife's hospital expenses.

Mr. Baster said that the Welfare Department will pay the $8,169.00.

Commissioner Schaad said that Mr. Harvey can work it out with the hospital so he can pay the $1,395.00 a little at a time as soon as he gets a job.

After all of this was explained to Mr. Harvey, he understood and said this was agreeable with him.

There being no further business, the meeting recessed at 11:00 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Robert Davies	Alice McBride	Ed Smith, Jr.
Bob Schaad		Paul Wendel
Robert L. Willner		

Secretary: Margie Meeks

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
DECEMBER 15, 1980

The meeting of the County Commissioners was held on Monday, December 15, 1980, at 9:30 a.m. in the Commissioners Hearing Room with President Davies presiding.

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

RE: COMMENT ON REZONING PETITIONS

Commissioner Davies said that Rezoning Petition's will be heard today and he explained to the audience that we will have people talking, both for and against these various rezonings, and although they may not agree with certain things the people are saying, he would ask that they respect the people's ability to say those things.
He said the Commissioners usually have the petitioner come up to make his proposal, and then we have the people who are speaking against the various rezonings to come up, and then we have the rebuttals, that we do not do any cross examination of any people who come up here, that the people can ask questions, however, the people who are asked the questions may or may not care to answer them.
He also said that if anyone has anything to say, he wants to make sure that they are heard, but the Commissioners would like for the people to not repeat the same objections over and over again.

RE: AUTHORIZED TO OPEN BIDS

County Attorney Smith was authorized to proceed with opening the bids that were received this morning for the Corrugated Metal Pipe, etc., Dual Purpose Xerographic paper and Most Used Office Supplies.

RE: REZONING PETITION.....VC-9-80.....THIRD READING

Petitioner.....Bert Claspell of 120 South Kerth Avenue
Owner of Record.....Julia E. Droste of 7414 rmstadt Road

The premises affected are situated at the corner of Bergdolt Road and Tanglewood Drive, more commonly known as 2835 E. Bergdolt Road.
The requested change is from R-1 to R-3
The present existing land is vacant and the proposed land use is for Apartments.

This petition was denied by the Area Plan Commission with one affirmative vote and ten negative votes with one abstention.

Mr. Montgomery appeared on behalf of the petitioner and said that since the last meeting, their first maps that were submitted, they had proposed to put in 52 one-bedroom apartments, but their site plan has not been changed to put in 12 four-plexes. He said they had several remonstrators the last time and he assumes we have several today, but he would ask, at this time, that this be vacated for the purpose of submitting the drainage plans, that he feels this is good rezoning since this is next to other R-3 zoning, but he thinks there is a drainage problem at this particular time, so he would ask the Commissioners that this be vacated to give them time to come up with some drainage plans.

Commissioner Schaad asked Mr. Montgomery if he is saying that there has been a change in this petition from the time it was submitted to the Area Plan Commission.

Mr. Montgomery said this is correct, that the Area Plan Commission hasn't acted on the new plans.

Commissioner Willner moved that Rezoning Petition VC-9-80 be vacated.

Commissioner Schaad said that under the circumstances, he would so move that this Petition be referred back to the Area Plan Commission.

Commissioner Willner said he would certainly agree, that he is sure the remonstrators hasn't had time to fully look at the new plan.
He asked Mr. Osterholt what the normal procedure is on something like this.

Mr. Osterholt said there has been a change in the site plan, that the Area Plan Commission did act on the petition that was originally submitted, and they are dealing with four less units in terms of development than they were dealing with before, and there are no drainage plans, so precedure-wise, the Commissioners can act on it today if they want to, but if they want the Area Plan Commission to go

and review the new site plan and make a recommendation on it, they may do this, that there is a period of time which is 90 days, in which it has to be completed for a decision by the Plan Commission, so it is basically up to the Commissioners. He said the Commissioners can't accept the amended site plans because it was submitted and filed prior to the Commissioner's second reading of the Ordinance, which is taking place today.

Commissioner Schaad asked if the people in the audience knows anything of the new site plans that were submitted today.

A spokesman for the remonstrators said that they weren't officially aware of the change in plans from the 52 single units to the 12 four-plexes.

Commissioner Davies said the problems they saw at the Area Plan Commission meeting were two-fold, the number of apartments and the drainage problems.

The spokesman said these are two of the problems but there are more than that.

Commissioner Willner said he thinks we need to apologize to the people that have taken their time to come down here, but he sees no alternative but to send this petition back to the Area Plan Commission.

Commissioner Schaad said he might explain to the people that the Commissioners knew nothing of this change either, until right now, so they couldn't be notified that they wouldn't have to be here.
He said he has moved that this petition, VC-9-80, be referred back to the Area Plan Commission.
Commissioner Willner seconded the motion. So ordered.

Commissioner Davies explained that this petition will come before the Area Plan Commission on Wednesday, January 7th. and then be referred back to the Commissioners to be heard on January 21st. and he is sorry that the people made the trip but the Commissioners didn't know about the change either.

RE: REZONING PETITION.....VC-10-80.....THIRD READING

Petitioner and Owner of Record.....Roger A. Bacon of 508 S. Lincoln Pk. Dr.

The premises affected are located on the East side of U.S. Hwy. 41 North, a distance of 570 feet South of the corner formed by the intersection of Boyle Lane and U.S. Hwy. 41 North, more commonly known as 16510 Boyle Lane.

The requested change is from A to C-2.
The present existing land use is none, only maintained, and the proposed land use is for Outdoor Advertising by outdoor display.

This petition was approved by the Area Plan Commission with seven affiramtive votes and four negative votes with one abstention subject to site plan.

Mr. Bacon said he has no remonstrators here, after which he passed out copies of his affidavit showing how many times he contacted the individual property owners, stating that they are notarized, that all of the return receipts weren't returned to him, but he had a copy notarized that he had appeared with these people and they had read this petition and they understood it.
He also submitted a map showing the gross over-view of the area and he explained the various colored areas.
He said the family has had this property since 1928 and since 1947 they have maintained this triangle, and a garden patch might be the maximum agricultural use they could use for this, that it doesn't have any value, agriculturally, that it isn't even wide enough to turn modern machinery around in, and of course there are taxes to be paid, maintenance and liability that he carries on it.
He submitted pictures and said he also has a letter that he thinks was already submitted by Naegele Outdoor Advertising, saying they would be desirous of erecting a sign there, and he has discussed this with each adult member of the family of the property adjacent to him, that they are going to live with it and they aren't unhappy with it, and he will be happy to answer any questions that he hasn't covered at this time.

Commissioner Schaad said he just noticed that on the Area Plan Commission's recommendation, that this parcel of real estate is surrounded by Agriculturally zoned property and it isn't necessary to rezone this entire property for Outdoor Advertising or Display, that this is obviously spot zoning, that there are other appropriately zoned locations which Outdoor Advertising can be erected.

He wondered if the entire area has to be rezoned to put up a sign.

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Mr. Osterholt said it isn't necessary to rezone the entire parcel.

Commissioner Schaad asked Mr. Bacon if there is a reason why he is requesting that the entire area be rezoned.

Mr. Bacon said the initial reason for it being rezoned in his entirety was his ignorance, that the second reason is that the man who is farming the property adjacent to there does use part of the lower end to turn his machinery around, that he also rents other property which he owns, that this is just one of the little concessions he does for him, that he hasn't discussed just where the sign goes with the man who lives there because he didn't know what recommendations would be made at the various meetings, however, what he is really saying is that the man who rents the property from him, and uses it for a turn-a-round, asked that he speak to him before the sign is put up as to just exactly where it would go, and he wanted to speak with the man who owns the adjacent property after the fact of it being rezoned, as to where he would like the sign to be erected, and where it's less likely for him to have to look at it or enjoy it, etc.
He said he is basically interested in the sign, but it is possible, that he was told that another sign could be erected, perhaps of a smaller nature, which might be directly in front of what is presently zoned commercial, but he doesn't know what his limitations are, legally, or from the Commissioner's standpoint, but to him, the sliver was so small, that it was conceivableto him, and still is, as to what else he could use that sliver of ground for, by the time they take into consideration, the right of ways and the set back lines, so to him it was just simpler to rezone the triangle.

Commissioner Willner asked if there isn't a driveway to the South property from Hwy. 41 across there.

Mr. Bacon said there isn't, that it was removed several years ago.

After Mr. Bacon explained about where the sign would be, Commissioner Willner said it would then have to be right in front of the man's property.

Mr. Bacon said it could be in one of two places, either at the Northern most triangle tip or it could be at the base of it which would also be at the base of his property, however his driveway is North of that, and that was the reason he chose the lower position to place the sign, in that the man couldn't actually see the sign from his property because of the trees in front of his property on that corner.

Commissioner Willner said that in 1971 we did rezone the piece of property immediately North and East of there to C-4, and he asked Mr. Bacon if he has done anything with this property since then.

Mr. Bacon said nothing other than agricultural, that they had specific ideas at that time, but they never materialized, that there was another party involved but that faded away and he has had other opportunities of utilizing that property commercially, however they have had this property since 1928 and they have broken no promises during that time and nothing has been indicated or came forward for that property that would enhance the surrounding area to please the surrounding neighbors, so consequently nothing has been done with it other than agricultural.
He said he has maintained a very open policy with the neighbors, that they are fully aware of it and he talked to Dr. South who had no reason that he indicated to him that he didn't want a sign in front of his property.

Commissioner Willner said that even though Dr. South isn't a remonstrator, he finds it pretty hard to put a sign up in front of someone's property, that this goes against his grain.

Mr. Bacon said they sold that property to Dr. Smith in 1972 at which time he owned all of the surrounding property and he made Dr. South a very proper offer and recommended to him, at that time, that he buy the ground in front of his property but he chose not to, that he discussed it with him again in 1977 and sent him a letter, that even when he spoke to him the other night, there was no desire on his or his wife's part to purchase this property, and he was simply trying to establish a value and an income on this sliver of property to compensate to some degree for the maintenance of it since 1947.

Commissioner Willner asked if this same sign couldn't be placed in another location there and serve the same purpose.

Mr. Bacon said it is questionable as to whether it would serve the same purpose, that the pictures perhaps indicate a little better than the maps do, that there is a rise there of ten to twenty feet and if the sign were placed at that particular area he understands it would be more expensive and wouldn't have the same view because the

property that he is seeking to rezone would actually hide it, so to answer Commissioner Willner's question, the sign could be put anywhere on this commercial property but it wouldn't have the same value or same affect to meet the traffic of Hwy. 41, also he can't see any position to where this sign would create any traffic hazards either.

Commissioner Willner told the Commissioners that there is a bridge about mid way on Boyle Lane that does belong to the County and there are no residents from the corner of Baseline Road and Boyle Lane until you get to the South property, that the road has deteriorated badly and we haven't done any maintenance on it, so the road does need to be abandoned at some time.
He said he needs to check to see if abandoning the road would land-lock any of the property along there, but at some time that could become a piece of property that would be farmable, but he refuses to allow a sign to be put in front of someone's home, that he just wouldn't do that, but he would like to help Mr. Bacon and see if Boyle Lane caon't be abandoned in the future.

Mr. Bacon said he is confused at the point of Commissioner Willner's position in deciding not to grant a position of putting a sign in front of the man's property when he has approached him on so many occasions and on a friendly basis with him and he has indicated no ill feeling to him, and he has given him every feeling to do so, to indicate that he doesn't want a sign out there and if he has to live with it 24 hours a day, he is confused at the point of a disinterested property owner.

Commissioner Willner said that Mr. South hasn't contacted him, that he is just saying that from his point of view, if he lived there, he wouldn't want this to happen, that he doesn't know why he doesn't want to buy the property, that perhaps the price was too high, he doesn't know, but he doesn't want to go into that, he just knows that if he lived there, personally, he wouldn't want the sign in front of his property.

Mr. Bacon said he appreciates this, and if Commissioner Willner lived there, other arrangements would be made without question on his part.

There were no remonstrators present.

Commissioner Schaad moved that Petition VC-10-80 be approved. Commissioner Willner seconded the motion.

Commissioner Davies explained that this motion was to put the motion on the floor so a vote can be taken on it.

The vote was then taken with Commissioner Schaad and Commissioner Davies voting "yes" and Commissioner Willner voting "no", and since the vote was in the affirmative by majority, the motion carried and this petition was approved.

RE: SPECIAL USE PERMIT.....DOCKET NO: 26-80-APC

Applicant.....Leroy Woodward
Premises affected.....Commonly known as 333 S. Boehne Camp Road
Nature of Case.....Applicant requests a special use for a church.
The Area Plan Commission approved this petition with eleven affirmative votes and one abstension.

Mr. Leroy Woodward said he is on the Board of Directors at the Church and is representing it in this petition.
He said they are a congregation of about 135 people and presently they are meeting in a rented church five miles west of the City limits on Old Hwy. 62, that this property consists of ten acres, that the petition reads eight acres but they just bought two more acres.
He said they have approximately 80 feet of road frontage on Boehne Camp Road, that he thinks the plat plan shows a 20 foot easement, that the 80 foot road frontage includes the 20 foot easement.
He also said they had to go to the state to get their driveway permit because it will go across the state property, so they have approved on this as well as for their building plans from the state.

Commissioner Davies asked Mr. Gerard if this came before the E.U.T.S.

Mr. Gerard said he has looked at it and especially their comments were that with the distance from the exit drive from the highway there are certain periods of time they will probably have the southbound vehicles backed up in the driveway.

Commissioner Davies asked how much traffic there is on Boehne Camp Road.

Mr. Gerard said there is something like 1,000 to 1,500 on Boehne Camp Road with about 20,000 on the highway.

Commissioner Schaad asked Mr. Woodward if he realizes that if this is approved, he will have to submit his curb cut to Urban Transportation and also, before he is given a building permit, he will have to meet certain requirements.

Mr. Woodward said he understands this and he also has the drainage and erosion plans ready for the Building Commissioners if this petition is approved, that he picked these up from Mr. Biggerstaff this morning.

Mr. Harold Peckinpaugh said he is a neighbor to where they want to build the church, that none of the neighbors have any objection to the church whatever, but they have quite a bit of concern about the extra water that is going to come down there and go through the corrugated tile which is 24 inches, that three times this past year that area has been flooded and he questions whether or not they need another culvert under the road to handle the extra water.
He also asked if there will have to be a fire plug in the area.

Mr. Bob Rich appeared and said he is the Pastor of the Church, that recently they put in a larger drain of 14 inches to replace the smaller drain of a neighbor, Mr. Rupp, to carry the water off of him, and as far as there being more water coming off the hill, he can respect what Mr. Peckinpaugh has said, however they are going to have from ½ to 1 acre less water from the hill because they have placed the peak of the hill so the water goes West instead of East coming down into the low place that Mr. Peckinpaugh is talking about, that they purposely did this to lower the amount of water instead of more, so they are trying to do everything they can to help the situation that exists there.

Commissioner Davies said he doesn't think the Commissioners have seen anything on drainage on this particular one.

Commissioner Willner said we haven't but he doesn't mind approving it subject to the drainage.

Commissioner Schaad moved that Special Use Permit No. 26-80-APC be approved subject to submitting proper drainage plans. Commissioner Willner seconded the motion. The vote being unanimous in the affirmative, the motion carried.

Mr. Osterholt said he will work with Mr. Crooks on the drainage plans and then run through them with Mr. Stephen so it can come before the Drainage Board for consideration.

RE: BLUE CROSS INSURANCE.....DAVID STUMPF & CAPTAIN MOERS
HEALTH INSURANCE FOR SHERIFF'S DEPARTMENT

Captain Moers said that Mr. Stumpf is on the agenda for the full County's Insurance Plan and he is on the agenda for the increased benefits for the Sheriff's Department, of which each Commissioner has a copy.
He said they have $42,280 budgeted in the Sheriff's account at this time through Mr. Stumpf and the Blue Cross, that they have added some benefits that were suggested to the Commissioners for the whole County to their budget which is estimated because of the new people starting the first of the year and they estimate that it will cost $39,259.92 so they are well under their budgeted amount by the County to fund the additional benefit and they need the Commissioner's approval to change the contract.
He said he has a copy of the contract with him that Blue Cross submitted to him, so they need the Commissioner's approval.
The proposed increase on benefits reads as follows:

The following can be added to the Sheriff's Department Blue Cross Medical Coverage Budgeted amount of $42,280.00 in account number 525 for 1981.

Recommended Benefit Improvements:	Single	Family
A. Add $50.00 per Illness Ambulance Allowance	+ .18	+ .45
B. Add Emergency Illness Benefit.....	+ .08	+ .20
C. Inpatient Dental for Impacted Teeth.....	+ .15	+ .35
D. Outpatient Physical Therapy, 60 day.....	+ .02	+ .05
E. Increase $1200 Surgical Schedule and Medical to..... Usual, Customary, and Reasonable Allowance.....	+ 4.82	+11.93
F. Increase Outpatient X-ray & Lab to $200 at U.C.R....	+ .13	+ .30
G. Increase $250.00 Maximum on Major Medical to..... Unlimited with a $2,500 Stop/Loss.....	+ .20	+ .50
H. Add $300.00 Supplemental Accident Benefit.....	+ .20	+ .50
I. Add an Indiana Dental Program.....	+ 4.50	+14.40
J. Add Vision Care, Benefit Option III.....	+ 2.50	+ 7.40
Total.....	$12.78	$36.08
Less Major Medical Credit.....	-2.40	-5.96

Monthly Cost of New Benefit	$10.38	$30.12
Paid Employee Cost	+1.00	+5.00
Total	$11.38	$35.12
Estimate 87 Family & Single Plans	$216.22	$3,055.44
Times 12 Months	$2,594.64	$36,665.28
Total		$39,259.92

Commissioner Schaad said he believes Deputy Moers said that this money was approved by Council to be used to give the Sheriff's Department's benefits over and above what everyone else in the County is getting.

Captain Moers said this is correct, that there is $42,280 budgeted in their medical account and they made a mistake on the benefits when the wage committee put the package together so they can't get the total apckage proposed by Blue Cross, but they can get all but one benefit so they cut one benefit from the package that was proposed to them and this is what they are presenting to the Commissioner's.

Commissioner Willner said it is his understanding that the $42,000 isn't budgeted until next year, so the money isn't available to award the contract at this time, also it is his personal opinion that there should not be a discrimination between County employees with one group having a better Insurance plan than the other.
He said he does agree that he would like to go before Council to see if they would entertain a motion to put the increased benefits on all County employees and if they do, he has no problem, that we do have a uhion contract doming up with the union people at the County Garage and if we give the Sheriff's Department this added coverage he is sure they will want it and he wouldn't blame them one bit, so those are the two questions he has on it. Captain Moers said he totally agrees that every County employee should have these benefits and he hopes they get them, so if this happens, the $42,000 they have in their budget would revert back to the County General Fund plus any refund they get back from the policy, that the only thing they did with the proposed package to the Commissioners to increase everybody's Insurance, they put it in their budget to be sure they would have it.
He said the Sheriff's Department has always had a different Insurance package than the rest of the County, that they have always paid into it themselves, then they went to the Council and had it funded by then, so they have always had increased benefits, but he doesn't feel that this is the issue here, that they do have the money in their budget and if the Council does appropriate the money, then their money would go back into the General Fund.
He said he is here today because this needs to be done now since it starts on January 1 which is only two weeks away, so the paper work needs to be finalized and the agreement has to be signed by the Commissioner's and the County Auditor.

Commissioner Davies asked Mr. Moers if the Sheriff's Department had additional benefits last year over and above what the rest of the County employees had, if so, he doesn't remember signing it.

Captain Moers said they did have it, that on the additional they had the very first year they paid $15.00 or so extra per month to get the additional coverage, then the next year the Council picked it up and the 3rd. and 4th. years they are paying their employee's contribution that to his knowledge none of the other County employees has, but they have always had a separate policy and separate benefits and they will next year whether the other County employees have or not, that their $1.00 and $5.00 are still funded through the program and they feel that it is needed by every County employee and they did put it in their budget and it was approved so they feel that they are entitled to it.

Commissioner Schaad said in-as-much as the Council did approve this amount of money for the Sheriff Department's Insurance, they intended them to have it and he doesn't know why we should take it away from them, but he also agrees with Commissioner Willner, that he thinks the Council should be asked by the Commissioner's to consider the same Insurance for everyone and he doesn't see how they can very well not approve it, but in-as-much as it has been approved and the Council intends for them to have it, they should have it.
He so moved that the Commissioner's approve Mr. Moers request subject to it being effective January 1st. 1981.

Commissioner Davies asked if this particular plan was discussed before the County Council.

Captain Moers said no, that the total package wasn't discussed with them, just the amount of money they needed, but several of the Council members were approached with it, at least two of them, their liaison officer, Bob Lutz and the President of the County Council at that time, Bill Taylor, and possibly a third one, but they had separate

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meetings before the budget hearings with them and they both agreed to this particular package.

Commissioner Schaad said he thinks they should go before Council and ask them to give the same package to everybody.

Commissioner Davies seconded the motion. So ordered.

RE: OPENING OF BIDS

Dual Purpose Xerographic Paper

Atlas Office Supply.....$6,550.00
Champion Office Supply.....$6,787.00 Alternate.....$6,537
Nashua Corporation..... No fixed bid
McMurtry-Martin.....$6,285.00
Xerox Corporation.....$6,820 with an addition of ...$1,817.50

Mr. Dan Oates said he had to send the bid to the Corporation for legal ramification and they had the wrong size paper and he thinks they refer to the price list on the bid and he enclosed a price list.

County Attorney Smith said he noticed the bid price was different than on his list.

Mr. Oates said they have the wrong size of paper than what the specifications called for and he wondered if he could amend it.

County Attorney Smith said his list price wasn't included in the bid and no reference was made to it, that he is sorry but they can't do anything about it now.

Commissioner Schaad moved that the bids be taken under advisement and referred to the Purchasing Department for study and for them to come back with a recommendation next week. Commissioner Willner seconded the motion. So ordered.

Most Used Office Supplies

Guthrie Office Supplies, Inc.....$16,093.63
Atlas Office Supplies.....$11,496.91
Smith & Butterfield.....$11,960.94

Commissioner Schaad moved that these bids be taken under advisement and referred to the Purchasing Department for study and for them to come back with a recommendation next week. Commissioner Willner seconded the motion. So ordered.

Corrugated Metal Pipe, etc.

Bauer Bros.....Attached Price List
All Metal.....Attached Price List
Municipal Inc.....No Bid Bond
Connor Inc.....Attached Price List
James Drew.....Unit Price
American Timber.....Unit Price

Commissioner Schaad moved that these bids be taken under advisement and referred to the Purchasing Department for study and for them to come back with a recommendation next week. Commissioner Willner seconded the motion. So ordered.

RE: DAVE SAVAGE.....TRAFFIC DEPARTMENT

Heddon Road Bridge

Mr. Savage said he had a call from a resident on Heddon Road and there is a question on a bridge out there that has a 5 ton load limit posted, that he indicated there is a problem during road closures and such out there, that there is a large truck that consistantly uses the road and he raised a question as to if there should be some advanced signs there since the trucks get to the bridge and can't turn around, that there are no signs at Millersburg Road or at Kansas Road.
He said he indicated to the resident that he would pass this information on to the Commissioners.

Commissioner Davies said the motorists will have to be notified before they get to the bridge and he asked if the man indicated that this is going on due to some work being done in that area.

Mr. Savage said he indicated that there is some construction going on at S.R. 57 at this particular time, so they could put up a sign at Millersburg and Kansas Road due to the temporary or emergency type of operation because there will be a lot of work in that area.

Commissioner Schaad asked Mr. Savage if it shouldn't be in his regulations as to just where to put these signs according to statute.

Mr. Savage said from the way the statute is written up, there should be a sign there, that they erected signs for the Ohio Street Bridge, Fulton Avenue and at Wabash Avenue. He said he will see that the sign is posted then and he asked if the enforcement should be requested through the Commissioners, since he isn't familiar with it.

County Attorney Smith said the Sheriff's Department would be the one to enforce it, since we do have a County load limit.

Commissioner Davies said the only thing he can do is to post the signs and notify the Sheriff's Department.

Mr. Savage said as to the liability and the deterioration aspect of the bridge, it would be our job to keep those heavy trucks off of it so the bridge will last longer. He asked if when requests such as this comes in, should he refer the people to the Commissioner's of to the Sheriff's Department.

Commissioner Willner said he thinks it should be referred to the Surveyor's office to the Bridge Department, then if he agrees with the load limit, which has already been placed on some of them, the Sheriff's Department should be notified.

Mr. Brenner said the Sheriff should be notified if it is in the County and the Police Department should be notified if it is in the City.

Saratoga & Autumnwood Way

Commissioner Davies asked Mr. Savage if he has anything on Saratoga and Autumnwood Way.

Mr. Savage said he got a call on it last week and he will check it out.

RE: JERRY LINZY.....COUNTY GARAGE

Absentee Report

Mr. Linzy submitted the Absentee Report on the County Highway Employees for the past week which ended 12/12/80.
Report received and filed.

RE: REQUEST FOR LEAVE OF ABSENCE

Mr. Linzy submitted the following letter of request from Arthur Hobbs.

Gentlemen:

Arthur Hobbs, Laborer, 201-2130 requests a leave-of-absence starting December 15th, 1980 to February 2, 1981.
His reason for this request is ill health.

Very truly yours, Jerry E. Linzy
Superintendent

Mr. Linzy said he has talked with Mr. Hobbs, that he has cancer and is taking cobalt treatments, and the doctor told him that there is a possibility of him coming back to work, so Mr. Hobbs told him that if he isn't able to come back by February 2nd. that he wouldn't be back, so he is making this request.

Commissioner Schaad moved, on Mr. Linzy's recommendation, that Mr. Hobbs request be granted. Commissioner Willner seconded the motion. So ordered.

RE: DAVE GUILLAUM.....DEPUTY SURVEYOR

Bridge and Guardrail Report

Mr. Guillaum said that the Bridge and Guardrail crew finished putting up the guardrail on Ohio Street this past week close to the bridge and out on Petersburg Road they put up a section and also on Baseline Road.

Schlensker & McCutchan Road

Mr. Guillaum said he spoke with the contractor on Schlensker and McCutchan Road and he is anticipating starting on that as soon as possible, that he indicated to the contractor that we would appreciate to get that one going.

RE: JIM LEWIS.....PIGEON TOWNSHIP DEPUTY TOWNSHIP TRUSTEE

Request to adopt Work Program Guidelines and Information Form

Mr. Lewis said he is representing the Pigeon Township Trustee's office and the Trustee is requesting permission to adopt this form as part of the file system and the purpose of it is to consolidate several forms that are being used now, and also to give them better statistics and control over the Work Program they now have in the Trustee's office.
He said this is a form that is filled out by the Trustee's office and when they refer to it, whatever organization where they are doing the work, it would be taken to that organization, then when they complete their work, they would cut off the bottom of the form and this would be their receipt, that it also gives the workers some instructions on why we have the Work Program and how if operates.
He said the only change he would like to make on the form is under I-A where it reads, Except the day you owe under 8 hours for the month, that it should read, Except when balance of work load is under 8 hours, that the purpose of this is that they would like to work people on an 8 hour day but if someone owes something like 29 days, then they owe an odd day and they wouldn't work the 8 hours.

Commissioner Willner asked what they did about the Insurance.

Mr. Lewis said they have a policy in effect now on Liability and they are having further clarification on the Workman's Compansation because there has been a decision that these people do not come under their Workman's Compensation, but they do have a Liability policy for the Trustee and they are taking care of any medical injuries that arise through injuries and such.

Commissioner Willner said this program and the Sheriff's Work Release program are similar and they should carry the same kind of Insurance, and so far he doesn't know if this is true or not, especially on Workman's Compensation, that he understands they have Liability for this program.

Mr. Lewis said they have two policies on this program and they had their first claim the other day and they found out that the workers aren't actually covered in doing this kind of work according to higher court decisions that they quoted are not covered by Workman's Compensation, so they have gone back to the Insurance Company to ask further questions on exactly what the policies entail and how this will be handled, but as of today they haven't heard anything on it, however this program has been going on and this is just the change of a form to consolidate several forms that are being used now that aren't as suitable.

Commissioner Willner said he sees nothing wrong with the form, that he just wants to see that they have Insurance.

Mr. Lewis said the policy is in effect, that they are clear on the liability part of it, but he thinks there is actually a question of who is going to pay the hosptial bills, etc. and if they find that it isn't covered they will have to cover the medical part of it.

There was some question as to whether the Commissioners even have to approve the form or not.

Commissioner Schaad moved that this matter be referred to the County Attorney, so he can come back with a comment as to whether the Commissioners have to approve the form. Commissioner Willner seconded the motion. So ordered.

RE: LOUIS STEPHEN.....COUNTY HIGHWAY ENGINEER

Letter on Pavement Marking Project

Commissioner Davies said that Mr. Stephen is on vacation but we do have a letter from the Board of County Commissioners to SIECO in regard to the Pavement Marking Project which is PMS-000S(63) which reads as follows:

Attention: Mr. D.L. Kloeker. P.E. Project Manager

Dear Mr. Kloeker:

Please be advised you have approval to pay overtime premium rates to your employees in conjunction with the inspection of contractors work on this project. It is our understanding that this is required by Federal Labor Regulations.

Yours truly,
The Board of County Commissioners

An attached letter reads as follows:

This attached letter is a requirement of the State Highway Auditing Division as we understand in our agreement with the County. SIECO, Inc. would supervise the contract during the construction phase, as you know this normally implies working overtime whenever you work with a contractor, however it is necessary for the matter of record that we have this approval letter in our files. If you have any questions regarding this matter please call me.

Mr. Kloeker of SIECO

Commissioner Schaad moved that Commissioner Davies sign their letter to SIECO. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO ACCEPT STREETS

Eastland Estates Subdivision

The following letter was received by the Commissioners from Mr. W.C. Bussing, Jr. of Bussing Construction Corp.:

Dear Sirs:

I am requesting the County acceptance of the following streets. Eastland Drive north from Pollack Avenue. 920 feet. Eastland Court south west for 530 feet from Eastland Drive. I am enclosing the concrete cylinder tests taken by Evansville Concrete. It is my understanding that the County Engineer inspected the streets prior to pouring.

Sincerely,
W.C. Bussing, Jr.

Commissioner Schaad moved that this matter be referred to Mr. Stephen for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: TRAVEL REQUEST.....PIGEON TOWNSHIP ASSESSOR

The following letter of request was received by the Commissioners from Mr. Dorsey:

Vanderburgh County Commissioners:

I Robert T. Dorsey requests permission for myself, my Chief Deputy James McIntyre and my Chief Field Deputy David L. Fox, to attend the State Board of Tax Commissioners Annual Assessors Conference January 27, 28, and 29th, 1981 at Indianapolis, Indiana.

Please Advise.

Respectfully,
Robert T. Dorsey, Pigeon Twp. Assessor

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

RE: NOTICE OF TRAVEL.....DRUG & ALCOHOL DEFERRAL SERVICE

The following letter was submitted to the Commissioners from Mr. Campbell of the Drug & Alcohol Deferral Service:

Gentlemen:

This letter is to recognize with you that Deloris Robinson, a counsellor with our program, will be in Indianapolis, Indiana on December 15 to 17. This travel is for the purpose of training with the Department of Addiction Services.

Should you have any questions, please feel free to call.

Sincerely,
William M. Campbell, Director

Commissioner Schaad moved that the travel of Deloris Robinson be approved. Commissioner Willner seconded the motion. So ordered.

RE: NOTICE OF EQUIPMENT BEING MOVED....AREA PLAN COMMISSION

The following letter was submitted to the Commissioners by Mr. Osterholt of the Area Plan Commission:

Gentlemen:

This letter is to inform you of a move of some equipment from the Area Plan Commission office to another location. The Area Plan Commission will be loaning its printing press to the City of Evansville and relocate the press to the city copying and printing room. The Area Plan Commission staff will still have access to the press to do printing that is necessary. We will continue to purchase and provide a maintenance contract for service and preventative maintenance.

Respectfully,
Charles G. Osterholt
Executive Director

Letter received and filed.

RE: APPLICATION FOR DRIVEWAY PERMIT

An Application for a Driveway Permit was submitted by Michael C. Sander of 595 S. Red Bank Road requesting the permit for the location of New Cynthiana Road between Old Hwy. 460 and Hwy. 66 according to the drawing by Engineer Associates, Inc. of 11/19/80.

Commissioner Schaad moved that the Driveway Permit be approved if done according to the drawing. Commissioner Willner seconded the motion. So ordered.

RE: ORDINANCE ESTABLISHING WEIGHT LIMIT ON OHIO STREET BRIDGE

An Ordinance on the weight limit on the Ohio Street Bridge was submitted for the Commissioners approval.
Section of the Ordinance reads that no motor vehicle shall be driven or operated by any person over and upon the Ohio Street Bridge, which crosses Pigeon Creek, whose gross weight with load exceeds 28,000 pounds, and this Ordinance was effective as of December 8th. 1980.

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

RE: ENGINEERING AGREEMENT.....EXTENSION OF LYNCH ROAD

Commissioner Davies said he has the papers for an Engineering Agreement on the Extension of Lynch Road and the contract is being submitted for the Commissioner's signatures, that the papers are back from the State Highway Commission, and the Engineers are Sebree, Craig & McKneight, Inc.

Commissioner Schaad moved that the Engineering Agreement for the Extension of Lynch Road be approved and signed. Commissioner Davies seconded the motion. So ordered.

RE: CHECKS RECEIVED

A Check was received from Bobbs-Merrill Co. for refund on Library Books in the amount of $16.88.

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

A check was received from Superior Court for Xerox Paper that we sold them in the amount of $129.25.

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

A Check was received from Xerox Corp. for a credit balance in favor of the County Commissioners in the amount of $129.25.

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

RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was submitted by Southwestern Agency, Inc. on insured Larry Aiken, DBA Aiken Management for the use of the Vanderburgh County Auditorium on December 20, 1980 for the showing of the Nutcracker Ballet.

A Certificate of Insurance was submitted by Jesse F. Stock Insurance, Inc. on insured H. Eugene & Marjorie L. Cook, DBA Marco's Tuxedo Shop for the use of the Vanderburgh County Auditorium on Gebruary 1, 1981 to hold a style show.

A Certificate of Insurance was submitted by the North American Insurance Agency on insured Oral Roberts Evangelistic Association of Tulsa, Oklahoma for the use of the Vanderburgh County Auditorium on December 5, 1980 for a Religious Concert.

All Certificates of Insurance received and filed.

RE: CLAIMS

A Claim was submitted by Engineer Associates for the Engineering Inspection on St. Joseph Avenue for the period of 12/1/80 to 12/5/80 in the amount of $3,298.00 which was approved by Mr. Stephen.

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

A Claim was submitted by Engineer Associates for the Engineering Inspection on Lynch Road for the period of 12/1/80 to 12/5/80 in the amount of $9,592.73 which has been approv4d by Mr. Stephen.

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

A Claim was submitted by Ora Effinger for refund of Permit #4431 on 2/1/80 since his construction bond wasn't approved. The claim is in the amount of $64.00.

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

A Claim was submitted by County Attorney Edwin R. Smith for legal services other than the regular duties of the County Attorney in the amount of $10,292 which is the balance owed him.

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

A Claim was submitted by the Building Authority for the additional rent due by the County of Vanderburgh for the first six months of 1981 in the amount of $450,049.00.

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

A Claim was submitted by the National City Bank for the fixed rental due by the County of Vanderburgh for the first six months of 1981 in the amount of $333,138.50.

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

A Mileage Claim was submitted by County Attorney Ed Smith for his trip to Indianapolis for the purpose of attending the PSC hearing for Vanderburgh County in the amount of $61.92.

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

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AREA PLAN COMMISSION

Jack J. Danks	1906 Ridgeway Ave.	Pt. time Intern	$3.50 Hr.	Eff: 12/10/80
Diane E. Watt	1211 Lincoln Ave.	Pt. time Intern	$3.50 Hr.	Eff: 12/10/80
Mary F. Stevens	1317 Washington Ave.	Pt. time Intern	$3.50 Hr.	Eff: 12/10/80
Donna M. Milan	812 S. Harlan Ave.	Pt. time Intern	$3.50 Hr.	Eff: 12/10/80

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APPOINTMENTS.....CONTINUED

COUNTY AUDITOR

Larry Simpson	215 Blackford Ave.	Part time	$25.00 Day	Eff: 12/5/80
Rommel Upshur	828 S.E. 8th St.	Part time	$25.00 Day	Eff: 12/10/80
Esther Shrote	1005 Cullen Ave.	Part time	$25.00 Day	Eff: 12/8/80
Mary Conley	713 Thornberry Dr.	Part time	$25.00 Day	Eff: 12/8/80
Betty Jo Covey	4412 Longfield Dr.	Part time	$25.00 Day	Eff: 12/8/80

COUNTY SURVEYOR

Juanita G. Jones	1525 E. Riverside	Secretary	$8,980.00 Yr.	Eff: 12/9/80

COUNTY TREASURER

Sabrina Johnson	521 S. Inwood	Part time	$25.00 Day	Eff: 11/17/80

VANDERBURGH AUDITORIUM

Ruby Norris	1120 Lincoln Ave.	Pk. Lot Attendant	$5.71 Hr.	Eff: 12/14/80

RE: APPOINTMENT CHANGES.....RELEASES

COUNTY AUDITOR

June Miller	1621 Wedeking	Part time	$25.00 Day	Eff: 12/12/80

COUNTY SURVEYOR

Rosemary Carr	Boehne Camp Rd.	Secretary	$8,980.00 Yr.	Eff: 12/2/80

COUNTY TREASURER

Sabrina Johnson	521 S. Inwood	Part time	$25.00 Day	Eff: 12/16/80

VANDERBURGH COUNTY AUDITORIUM

Ruby Norris	1120 Lincoln Ave.	Pk. Lot Attendant	$4.50 Hr.	Eff: 12/14/80

RE: RULING MADE ON BOONVILLE-NEW HARMONY ROAD OVERPASSES

Commissioner Willner said that County Attorney Smith, Bob Brenner, Dave Guillaum and he traveled to Indianapolis and testified before the Public Service Commission and they didn't know they were going to a full court trial but that's exactly what it was, and they were able to give evidence with the pictures and the drawings made by the Surveyor's office which were outstanding, and Mr. Smith also did an outstanding job.
He said the final outcome was that the Judge did rule that on Boonville-New Harmony Road that the Railroad Company was to remove the structure and/or replace, or leave out the new overpass to the state's specifications of width, heighth and site, and on Bender Road he ruled that the Railroad Company and the County should remove the structure and replace it to the state's specifications.
He said the reason for this was that they were able to prove that Boonville-New Harmony Road was there before the railroad but they weren't able to prove that Bender Road was there before the railroad, so the outcome was very acceptable to us, and he wants to commend Ed Smith for an excellent job and he will look forward to both underpasses being removed.

County Attorney Smith said that Mr. Willner was also an excellent co-council member.

Commissioner Willner said if they had known they needed the proof they would have had extra witnesses there but they didn't know that the railroad wasn't going to admit that they didn't purchase or build the bridge at that time.

Commissioner Schaad said it seems like the road would have to be there before the bridge was built, since why build a bridge if there wasn't a road there.

Commissioner Davies said it sounds like a job well done by all concerned.

RE: LETTER SENT TO DIRECTOR OF PUBLIC LIBRARY

Commissioner Davies said a letter was written by the Board of County Commissioners to Mr. Edward A. Howard the Director of the Evansville-Vanderburgh County Public Library in regard to the expiration dates of the Library Board members. The letter reads as follows:

Dear Mr. Howard:

In order to comply with the reorganization of the Library Board, the expiration dates and terms of our appointees are as follows:

Paula Yeager	(1 year)	December 31, 1981
Edna Kuhlenschmidt	(2 years)	December 31, 1982

Thank you for calling this to my attention.

Sincerely, Robert A. Davies, President
Vanderburgh County Commissioners

Commissioner Davies said these were appointments that we made earlier in the year and they have reorganized and these are the two appointments that we have that were already serving on this particular Board and those are the slots we have open for those two appointments and the expiration dates needed to be changed.

RE: POOR RELIEF

Ada Porter.....1566 Herndon Ave.....Knight Township....Ms. Mueller...Deputy Trustee

The Notice of Poor Relief Action as submitted by the Knight Township Trustee states that Ms. Porter applied for medical help but was denied because she was over-income according to the standards of the Trustee.

Ms. Porter had stated that as of December she has no income at all, except for $50.00 per week from her daughter Rebecca who works at Whirlpool but has a child to support and she owes bills that she must pay, also that her daughter Tina was 18 years old on December 2nd and her Social Security check will come in tina's name and not hers. She said that she has been a widow for five years and starting next month her daughter will be paying all the bills so she supposes she will be living with her daughter then, that her daughter will still receive her Social Security check until she is 20 years of age if she stays in school, but that she, herself, will be without funds until she is 60 years of age, that she is now 58 years of age.

Ms. Mueller said that Ms. Porter is also over-income for help from the Welfare Dept.

Ms. Porter said he doesn't know how she can be over-income when she doesn't have anything coming in after this month.

Commissioner Schaad asked Ms. Porter if she doesn't get $372.60 per month coming in from Social Security.

Ms. Porter said the letter from Social Security reads that after 12/30/80 she will no longer get the money, that her daughter is now of age and she will be getting the check, that she has applied for disability but she doesn't know how long it will be before she can get it.

Ms. Mueller said that she didn't see the letter from Social Security and she didn't have a notation that Ms. Porter will no longer get the $372.60 after this month.

Commissioner Davies said he thinks this case will have to be referred back to the Trustee so Ms. Mueller can check this out, since if Ms. Porter will no longer get the Social Security money she will no longer be over-income and she will need to make out a new application because she will then be without funds.

Mr. Baxter of the Welfare Department said that if the doctor will say that Ms. Porter is totally and permanent disabled, she can apply for medicaid with the Welfare Dept., but if he won't say she is, then she would be wasting her time.

Commissioner Schaad moved that this case be referred back to the Knight Township Trustee so Ms. Mueller can check these things out and try to help Ms. Porter. Commissioner Willner seconded the motion. So ordered.

There being no further business, the meeting recessed at 11:30 a.m.

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PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
Robert Davies Bob Schaad Robert L. Willner	Alice McBride	Ed Smith, Jr.

Secretary: Margie Meeks

Robert Davies

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
DECEMBER 22, 1980

The meeting of the County Commissioners was held on Monday, December 22, 1980, at 9:30 a.m. in the Commissioners Hearing Room with President Davies presiding.

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

RE: STUDENTS WELCOMED

Commissioner Davies welcomed Mr. Kaylor's Government Class from Central High School and said the Commissioners will be glad to sign their attendance slips.

RE: HOLIDAY CLOSING

Commissioner Davies announced that all County offices will be closed Thursday, December 25th and Friday, December 26th. in observance of Christmas.

RE: AUTHORIZED TO ADVERTISE FOR BIDS.....WELFARE DEPARTMENT

Mr. George Holmes of the Welfare Department said he has the specifications ready for the 1981 station wagon that is needed by the Hillcrest-Washington Children's Home, that the money has been appropriated for it and he would appreciate bids on it being advertised for.

Commissioner Schaad moved that the specifications be approved and that they be referred to the Purchasing Department so they can advertise for bids. Commissioner Willner seconded the motion. So ordered.

RE: JESSE CROOKS.....BUILDING COMMISSION

Monthly Report

Mr. Crooks submitted the Report of the Building Commission of permits issued for the month of November, 1980.
He said that even though the number of houses is down by 15% the dollar value is ahead of last year.

Report received and filed.

RE: BUSTER GORDON.....COUNTY BUILDINGS

Bond to be Signed

Mr. Gordon said he has the Contractors Bond for Construction from Feigel Construction Corporation for Road Repairs at the Hillcrest-Washington Children's Home that needs to be signed by the Commissioners.
He said the money has been cleared and the contract has already been signed.

Commissioner Schaad moved that the Contractors Bond by signed. Commissioner Willner seconded the motion. So ordered.

RE: DAVID SAVAGE.....TRAFFIC

Right of Way Assignment Saratoga & Derby Lane

Mr. Savage said he looked at the intersection of Saratoga and Derby Lane which is actually Autumnwood Way and there is no sign at the T intersection there.
He submitted the following:

Increased traffic in the Valley Downs Subdivision has made application of the normal right-of-way rule potentially hazardous. No signage for right-of-way assignment currently exists.

RECOMMENDATION: This office recommends that traffic on Saratoga, North bound, be required to yield to traffic on Derby Lane.

Commissioner Schaad moved that the recommendation of Mr. Savage be approved, effective today, and that a resolution be prepared on it by the County Attorney. Commissioner Willner seconded the motion. So ordered.

RE: JERRY LINZY.....COUNTY GARAGE

Absentee Report

Mr. Linzy submitted the Absentee Report on the employees of the County Highway Department for the past week which ended 12/19/80.
Report received and filed.

RE: DAVE GUILLAUM.....DEPUTY SURVEYOR

Bridge & Guardrail Report

Mr. Guillaum reported that during the past week the Bridge and Guardrail crew removed the rotted wood post and the old guardrail on the Bridge at Old Petersburg & Baseline Road and installed post and guardrail and two new type ends, also installed 24 feet of guardrail on the Southwest side of the bridge that was torn down by an accident, that they also worked on the Bridge on Kuebler Road ½ mile from Fisher Road, on the one on Kuebler Road ½ mile from Hwy. 65 & on the Bridge on Schmuck Road 1/4 mile from Old Mt. Vernon Road.

Commissioner Willner asked Mr. Guillaum if he looked at the bridge on Volkman Road.

Mr. Guillaum said he looked at it, that there were two parts and the problem is on Seven Hills Road, that it is too narrow and the head walls are in a bad way, that they did put up a flare wall and he thinks they will make plans to remove that bridge. He said the problem on Volkman Road is like the one on New Harmony Road, that the pipe has settled and they will wedge it, but if it moves they will have to take other steps, that this is North of Baseline Road.

RE: DAVE GERARD.....E.U.T.S.

Carpool Program

Mr. Gerard said they have been discussing the Carpool Program for employees and that the School Corporation is participating in it.
He said he has a letter that he would like for Commissioner Davies to sign in regard to the designation of carpool parking spaces to Mr. Elliott, President of the Board of Directors of the Evansville-Vanderburgh County Building Authority, so he can send it to him.

The letter reads as follows:

Dear Mr. Elliott:

As you may be aware, the Evansville Urban Transportation Study is developing a carpool program for employees in the Civic Center Complex.

One incentive to participate in carpooling is the availability of preferential parking. I strongly support the designation of carpool parking spaces in the 9th Street employee lot and would appreciate your assistance in this matter.

Commissioner Schaad moved that President Davies be authorized to sign this letter. Commissioner Willner seconded the motion. So ordered.

RE: TRAVEL REQUEST.....PERRY TOWNSHIP ASSESSOR

The following letter of request was submitted by Mr. Lutz, the Perry Township Assessor:

Dear Sirs:

I, Larry Lutz, Perry Township Assessor, am requesting permission for myself, Chief Deputy, Glen Koob, and Real Estate Deputy, Karen Gilles, to travel to the State Board of Tax Commissioners Annual Conference on January 27, 28 and 29, in Indianapolis.

Sincerely,

Larry E. Lutz, Perry Township Assessor

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

RE: TELEPHONE REQUEST.....SHERIFF'S DEPARTMENT

The following Telephone Request was received by the Commissioners from Captain Craddock of the Vanderburgh County Sheriff's Department:

We request that the telephone in Room 108 of the Sheriff's Department be moved to Room 106. This is a multi station phone with three numbers, 5308, 5310 and 5489.

The phone now in Room 108, number 5311 needs to be moved to Room 106, with the number changed to 5489.

This is not a request for new phones, only switch phones now in use.

Sincerely, Capt. Michael A. Craddock

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

RE: MONTHLY REPORTS

Reports were received from the County Treasurer for the months of October and November, 1980.

Reports were received from the Clerk of the Circuit Court for the months of October and November, 1980.

Reports received and filed.

RE: CERTIFICATES OF INSURANCE

A Certificate of Insurance was submitted by McReynolds & Associates, Inc. on insured, Southwestern Indiana Regional Council on Aging, Inc. for the use of the Vanderburgh County Auditorium on December 17, 1980.

A Certificate of Insurance was submitted by Fagen-Gibbs Insurance, Inc. of St. John, Indiana, on insured, Sports Promotion, Inc. for the use of the Vanderburgh County Auditorium to hold an Energy Exposition from January 15 to 18, 1981.

A Certificate of Insurance was submitted by Schultheis Insurance Agency, Inc. on insured, Feigel Construction Corporation for the Road Repairs at the Hillcrest-Washington Home.

All Certificates of Insurance received and filed.

RE: CLAIM

A Claim was submitted by the Vanderburgh Abstract Corporation for services rendered in preparing a list of all Tax Sales in 1976 and copies of all Deeds from County on Tax Sales, as requested by County Attorney Paul Wendel, in the amount of $375.00.

This is to be paid from the Judgement & Refunds Account.

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

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CIRCUIT COURT

Janie Parker	Part time Bailiff	$3.10 Hr.	Eff: 12/1/80
Roland McCrary	Part time Bailiff	$5.50 Hr.	Eff: 12/1/80

COUNTY AUDITOR

Rebecca Farr	2911 Carolina Ave.	Part time	$25.00 Day	Eff: 12/22/80

DATA PROCESSING

Mark Allen	Ft. Branch, In.	Intern	$4.00 Hr.	Eff: 12/17/80

RE: EMPLOYMENT CHANGES.....RELEASES

BURDETTE PARK

Steve Chilton	604½ E. Franklin St.	Rink Guard	$4.00 Hr.	Eff: 11/28/80

RELEASES.....CONTINUED

COOPERATIVE EXTENSION SERVICE

Glenna L. Hanks	2108 Bellemeade	Extension Agent	$7,896.00 Yr.	Eff: 12/1/80

COUNTY AUDITOR

Rommel Upshur	828 S.E. 8th St.	Part time	$25.00 Day	Eff: 12/16/80

DATA PROCESSING

Mark Allen	Ft. Branch, In.	Intern	$25.00 Day	Eff: 12/17/8[redacted]

VANDERBURGH AUDITORIUM CONVENTION CENTER

Mary I. Ritter	5010 Elmhurst Dr.	Asst. Mgr.	$11,692.00 Yr.	Eff: 12/31/80

VOTERS REGISTRATION OFFICE

Shirley R. Oglesby	101 Court St.	Deputy	$8,481.00 Yr.	Eff: 12/9/80
Marie Lurker	2100 Schutte Rd.	Clerk	$25.00 Day	Eff: 12/19/80
Mae Dean	1540 S. Boeke Rd.	Clerk	$25.00 Day	Eff: 12/19/80
Pat Kirtley	1040 S. Lincoln Pk. Dr.	Clerk	$25.00 Day	Eff: 12/19/80
Norma Jarvis	3217 N. Twelfth Ave.	Clerk	$25.00 Day	Eff: 12/19/80
Rosemary Muensterman	Mt. Vernon Rd.	Clerk	$25.00 Day	Eff: 12/19/80
JoAnn Duggins	1024 Jefferson Ave.	Clerk	$25.00 Day	Eff: 12/19/80
Naomi Kreisle	4107 E. Morgan Ave.	Clerk	$25.00 Day	Eff: 12/19/80
Antoinette Critser	1612 Jackson	Clerk	$25.00 Day	Eff: 12/19/80

RE: AGREEMENT.....BURKHARDT ROAD

An Agreement between the State of Indiana and the County Commissioners on the Preliminary Engineering on the Burkhardt Road Improvement was submitted for the Commissioners approval, the Engineer being Jim Morley.

Commissioner Schaad moved that the agreement be signed and forwarded to the Indiana State Highway Commission. Commissioner Willner seconded the motion. So ordered.

RE: BIDS SUBMITTED

CORRUGATED METAL PIPE, ETC.

Bids were submitted last week for Corrugated Metal Pipe, etc. from Bauer Bros., All Metal, Municipal, Inc., Connor Inc., James Drew and American Timber and were referred to the Purchasing Department for study and recommendation.

County Attorney Smith said that all bids were in order except for the one from Municipal Inc. which had no bid bond.

Commissioner Davies asked Mr. Guillaum if he has a recommendation as to who should be awarded the contract for the metal Pipe, etc.

Mr. Guillaum said they really didn't have anything to do with this, and he thinks it should be the Highway Department that would make a recommendation.

Commissioner Schaad asked if there wasn't a recommendation made by the Purchasing Department.

Ms. Wolf said that the Purchasing Department told her that it would be up to the Surveyors office to make a recommendation.

Commissioner Schaad moved that these bids be taken under advisement for another week so the Surveyors office can take a look at the bids and come up with a recommendation. Commissioner Willner seconded the motion. So ordered.

DUAL PURPOSE XEROGRAPHIC PAPER

The following bids were submitted last week for the Dual Purpose Xerographic Paper and were taken under advisement so the Purchasing Department could come back with a recommendation:

Atlas Office Supply $6,550.00
Champion Office Supply.....$6,787.00 Alternate.....$6,537.00
Nashua Corporation.....$No fixed Bid
McMurtry-Martin $6,285.00
Xerox Corporation.....$6,820.00 with an addition of...$1,817.50

County Attorney Smith said that all these bids are okay except for the one from Atlas Office Supply since they didn't sign their Bid Bond.

Commissioner Schaad moved that McMurtry-Martin be awarded the contract for the Dual Purpose Xerographic Paper with the low bid of $6,285.00.

Ms. Wolf said that McMurtry-Martin was awarded the contract last year for the Xerographic Paper last year but that it was Queen Ann Paper and it doesn't work in the new machine, that they had to go out and buy different paper, that we have 13 offices that use the Commissioners machine and we have to have paper different than the Queen Ann, so we had to get it elsewhere.

Commissioner Schaad said if that be the case he withdraws his motion, and he doesn't know why the Purchasing Department doesn't come up with a recommendation, that they should know this.

Ms. Wolf said they do know it, but we got other paper from Word System Supplies, Inc.

Commissioner Schaad then moved that the bid of Atlas Office Supply be thrown out and that McMurtry-Martin be awarded the contract for the Xerographic Paper with the exception of this one type of paper if they don't supply it. Commissioner Willner seconded the motion. So ordered.

MOST USED OFFICE SUPPLIES

The following bids were submitted last week for the Most Used Office Supplies and were referred to the Purchasing Department for study and recommendation:

Guthrie Office Supplies, Inc.....$16,093.63
Atlas Office Supplies.....$11,496.91
Smith & Butterfield.....$11,960.94

County Attorney Smith said that all these bids are okay except for the one from Atlas Office Supply since they didn't sign their Bid Bond.

Commissioner Schaad moved that the bid of Atlas Office Supplies be thrown out and that the contract be awarded to Smith & Butterfield for the Most Used Office Supplies at their bid price of $11,960.94. Commissioner Willner seconded the motion. So ordered.

RE: WORK PROGRAM GUIDELINES AND INFORMATION FORM...PIGEON TOWNSHIP TRUSTEE

Last week Mr. Lewis of the Pigeon Township Trustee's office appeared and requested the permission of the Commissioners to adopt their new Work Program Guidelines and Information Form, so it was referred to the County Attorney so he could come back with a comment as to whether the Commissioners have to approve the form or not.

County Attorney Smith said today that this is an internal matter with the Trustees' office and the Commissioners aren't involved in it, that he talked to them about it and they will handle it as an inner office matter.

There being no further business, the meeting recessed at 10:10 a.m.

PRESENT COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
Robert Davies Bob Schaad Robert L. Willner	Alice McBride	Ed Smith, Jr.

Secretary: Margie Meeks

Robert Davies
Bob Schaad
Robert L. Willner
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
DECEMBER 29, 1980

The meeting of the County Commissioners was held on Monday, December 29, 1980, at 9:30 a.m. in the Commissioners Hearing Room with President Davies presiding.

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

RE: NEW COUNTY OFFICIALS RECOGNIZED

Commissioner Willner introduced the new County Commissioner Elect for the coming year, Rick Borries, and the new County Attorney for next year, Dave Jones. He welcomed them and thanked Mr. Borries for attending today's meeting.

Commissioner Davies introduced Ms. Shirley Jean Cox who is also a new County Commissioner Elect for the coming year.

RE: HOLIDAY CLOSING

Commissioner Davies announced that all County offices will be closed Thursday, January 1st. and Friday, January 2nd. 1981, in observnace of New Year's Day.

RE: RESOLUTION AMENDING MASTER CONTROL CODE

Saratoga & Derby Lane

The following Resolution amending the Master Traffic Control Code of Vanderburgh County, Indiana, Amendment #26 was submitted to the Commissioners for their approval:

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 the following roads, streets, and highways, are greater than is reasonable and safe under the conditions found to exist upon said roads, streets, and highways; and,

WHEREAS, the highways hereafter 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 I: It is hereby determined and declared that Section 2 of the Master Control Code be and the same is hereby amended to read as follows:

(I) It is hereby determined and declared that the following named highways are designed a "STOP" intersections, requiring all vehicles to stop or yield at one or more entrances to such intersections, to-wit:

(wwww) SARATOGA AND DERBY LANE: In that all vehicles proceeding upon and along Saratoga in a northerly direction shall STOP before entering said intersection of Derby Lane. Said intersection being posted accordingly. (12-22-80)

PASSED by the Board of Commissioners of the County of Vanderburgh on the 22nd day of December, 1980, and upon said day signed and executed by members of said Board and attested to by the Vanderburgh County Auditor.

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

RE: JERRY LINZY.....COUNTY GARAGE

Absentee Report

Mr. Linzy submitted the Absentee Report on the employees at the County Highway Garage for the past week which ended 12/24/80.
Report received and filed.

RE: BOB BRENNER.....COUNTY SURVEYOR

Bridge and Guardrail Report

Mr. Brenner submitted the Bridge and Guardrail Report for the past week. He said the crew has been working on a log jam at Eagle Slough under the bridge on Old Highway 41 again during the past week.

Schlensker and McCutchan Road

Mr. Brenner said that a lady keeps calling about the problem on Schlensker and McCutchan Road, that the work hasn't been started out there as yet, but he doesn't know why.

Commissioner Willner asked who got the contract for that.

Mr. Brenner said that Richard Nussmeyer has the contract, that he had 30 days to start on the job and it has been something like 45 days.

Problem in Union Township

Mr. Brenner said they are cleaning the Cypress-Dale Ditch in Union Township and there is a pipe that crosses a road and it is too high now that they cleaned the ditch out, that Staub is out there on the job and it seems reasonable to him that they lower the pipe and that the job be given to Staub as an emergency.

Commissioner Davies said this problem has been discussed previously, and as far as he is concerned, this should probably be done.

Mr. Brenner said he thinks it is reasonable and Mr. Staub has his drag line out there to do it, that it will be under $2,000.00, and the work can be done with bridge money, however he would like to size it before money is spent to put it back in the ground, since it only looks like about a 24 inch pipe.

Mr. Burgdorf said that Mr. Staub is still working out there, that he stopped at the ditch since he ran out of money from the railroad, but he is still dragging, and he said he would leave the equipment there today until he hears from Mr. Brenner, but he doesn't have any concern at all as to the size of the pipe and he would recommend that the work be done.

Commissioner Willner asked if this is on railroad property or if it is on County property.

Mr. Brenner said it runs under the road and is in the County road right of way.

Commissioner Willner said it runs parallel with the railroad on the west side, and he asked within how many feet is it from the railroad track.

Mr. Brenner said the railroad right of way is 25 feet from the center line so it is about 75 feet from the track.

Commissioner Willner moved that this be declared an emergency and that Mr. Staub do the work. Commissioner Schaad seconded the motion. So ordered.

Commissioner Schaad asked if there won't have to be a contract drawn up.

Mr. Brenner said they will sign a contract.

RE: FRED DEWES.....AUDITORIUM

Comment on Bids for Auditorium Improvements

Mr. Dewes said that on December 8th. he asked permission to advertise for bids on repairs and improvements at the Auditorium which included stage drapes, stage lighting and ceiling repairs, that he gave what specifications he had to the Purchasing Department, but due to conflict of vacations, etc. these specifications weren't written and not advertised on December 22nd. or the 29th. with the opening of them scheduled for January 12th. so in view of recent developments, he thinks this should be put on hold until sometime next year.

This was agreeable with the Commissioners.

RE: REQUEST FROM JUDGE SWAIN

The following request was received by the County Commissioners from Judge Swain:

Dear Sirs:

I would like to request that cable be ran from Judge Brune's Office to Judge Swain's Office so that a printer may be hooked up to the computer in my office.
I will appreciate your assistance concerning this matter.

Yours very truly, Thomas M. Swain, Judge
Vanderburgh Superior Court

Commissioner Willner asked if there is a cost estimate for this work to be done.

Ms. Wolf said there are two requests and the total cost for both of them will be $300.00 and she was told that the Computer Room has the money in their budget.

RE: REQUEST FROM JUDGE STEPHENS

The other request received by the Commissioners was from Judge Stephens and it reads as follows:

Gentlemen:

This is our request, in writing, to run wires for our computer terminal up the wall, either by telepole or through the wall itself, preferably through the wall.
We would also request an additional electrical outlet for our printer. As it presently stands, it would overload our one outlet, into which is plugged our computer terminal and the controller.

Very truly yours, William D. Stephens, Judge
Vanderburgh Superior Court

Commissioner Willner moved that the requests of Judge Swain and Judge Stephens be approved, subject to the money being available in the Data Processing budget. Commissioner Schaad seconded the motion. So ordered.

RE: PUBLIC OFFICIAL BONDS

The following Public Official Bonds were submitted for the Commissioners approval:

Helen L. Kuebler as Clerk of the Circuit Court
David Wilson, M.D. as County Coroner
Earl K. Cox as Deputy County Coroner

Commissioner Schaad moved that these Bonds be accepted and signed. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM TORIAN AGENCY INSURANCE

Streets and Roads - Sheriff's Department check-off list.

Commissioner Davies said the Commissioners have a request from the Torian Insurance Agency for a Street & Road check-off list by the Sheriff's Department for reporting County road defects in order to establish better controls to the County of it's streets and roads existence hazards.
The letter from them reads as follows:

Gentlemen:
Please note copy of letter from Hartford Underwriting Department and my letter to you of November 20, 1980, attached.
As known to all concerned, streets and roads insurance for municipalities is a difficult problem. This coverage for Vanderburgh County is very conservatively priced; however, implementation of the Hartford recommendations should be made. They again ask for copy of County Attorney, Paul Wendel's check-off list in use by the Sheriff's Department. Won't you please give this matter prompt attention.

Yours very truly, Torian Agency, Inc.
Paul T. Torian

The letter to Mr. Torian from the Hartford Underwriting Department reads as follows:

Dear Paul:

I am writing to you to solicit your support in establishing better controls to the county of their streets and road existence hazards.

As you are aware, The Hartford paid a large settlement due to an automobile accident on Green River Road. As a result of this accident, the Commissioners put a county ordinance in effect whereby developers or subdivision owners would provide the County a certificate of insurance naming the County as additional insureds. These procedures would have to be followed until final acceptance of the road would be offered. As of the middle of this year, the Commissioners have repealed this ordinance leaving ourselves open for further litigation.

I ask that you contact our Loss Control Representative, Mr. Wayne Fox and discuss the details of the control program that we would recommend reducing this hazard. I am very concerned in that a precedent has been set in Vanderburgh County and I do not want to be in a position at renewal to have no alternatives other than to conservatively price for these streets and road hazards as they now exist. I sincerely appreciate your support and I am at your service should we need to discuss the matter further.

Best regards, Rick Adams, Underwriter
Casualty Department

The letter of November 20, 1980 that the Commissioners received from Mr. Torian reads as follows:

Gentlemen:

The Insurance Carrier continues to be extremely concerned regarding implementation of the road inspection program discussed at our three or four meetings with Hartford Loss Control Consultant Wayne Fox this summer. Is the program underway and, if so, we'll appreciate a copy of Attorney Paul Wendel's check-off list used by the Sheriff's Department. Many thanks!

Sincerely, Torian Agency, Inc.
Paul T. Torian

Commissioner Davies said that Torian Agency has been sent the forms, that they should then be returned to the Sheriff's Department and to the Highway Department. Copy of check-off list received and filed.

RE: CONTRACTS SIGNED

McMurtry-Martin Papers Inc. & Smith & Butterfield

Last week contracts were accepted by the Commissioners, one from McMurtry-Martin Papers, Inc. for the Xerographic Paper with the exception of the xerographic paper for the Commissioner's machine, also one from Smith & Butterfield for the Most Used Office Supplies, so they are being submitted for the Commissioner's signatures at this time.

Commissioner Schaad moved that the contracts with McMurtry-Martin Papers, Inc. and Smith & Butterfield be signed. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A Claim was submitted by Engineer Associates for engineering inspection on Lynch Road for the period of 12/8/80 to 12/12/80 in the amount of $3,659.35.

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

A Claim was submitted by Engineer Associates for engineering inspection on Lynch Road for the period of 12/15/80 to 12/19/80 in the amount of $3,676.35.

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

A Claim was submitted by Engineer Associates for engineering inspection on St. Joe Ave. for the period of 12/8/80 to 12/12/80 in the amount of $3,584.60.

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

48.

A Claim was submitted by Engineer Associates for engineering inspection on St. Joe Ave. for the period of 12/15/80 to 12/19/80 in the amount of $3,170.84.

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

A Claim was submitted by County Attorney Ed Smith for the trip to Indianapolis when he appeared for the Commissioners on the Southern Railway Overpass Condemnation and also in the case of Vanderburgh County vs. Joyce Muensterman, in the amount of $682.50.

Commissioner Schaad moved that the claim be approved and that money be transferred to pay it. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY HIGHWAY DEPARTMENT

Anita J. Scholz	6300 Plainview Dr.	Bookkeeper	$9,678.00 Yr.	Eff: 12/16/80
John R. Keown	515 Garfield	Truck Driver	$5.82 Hr.	Eff: 12/17/80

RE: EMPLOYMENT CHANGES.....RELEASED

COUNTY HIGHWAY DEPARTMENT

John R. Keown	515 Garfield	Laborer	$5.73 Hr.	Eff: 12/17/80

RE: ORDINANCE CONCERNING FEES.....EVANSVILLE-VANDERBURGH CO. BOARD OF HEALTH

An Ordinance of the Board of County Commissioners concerning fees of the Evansville-Vanderburgh County Board of Health was submitted for the Commissioners approval.

Commissioner Davies said, as we all know, the Health Department is a joint operation between the City and the County, and these are the fees that have been established and the City has already signed it, so it is just waiting for the Commissioners signature.

Commissioner Schaad moved that the Ordinance be signed. Commissioner Willner seconded the motion. So ordered.

RE: IN APPRECIATION.....COMMISSIONER WILLNER

Commissioner Willner said he would like to say a few words in appreciation for the experiences he has had in the last few years with Commissioner Davies and Commissioner Schaad, that he wishes them well in any new endeavor, and hopes that in whatever they do, that he wishes them well and the best of everything.

Commissioner Davies and Commissioner Schaad wished Commissioner Willner the same and said it has been a privilege to have worked with him.

There being no further business, the meeting adjourned at 10:00 a.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
Robert Davies Bob Schaad Robert L. Willner	Alice McBride	Ed Smith, Jr.

Secretary: Margie Meeks

Robert L. Willner

Richard J. Davies

Bob Schaad

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JANUARY 5,1981

The meeting of the County Commissioners was held on Monday, January 5,1981, at 9:40 A.M. in the Commissioners Hearing Room.

Meeting was officially opend by Deputy Pete Swaim.

Commissioner Willner said he would like to apologize for the meeting starting ten minutes late, they have been talking with the Teamsters Union and they have rejected our contract for the year of 1981 and we are trying to renegotiate. The workers are back to work and we will continue to negotiate on further meetings.

Commissioner Willner called for a motion for approval of the December 29,1980 Commissioners meeting.
Commissioner Cox said before a motion is made she would say the minutes from that meeting state that all county offices will be closed Thursday, January 1st. and Friday, January 2nd 1981, in observance of New Year's Day. She feels it might be well that we indicate that January 2nd was a holiday in lieu of Veterans Day.
Commissioner Willner said this is true.

Commissioner Cox said she would move the previous minutes be approved subject to the correction being made. Commissioner Borries seconded the motion. So ordered.

RE: REORGANIZATION OF BOARD OF COUNTY COMMISSIONERS

Commissioner Borries moved that Mr. Robert Willner be President of the Board of County Commissioners for the year 1981. Commissioner Cox seconded the motion. Motion carried with three affirmative votes.

President Willner moved that Mr. Rick Borries be Vice President of the Board of County Commissioners for the year 1981. Seconded by Commissioner Cox and carried with three affirmative votes.

President Willner moved that Mrs. Shirley Cox be Chairman of the Board of Finance for the year 1981. Commissioner Borries seconded the motion which carried with three affirmative votes.

President Willner moved that Commissioner Borries be Vice Chairman of the Board of Finance for 1981. Commissioner Cox seconded the motion which carried with three affirmative votes.

RE: TIME CHANGE FOR COUNTY COMMISSIONER'S MEETINGS

President Willner said we have discussed a time change for future meetings of the County Commissioners. For the first, second and fourth Monday's of the month the time will be at 2:30 p.m. and on the third Monday of the month the time will be 7:30 p.m. The night meeting once a month will give the taxpayers and the voter's a chance to be heard. The night meeting will also have the rezonings heard and that will give the remonstrators a chance to attend and be heard if they so desire.

Commissioner Borries moved that the meeting time be changed as stated by President Willner. Commissioner Cox said she would second the motion but she would like to ask any of the officeheads in the audience if this is convenient for them because with the meetings starting so late in the afternoon, there is a possibility it will run past the 4:00 p.m. closing time for most offices.

President Willner said he sees no conflict, however, if there is a problem we can move that officeholder ahead on the agenda and this time can be subject to change.

Motion carried with three affirmative votes.

President Willner requested that Mark Tuley post in the appropriate places the time changes of the meetings, and also that he advise the news media of the changes.

RE: APPOINTMENTS FOR 1981

President Willner said the following is a list of the employees on the Commissioners payroll for the year of 1981.

Robert Willner.....County Commissioner.....$11,086.00
Richard Borries.....County Commissioner.....$11,086.00
Shirley Jean Cox.....County Commissioner.....$11,086.00

David Jones	County Attorney	$16,435.00	
David Miller	County Attorney	$16,435.00	
Mark Tuley	Executive Assistant	$15,579.00	
Margie Meeks	Executive Secretary	$12,000.00	
Kathy Stonestreet	Soil Conservation Clerk	$ 9,285.00	
	Soil Conservation Tech	$12,960.00	
Beatrice Phillips	Law Library Clerk	$ 8,726.00	
	Law Library Vacation Clerk	$ 25.00	Day
Sandra Radigan	Dog Catcher Driver	$ 6.38	Hour
Louis J. Willis	Dog Catcher Laborer	$ 6.28	Hour
Gary R. Page	Trash Container Driver	$ 6.40	Hour
Clayton Jenkins	Trash Container Laborer	$ 6.30	Hour
	Tax Adjustment Board Members	$ 40.00	Day
	Board of Review Members	$ 40.00	Day

President Willner said the news media has questioned the appointment or the re-organization of the County Commissioners staff and he personally would like to state that we are saving the taxpayers some money. We are not using any encumbered monies, as one news article stated. We are saving several hundred dollars in the Commissioners Bridge account and also, we would like the opportunity to not use the part time secretary slot in the Commissioner's budget which was budgeted for $5,400.00 for 1981, therefore saving that amount and we would also like a trial period to see if Mr. Mark Tuley can also handle the duties of the Supt. of County Buildings, which is a $16,000.00 slot in the budget, so if our plans work out, we would be saving the county some $22,000.00. We would very much like to have a few months to see if this arrangement can work.

Commissioner Cox said she understands that Cumulative Bridge Funds were dedicated funds and any monies used from this budget for employees, they are to devote their full time to bridge work.

President Willner said there is a certain amount of office work to be done in the bridge account. On the major bridges, the plans, the letting of the bids, are all done out of the office and no actual work on the bridge being done by the county crews, so the majority of the money for the large bridges are done in-house. The small bridges are also done in-house with the county crews doing the actual construction, so if Mrs. Cox's question is, is there any office work to the bridge program, yes, there is quite a bit, and that paper work can be done with this person sitting in the Commissioners office as well as if she were sitting in another office.

Commissioner Cox said her question is.....is it legal to pay someone out of the Cumulative Bridge Fund money, who is doing any work other than bridge work.

County Attorney Miller said we understand that it is proper to compensate Mrs. Meek's from the Cumulative Bridge Fund, but we are satisfied that if it is not proper we will know almost immediately if the State Board of Accounts disagree with us because of the pay check but we believe it is proper.

Commissioner Cox said in other words there is not enough work in Cumulative Bridge work to keep a secretary busy full time, therefore this person would be doing also the County Commissioner's related responsibilities. She personally feels that we should not put this individual in the spot of not knowing, because there is no slot for her right now. The County Council has gone on record of no new employees for 1981, however they can change their minds, she realizes, but right now we have no funding for this position and she would question whether we could get funding for it. She personally does not feel comfortable using Cumulative Bridge Fund monies, which come right off of our tax rate, for any work, other then bridge work, and she feels legally we may have some difficulty.

President Willner said we do have an alternative, and if this is not proper, then we can take the slot of the Supt. of County Buildings and use it for someone to work out of the Commissioner's office, so really, its not a big thing. We would just like to have a coup of months to see how this works out. We would like to have a job description from the Sup of County Buildings and their employees and to have a couple of months to see the working relations and the exact number of hours that this job does entail because we need an overall picture.

Commissioner Cox said she would be more comfortable naming a Supt. of County Buildings and paying Mrs. Meeks from the Commissioners budget, but she is not comfortable paying Mrs. Meeks from the Cumulative Bridge Fund. She feels this would also take some of the sting and criticism from the calls she has gotten about putting another person in the County Commissioners office.

She knows it has been stated that since her opponent wasn't elected to the third district commission that this created a problem in instigating the plan of having a commissioner in the office at all times and she wants everyone to know that she is willing to take her share of the commissioner's responsibilities in being here in the office and she is willing to work every third day full time in this office, but she cannot see putting another full time person in the County Commissioner's office.

RE: HOLIDAYS FOR 1981

President Willner said he checked with the Veterans and they approved of us taking January 2nd in lieu of Veterans Day, therefore the following holidays will be observed by the County Offices.

New Years Day.....Thursday, January 1
(In lieu of Veterans day)...Friday, January 2
Lincoln's Birthday.....Friday, February 13
Washington's Birthday.....Monday, February 16
Good Friday.....Friday, April 17
Memorial Day.....Monday, May 25
Independence Day.....Friday, July 3
Labor Day.....Monday, September 7
Thanksgiving Day.....Thursday, November 26
(In lieu of Columbus Day)..Friday, November 27
Christmas Day.....Friday, December 25

President Willner said he sees the Veterans Officer and the Assistant Service Officer is present today and he appreciates having them here and we are looking forward to the job being done as well as it has been done in the past. We have had a tremendous amount of mail in regard to Mr. Moran's position and we appreciate it and ask that the good work continue. Mr. Carl Wallace has been with the American Legion for a number of years and we are happy to have him as Mr. Moran's assistant.

RE: NEW EMPLOYEES AT THE COUNTY AUDITORIUM

President Willner said he would like to introduce the new employees at the Auditorium. We are glad to have Mr. Conrad Cooper to serve as Manager of the Auditorium. Mrs. Beverly Behme will be serving as Mr. Cooper's Assistant.

RE: CONVENTION AND VISITOR'S BUREAU:

President Willner said Commissioner Borries has the recommendations for the Visitor's Bureau who is housed in the Auditorium and he would ask for these at this time.

Commissioner Borries moved that Mr. Louis Kirk, 300 S.E. First Street, Evansville, who has been the manager of The Executive Inn since 1967 and Mr. William F. Tucker Sr., 8166 Maple Lane, Newburgh, who has been a past officer in the Evansville J.C's, a member of the Community Chest fund raising drive, the St. Mary's fund raising drive, and is currently associated with Working Beverage in Evansville be appointed to fill the two slots in the Convention and Visitor's Bureau budget. He said Mr. Tucker has come with a very high recommendation from the Evansville Hotel-Motel Association. These individuals would fill the vacancies created as of December 31,1980.

Commissioner Cox seconded the motion which carried with three affirmative votes.

RE: R.E. KAUTZMAN....COUNTY GARAGE

Absentee Report

Mr. Kautzman submitted the Absentee Report on the employees at the County Highway Garage for the past week which ended 1/2/81
Report received and filed.

RE: CONTRACT.....COUNTY ATTORNEY'S

President Willner said he would like to present a contract which is really an agreement between the county and the two newly appointed County Attorneys concerning their compensation for the year 1981.

Commissioner Borries moved the contract be approved, as presented.

Commissioner Cox secended the motion with the understanding that the term litigation does not include representation of county offices, when they are named as parties to suits.

Attorney Miller said he had a discussion with Mrs.Cox prior to this meeting and he feels what she means is when the county is named as a party to some litigation such as a foreclosure, and it doesn't require any expenditures or substantial time, merely an appearance to request the court to protect the county's interest, then that is correct, but litigation by definition means cases in which the county is named a party to a law suit.

Attorney Jones said this is the same agreement the county had with the prior attorneys with the exception of the hourly rate and it is spelled out that projects requiring expenditures and an unusual large amount of time. It will be the same system as the county has had in the past regardless as to which administration was in. Large cases, as it was done in the past will be billed separately on a case to case basis. We have obtained files and pieces of files from the former county attorneys and a written summary will be submitted to this board at a future meeting and an agreement can be made on those cases. The commissioners are always free to sub-contract a case out to other attorneys if they desire to do so.

Attorney Miller said there are cases between their two law offices in which their firms have been asked by clients to pursue claims or make claims against the county and we are referring those particular cases to other independent counsel, but he nor Mr. Jones would be able to defend the county on any of those cases since they were already initiated.

President Willner said a motion has been made and seconded and he would call for a roll call vote at this time. Motion carried with three affirmative votes.

RE: LOUIS STEPHEN....COUNTY HIGHWAY ENGINEER

Commissioner Cox said on the widening of St.Joe Avenue, she would like to know if there are going to be any cuts made across the lanes.

Mr. Stephen said there are some cuts designed into the project. Left turn lanes are designed at specific locations all the way out.

Commissioner Cox asked if these were being included as the highway work is completed.

Mr. Stephen said yes they are.

Commissioner Cox asked if there is much industrial development on the left hand side of St. Joe.

Mr. Stephen said there will be out at Locust Creek Industrial Park, which is at Mill Road and St. Joe. He said they have made a request for an additional cut for the first street north of Hobart, but it was denied, so he does not know what will happen there, because he knows the people out there will be coming in here complaining about it.

President Willner asked if the State denied this cut.

Mr. Stephen said the State and also the Federal Highway Administration denied it. They say they could get another outlet onto Hobart and use that for a left turn.

Commissioner Cox asked Mr. Stephen if he is familiar with the Purolator Company and he said that he was.
She said that she understands they have to drive one and one half mile out and then make an illegal U-turn to come back to there.

Mr. Stephen said no, they have to go another 300 feet to make the turn.

Commissioner Cox said this is a problem for those employees out there and it is also illegal for them to make a U-turn.

Mr. Stephen said it is creating problems not only for those employees, but also for those people that own property along and between Allen and Hobart, because they all have to go north, turn around and go back south, because they must enter their property from the south. He talked to the Commissioners a long time ago about this, because that middle lane should have been paved for turning left lanes.

President Willner asked if Mr. Andy Easley has been informed of this denial.

Mr. Stephen said he has been on vacation and his mail was held, be he believes he will get the official word today and he will contact Mr. Easley on the matter.

Commissioner Borries said he is concerned also about the liability to the county if some one travels out there and then has to make an illegal U-turn.

Mr. Stephen said a person doing that takes it upon himself when he makes an illegal turn there the same as he would if he makes an illegal turn anywhere on any street or highway.

Commissioner Borries said we aren't excusing anyone for making an illegal turn, but from the planning stand point, have we taken into consideration the business's in that area.

Mr. Stephen said this was handled by an outside engineering firm and it was approved by the State and by the Federal Highway Administration.

Commissioner Borries said could you then investigate it at this point to see whether or not the engineering has created a situation that is going to cause some severe traffic problems.

Mr. Stephen said he knows its going to create some problems for certain people, but there were two public hearings, both advertised, and at that time the people to be effected were invited to come forth with their complaints and if they did not, then in effect, they concurred with the disign. There is nothing that he personally can do about it now because all laws were conformed with all the way down the line.

Attorney Miller suggested the possibility of putting a No-U-Turn sign at that point, because he would also be concerned about the liability to the county for creating a situation which demands a U-turn, or lets say invites a U-turn.

Mr. Stephen said until the project is completed and it comes back to the county we cannot do that, but after if comes back to the county then the Commissioners can request a change order and see that a sign is put up out there stating No-U-Turn.

Mr. David Gerard said he was not here when the design came about but there are lots of ways to handle the traffic, but he does not want the commissiones to get the impression that the construction of a median was in itself a bad idea, infact, there was a very definite reason for putting it in, and that was to prohibit those left turns. We are also going to see this on the Green River Road project, because if you have a continuous left turn then you are going to really cut down on the capacity of that road.

RE: RON LYLES....COUNTY COUNCIL ASSISTANT

Mr. Lyles said a letter went out to all county officeheads informing them of a work shop to be held by the County Council on Tuesday and Wednesday, January 13th and 14th. The items to be discussed during the one hour sessions each day will be the Council's procedures, the deadlines for requesting funds, the new appropriation forms to be used and the Council's objective in 1981.

Mr. Lyles said also in reference to the appointment of a new County Council Attorney which was created by Mr. David Jones leaving to become a County Attorney, this appointment will be made on January 7th. at the Council's regular meeting and the pay will become effective January 15,1981.

RE: APPOINTMENT....AREA PLAN COMMISSION:

President Willner said at this time we need to make the Commissioners appointment to the Area Plan Commission.

Commissioner Borries moved that Commissioner Cox be the appointment to the Area Plan Commission. President Willner seconded the motion which carried with three affirmative votes.

RE: APPOINTMENT....CITY COUNTY PURCHASING BOARD

President Willner said we share expenses 50-50% with the Purchasing Department and we need two representatives on this board.

Commissioner Borries moved that Commissioner Cox serve on the Purchasing Board. President Willner seconded the motion which carried with three affirmative votes.

Commissioner Cox moved that Commissioner Borries be appointed to serve on the Purchasing Board. President Willner seconded the motion which carried with three affirmative votes.

RE: CONRAD COOPER.....AUDITORIUM MANAGER

Mr. Cooper said he would like to get the authorization to have the locks changed on the building at the Auditorium, because he understands there are a number of keys outstanding and also he would like authorization to speak to the Chief of Police and the Fire Chief about a security evaluation of the building,which he feels needs to be done now, because he understands that the batteries that power the emergency lighting system are not in very good shape and some of them are in-operative.

President Willner said as far as the Police and Fire Department evaluations, you can go ahead and have that done now and as for the locks and keys, he thinks we ask the Superintendent of County Buildings to take that out of his budget, so perhaps you can get with Mr. Tuley and discuss this matter.

Commissioner Cox said she agrees this needs to be done, but does not the County Building Authority do this.

President Willner said they do not have the Auditorium under their supervision.

Mr. Cooper said he would also like for the county attorneys to look into the matter of the legal responsibilities with regard to storing equipment and materials for people who use the Auditorium. There are large amounts of equipment owned by the caterers and the Philharmonic being stored there at this time, and he is not sure about the insurance arrangement, as to who insures what.

Attorney Miller asked if there is a contract between the Philharmonic, the caterers and the County, and Mr. Cooper said he believes there is one with the caterer.

Mr. Ed Smith was present and stated that he knows of no contracts with them, that if there is it has never come across his desk.

Attorney Miller said he feels we should look into the possibility of preparing contracts for every user of the Auditorium.

President Willner said before we take any action on the changing of the locks he would like for Mr. Cooper to come back to us with a definite price.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted by Deig Brothers Lumber and Construction Co., Inc. for three bridges, those being Hogue Road and Vanness Avenue; Redbank Road (South of Hogue Road and Hogue Road structure #51.

Certificate received and filed.

RE: ROBERT BRENNER....COUNTY SURVEYOR

Pipe...Cypress-Dale Drainage System

Mr. David Guillaum said last week we had some people in from Union Township regarding the pipe in the Cypress-Dale drainage system. He contacted four contractors and got invitational bids from three of them on replacing the old pipe. The bids are for labor only as the county will be supplying the pipe and the back fill material.

President Willner said for the benefit of the other commissioners he would like to say t railroad was having their drainage ditch along side the railroad cleaned and when they g to Cypress Dale they got into the county right-of-way and they have requested that we pa for the removal of the culvert and have it repaired properly.

Mr. Brenner said the pipe is at the county garage and it is 24" in diameter.

President Willner read the following bids:

Donald R. Barnett, Sub-Contractor.....$1,675.00
Quentin Stahl, Inc.....$1,660.00
Floyd I. Staub.....$2,400.00

President Willner said the commissioners did declare this an emergency and it needs to be completed as soon as possible.

Mr. Brenner said some farmers told him that Staub told them they would do it for $1700.00 but when he went out and talked to him he said that he never gave that price and when he bid it he came in at $2400.00.
Mr. Brenner said he would recommend that it be allowed to the lowest bidder, who is Quentin Stahl, and the work can start within a three day notice.

Commissioner Cox moved that the bid be awarded to Quentin Stahl for the excavating and installing new metal culvert at a price of $1,660.00.

Commissioner Borries seconded the motion which carried with three affirmative votes.

Log Jam on Old Highway 41

Mr. Guillaum said the past week they have been back down on the log jam near Old 41 on work they had started earlier and they will be back down there this week. This is on Eagle Slough.

Mr. Brenner said next week he will be bringing three jobs before the commissioners for approval. The first one will be a pipe on the Sonntag-Stevens ditch where it crosses Garrison, which runs north off of Lynch Road. It needs and additional six foot pipe. The next one will be the raising of Hirsch Road and the expansion of the bridge across the Crawford-Brandies Ditch. This runs between Green River Road and Burkhardt Road. The third project is the widening on Upper Mt.Vernon Road at Tupman and the commissioners agreed to do this when they rezoned the property to the north of it for apartments. He just wants the commissioners to be aware of the fact they will be coming before them next week to be approved for advertisement.

RE: CLAIMS

A claim was submitted by Robert Brenner for three people for lunch and roundtrip to Indianapolis. They appeared before the Public Service Commission of Indiana in regard to two unused R.R. underpasses and we did receive a favorable order. This claim is in the total amount of $67.17.

Commissioner Borries moved this claim be approved. Commissioner Cox seconded the motion which carried with three affirmative votes.

Two claims were submitted by Engineer Associates. The first was for engineering inspection of St. Joe Avenue for the period of 12/22/80 through 12/31/80 in the amount of $4408.57. The second claim was for engineering inspection on Lynch Road for the period 12/22/80 through 12/31/80 in the amount of $11,731.13.

Commissioner Borries moved both of the above claims be approved. Commissioner Cox seconded the motion which carried with three affirmative votes.

A check was presented to be endorsed by the County Commissioners to cover legal paper sold to the County Recorder in the amount of $63.70.

Commissioner Borries moved the check be endorsed. Commissioner Cox seconded the motion which carried with three affirmative votes.

A claim was submitted by Torian Agency for the Public Official Bonds for Dr. David Wilson and Earl Cox, both in the Coroner's Office, in the amount of $60.00.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion which carried with three affirmative votes.

A claim was submitted by Feigel for the paving of Green River Road in the amount of $1,119.99.

Commissioner Cox moved this claim be approved. Commissioner Borries seconded the motion which carried with three affirmative votes.

A claim was submitted by the Evansville Courier for legal advertisements in the total amount of $897.90.

Commissioner Borries moved this claim be approved. Commissioner Cox seconded the motion which carried with three affirmative votes.

RE: CHECK FROM VFW POST:

President Willner said the Treasurer has brought him a check that has bounced several times which was written to the Vanderburgh County Auditorium and he believes it is in regard to the Don Ho Show and is from the V.F.W. Post #9632. There was a letter attached from Mr. Dewes, Manager of the Auditorium stating he had contacted both of the officers of the V.F.W. Post #9632 and their attorneys and in both instances they were advised that the post did not have the funds to honor the check. There was a mix-up on who was responsible for paying the rent balance and other sad stories. The attorney advised that a suit for the balance would be a waste of time, so we did not press the matter with the county attorneys.

This matter was referred to County Attorney David Miller for further review and he is to report back to the Commissioners of his findings.

RE: EMPLOYEES FOR 1981

President Willner said he has in his possession a folder containing the 100-R forms from each of the County offices stating who their 1981 employees will be and he would like a motion showing them received and filed. (A list of the employees is enclosed.)

Commissioner Cox so moved and Commissioner Borries seconded the motion which carried with three affirmative votes.

RE: NOTICE OF CLAIM

President Willner said he has a notice of claim from Steven and Diane Sabovik of 5955 Westchester Drive in Newburgh, Indiana. This pertains to an accident on Green River Road and Heckel Road. They are claiming the inadequate markings and road signs were the cause of the accident. This was referred to the County Attorney for reference to the insurance claim and he would also like for Mr. Kautzman from the County Garage to go out and look at the intersection and see if the signs are adequate or if we do need to make some changes and report back to us on this matter at our next meeting.

RE: EMPLOYEMENT CHANGES.....APPOINTMENTS

AUDITORIUM:

Conrad Cooper	1000 E. Blackford	Manager	$20,700.00	Eff: 1-12-81
Beverly Behme	6301 No.6 School Rd.	Asst. Manager	$12,627.00	Eff: 1-5-81

SURVEYOR:

Tony Goodman	2905 S. Ruston	Instrument Man	$13,805.00	Eff: 1-1-81
Laurie Neisen	2731 Hillcrest	Secretary	$ 9,698.00	Eff: 1-1-81
Lloyd Rittenoor	1404 McArthur Dr.	Inspector	$12,592.00	Eff: 1-1-81
Milton Hayden	417 South Linwood	Draftsman	$12,592.00	Eff: 1-1-81

COUNTY HIGHWAY:

Lee R. Stuckey	4309 E. Chestnut	Hwy. Inspector	$12,824.00	Eff: 1-6-81
Susan Kirk	R.R.2 Box 256 Old Mt. Vernon Road	Clerk Typist	$ 8,375.00	Eff: 1-1-81
R.E. Kautzman	118 E. Chandler Avenue	Supervisor	$22,096.00	Eff: 1-1-81
Larry Gresham	3410 Inglehart	Foreman	$13,851.00	Eff: 1-1-81
H.W. Watson	1716 Bosse Avenue	Foreman	$13,851.00	Eff: 1-1-81
Jerry Linzy	2701 S.Green River Rd.	Asst.Supt.	$15,132.00	Eff: 1-1-81

CUMULATIVE BRIDGE:

Margaret Meeks	4928 Conlin Avenue	Bridge Insp.	$12,000.00	Eff: 1-1-81

RE: EMPLOYMENT CHANGES.....RELEASES

AUDITORIUM:

Fred Dewes	640 S. Englewood	Manager	$19,207.00	Eff: 12-31-80

RELEASES.....CONTINUED:

SURVEYOR:

R.E. Kautzman	118 E. Chandler	Party Chief	$15,029.00	Eff:12-31-80
Mark Tuley	2805 Washington Ave.	Instrument Man	$12,782.00	Eff:12-31-80
Juanita Jones	1525 E. Riverside	Secretary	$ 8,980.00	Eff:12-31-80
Milton Hayden	417 South Linwood	Inspector	$11,659.00	Eff:12-31-80

HIGHWAY DEPARTMENT:

Jerry Linzy	2701 S.Green River Rd.	Supervisor	$20,459.00	Eff:12-31-80
Lloyd Rittenoor	1404 McArthur Dr.	Hwy.Inspector	$11,874.00	Eff:12-31-80
Jack Hollencamp	12 South Tekoppel	Asst. Supt.	$14,011.00	Eff:12-31-80
Gilbert D. Harris	1906 Walnut Lane	Foreman	$12,825.00	Eff:12-31-80
George Gossard	2028 E. Blackford	Foreman	$12,825.00	Eff:12-31-80
Virginia Seybold	R.R.5 Hoing Road	Clerk Typist	$ 7,755.00	Eff:12-31-80

SUPERINTENDENT OF COUNTY BUILDINGS:

Owen C. (Buster) Gordon		Superintendent	$15,109.00	Eff:12-31-80

COUNTY COMMISSIONERS:

Mary Doris Wolf		Exe.Assistant	$15,579.00	Eff:1-5-81

SURVEYOR:

Larry Gresham	3410 Inglehart Ave.	Inspector	$12,592.00	Eff:12-31-80

President Willner said anyone that wants one will be provided with a letter of termination.

There being no further business, the meeting recessed at 11:10 a.m.

PRESENT:

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Robert Willner	Alice McBride	David Jones
Richard Borries		David Miller
Shirley Jean Cox		

SECRETARY: Janice Decker

Robert D. Willner
Richard Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

EMPLOYEES FOR 1981

AREA PLAN

Charles G. Osterholt
Joseph Ballard
Jayne Rappee
Joseph Story
Mary Keown
Lisa Gaus
Brenda Hill
Kathie Gehlhausen
Janet Davis
Kathi McDaniel
Belinda Pierce
Donna Collins
Kim Gardner

ARMSTRONG ASSESSOR AND TRUSTEE

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

AUDITOR

Alice McBride
Barry Heathcotte
Gloria Evans
Lucille Musgrave
DoLores Gugin
Janet Mobley
Ann Duggins
Sylvia Williams
Jean Haskins
Margie Meeks
Janice Decker
Jean Wilkey
Peggy Powless
Cindy Mayo
Georgia Benson
Lily LeBlanc
Bette Carrigan
Terri Woodward
Lena Sherman
Glenda Loesch
Terri Pace
Martha Calkin
Marion Ellsperman
Vanessa Adams
Kathy Lowe
Dorothy Wilson
Betty Franklin

AUDITORIUM

Fred G. Dewes
Jessie Byers
Bruce Cook
Ruby Norris
Dwight Taylor
Walter Weston
Anita Glover

BUILDING COMMISSION

Jesse C.Crooks
Roger L. Lehman
Francis Moers
Eugene Remole
George Ames
Eldon Robinson
Edward Bengert
Jack Hille
Harriett Hartig
Virginia
Frances Roettger
Mary Doss

BURDETTE PARK

Raymone Wolf
Kenneth Mitz
Donald Henry
Michael Maier
Alfred Nowling
Barbara Nunning
James Render
James Montgomery
Arthur Padgett
Dan Hape
Steven Griggs
Bruce Crider
Michael Kingston
Dennis Daniels
Charles Newton
Corey Brunck
Kim Betts
Greg Smith
Joyce Moers
Linda Hanauer
William Murphy
Eric Evans
Paul Short
Steven Craig
Wilma Morlan
Roger Reisz
Susan Warren
Larry Jones
Maria Sanders
Jeanne Warren
Micheal Bevers
Mark Mann
Steven Kelley
Darrell Sanders

CENTER TOWNSHIP ASSESSOR

Alvin E. Stucki
Shirley Stucki
Betty Ann Bawel
Ramona G. Oran
Evelyn Meyer
Jacqueline L.Page
Gregory W. Denton
Steve Schuetz

CENTER TRUSTEE

Wilbur Schmidt
Barbar Besing
Donna Fritts

CIRCUIT COURT

William Miller
Terri Golding
John Harl, Jr.
Linda Sumner
Michael Mattingly
Robert Saunders
Larry McDowell
Maxine Buchanan
Barry Standley
Dennis Brinkmeyer
Mildred Harp
Cheri Denise Devoy
Lisa Ann Goffinet
Louise Devoy
Joseph Adams
Beverly Kay Corn
John R. Mueller
Lucille Smith
Sue Ann Hartig
Kenneth A. Henson
Beverly Corn
Dennis Heathcotte
Harris Howerton
Robert Bonnell
Charles L. Berger
Kevin R. Bryant
Scott A. Danks
John Ellsworth
Margueritte Harding
Charles Smith, Jr.
Jeryl Brandenberger
Raymond M. Winters
Robert Bonnell
Jeffery Knight
Daniel Tuley
J.W.Loving

CLERK

Helen L.Kuebler
Jean Ritter
Linda Delano
Florence Hess
Nancy Kleiman
Joyce Fields
Kate Powers
Jane Steber
Kris Johnson
Tina Cardin
Jean Schaefer
Bertha Greubel
Deborah Goodrid
Suzanne Dempsey
Rose Smith
Dorothy Cole
Helen Middleton
Angela Delgman
Deborah Henter
Ella Mae Sheets
Shelby Wright
Linda Webster
Lucille Fowler
Danna Harpole
Betty Burton
Deborah Mottley
Linda Westfall
Eleanor Wilson
Grace Wohlhueter
Doretta Fairchild
Vicki Dean
Carolyn Sauer
Martha Brinker
Darlene Maveety
Etta Mae Mueller
Sharon Yunker
Ruth Porter
Dorotha Buente
Lorraine Dean
Doris Cato
Jacqueline Head
Beverly Abell
Janet Ward
Edna Martens
Judith Bumpus
Anna Mae Wolf
Dorothy Nixon
Sharon Daniels
Pamela Higgenbotham
Paula Jean Buickel
Karen Jo Conley

CONVENTION AND VISITORS BUREAU

Janis Thuerbach
Peter D. Helfrich
Mary A. Schoettlin

COOPERATIVE EXTENSION SERVICE

Jack Wade
Allen Boger
Jane Heramb
Joe Milner
Glenna . Hanks
Betty M. Bumb
Debra E. Lindsey
Betty J.Kompst
Rosalie Mesker
Florence Watkins

CORONER

David Wilson, M.D.
Earl K.Cox
Allen Byers
William Sandefur
Mary F. Westfall

COUNTY ASSESSOR

James L.Angermeier
Mary L. Garrison
Zretta Hardin
Monica E. Mindrup
Cheryl Lawrence
Dorothy Joest
Evelyn Lannert
Madge Bunker
Sara Barron

COUNTY COUNCIL

Wilbert C. Wortman
Paul Ahrens
William Taylor
Frank Schuetz
Kathy Mann
Larry Lawrence
Robert Lutz
Dave Jones
Ron Lyles

DATA PROCESSING

Robert E. Fortune
Keith McIntosh
David Musgrave
Mel McKinney
Jeannine Stevens
Diana Russell
Mark Allen

DRUG AND ALCOHOL DEFERRAL SERVICE

William Campbell
Carl A. Miller
Deborah Ransom
Deloris Robinson
Jo Ann Mullis
Sherri L. Page

GERMAN TOWNSHIP ASSESSOR

Gary Wagner
Karen Wagner
Margaret Effinger
Margaret Elfrich
Mel Barchet

KNIGHT TOWNSHIP ASSESSOR

Helen Jane Nicholson
Maxine E. Ginger
Jerry Zeller
Portia Schlachter
Shirley Reeder
Joyce Fields
Nancy Bowers

KNIGHT TOWNSHIP TRUSTEE

James E. Dant
Mary E. Mueller
Norma Jean Whicker
Dorothy E. Alsop

HILLCREST WASHINGTON HOME

Denzil E. Reed
Bernice L. Roedel
Mary J. Alvis
Mary F. Arvin
Versie M. Burgdorf
Thelma I. Byers
Mable L. Carroll
Norma L. Carroll
Ollie E. Cullison
Austin F. Dubuque
Sylvia Edwards
Iva Fowler
Velma L. Gingrich
Marjorie L.Ham
Annie E. Hawkins
Marjorie Parrott
Dorothy E. Reed
Verlie E. Rupp
Orval G. Sanford
Middie M. Suttle
Lois E. Van Way
Elizabeth A. Williams
Irene Baldwin
Edna DeTalente
Carolyn Kirby
Diana Reherman
Edwin H. Zenthoefer
Jeanetta Bacon
Wava Bee
Mary Jane Dubuque
Carrie Hanshaw
Dorothy Kramer
Mary Jo Richardson
Nancy C. Woolsey
Jack W. Martin

HIGHWAY DEPARTMENT

Jerry Linzy
Jack Hollencamp
George Gassard
Gilbert D. Harris
Anita J. Scholz
Virginia K. Hobbs
Virginia Lee Seybold
Lloyd Rittenour
Louis Stephen
Sandra K. Radigan
Louis J. Willis
Gary R. Page
Clayton Jenkins
Larry J. Phillips
Cecil Sills
Jacke L. Crawford
Donald J. Gartner
William Clay Elliott
James D. Smith
John R. Keown
Thomas Lee Waterman
Dennis U. Merideth
Darryl W. Chamberlain
Ronald N. Martin
James W. Bell
Walter Swope III
Albert E. Gartner
Russell C. Schroeder
Harry W. Woods
Kirk B. Humphrey
Harold E. Steckler
Thomas W. Jameson
Larry J. Babbs
Arthur Hobbs
James R. Triplett
Allen Brigham
Bradley S. Trockman
Kenneth R. White
James H. Howell
Robert L. Hertzberger
Sam W. Robinson
William V. Boring
Harley W. Taber
Mark Allen Montgomery
Freddie Blair
Horace G. Luther
Charles E. Smith
Albert E. Knarian
Homer L. Ray
Arthur L. Kirby
George Cummings Jr.
Delbert J. Deig
Thomas J. Schmitz
Andrew S. Wade

JOINT DEPARTMENT OF LEGAL SERVICES

Marta Provenzale
Kathy Hargraves
Rebecca A. Miller
Jean J. Thompson

PERRY TOWNSHIP ASSESSOR

Larry E. Lutz
Glen E. Koob
Karen J. Gilles
Orvel Woehler
Herman Moore
John Singer
Polly Fischer

PERRY TOWNSHIP TRUSTEE

Norman "Red" Mosby
Betty J. Hempfling
Norma J. Smith
Marcella Strange
Lloyd Jost
Jerome Richey
Edward Beal
Jack Caine

PIGEON TOWNSHIP ASSESSOR

Robert T. Dorsey
James McIntyre
David L. Fox
Judith A. Stricker
Meraloyd Stansberry
Joe Ann Benton
Mary Ann Eickhoff

PIGEON TOWNSHIP TRUSTEE

Dorathia M. MacGregor
Bettye Duggins
Rachel Altheide
Raymond J. Wilm
Marcia Chittenden
David Shaw
Joan M. Dorsey
James N. Lewis, Sr.
Ruth E. Anslinger
Mary L. Hall
Janice J. Jackson
Lula Cova Morris
Margaret Sallee
Nancy B. Walters
Donna S. Jones
Mary L. Lancaster
Rebecca L. Hittner
Ethel M. Bryant
Imogene Evans
Odie F. Harlan
Margaret L. Lambert
Mary E. Hart
Peggy Watson

PROSECUTING ATTORNEY

Charlie P. Andrus
Jerry Atkinson
Steven Bohleber
Scott Bowers
John Brinson
Robert Carithers
J. Douglas Knight
Robert Pigman
James Rode
Charlie Spaetti
Neil Thomas
Roy Tyler
Terry White
Robert Zoss
Dana Shuler
Sandra Millard
Susan Smith
Bill Riat
Joe Goodrid
Wrenna Gossman
Mary Stucki
Susan Barrett
Roberta Jourdan
Sheryl Weiss
Deloris Savage

PROSECUTING ATTORNEY....IV-D PROGRAM

Nancy Hankins
Louis Grewe
Mary Jo Kingon
Sylvia Reutter
Lesa Conkling
Charlie P. Andrus

PROSECUTING ATTORNEY...CAREER CRIMINAL UNIT

Stanley Levco
Allen Hamilton
William Welborn
Timothy France
Jeanne R. Bittner

RECORDER

Estella M. Moss
Lucille Elliott
Lillian N. Young
Alice Williams
Vennetta Mitchell
Cathleen M. Gorman
Dorothy Lindsey
Anita Riecken
Aline Payne

REGISTRATION OF VOTERS

Daniel C. Kollker
Dorothy Block
Amelia Tornatta
Wandalee Cain
Carolyn Sauer
Travis F. Rayburn
Virginia Massey

SCOTT TOWNSHIP ASSESSOR AND TRUSTEE

Louis Richardt
Marguerite Richardt
Norma Miller
Gladys Martin
Marvin Lundy
Harley Seybold Sr.

SECOND CHANCE (RESCUE)

Kenneth D. Hood
Kenneth B. Widick
Robert H. Williamson
David R. Steele

SHERIFF

James DeGroote
Mark Mabrey
Michael Craddock
James Moers
Charlie Gibbs
Richard H. O'Risky
Soney W. Banks
Marlin Beck
Gerald Castrop
Robert Etheridge
Terry Hayes
Gary Kassel
John A. Lancaster
Earl Russell
Michael Sturgeon
Clifford Trainer
Jimmie Tucker
S.Lee West
Thomas Brandsasse
John Crosser
William Droll
James Fravel
Stanley Garrett
Donald Hemston
William Roberts
Keith Hocker
Gary O'Risky
Steve Schnell
Larry Barchet
Robert Beckham
Sandra Shuler
Richard Bennett
Robert Carl
Bruce Crider
Robert Coleman
Kenneth Collins
Clarence Cotton
Charles LaVanchy
Michael Daws
Billy Denton
Micheal Forshee
Stephen Griggs
Danny Hape
Ronald Hartman
Randall Korff
Timothy Lennartz
David Ludwig
Robert Miller
Steve Moser
James Neighbors
Ronald Mawman
Thomas Overfield
Kenneth Patterson
Roy Perkins
William Pierce
Arella Ray
John Reutter
Dright Rounder
Mary Jane Russell
Louis Scurggs
John Shackelford
Margaret Smith
Steve Sparks
Phillip Strange
Peter Swaim
Michael Taylor
Robert Trible
Joseph Winfield
Danny Armstrong
Thomas Rodemacher
Paul Bice
Kent Todisco
Steve Woodall
John R. Engelbrecht
Thomas Wallis
Michael Jones
Eric Herrmann
Larry Weatherford
Steve Bequette
James B. Truitt
Michael Kingston
Michael Duckworth
Richard E. Reed
Thomas A. Vachet
Thomas E. Wedding
Dennis Daniel
Larry Craddock
Donald Schmabel
James Oldham
Jerry Baker
Jacqueline Trail
Bryon C. Klaser
William Roland
Mark A. Sloat
JoAnn Reed
Betty Hermann
Melanie Hughes
Peter L. Evers
Edward Rhoades
James Berridge

SUPERIOR COURT

Terry D.Dietsch
William D. Stephens
Randall T. Shepard
Thomas M. Swain
Robert W. Lensing
Alan M. Kissinger
William J. Brune
Michael J. Hayden
O.H. Roberts, Jr.
R. Stephen LaPlante
M.Jane Dooley
Gayle Spalding
Sue G. Steele
Georgia Wijliams
Karen Flittner
hristy M. Reiter
Mary M. Laugel
JoAnn Stevens
Sharon J. Boardman
Virginia Lomax
Frank Hooper
Edward J. Davine
Alvis C. Herrenburck
James Barron
Joseph C. O'Kane
Solomon Maurer
James E. Thompson
Bart O'Connor

SUPERIOR COURT....CONTINUED

Susan Elaine Metz
Ronald S. Barron
Gregory Combs
Billie Jean Headlee
Charles R. Kratz
Theodore K. Gore
Joseph R. Lutz
Sandra Andrews
Daniel J. Wagner
Michael R. Kuykendall
Bernard E. Faraone
Patricia E. Sutton
Judith Aidman
Nina L. Horstketter
Mary Stucki
Jane L. Schmuck
Sally L. Denton
Leah Dersch
Rebecca Roth
Rhonda Stein
James Cole
Rosemary Norbury
Fred O. Vetter
Karen A. Haas
Stephen C. Haas
Herschel W. Trupin
David Shaw
Ronald Freson
Thomas Lockyear
Marylee Hahn
Tony Chappel
Arletta L. Turpin
Mildred Morgan
Dorothy E. Lietz
Devonna K. Brown
Mary Edna Moore
William W. Deems
Donald R. Scott
Sarah L. Cook

TREASURER

Lewis F. Volpe
Gilbert C. Schiff
Helena Sprinkles
Barbara Hedges
Beatrice M. Freeman
Rhonda McClarney
Faith O.Hart
Audrey Louise Genther
Tommy Anthony
Mary E. Esparza
Mary Ellen Frank
Georgia A. Harris
Mary Hatfield
Martha Green
Carmen McAtee
Jean Summers
Lisa Veeck
Beverly Nance
Doris Whobrey

UNION TOWNSHIP ASSESSOR AND TRUSTEE

J. Robert Bernard
Evelyn L. Bernard
Michael J. Kolb
Aleen Basham
Occar Kuester

VETERANS SERVICE OFFICER

Robert J. Moran
Norma Kickens
Loraine Rohner

WELFARE

R. Dale Work
Mary L. Ahles
James E. Baxter
Vriginia L. Combs
Armitta Hahn
Michael R. Hazen
Alan D. Hert
Clifford E. Higgason
George R. Holmes
Susan J. Hudson
William M. Igleheart
Joann K. Lang
Rubylee Lowe
Ruth A. Metz
Mary A. Reitz
Dorothy L. Sells
Patsy A. Sproatt
Frank L. Staton
Shirley A. Tyree
Jean R. VanHoy
Mary E. Welch
Gayle A.Angle
Maury Anthony
John F. Appuhn
Gary C. Barnett
Dee Gee Bateman
N. Wayne Baumgartner
Ruth A. Baumgartner
Mildred J. Beeler
Jeannetta E. Bey
Michael L. Boenigk
Judith K. Boettger
Glenda M. Bott
Mary J. Boyd
Nan E. Britton
Mary N. Brooks
Cynthia E. Brown
Norman C. Butler
Mary N. Carroll
Susan B. Carson
Marcia A. Coomes
Lindy L. Deusner
Elizabeth M. Dick
Phyllis A. Donahue
Ruth Dunn
Sue E. Duvall
Ethel A. Elkins
Denise A. Elvestrom
Gerald L. Flick
John A. Fyffe
Dionna Garrison
Michael Gay
Jane H. Gerard
Bonnie S. Greenfield
Fred A. Haton
Robert A. Hay
Phoeby E. Head
Sozanne Hill
J. Kathleen Hirsch
Eugenia A. Horn
Leanne S. Hudaon
Mary L. Hudspeth
Kathleen M. Hunt

WELFARE.....CONTINUED

Cathleen S. Jochim
Walter M. Julian
Marsha K. Leistner
Terry S. Lindsey
Catherine M. Lovelace
Elbert A. Lynch
Marilyn S. McClain
Diane S. McCool
Betty L. McGlone
Bettye R. McLean
Jennifer C. Miller
Judith A. Miller
Joan Morell
Jean M. O'Daniel
Robert D. O'Tain
Frances E. Ours
Carol S. Parmenter
Wilhelmina M. Perkins
Carolyn A. Platts
Carolyn J. Prior
Elissa B. Raeber
Patricia A. Rager
Thomas W. Reel
Janice F. Ruetter
Nancy C. Rhoades
Pamela J. Richmond
Daniel L. Riordan
Teresa A. Rizen
Mark J. Robards
Donald R. Roberts
Susan E. Rogers
John M. Schroder
Donald A. Schuldt
Jane E. Scott
Thomas W. Sergesketter
Bonnie J. Sexton
Debra A. Simpson
Sandra W. Sims
Anna Mae Skelton
Vicki M. Sma-l
Jeffrey W. Smith
Debra M. Smock
Joyce M. Spayd
Theodore E. Specht
Patricia M. Sprigler
Anthony J. Starks
Paul M. Stofleth
Phyllis E. Stokes
W. Catherine Stone
Elizabeth A. Sutton
Dorothy J. Thomas
Mary E. Werner
Timothy B. Wirtz
Robert E. Young
Coradella Baker
Tracy L. Barnhill
Veronica J. Chittenden
Elizabeth A. Collins
Helen M. Cook
Virginia C. Cox
Mary L. Daniels
Beverly A. Dicks
R. Charlene Ethridge
Irene M. Frakes
Phyllis A. Heise
Shirley S. Hopple
Frances Hyatt
Marie A. Nelson
Jean Newman
Louisa F. Paris
C. Dawn Ritz
Dale E. Robertson
Mildred C. Ross
Hilda M. Schatz
Beverly A. Sherman
Inez K. Thew
Vickie L. Turner
Peggy L. White
Faye A. Wilson
Willie M. Work
Frank M. Fixh
Phillip L. Kiely

COUNTY COMMISSIONERS MEETING
JANUARY 12, 1981

The meeting of the County Commissioners was held on Monday, January 12, 1981, at 2:30 p.m. in the Commissioners Hearing Room.

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

RE: EMPLOYEES FOR 1981

President Willner presented more 1981 employees as submitted by the officeholder and requested they be received and filed. They were as follows:

SCOTT TOWNSHIP ASSESSOR:

Louis B. Richardt
Margurite Richardt

SUPERINTENDENT OF COUNTY BUILDINGS:

Benny Gossar

COUNTY COMMISSIONERS:

Robert L. Willner
Richard J. Borries
Shirley Jean Cox
David Jones
David Miller
Mark Tuley
Kathy Stonestreet
Beatrice Phillips
Sandra Radigan
Louis J. Willis
Gary R. Page
Clayton Jenkins

DRAINAGE BOARD:

Robert Willner
Richard J. Borries
Shirley Jean Cox

RE: DAVID SAVAGE.....TRAFFIC DEPARTMENT

Request for stop sign

Mr. Savage said he received a request from a Mr. Groves at 3612 Aspen and also from the Commissioners to consider a need for a stop sign at the intersection of Aspen and Walnut Lane. Our office checked that location out and they felt there was no problem with the normal right-of-way rule being applied there, as there is adequate sight distance and it serves just a few residences in that area. He contacted Mr. Groves and advised him of the position the office took on this matter. This requeires no action on the part of the Commissioners, he wants them only to be aware of the decision.

RE: LOUIS STEPHEN.....COUNTY HIGHWAY ENGINEER

Bids for equipment

Mr. Stephen said it was brought to his attention that when we were accepting bids for equipment, he believes it is being held because there was no bond. We haven't required a bond from someone stating they will provide equipment when we need it at a certain price because we may or may not use them for the whole year and if we do,its on an hourly basis and we have been waivering that requirement for the past two or three years. He does not know where the bids are at now, but he wanted to remind the commissioners of this fact.

Hillview Road

Mr. Stephen said he has discussed this with Mr. Kautzman but last year the Commissioners had Jerry Linzy to go ahead with rental equipment to install a pipe under Hillview Road near #3 School Road. If you want this to be done we have only one outfit, that being Municipal Contractors, to do the job. The pipe is so deep and it is deteriorated and is taking dirt into it as the road is collapsing into it and it also broke the water line for German Township Water Department so they also are concerned about it.

President Willner said the pipe is so deep that the county equipment cannot reach it and we need for this board to authorize the rental of a piece of equipment to get the job done.

Mr. Stephen said when we hire a piece of equipment the operator comes with it and it should take approximately twenty (20) hours to get this done. He said later, after the new pipe is layed in place, we will need some stone to put on it.
Before this is done though, Mr. Kautzman said he would like to go out and look at the area and see if he concurs with what was decided earlier last year.

President Willner said he has several letters and he would like for Mr. Stephen to look at them to see if he also received copies of them. Mr. Stephen said he believes he has all of them and that they have all been taken care of.
One of them concerned the acceptance of Eastland Drive, north from Pollack Avenue.
He said he would check all of them though.

RE: DAVID GERARD.....E.U.T.S.

Mr. Gerard said they are in the process right now of preparing FA-2 forms for the federal funds for the county projects and he hopes to have them all completed by next week for the Commissioners viewing. They are preparing the TIP and they are about a month early so they will have them very soon.

Representative for Policy Committee

Mr. Gerard said they will be having a Policy Committee meeting tomorrow night and they need a representative from the County Commmissioners.

President Willner moved that Commissioner Borries serve on this committee. Commissioner Cox seconded the motion which carried with three affirmative votes.

RE: JESSE CROOKS....BUILDING COMMISSION

Monthly report

The monthly report of the Building Commission for the month of December, 1980 was submitted Report ordered received and filed.

RE: RON LYLES.....COUNTY COUNCIL

Mr. Lyles said there is a memo before the Commissioners from the President of the County Council, Mr. Curt Wortman requesting that the Commissioner's appoint a representative to the Mayor's Study Committee on the possible merger of the City and County parks. This discussion started about three weeks ago between Mayor Vandeveer and Mr. Wortman and it was decided that a number of governmental units should be involved in this committee.

President Willner asked if the entire Park Board will be on this committee.

Mr. Lyles said it is his understanding that no, they will not, only one representative from the Park Board and that will be the President of the Board. Also one or two representatives from the City Council will also serve on the committee.
There have no meetings yet and the first meeting is scheduled for tommorrow, at 4:00 p.m. in the Moyor's office, so therefore, this committee is not yet completed, but with this Commissioner's appointment it should then be complete.

President Willner said perhaps we should hold up on our appointment until the County Park Board makes their appointment.

Mr. Lyles said he understands the President of the County Park Board will be the one to serve on this committee. Mr. Don Henry is the outgoing President and he is not sure who the new President will be.

President Willner said the commissioners will try to make this appointment before the day is over, but he would like some time on it.

Commissioner Cox asked if the Burdette Park Board has met yet.

Commissioner Borries said he does not believe they have met yet this year, but informally, he heard there may be a meeting on January 19th.

RE: BOB FORTUNE.....DATA PROCESSING

President Willner said he has received requests from Judge William Stephens and Judge Thomas Swain and from the Sheriff's Department to run some cables from the computer into those particular offices and we need some costs presented to us on these jobs.

Mr. Fortune said he does not know what the costs will be but it is generally paid from the machine rental in his Data Processing budget. He said he will not know the cost until Gil Ruston gets the job done, because he charges us by the hour.

Commissioner Cox said she recieved letters from Judge Stephens and Judge Swain on cable requests, but none from the Sheriff's Department.

Mr. Fortune said the Sheriff should have submitted a letter to the Commissioners, becuase he does want some additional services. All of the costs for these will come from the Data Processing budget.

Additional Phone Line

Mr. Fortune said he has submitted a letter requesting a new phone line be installed in the Data Processing room so that they will be able to acoustically couple some off-site terminals. There will be no need for a new telephone just the communications line.

Additional Cables

President Willner said in getting back to the first request, is it the concensus of the Commissioners to go ahead and approve the work without first having a dollar figure.

Commissioner Cox said really, this is just routine work and they need the system set up, therefore she would move these requests be allowed. Commissioner Borries seconded the motion which carried with three affirmative votes.

Services provided by Data Processing

Commissioner Cox said since she and Mr.Borries are new on the Commissioners Board she would like for Mr. Fortune to briefly tell us what offices and what services Data Processing is presently providing for the county.

Mr. Fortune said in the Courts they provide the calendar and the dockets and right now that is isolated to small claims and the filing. In the Clerk's office we provide support and garnishments. Within the Sheriff's Department there are the warrants and some crime reports. Within the Auditors office they have payroll and accounting. Within the Prosecutor's office they pick up ADC payments from the Welfare system.

Commissioner Cox said on the telephone request, do you have only one line right now.

Mr. Fortune said this is correct and they receive so many complaints because it stays busy constantly.

Commissioner Cox moved that the request for an additional phone line be approved for the Data Processing office. Commissioner Borries seconded the motion. So ordered.

Data Processing Study Committee

Commissioner Cox said she believes the county has a Data Processing Study Committee and she is wondering at what stage this committee is at now.

President Willner said the prior Commissioners started to set one up under the aspersees of the County Council's Executive Assistant, so Mr. Lyles can perhaps tell us if this is still an ongoing thing.

County Attorney Jones said he was with the County Council at that time and he attended at that time, along with Miss Vicki Bailey, a meeting on this subject. He believes there was a subsequent meeting and there were two statutes as to which way you could go to set the thing up. Under one of them it provided for a technical advisory committee which would be composed of those people who were in computers, Data Processing, etc. It was carried to where a group of people were appointed from Mead Johnson's, Whirlpool, etc. and that's the point to where he could not track it down any further and he does not know if they held any meetings or not.

Commissioner Cox said she feels this is a definite need for Vanderburgh County and she feels this should be pursued further, see where it stands and let them work closely with Mr. Fortune to see what our needs may be and if they have been met or not at this point.

Mr. Fortune said he attended those meetings and it was left with the second meeting of the Technical Advisory group.

President Willner said he thinks the Commissioners should get together on this matter, get the total picture and come up with a recommendation on it.

Mr. Fortune said he feels there are a number of alternatives and a number of things you nee to look at because of the growth and the way things have developed. He will get a list of the appointments to the Commissioners.

RE: TELEPHONE REQUESTS

Voter's Registration

Mrs. Carolyn Sauer representative of the Voter's Registration office said they are requesting the installation of another phone at the far end of the main office. In the busy season of an election year it will expedite a more efficient flow of information to the general public, county chairman, officeholders and the committeemen.
The cost is $56.65 for the work done by the phone company and about $50.00 to Mr.Ruston for the work to be done by the Building Authority.
The people working in the books have to carry them to the phone and then they sometime find out they have the wrong information, have to carry the book all the way back and get another one. This additional phone would save a lot of work for the office workers because the books would be right at their finger tips. They presently have two lines in the office. This new one will be hooked up on the rotary system also, like the other two presently are.

Commissioner Cox moved this request be approved. Commissioner Borries seconded the motion. So ordered.

Veterans Service

Mr. Carl Wallace was present and stated they have two offices in the Veterans Service offic and they do not have the rotary system, where you can put a person on hold. There are thre persons in the office and with Mr. Moran in a wheel chair and if he should be on his line and the other phone rings and no one else is there to answer it, then Mr. Moran cannot get to it. The monthly cost is something like $36.00 and the installation fee was approximately $90.00. They have enough money in their budget to cover the $90.00 charge.
Today when the secretary and Mr. Moran were out to lunch, he was on the line with a long distance call and two calls came in that he could not get because of this problem. It would greatly increase the efficiency of the office if they were allowed this additional service.

President Willner said do we want to put the rotary system in or another line and the rotary system.

Commissioner Borries moved that the Veterans Service be allowed another line and that the $90.00 be paid from the Veterans Service budget.

Commissioner Cox said she does not think they need another telephone line.

President Willner seconded the motion which carried with two affirmative votes, those being Commissioner's Willner and Borries. Commissioner Cox voted in the negative.

RE: BOB BRENNER.....SURVEYOR

Bridge and Guardrail Report

Mr. Dave Guillaum said last week their bridge and rail crew spent time on South Lane and Ol 41 on Monday, Tuesday and Wednesday. Thursday and Friday were holidays and the men were o

Three Bridge Projects

Mr. Guillaum said last week Mr. Brenner advised the Commissioners he would be submitting some bridge projects for approval for advertisement and we now have them ready.

Mr. Brenner said these three projects have already been authorized by the previous County Commissioners.
One was a widening project on Upper Mt. Vernon at Tupman. One is a road elevation & Hirsch Road ditch. The third project is the pipe on Garrison, which will be the installation of a six foot pipe. He explained what these were last week.

Mr. Brenner said Hirsch Road is a main road that carries about 1,000 cars a day and it runs from Green River to Burkhardt Road, and at times this is under water for a period of some times two months. This is the normal route for Whirlpool employees to come from their work to get to the east side and when its closed these people are forced to go to Morgan Avenue.

Commissioner Borries asked how wide the Tupman bridge is right now and Dave said less then 20 feet and they are going to widen it to 25-26 feet.

Mr. Brenner said they have an agreement with Mr. Parvin Day whereby we will dig him a pit that he will use for a lake and we get the dirt from it to put on the road. This is not unusual because we must obtain the dirt from somewhere and the price of dirt is really high, so it's cheaper this way.

Mr. Brenner said he needs the Commissioners signatures and the approval for advertisement.

Commissioner Borries moved these projects be approved for advertisement for bids. Commissioner Cox seconded the motion. So ordered.

Problems with Purchasing Small Parts

Mr. Guillaum said last week they went out with the intentions of buying some small parts they needed and they wound up running so many places, the bottom line is, they lost about $24.00. It's taking them half a day to get these little nickel and dime parts and it also holds up the working men that are waiting for these parts. The Purchasing Department is running us from one side of town to the other side for small parts and we're losing time and money, and it gets to be a joke. These are emergency parts they have to have right now.

Commissioner Borries said isn't there some provision available that when these men need these parts they can get them right away and not have to do all of this running.

Appointment to Purchasing Department Board

President Willner said right now we need to make two appointments from this board to the Purchasing Department, and also, this is a 50-50 department between the city and county. We need to make our appointments and then have a meeting with the Purchasing Department and get these differences ironed out, because there certainly are problems.

Commissioner Borries moved that President Willner and Commissioner Cox be the Commissioners representatives to the Purchasing Board. Commissioner Cox seconded the motion. So ordered.

Cypress-Dale

Mr. Guillaum said the contractor has begun work on Cypress-Dale and they have the road opened up. This should be pretty well completed in the next two or three days. They will be working with Gene Kautzman's crew to get the rock in on it.

RE: CONRAD COOPER.....AUDITORIUM

Mr. Cooper said there are some items he wants to bring the Commissioner's up to date on and make them aware of some problems.

He said there is a fire safety hatch over the stage that is rigged into the emergency alarm system. If they were to have a fire there and the heat was to build up, there are thermo-couples that activate these hatches so that it would create a draft and keep the fire isolated to the stage. One of those hatches have been damaged by the wing and is half open so we have a cold air draft over the stage and also rain is coming in. This is not the type of work that the men at the Auditorium can repair. He would like permission to have someone come in and look at this and at least let us know what it is going to cost to have it fixed.

They also had some problems with the heating system but they have got it going again and it is warm and comfortable in there, however, the heating and cooling man, Mr. Simpson, informed him that the chiller that cools the Auditorium is in-operative and will have to be overhauled before the summer months arrive. There is no local firm that can repair this chiller.

Also, we have got the building primarily secured, as he mentioned the locks and keys to the Commissioners last week. They are also working on replacing the felt insulation in the front doors to try to keep the lobby from being so cold all of the time.

He submitted some bills to the commissioners in the amount of $4,287.59. It appeared these repairs were done recently or within the last five months. Mr. Wingert took Mr. Cooper through the building and showed him the repairs that he made and said he was instructed by Mr. Dewes to compile and hold the bills. Mr. Wingert is going to get us a detailed list of the work done and when it was done.

County Auditor Alice McBride said there are several small bills there and they probably would hold a bunch of little ones, however, they should have been paid by the end of the year.

Mr. Cooper said a large portion of these bills are for work that was done to the heating system, which according to Mr. Simpson, still needs a lot of work to be done on it.

Mr. Cooper said we have at the Auditorium approximately fifteen (15) years worth of records and they have only one file cabinet, therefore he is requesting a couple more cabinets be given to them to store these records in. He is not asking for anything new, just something to keep them in so that they will stay dry.

Commissioner Cox asked what nature of records are these and do they have to be kept and are they duplicated in another office, and if they are duplicated then you petition the Commission on Public Records and get permission to destroy them.

Mr. Brenner said he has the same thing out at the Garage and he talked to the State Board of Accounts and they told him they did not require anything over five years.

Mr. Cooper said as soon as they have a slack period they will start preparing inventory of the equipment at the Auditorium. He would like to know if there is a surplus copier anywhere that that can have because currently they have to go to the Auditor's office when they want a copy of something.

County Attorney Jones asked if perhaps they could work out an agreement with the Convention and Visitor's Bureau that is housed in the Auditorium and they could bill us for the use.

Mr. Cooper said he had not thought of that but he would certainly check into it.

Also, the toilets, in the large bathrooms on the mezzanine, through fault of design, have no stops on them and if they were to ever go haywire, they would flood the floor. Also the faucets in all of the wash basins are worn out.

President Willner asked Mr. Cooper if he was aware of the fact they accepted bids on the drapes at the Auditorium and he replied that he was and also that he would like for the Commissioners to hold off on them because there is no since in putting new drapes on that stage until we get the hatch fixed.

RE: GENE KAUTZMAN.....COUNTY HIGHWAY

Absentee Report

Mr. Kautzman submitted the Absentee Report on the employees at the County Highway Garage for the past week which ended January 9,1981.
Report received and filed.

Complaint....2724 Anthony Dr.

Mr. Kautzman they have a complaint on 2724 Anthony Drive, it seems the people put in a driveway and Mr. Stephen had them dig it back up and put a culvert under it and two days later we had one of our snow plows to turn around in this drive. We have inspected the drive and we find no damage at all.

President Willner instructed Mr. Kautzman to contact the owner, inform them that we did inspect the drive and we find no damage.

Complaint.....Green River Road

Mr. Kautzman said they have had a complaint about there being a soft spot on Green River Rd near Green River Terrace and trucks were causing them.. We have looked at it and determined that if the Surveyor's office will handle the widening of the pipe at that point that we will handle the ditch and the fill work, because we feel it should be widened.

Broken down Equipment

Mr. Kautzman said that last Friday, they had two of their major pieces of equipment to break down and he wants the commissioners to be prepared to spend some money on them if we are going to be able to operate.

We sent a grade-all out and the clutch went out on it and we had to have it towed in.
We sent a grader to spread gravel on Montgomery Road and the hydraulic pump went out on it and we had to send Dallas Towing to get it.
He said on Darmstadt Road at Evergreen, we have been working on that until the clutch went out on the grade-all and we wanted to send the other grade-all out there this morning but the batteries were down on it but hopefully they are out there now.

Dog Catcher's Truck

Mr. Brenner said we have pulled the Dog Catcher's truck off of the streets because the frame has been straightened three times and it is very un-safe and we aren't going to waste any more money on this truck. He does not have the money in his budget but we are going to have to get a different truck for the dog catcher.

Commissioner Cox said she realizes we have two employees in the City-County Health Department for this, but do we supply the truck also.

Trash Container Employees

Mr. Brenner said there is also atrash container truck driver and also a trash container laborer in the Commissioner's budget and it is his recommendation to the Commissioner's that they be merged right into the highway department, because we cannot tell where they are or what they are doing and they need to come under some direct supervision.

Commissioner Cox said this should have been done a long time ago.

Mr. Brenner said they will merge into the highway's seniority, they will still be paid from the Commissioner's budget and the County Highway will pick up the trash on the county roads. Right now the truck driver is on vacation so the laborer is around somewhere. It is a real problem and something should be done about it.

Commissioner Cox said we should have our attorney to look into the merging of these two position into the County Garage.

First Aid Kit for Garage

Mr. Brenner said we have run into some problems with the first aid out at the garage. Right now all we have are bandages, aspirins and some peroxide and for an operation that size we need a first class, first aid kit, which will cost approximately $230.00. We also deal in battery acid and we should have an eye-wash station which would run approximately $30.00. We also need to purchase about eight pairs of safety glasses.

Other minor problems at the Garage

Mr. Brenner said the mechanics bench shorts out every time you plug something into it so they are having an electrician to come a look at that.
Also about forty percent of the heaters in the ceiling do not work.
We also have some windows broken out of the building that need to be replaced.
We also have to replace some plexi-glass in some of the equipment, because it has also been knocked out. We have several wind-shields broken that need to be replaced.

We have also completed a tool crib inventory and we have looked at the tool crib security and basically, its wide open. The second and third shift have a ladder permanently secured to the wall where they can climb over the top and get into the crib anytime. We are identifying all of the tools that are still available to Vanderburgh County, there will be a number put on them and everything will be signed out of the crib. They do not have enough tools for their mechanics and they are buying some new ones and they will number them also.

Another thing is that we will be getting bills for some manuals for their equipment. There is no way he can bid these because he has to order them from the companies to secure them.

Commissioner Cox asked why the ladder, couldn't the night men have a key.

Mr. Brenner said no, you wouldn't want to hand out keys, if you want any security at all.

Commissioner Cox said what if you should have an emergency during the night.

Mr. Brenner said you would call in a salaried person and also the management to open the crib for him.
He said another thing about this tool crib, there is quite a bit of space taken up by cans of weed killers in one gallon cans. These are from Century and supposedly they are impounded, but they have a large shed and if possible, they would like to move these cans out there and store them.

Commissioner Cox said she thought that everything out there that is suppose to be impounded had a tag on it.

Mr. Brenner said there is no visible tag on them and they would be locked up in the shed.

Attorney Jones said as long as it stays there, but you could not remove it from the site if its been impounded but you can group it all together in one area.

President Willner told Mr. Brenner that perhaps he had better check with the Sheriff and the Prosecuting Attorney and let them give him a definite answer.

Complaint.....Mr. Helfrich

Mr. Brenner said they have also received a complaint from a Mr. Helfrich on Harmony Way about a dead tree and this has been going on for some time now. He said we have now reached an agreement with Southern Indiana Gas and Electric whereby they would take the top off and we will remove the rest of it. It is on the county right-of-way

Subpoena...Accident at Green River Road and Heckel

Mr. Kautzman said he has received a court subpoena concerning an accident at the intersection of Green River and Heckel in which they have requested that he bring in the stop sign that is presently there.
He said he can do this but he would certainly want to put up a temporary stop sign while this one is down.

President Willner instructed Mr. Kautzman to meet Mr. Savage out there and exchange the signs and bring the one in to court.

Attorney Jones said Mr.Kautzman is to be in court at 9:00 a.m. in the morning and if he cannot get this sign down by then, it would be best if he goes to court with him to see that he is not in contempt for disobeying the subpoena. He will attempt to call Mr. Noffsinger and see what the purpose of bringing that sign in is.

Purchasing of small supplies

Mr. Brenner said he would like to get the authorization to go ahead and purchase the first aid kit, the special goggles and the emergency eye wash, which would amount to approximately $300.00.

Commissioner Borries moved they be allowed to purchase the above items. Commissioner Willner seconded the motion. So ordered.

Large Lettering on Highway Trucks

Mr. Brenner said our trucks are unidentified and they want to put the county name and also a number on each vehicle and they are thinking of twelve inch high numbers all around the trucks, and then when someone calls in and complains one of our trucks is somewhere and the men aren't working, we will know who it is. He said the Traffic Department is more set up for painting.

President Willner said you may do this and if there is any expense then come back to us, but perhaps you could check with the Traffic Department.

Purchasing of New Trucks

President Willner said we were in the process of purchasing two new trucks for the Highay Department for about $35,000.00, and he would like for Mr. Kautzman and Mr. Brenner to make a determination on whether we grossly need those trucks because it is his understanding that we are going to be extremely short on funds by approximately $500,000.00 this year in the Highway Department.

Mr. Brenner said if we have to do it then certainly we can.

Returning vehicles to City of Boonville

Mr. Kautzman said they have three old army vehicles at the Highway and they gave them to Boonville. We went through the Civil Defense and they need a copy of the receipt he is now submitting to the Commissioners. The trucks are as follows:

1953 6X6 G.M.C. Serial Number Unknown	1953 6X6 G.M.C. License Plate #22428 Serial #886-7	1952 6X6 G.M.C. License Plate #20475 Serial #8110

RE: APPOINTMENT TO THE COUNTY PARK BOARD

President Willner said we must now make the commissioners appointment to the County Park Board and he would move that Commissioner Borries serve as their representative on that board.

Commissioner Cox seconded the motion which carried with three affirmative votes.

Commissioner Borries said he would also like to recognize Mr. Phil Siegel is also an appointee of the Park Board, effective January 1,1981 and that we are delighted to have him serve on that board.

RE: COUNTY ATTORNEY.....AGREEMENT

Mr. Jones presented a proposed agreement among the Board of County Commissioners, the Sheriff and the Prosecutor. He said he has discussed this with the Sheriff and the Sheriff did sign the agreement and the Prosecutor has also agreed to it but has not got his signed copy yet. He said in habeas corpus and extradiction proceedings and petitions filed seeking to challenge the authority to hold a criminal defendant in custody, that it is technically a civil matter and the County Attorneys are the Civil Attorneys for the County. The Prosecutor is the Criminal Attorney and in these situations we get something of a hiatus because as County Attorneys we are not familiar with the criminal cases and these defendants and under what basis they are being held. Sometimes these things are held on very short notice and they sometimes occur in Federal Court and they sometimes occur in State Court. It is our feeling that the Prosecutor's office is most closely associated with the case and they handle it in all other respects and that in the interest of efficiency and in the interest of justice that it would be more beneficial to all concerned if the Prosecutor were appointed to represent the Sheriff and the Commissioners whenever they are named in habeas cropus proceedings and extradiction proceedings and only for those purposes.
If there is some civil law suit filed against the county Sheriff or a Deputy arising out of holding a prisoner in custody, that would not be covered by this agreement. He feels this agreement should solve the situation and everything should go on running smoothly.

Commissioner Cox moved the Agreement submitted by Mr. Jones be approved, as presented. Commissioner Borries seconded the motion which carried with three affirmative votes.

Inventory of All County Property

Mr. Jones presented a proposal, which is subject to a change of wording, if the Commissioners so desire, on a request of all County Departments to prepare an inventory of all county property, inspection and audit. This is for all offices under the jurisdiction of the County Commissioners. The three types of inventory forms are as follows:

1. Supplies--Any item that will be used up within a twelve (12) month period from the date the item was purchased. Supplies are not limited to but should include office items, chemicals, tires, batteries, wood, paper, gasoline, nails and bolts.

2. Leased, Rented or Property on Loan From Another Department.--All property in the custody or possession of you department but not owned or originally purchased by or for your department. Such property includes leased or rented property and property on loan from another governmental unit.

3. Tangible Property.--All property assigned to, possessed by, or located in your department as of January 2,1981. Such property does not include supplies (items that will be "used up" within one (1) year of Purchase). No leased or rented property should be included in this classification. The property to be included by is not limited to equipment, vehicles, furniture, machines and tools. All items regardless of size should be listed if they are expected to last at least one (1) year from date of purchase.

Mr. Jones said when looking over the attached forms he noticed a typographical error wherein the form says INTANGIBLE PROPERTY--COUNTY OWNED and it should read TANGIBLE PROPERTY--COUNTY OWNED.

Mr. Jones said at any given time after the inventory is completed this body could then call upon the State Board of Accounts to come in and make spot inspections. It is his understanding that the State would not come in and make a thorough inspection on their own, that we would have to conduct the inventory and they would then come in & verify the counts. In addition, the information is subject to being used later on for budget purposes, etc. It has also been the experience that when equipment is loaned from office to office, it sometimes gets lost and this would eliminate that problem.

Commissioner Borries said he has no questions on this but he ceetainly sees a real need for it to be done, therefore he would move that we accept this proposal with the correction being made from Intangible to Tangible .

Commissioner Cox said it also states in this proposal that any property which is damaged, junked, or scrapped, she thought that if this happens, by Statute, we declare this a surplus to the County Commissioners. Eventhough it is junk, you don't just throw it out.

Mr. Jones said he feels this does need to be amended, because it is the procedure...to surplus an item. He certainly will make that amendment to the proposal and will submit it next week for formal approval from this board.

Gathering of Files

Mr. Jones said he has had an opportunity to gather what files that he could from his predecessors in this position and he has made a summery of what he believes to be all of the litigation presently filed against the county or the Commissioners, or for any office for which the county attorneys are responsible for defending. He has not however obtained all of the files and in some cases, he does not know if there are any, because he has just been given names and we are attempting to track them down at this point and time.
He will advise this board that in some cases there are conflict of interest or potential conflict of interests that he and Mr. Miller have and in some cases the Commissioners will have to hire individual counsel to represent the county because members of their firms have been involved in these litigations before they became County Attorneys.

President Willner said the Commissioners should get with Mr. Jones and Mr. Miller and review those particular cases and make a determination on them. The other two borad members agreed.

RE: NOTICE OF CLAIM

President Willner said they have received a notice of claim of damage and injury due from the County of Vanderburgh arising from the negligence and carelessness of said county which caused damage and injury to David P. Fritz. The accident occured November 10,1980 at 11:00 p.m., at the intersection of Pollack and Green River Road, in the City of Evansville.
This was referred to the County Attorney to be given to the Insurance carrier for investigation.

RE: DAMAGE TO OAK HILL LIBRARY'S PROPERTY

President Willner said he has received a letter informing us that due to the construction work on the Lynch Road widening project that a portion of the Oak Hill Library's property has been damaged.

Mr. Louis Stephen said he has talked to Mr. Howard, Director of Public Libraries and this matter has been resolved. Mr. Howard was concerned about the temporary right-of-way and there was no damage and he was just afraid there might be.

Letter received and filed.

RE: JESSE CROOKS.....FILE CABINET REQUEST

President Willner said we have received a letter from the Building Commission office requesting the need of additional file cabinets of the four drawer size type. The need is for three (3) cabinets immediately and a fourth one within nine months. These are used for the address file of building permits and information.

Mark Tuley said he would see what he can find and he would contact Mr. Crooks.

RE: CLAIMS

A claim was submitted by Valparaiso University of Law for the subscription for Volume #15 for the law library, in the amount of $12.50.

Commissioner Borries moved this claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by The Lawyers Co-operative Publishing Company for volumes and supplements for the Law Library in the total amount of $771.70. (Itemized statement attached).

Commissioner Cox moved this claim be approved but stated that she would like to see an evaluation of the books that we order and use in the Law Library. Commissioner Borries seconded the motion. So ordered.

Commissioner Borries said he knows the Law Library is an important part of the government and because of the highly specilized nature of it he is wondering if we could direct our attorney to perhaps begin to look at ways to contact the Judges and also the Bar Association to look at not only the expenses of the books in there but also the whole asspect of the Library.

Commissioner Cox said she feels that our Law Library is probably one of the finest that you will find in a City-County government complex. She feels we do need to get an inventory done and a job description and also, the Bar Association does have a library committee and we do need to meet with them and look the whole thing over.

Commissioner Cox and Comm Borries both agreed to serve on a committee to do this and Mr. Borries also asked that one of the County Attorneys attend the meetings.

A claim was submitted by Matthow Bender and Company on the Law Library for the amount of $360.50.

Commissioner Cox moved that the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Urban Transportation which was referred to the County Auditor to be checked out and returned to us next week.

A claim was submitted by Nalley Coal Company.
A note was attached from Mr. Stephen stating that he suggested we do not pay this claim because the job was never completed.

Mr. Stephen said before the bridge was completely finished, Nalley Coal Company went bankrupt and we had no one to pay it to and besides that there were some outstanding claims where they ordered some material that we had charged against this project and they lost the material somewhere, and now, their bonding company is trying to get us to pay the balance of the contract and he feels there is no way we should.
The work has still not been completed.

President Willner asked with this not being complete, is it in any way dangerous to the motoring public.

Mr. Stephen said there are two or three of the guard rail posts that have never been attached. This is at Red Bank Road and Boehne Camp Road.

This claim was referred to the County Attorney.

President Willner asked Mr. Guillaum if he would see to it that this job is completed and he replied that he would.

Mr. Jones asked Mr. Stephen if he ever received formal notice of the bankruptcy and he said no he did not and that it happended approximately two years ago.

A claim was submitted by Szabo Foods for inmates and officers meals in the amount of $7,800.45. for the Sheriff's Department, up till December 16,1980.

Commissioner Cox moved that the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Szabo Foods for inmates and officers meals to January 1,1981, in the amount of $7,923.70.

Commissioner Cox moved that the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Miller-Gaslin Agency for the renewal of bonds for the Public Officials for 1981, in the amount of $1,549.00.

Commissioner Cox moved that the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by the Association of Indiana Counties for our 1981 dues, in the amount of $1,073.00.

Commissioner Cox moved that the claim be approved and Commissioner Borries seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

COUNTY AUDITOR:

Janice Decker	4609 Pollack Avenue	Sec.& Legal Clerk	$10,129.00	Eff: 1-1-81
Jean Wilkey	1804 S.E. Blvd.	Council Clerk	$ 9,681.00	Eff: 1-1-81
Martha Calkin	513 Hess Ave.	Budget Clerk	$ 9,681.00	Eff: 1-1-81
Rebecca Farr	2911 Carolina Crt.	Part-time	$30.00 day	Eff: 1-1-81

BURDETTE PARK:

George L. Peaugh	1915 So. Werner	Rink Guard	$ 4.00 Hr.	Eff: 1-2-8[redacted]

CUMULATIVE BRIDGE:

Dan Hartman	522 College Hwy.	Bridge Eng.	$25,194.00	Eff: 1-5-81
Marvin Karsch	Herman Road	Inspector	$12,592.00	Eff: 1-5-81
Paul Mindrup	2105 Hercules	Superintendent	$14,193.00	Eff: 1-5-81
Terry Johnson	1904 N.Fourth Ave.	Operator	$14,081.00	Eff: 1-5-81
Mike Wathen	Wortman Road	Laborer	$12,592.00	Eff: 1-5-81
Jim Coleman	675 Brower	Laborer	$12,592.00	Eff: 1-5-81
Dave Guillaum	1610 Hicks Dr.	Dep. Surveyor	$ 2,520.00	Eff: 1-5-81

PROSECUTOR:

Jeanne R.Bittner	R.R.1 Haubstadt	Secretary	$ 9,000.00	Eff: 1-1-81
Susan Gayle Murphy	7540 Pine Ridge Dr.	Secretary	$10,419.00	Eff: 1-1-81
Wrenna Gossman	1400 South Ruston	Secretary	$10,187.00	Eff: 1-1-81
Joe Goodrid	401 S.Red Bank Rd.	Investigator	$10,500.00	Eff: 1-1-81
Doloris Savage	1300 E. Chandler	Receptionist	$ 8,250.00	Eff: 1-1-81

GERMAN TOWNSHIP ASSESSOR:

Margaret Effinger	R.R.7 Buente Rd.	Chief Deputy	$ 8,640.00	Eff: 1-1-81

COUNTY SURVEYOR:

Robert Brenner	501 Senate	Surveyor	$24,042.00	Eff: 1-1-8[redacted]
David Guillaum	1601 Hicks Drive	Dep Surveyor	$17,793.00	Eff: 1-1-81
David Williams	118 Bell Road	Chainman	$13,199.00	Eff: 1-1-81
Robert Smith	Selzer Road	Rodman	$12,592.00	Eff: 1-1-81
Charles Davis	756 E. Columbia	Chief Draftsman	$16,741.00	Eff: 1-1-81
Alice Bowling	1131 S.Lincoln Pk.Dr.	Draftsman	$12,592.00	Eff: 1-1-81
Jim Carrigan	118 S. Ruston	Inspector	$12,592.00	Eff: 1-1-81

VANDERBURGH SUPERIOR COURT:

Randall T. Shepard		Judge	$13,445.00	Eff: 1-5-81
Sue Steele		Court Reporter	$15,117.00	Eff: 1-5-81
Rosemary Norbury		Ct.Adm.Sec.& Bdg.Clk.	$11,891.00	Eff: 1-5-81
Mary Stucki		Riding Bailiff	$11,891.00	Eff: 1-5-81
Sarah Cook		Sm.Claims Secretary	$11,891.00	Eff: 1-5-81
Joseph O'Kane		Bailiff	$ 5,500.00	Eff: 1-5-81

VETERANS SERVICE OFFICER:

Carl Wallace	R.R.4 Box 99	Asst.Service Off.	$ 9,698.00	Eff: 1-1-81
Stacy J. Phillips	745 Royal Ave.	Clerk Typist	$ 9,160.00	Eff: 1-7-81

VOTERS REGSITRATION:

Constance J.Laubscher	6118 Kratzville Rd.	Clerk	$ 9,160.00	Eff: 1-1-8[redacted]

COUNTY COMMISSIONERS:

Shirley Roll	1709 S.Vann Avenue	Law Library Va.Clk.	$ 167.80 Wk.	Eff: 1-12-81

SHERIFF'S DEPARTMENT:

Robert Beckham	Corporal	$16,894.00	Eff: 1-1-81
Stephen Sparks	Corporal	$16,894.00	Eff: 1-1-81
Ronald Hartman	Corporal	$16,894.00	Eff: 1-1-81
Timothy Lennartz	Corporal	$16,894.00	Eff: 1-1-81
Kenneth Collins	Corporal	$16,894.00	Eff: 1-1-81
John Reutter	Corporal	$16,894.00	Eff: 1-1-81
Dwight Rounder	Corporal	$16,894.00	Eff: 1-1-81
Michael Daws	Corporal	$16,894.00	Eff: 1-1-81
John Lancaster	Lieutenant	$19,706.00	Eff: 1-1-81
James Fravel	Lieutenant	$19,706.00	Eff: 1-1-81
Mary Ann Perry	Jail Nurse	$ 7,488.00	Eff: 1-1-81
Cynthia C.Kuehn	Jail Nurse	$ 7,488.00	Eff: 1-1-81
Larry Craddock	Prob.Patrol.	$14,643.00	Eff: 1-1-81
Dennis Daniel	Prob. Patrol.	$14,643.00	Eff: 1-1-81
William Roland	Prob. Patrol.	$14,643.00	Eff: 1-1-81
Michael Wentzel	Prob. Patrol.	$14,643.00	Eff: 1-1-81
Marvin Cooper	Prob. Patrol.	$14,643.00	Eff: 1-1-81
Melvin Stover	Civilian Jailer	$10,708.00	Eff: 1-1-81
David Wedding	Civilian Jailer	$10,708.00	Eff: 1-1-81
Gilbert Humphrey	Civilian Jailer	$10,708.00	Eff: 1-1-81
Ed Williams	Civilian Jailer	$10,708.00	Eff: 1-1-81
Ova Stambash	Civilian Jailer	$10,708.00	Eff: 1-1-81
Patricia Carter	Civilian Jailer	$10,708.00	Eff: 1-1-81

RE: -EMPLOYMENT CHANGES....RELEASES:

AUDITOR:

Jean Wilkey	1804 S.E. Blvd.	Budget Clerk	$ 9,681.00	Eff:12-31-80
Janice Decker	4609 Pollack Ave	Council Clerk	$ 9,681.00	Eff:12-31-80
Martha Calkin	513 Hess	Posting Clerk	$ 9,160.00	Eff:12-31-80
Margie Meeks	4928 Conlin	Sec.& Legal Clerk	$10,129.00	Eff:12-31-80
Rebecca Farr	2911 Carolina Ave.	Part-time	$30.00 day	Eff:12-31-80

PROSECUTOR:

Wrenna Gossman	1400 So.Ruston	Secretary	$ 9,647.00	Eff: 1-1-81
Susan B.Murphy	7540 Pine Ridge	Secretary	$10,187.00	Eff: 1-1-81
Mary Stucki	1620 Laubscher Rd.	Secretary	$10,419.00	Eff: 1-1-81
Joe Goodrid	401 S.Red Bank Rd.	Investigator	$11,340.00	Eff: 1-1-81
Doloris Savage	1300 E. Chandler	Receptionist	$ 8,725.00	Eff: 1-1-81

SUPERIOR COURT:

Claude B. Lynn	Judge	$12,449.00	Eff:12-31-80
Alice Hillenbrand	Court Reporter	$13,997.00	Eff:12-31-80
Rosemary Norbury	Riding Bailiff	$11,010.00	Eff:12-31-80
Sue Steele	Riding Bailiff	$11,010.00	Eff:12-31-80
Sarah Cook	Riding Bailiff	$11,010.00	Eff:12-31-80

VETERANS SERVICE OFFICER:

Norma Dickens	3109 Graham Ave.	Asst.Service Off.	$ 8,980.00	Eff:12-31-80
Loraine Rohner	2525 N.Heidelbach	Clerk Typist	$ 8,481.00	Eff:12-31-80

COOPERATIVE EXTENSION SERVICE:

Michael J. Thomas	9730 Fischer Rd.	Part-time	$25.00 day	Eff: 1-1-81

CAREER CRIMINAL UNIT..PROSECUTOR:

Jeanne Bittner	R.R.1 Haubstadt	Secretary	$ 8,600.00	Eff: 1-1-81

SHERIFF:

Robert Beckham	Patrolman	$14,484.00	Eff: 1-1-81
Steve Sparks	Patrolman	$14,484.00	Eff: 1-1-81
Ronald Hartman	Patrolman	$14,484.00	Eff: 1-1-81
Timothy Lennertz	Patrolman	$14,484.00	Eff: 1-1-81

Kenneth Collins	Patrolman	$14,484.00	Eff:12-31-80
John Reutter	Patrolman	$14,484.00	Eff:12-31-80
Dwight Rounder	Patrolman	$14,484.00	Eff:12-31-80
Michael Daws	Patrolman	$14,484.00	Eff:12-31-80
John Lancaster	Sergeant	$16,894.00	Eff:12-31-80
James Fravel	Detective	$15,643.00	Eff:12-31-80
Larry Craddock	Civilian Jailer	$ 9,915.00	Eff:12-31-80
Dennis Daniel	Civilian Jailer	$ 9,915.00	Eff:12-31-80
William Roland	Civilian Jailer	$ 9,915.00	Eff:12-31-80

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by Arthur T. Cohoon for the Hal Lindsey Crusade at the Vanderburgh Auditorium.

A Certificate of Insurance was submitted by No-Ruz Grotto for the Monarchs Ball on February 28,1981 at the Auditorium.

A Certificate of Insurance was submitted by H.Eugene Cook and Marjorie L. Cook at Marco's and Marco's Tuxedo Shop for a style show to be held February 1,1981 at the Auditorium.

A Certificate of Insurance was submitted by the Tri-State Association of Grocers for a dance to be held February 14,1981, at the Auditorium.

A Certificate of Insurance was submitted by Kentucky-Meta Physical Center, Inc. for a book sale held January 7 thru 11,1981.

The above certificates were received and filed.

RE: ENCUMBRANCES FOR 1981

President Willner presented a list of all of the Encumbrances for 1981, as prepared by the County Auditor's office.

Report received and filed.

RE: PITNEY BOWLES MAINTENANCE AGREEMENT:

President Willner said he received a letter from Pitney Bowles concerning the maintenance agreement for our postage machine. The letter stated that the postal rate has an anticipated increase in 1981 and our scale will require that the new rates be installed at that time. The annual rate is $52.00.

Commissioner Cox moved that the contract be approved. Commissioner Borries seconded the motion. So ordered.

RE: POLICY ON REQUESTS:

President Willner read the following letter from the County Commissioners:

TO ALL ELECTED OFFICIALS AND OFFICEHOLDERS:

RE: Policy on Requests

This is to officially notify all elected officials and officeholders that all requests such as for travel, telephones, and any remodeling, etc. are to be submitted to the Commissioner's, in writing, as in the past, but in the future, if any request pertains to monies from the Commissioners' budget, the elected official or officeholder must appear before the Commissioner's on behalf of their request.

President Willner said he would like for this board to adopt the above policy and that it be distributed to all the county officeholders.

Commissioner Borries moved that the policy request be approved and that it be sent to all county officeholders. Commissioner Cox seconded the motion. So ordered.

RE: TRANSFER OF TYPEWRITER AGREEMENT

The following agreement was read by President Willner.

An agreement has been made between Alice McBride, the County Auditor, and the County Commissioners, to the effect that the I.B.M Selectric Typewriter, Serial #262893428 be

transferred to the Commissioner's office for as long as Ms. Meeks is employed in that office, and during that time, a Royal Electric Typewriter, Serial #47132483 will be used by the Auditor's office.

This is with the understanding that at the time of Ms. Meeks termination, these typewriters will be returned to their rightful owners.

Commissioners Borries moved that the above agreement be approved. Commissioner Cox seconded the motion. So ordered.

RE: LETTER FROM DEPARTMENT OF NATURAL RESOURSES

President Willner said he received a letter from the Department of Natural Resourses notifying us that the Washington Avenue Historic District, in Evansville, Indiana was entered on the National Register of Historic Places on November 28,1980.

Letter received and filed.

RE: COMPLAINT TO QUIET TITLE

President Willner said he has a summons naming the following Plaintiffs. Patricia O'Bryan, Curt John, County Auditor and the Board of County Commissioners on a Quiet title and damages.

This was referred to the County Attorney.

RE: TRAVEL REQUESTS:

A travel request was submitted by Center Township Assessor asking permission for himself and one Deputy to fly to Indianapolis to attend the annual assessor's conference held on January 27, 28 and 29, 1981. He is requesting per diem of $15.00 per person per day for each day of attendance, $30.00 per night for lodging and 20¢ per mile for travel expense to and from Indianapolis. They will be flying there.

A travel request was submitted by Knight Township Assessor asking permission to attend the annual assessor's conference held on January 20, 21 and 22, 1981 for the following:

H. Jane Nicholson, Assessor; Maxine Ginger, Chief Deputy; Jerry Zeller, Real Estate Deputy; Pat DeVault, Deputy and Nancy Bowers, Deputy.

The same amounts of money apply to the Knight Township request.

Mrs. McBride said only one person gets paid for mileage.

Commissioner Cox moved the above requests be allowed and that mileage be paid to only the driver. Commissioner Borries seconded the motion. So ordered.

RE: PUBLIC OFFICIALS BONDS

President Willner said we have two official bonds for the Deputy Coroner and for the clerk.

Bonds were received and filed and turned over to the County Auditor's office to be taken to the Recorder's office to be recorded.

RE: COUNTY COUNCIL CALL FOR FEBRUARY

President Willner said he would like to talk for just a minute about the County Commissioners getting on the County Council Call on February 4,1981 to discuss the County's Health Insurance with them. The deadline for getting on their agenda is the 15th of this month. We have Blue Cross and Blue Shield's recommendations and it is up to the Commissioners to go through and determine what items we want included in the county policy. He has gone through the list and checked off the items that the Sheriff has picked out to be included in his plan. At this particular time he does not know what dollar figure we should put in for the County Council but he would like to at least be on the agenda for discussion and ask the Council to raise benefits of the county insurance plan and this is done partly through a commitment made by the County Commissioners to the union and he would like to carry that commitment out. When we come up with a dollar figure we can then have it advertised and go before the Council for final approval.

Commissioner Borries moved that the Commissioners be authorized to appear before the County Council to discuss the Health Insurance. Commissioner Cox seconded the motion. So ordered.

An official letter will be sent to the County Auditor requesting to be placed on the agenda.

RE: VETERANS SERVICE OFFICER:

Mr. Bob Moran, Veterans Service Officer came into the meeting and stated he understands that the Commissioners have some questions on his telephone request and he would be happy to clear any mis-understandings. He said right now they have three phones, two lines and three people and he explained the many calls they have coming into and going out of the office and what he is requesting is that they get another line, not another phone.

Mr. Moran was informed that his request was approved and he was authorized to go ahead with it.

RE: APPOINTMENT....CETA

Commissioner Borries moved that Commissioner Cox serve on the CETA Board for 1981. President Willner seconded the motion which carried with three affirmative votes.

RE: APPOINTMENT.....COG

Commissioner Borries moved that President Willner serve on the COG Board for 1981. Commissioner Cox seconded the motion which carried with three affirmative votes.

RE: APPOINTMENT.....MENTAL HEALTH

President Willner moved that Commissioner Borries serve on the Mental Health Health Board for 1981. Commissioner Cox seconded the motion which carried with three affirmative votes.

RE: COUNTY ATTORNEY ON CLAIM FROM NALLEY COAL COMPANY

Attorney Jones said on this claim from Nalley Coal company that was referred to him earlier in this meeting, he has looked at it and he sees no need in delaying it any further because if the contract was not completed then he thinks it is appropiate to send a letter and not keep this insurance company hanging in the air any longer. We need to simply tell them we are rejecting the claim, that the contract was not completed and that the county, after further investigation, may make claims of it's own against them. We have paid this company everything except the retainage fee in the amount of $3,160.27.

Mrs. Cox moved the proper authority be notified that this Board of County Commissioners feels the service was not fully performed and that we reject the claim. Commissioner Borr seconded the motion which carried with three affirmative votes.

RE: TEAMSTERS CONTRACT

Mark Tuley said they just received word on the acceptance of the Teamster's contract which was as follows: Highway Department approved it 22 to 14, with one abstention and Burdette approved it 8 to zero.

RE: EMPLOYEE LISTED AS BRIDGE INSPECTOR

Commissioner Cox said she would like to know if anything further has been found out about the legality of paying Mrs. Meeks, now working in the Commissioners office, out of the Cumulative Bridge money.
President Willner said he has been trying to reach a certain person at the State Tax Board for a week and has been unable to do so. Hopefully tomorrow he will have an answer.
He said it has also been brought to his attention that Mr. Miller legally does not have to resign as a Federal Magistrate in order hold the position of County Attorney for us.

There being no further business the meeting recessed at 5:15 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
	Robert Willner Rick Borries Shirley Jean Cox	Alice McBride	David Jones
SECRETARY:	Janice Decker		

Robert L. Willner
Richard L. Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JANUARY 19,1981

The meeting of the County Commissioners was held on Monday, January 19,1981, at 7:30 p.m. in the Commissioners Hearing Room.

The minutes of the previous meeting were approved with the insertion being made that the Garrison Avenue project was approved by the previous County Commission Board at one of their regular meetings.

RE: AUTHORIZED TO OPEN BIDS

County Attorney Jones was authorized to proceed with opening the bids that were received for the repair and widening of the structure on Garrison Avenue.

RE: REZONING PETITION.....VC-9-80....THIRD READING

Petitioner.....Bert Claspell of 120 South Kerth Avenue
Owner of Record.....Julia E. Droste of 7414 Darmstadt Road

The premises affected are situated at the corner of Bergdolt Road and Tanglewood Drive, more commonly known at 2835 E. Bergdolt Road
The requested change is from R-1 to R-3
The present existing land is vacant and the proposed land use is for apartments.

Mr. Malcolm Montgomery was present and stated that he represents the petitioner. He said there are several remonstrators present here tonight, however, the petitioner feels even-though they have more than one objection to this, he feels the number one legal objection is the drainage. We feel that we now have the drainage solved, however what is before you now is twelve-4 plexes, but we would be willing to negotiate on that number and perhaps drop it to thirty six, which would be nine buildings instead of twelve.
At this time he would like to move for a continuance and they would agree to meet with the remonstrators, the builder and the engineer to try to work this out, and we would furnish a meeting place.

President Willner asked Mr. Louis Stephen if he has these drainage plans with him and he replied yes that he did. President Willner told him to hold on to them and at this time he asked if there was a spokesperson present for the remonstrators.

Mr. Steve Sander of 3101 Bergdolt Road stated that he is one of the spokespersons for the remonstrators that oppose to this rezoning. He said on December 3,1980, they appeared be-fore the Area Plan Commission to voice their opposition to the proposed rezoning of this plot of land and at that time the Area Plan overwhelmingly defeated the rezoning request with the vote being nine opposed-one in favor and one abstention. The request was then forwarded to the County Commissioners for the December 15,1980 meeting and at that time the petitioner, without prior notification, changed his plans. With apologies to the present remonstrating homwowners the County Commissioners sent the request back to the Area Plan Commission and at their meeting the petitioner asked for a delay on the rezoning and the Area Plan Commissioner unanimously voted to deny the delay request. The rezoning was once again voted upon and was defeated by a vote of eleven no's and one yes.
At this time, we urge this County Commission to follow the recommendation of the Area Plan Commission by voting on this request this evening and deny it. He said he has several reasons for opposing the rezoning and he would be glad to give these reasons now, or wait on them, whichever pleases the Commissioners.

President Willner asked Mr. Sander exactly what the remonstrators want on this matter.

Mr. Sander said they would prefer that it be R-1 as it presently is, due to the situation of the ground as it now is, that there is a field and a woods and most of this is drainage, ponding area.

Commissioner Borries moved that the petitioner be granted a thirty (30) day extention on the rezoning and that it come back before the Commissioners at that time.
Commissioner Cox seconded the motion, with the roll call vote as follows.

Commissioner Cox.....No
Commissioner Borries...Yes
President Willner.....Yes

Commissioner Borries said he has seen this area in question and he shares the concern with the people living there, that they do have serious drainage problems and he feels it is commendable of them to appear at this meeting tonight. He feels also that if there is ever going to be any development out there that those people certainly need to have a sound idea as what to expect and he understands that the Area Plan Commission rejected this rezoning because at that time there were no plans. We will hear this rezoning again on February 17th and we hope to be able to take action on it at that time.

Commissioner Cox said she is new on both the Commissioners and the Area Plan Commission,but it seems like there is really no set plan here, it's been introduced, it's been changed, it's been amended and she personally could not vote for a delay, as it can appear in one year and maybe by that time the differences can be worked out between the developer and th homeowners and that was her reason for voting no.

President Willner said he does know you are going to get something in this piece of land and what it will be he does not know, but the land will be developed sooner or later and he would like to see something there that is agreeable. He realizes as it is that the density is too great, he has not seen the drainage plan yet and he certainly would want to see them before he says yes or no. He sympathizes with the people and he is sorry they will have to come back. This whole thing has been a series of changes and its been hard to try to keep up with all of them but he believes the decision to hear this next month is good and there will be no more delays as a final decision will be made at that time.

RE: GENE KAUTZMAN.....COUNTY HIGHWAY

Mr. Kautzman submitted the Absentee Report on the employees at the County Highway Garage for the past week which ended January 16,1981.

Report received and filed.

Stop Sign

Mr. Kautzman said last week he made the commissioners aware of the fact that he was ordered by the court to take down a stop sign on Green River Road and take it to court as part of evidence in a suit against the county and he will keep this sign in his posession.

Mr. Jones said he will send a letter to the effect that the county will retain custody o this sign.

Mr. Kautzman said after last weeks meeting he went out where this sign was and he noticed that right before the STOP sign, there was a STOP AHEAD sign and today he was out that way and the STOP AHEAD sign was gone and he wants the commissioners to be aware of this.

Tree on New Harmony Way

Mr. Kautzman said the complaint from Mr. Helfrich about the tree in front of his house on New Harmony Way that needed to be removed, well we received a $300.00 estimate on it and Mr. Helfrich has agreed to pay $50.00 of that amount. Southern Indiana Gas and Electric took the top of the tree out and we removed the rest of it.

Montgomery Road, Darmstadt Road, Mohr Road and Korressel Road

Mr. Kautzman said Montgomery Road has been graveled and re-opened again.
Also on Darmstadt Road they have been working on it where it intersects with Evergreen, on clearing the right-of-way and cutting down the dirt on the curve, they aren't done but they hope to have the equipment back out there soon.
They have also worked on Mohr Road and Korressel Road on the tree cutting crew.

Rental on AE-150 Tank

Mr. Kautzman said a question was brought up to him on the rental of the AE-150 storage tan that we will be using during the summer months, that it is not mentioned in the bid and he contacted Rudolph and they do not intend to charge us any rent on the tank that it will be furnished as it has in the past.

Grade-All

Mr. Kautzman said their second in line grade-all which is #7 had two rear-ends out of it. They have put four rear-ends in it in the past eighteen months. They pulled the rear-ends and sent them to KMI who services them and sells them and they gave us a price of $10,500.00 for two new rear-ends because there was not a piece in the old ones that are re-usable.
He said that Dave Guillaum checked with Tri-State International and they told him that they can furnish us with both rear-ends for $4,000.00, which would be re-built rear-ends.

He said also, on the same machine, the motor is in terrible shape on the front engine (it has two engines) and they have an estimate of approximately $325.00 to repair this if they go to a short block, which they would like to do.

President WIllner asked if it was Mr. Kautzman's recommendation that we fix the grade-all to the tune of some $4,325.00 and he replied yes it is.

Bob Brenner said we are attempting to find a good used grade-all. Right now we don't need a decision on this, we just want the commissioners to be aware of what is happening.

No Smoking Area

Mr. Kautzman said he has layed out a "No Smoking" area in the garage, near the gas pumps for safety sake.

RE: BOB BRENNER.....SURVEYOR

Bridge and Guardrail Report

Mr.Dave Guillaum submitted the bridge and guardrail repair weekly report showing the crew continued with the log jam problem on Eagle Slough near bridge on Old #41. He said they will probably be there a couple more days.

Letter from City of Evansville.....5th. Avenue Bridge

Mr. Guillaum said they received a letter from the City Engineer's department regarding the Fifth Avenue Bridge.

President Willner said in looking over the letter they are talking about a pedestrian and bicycle bridge, will be built by the City, if and when the project becomes a reality.

Mr. Guillaum said the only thing they were contacting us on was the re-design, as we have the bridge designed with the bike path included and to eliminate that you would be saving some money on the bridge its self.

President Willner said are they then telling us that they will pick up the difference of monies in that project.

Mr. Guillaum said he has nothing in writing, they were just requesting that we incorporate this in our de-sign, the removal of the bike path, which would be an additional six feet.

Mr. Willner asked Mr. Brenner is he was aware of this and will he re-design the bridge and he replied he would if the Commissioners told him to, but it would take about six months to do this.
He told Mr. Guillaum to keep this letter and that we would need the city's re-alignment plans before we can do the bridge.

Mr. Brenner said you also need an agreement with the City that they are going to go through with this, just when and where.

Pipe Project on Cypress Dale.....Schlensker and McCutchan

Mr. Guillaum said the pipe project on Cypress Dale is about 95% complete, the only item they have remaining on it is the surface itself.

He said on Schlensker and McCutchan is still under construction and hopefully it will be done very soon.

Commissioner Cox asked that whenever there is an emergency repair on construction and it is necessary to close a road how does the communications flow to notify the public and media.

Mr. Guillaum said normally in the past, they notified Mrs. Wolf, Executive Assistant to the Commissioners, and she in-turn, would notify the media.

RE: LOUIS STEPHEN.....COUNTY HIGHWAY ENGINEER

Drainage Plans on Rezoning

President Willner requested that Mr. Stephen bring the drainage plans submitted to him on Mr. Claspell's rezoning petition, to the drainage board meeting to be held next Monday and he said that he would.

Covert Avenue Extension

Mr. Stephen said he submitted a letter to the County Auditor requesting to be put on the County Council on February 4,1981, for funding of the county's share of the Covert Avenue Extension project.

President Willner said the commissioners did talk with Mr. Gerrard on this matter and he told us the project is in preliminary engineering right now for $22,872.00 (for the county share) and that amount is in the account already as it has been appropriated.

Mr. Gerrard said that is the un-emcumbered balance for the Covert Avenue Extension projec The right-of-way will run about $40,000.00, when we prepare an FA-2 form for that and sig it then we will go to the council and request the appropriation.

Mr. Stephen said then you want his request pulled from the council's agenda.

President Willner told Mrs. Meeks to pull it from the Council's agenda.

Burkhardt Road

Mr. Stephen asked Mr. Gerrard if the funds for Burkhardt Road has been appropriated.

Mr. Gerrard said he just got these figures this evening and he has not gone through all of the projects as of yet so he would have to check on that. He said he does not remember the money not being there and we are talking about some $18,000.00, but he would have to double check it. He will get with Mr. Stephen when he finds out about it.

High Hazard Marking

Mr. Stephen said he has a state-local public agency agreement for construction and construction engineering for federal aid projects. This is for the pavement marking.

President Willner said many years ago we entered into a project with the federal government for 100% funding on pavement markings and bridge markings.

Mr. Stephen said he received a letter from the Indiana State Highway Commission designati Mr. Mike Weddle as the Project Supervisor for the High Hazard Markings. The President of the County COmmissioners need to sign this letter, also the agreement needs to be approved and signed by all members of this commission.

Commissioner Borries moved that the letter and the agreement both be approved and signed. Commissioner Cox seconded the motion. So ordered.

RE: MARK TULEY.....SUPERINTENDENT OF COUNTY BUILDINGS

Water line broken

Mr. Tuley said that Mr. Kautzman called him Sunday and told him that the water main at the garage had broke, therefore they had to shut off all of the water and shut the boilers down and we had a plumber out there this morning and got it fixed and it cost a total of $213.00.

Electrical Work

Mr. Tuley said they have had to have quite a large amount of electrical work done at the garage this past week. So far the bill is about $330.00 and they are not complete yet. He said the mechanics have a work bench out there that has electricity running down through it and every time someone would try to plug something into it, they would get shocked. What we have is that the breakers are 20 amps and the wires were burned in half inside the conduit, which made the conduit hot, the breakers were bad and they wouldn't kick out, but that problem is now fixed.

Broken Windows and Fencing of the Tool Crib

Mr. Tuley said they replaced several broken windows at the garage and they are in the process of fencing in the tool crib, which will be about $94.00 and the windows are $4.50.

Emergency Lighting.....Hillcrest Home

Mr. Tuley said it has been brought to his attention by Mr. Reed at the Hillcrest Home that they have an emergency lighting system out there, that it has been out for several months, and he wants the commissioners to be aware of the cost.
He said the exhaust fan in the kitchen went out and he told him to go ahead and get that fixed and he is also replacing some broken lights.

He said the emergency system is run by a total of seven batteries which have the hydrometer meter on them, that tells you to check them occasionally. These batteries are all bad and they are going to cost us $100.00 per battery to replace them. It is his understanding that these batteries were not properly maintained and if they had been they would have lasted a long time.

Boiler System at Garage

Mr. Tuley said also, the boiler system at the garage went out and for two days they did not have any heat. He said they had only three of the overhead heat vents working from a total of eight vents. He does not know yet what this is going to all cost to have a heating company go through and service all of this stuff, that he will bring in an estimate.

He said the County Council allowed $30,000.00 in his budget, for buildings and grounds repairs, but the state cut that amount to $20,000.00 and with some of the previously commited things we are going to be hurting very soon.

Commissioner Borries moved that the broken water main be declared an emergency and that they be authorized to pay the bill for $213.00 for repairs. Commissioner Cox seconded the motion. So ordered.

President Willner said is there anyway you can give us an estimate on all of the electrical work that has to be done, especially the long range repair. Mr. Tuley said he would submit that next week, but he wants the commissioners to know that half of it out there is not up to code, as that system was installed back in the 30's.

Emergency System at Hillcrest

President Willner said he would entertain a motion for the batteries at Hillcrest for their emergency lighting system.

Commissioner Borries moved that we purchase the replacement batteries for the emergency lighting system at Hillcrest. Commissioner Cox seconded the motion. So ordered.

President Willner told Mr. Tuley to go through purchasing and see what kind of price they can get him on them.

RE: READING OF BIDS ON GARRISON AVENUE STRUCTURE

County Attorney Jones said bids have been opened and the following is a list of the bidder and their bid price, that he finds them all in order with the exception subject to a confermation that a form 96A is indeed on file in the County Auditor's office.

Deig Brothers.....$12,760.00
Donald Barnett.....$10,076.00
Quentin Stahl, Inc.....$ 9,895.00
Municipal Engineering and Construction Corp.....$13,225.00
ARC Construction Co., Inc.....$16,230.00
Robert F. Traylor Corp.....$22,221.00
Key Construction Co., Inc.....$15,250.00

Mr. Jones said he finds the low bidder to be Quentin Stahl, Inc. in the amount of $9,895.00.

Commissioner Borries moved that all bids be referred to the County Surveyor to be reviewed and that he come back with his recommendation. Commissioner Cox seconded the motion. So ordered.

RE: INVENTORY OF ALL COUNTY PROPERTY, INSPECTION AND AUDIT

Mr. Jones said he presented the procedure forms to the Commissioners last week and he is back this week with the revised forms that was discussed at that time. These forms are for the inventory of the county property under the jurisdiction of the County Commissioners. He said there are three forms, those being:

1. Supplies
2. Leased, Rented or Property on Loan From Another Department
3. Tangible Property

Commissioner Cox moved that we adopt the forms and that they be sent to the officeheads for their compliance. Commissioner Borries seconded the motion. So ordered.

President Willner instructed Mrs. Meeks to get these to the proper departmentheads.

RE: REQUEST FROM CIRCUIT COURT ON ROOM IN OLD COURTHOUSE

Maurice O'Conner appeared before the Commissioners on behalf of Circuit Court requesting some space in the old Courthouse for a back-up trial room. They started out requesting the funds to do this from their own budget, forgetting that the county owned the building and that it is leased to the Conrad Baker Foundation. The room needs some electrical work done on it and some other minor work done to it. They do not have a fixed figure but it is in the neighborhood of $2,000.00. If anyone has any questions, he will be glad to try to answer them.

President Willner said he understands that the State Board of Accounts may not approve any expenditure to a facility that is leased to someone else, but he does not know if this is true.

Attorney Jones said he would like to see the lease agreement with the Conrad Baker Foundation.

Mr. O'Conner said there has been no long term commitment and nothing in writing. If this were to be approved, they would then be using it on a daily rental basis of $50.00 per day. The room would be available to both the Circuit and Superior Courts. He said they have used the facility twice and if this were approved, they would be using it probably about twice or three times a month. The problem they are having now is they are having difficulty getting into Superior Court and as you know our court is basically a trial court, and if we can't get in, then we've got real serious problems. He said when people appear for jury duty we leave it to them to park where they can find space, because we will not be providing parking for them.

Commissioner Borries said we need to get some firm figures and also get a copy of that lease agreement to Mr. Jones for his recommendation to us.

President Willner said he also feels we should contact the State Board of Tax Commissoners to see if we can legally do this. He has no problems in doing it as long as it is legal.

Mr. O'Conner said he will endeavor to get that information and work with Mr. Jones and then get back to the Commissioners.

RE: REQUESTS....JUDGE KISSINGER-JUDGE DIETSCH AND SHERIFF

President Willner said we have requests in our folder for Judge Kissinger and Judge Dietsch and also the Sheriff's Department. He would like to see these requests deferred until our next meeting when a representative from that office can be present and also Mr. Fortune should be present on some of them.

RE: CONRAD COOPER.....AUDITORIUM

At this time Mr. Cooper introduced Mr. Tom Cohoon stating that he is the promoter that put on the Hal Lindsey Crusade on January 17,1981, which was quite sucessful. There is a problem concerning the lease agreement with Mr. Cohoon as it relates to whether Mr. Cohoon is a profit or non-profit making organization and how he should be treated by this lease.

Mr. Cohoon said this was their first endeavor in trying to promote anything. It started out as Christain Promotions and he showed the Commissioners a letter that was sent to his place of business from the Auditorium. He would like to say his business is called Christain Construction Company, but that the business had nothing whatsoever to do with the promotions of this show. It was named on the Leasee....Christain Construction Company and at this time he notified the Vanderburgh County Auditorium that Christain Construction Company had nothing to do with the promotions. The lady at the Auditorium told him to go ahead and sign it that it would be taken care of and when the agreement came back to him, Christain Construction was scratched out and the name of Christain Promotions was written in. He was never notified that a non-profit organization had a certain set price for the Auditorium, because he had never done business there before as any organization. At that time Mr. Terry Noffsinger, Attorney, was filing a non-profit organization with the state for Christain Promotions, Inc. and the state sent it back telling us that there already was a Christain Promotions, Inc., so at that time we filed again to make it Evangelistic Promotions, Inc., which it is at the present time, which he himself is the President of and it is made up of local business men.

President WIllner said what this board needs to do is decide if Evangelistic Promotion, Inc. should now receive a discount for being a non-profit organization and refund Mr. Cohoon the money he feels is due him.

President WIllner said that Mr. Cohoon has already paid the higher fee and that the refund would be in the total amount of $502.94.

Mr. Cooper said the state determines what is a non-profit organization and he believes at the time Mr. Cohoon signed his lease he had not yet received his approval from the state along with his non-profit state number.

Attorney Jones said Mr. Cohoon has what is commonly known as a defacto corporation situation whereby he is operating and functioning as one but there is a question about whether he was in fact fully corporated. The problem is, is that the lease that was entered into was not entered into whether or not he had a corporation anyway....it is not the same thing. in looking over the letter from Mr. Noffsinger, he states that the Secretary of State approved it's part of this on December 30,1980 and the lease agreement was also on the 30th but the process was not completed with the Federal Government, you did not have your tax exempt statis, maybe it could revert back to the date of incorporation, that needs to be checked into, because he does not know if it can or not.
At any rate he feels it is all moot because the entity which you got is in fact Evangelistic Promotions, Inc., and they are not a party to it. The party to this contract is either Christain Construction Company or Christain Promotion, Inc., and in the event that neither is in fact the lawful corporation then you, as the signer, become personally liable.

Mr. Cohoon said he was not informed that a non-profit organization had a certain fee.

Attorney Jones said you should not have entered into a contract until you had your corporation altogether.

Commissioner Cox asked Mr. Cooper that when you enter into a contract with non-profit organizations, what do you require of them.

Mr. Cooper said as of January 1,1981, we require the Federal Tax Exempt identification number.

President Willner said then if Mr.Cohoon were to enter into a contract today then he would still not be eligible for the not-for-profit statis.

Attorney Jones said no, not under Christain Construction or Christain Promoters, Inc. because you cannot put something on this contract that isn't there.

Mr. Cooper said he told Mr. Cohoon that he did not have the authority to change that agreement and that if he felt like he qualified for the non-profit fee that he could appear before the Commissioners and present his case to you and that he would explain their end of it and help him all that he could.

Attorney Jones suggested that Mr. Noffsinger contact him and if there is a way to figure this thing out, we will. There are a number of things he would like to check out and report his findings back to the Commissioners.

This matter was referred to the County attorney for further recommendations.

Building on Auditorium Parking Lot

Mr. Cooper said concerning the little building at the entrance of the Auditorium parking lot, in which Mrs. Norris receives the parking money from, he would like to recommend that this building be turned around, so that she could operate the lot without having to go out into all kinds of weather. He would also like to put a better heater in the building and perhaps a wireless intercom system, so that she could speak with the office, because at the present time she has no contact with anyone inside the building and he feels this can be done at very little cost to the county, but it would increase the safeness for her. He will come back with an estimate on these things.

Surplus Safe

President Willner informed Mr. Cooper, that if he still is in need of a safe, that there is one in the Health Department, which has been declared surplus and they have the combination of it also and all that he would have to do is transport it to the Auditorium.

Mr. Cooper said he appreciated this and that he would certainly get with Mr. Tuley and get it moved over to the Auditorium.

Delinquent Accounts

Attorney Jones said that Mr. Cooper has turned over to him a file, that he assumes to be delinquent accounts of people that have not paid for the rental of the Auditorium. He would like for this board to authorize him to treat this as any other collection case and make a demand for payment and immediately file suit if the demand is not answered. He said there looks like there are about eight of them.

Commissioner Cox asked if there were any letters from the previous County Attorneys in the file or anything showing an effort was ever made to try to collect from these people.

Attorney Jones said he sees some letters from Mr. Fred Dewes but that he does not see any from the previous county attorneys. It looks like the oldest one is from 1978.

Mr. Cooper said he thinks that Mr. Jones will find that in one or two of them, they involve two different events, the same promoter, two separate billings.
He said in at least two of them, there was an extensive investigation made and it resulted in the fact that the person that signed the lease does not exist.

Commissioner Borries moved that these matters be referred to the County Attorney and that he come back to us with recommendations before any suits are filed on any of them. Commissioner Cox seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Engineer's Associates, Inc. for engineering inspection on Lynch Road for 1-1-81 through 1-9-81 in the amount of $4,357.21. Signed by Mr. Stephen.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Engineer Associates, Inc. for engineering inspection on St. Joseph Avenue for 1-1-81 through 1-9-81 in the amount of $3,747.20. Signed by Mr. Louis Stephen.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Brinks, Inc. for services for the month of January 1981, in the amount of $303.85. Signed by County Auditor Lewis Volpe.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Patton Heating Company for a refund on a building permit in the amount of $25.00. Signed by Jesse Crooks.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Szabo Foods for the meals for the prisoners and officers which covers the period up to January 15,1981, in the amount of $7,803.00. Signed by Mr.DeGroote.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Citizens Realty and Insurance Co. for a Public Official Bond for the Knight Township Assessor in the amount of $30.00.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by the Evansville Press for legal advertisement of the real estate tax bill corrections in the amount of $208.04.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by the Evansville Courier for the legal advertisement of the real estate tax bill corrections in the amount of $208.04.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

RE: EMPLOYEES FOR 1981

The following employees for 1981 was submitted by the Vanderburgh Auditorium. Received and filed.

AUDITORIUM

A. Conrad Cooper
Beverly M. Behme
Jessie Byers
Bruce Cook
Ruby Norris
Dwight Taylor
Walter Weston
Anita Glover

RE: EMPLOYMENT CHANGES....APPOINTMENTS

AREA PLAN COMMISSION:

Carolyn Hoover	405 Weinbach Avenue	Interviewer	$3.50 hr.	Eff: 1-12-81
Mark Robards	1137 Jefferson Avenue	Interviewer	$3.50 hr.	Eff: 1-12-81
Virginia Garland	Box 151 Browning Road	Interviewer	$3.50 hr.	Eff: 1-12-81
Lyle E. Magnus	2103 Washington Avenue	Interviewer	$3.50 hr	Eff: 1-12-81
Susan Schultz	405 Weinbach Avenue	Interviewer	$3.50 hr.	Eff: 1-12-81
Joy Knopfmeier	405 Weinbach Avenue	Interviewer	$3.50 hr.	Eff: 1-12-81
Frances Ours	405 Weinbach Avenue	Interviewer	$3.50 hr.	Eff: 1-12-81
Teri L. De St.Jean	405 Weinbach Avenue	Interviewer	$3.50 hr.	Eff: 1-12-81

CLERK OF CIRCUIT AND SUPERIOR COURTS:

Norma Dickens	3109 Graham Ave.	Dep.Bond & Fine Clk.	$176.15 per pay.	Eff: 1-15-81

COUNTY AUDITOR:

JoAnn Utley	2087 Polaris Avenue	Part time	$30.00 day	Eff: 1-19-81

COUNTY COMMISSIONERS:

Mark Tuley	2805 Washington Ave.	Supt.of Co.Bldgs	$15,579	Eff: 1-15-81
Margaret Meeks	4928 Conlin Avenue	Exe.Assistant	$12,000	Eff: 1-15-81

RE: EMPLOYMENT CHANGES.....RELEASES

CUMULATIVE BRIDGE FUND:

Marjorie Meeks	4928 Conlin Avenue	Bridge Inspector	$12,000	Eff: 1-15-81

CLERK OF CIRCUIT AND SUPERIOR COURTS:

Carolyn Sauer	7215 Washington	Dep.Clerk Bond & Fine	$176.15 per pay	Eff: 1-15-81

COUNTY COMMISSIONERS:

Mark Tuley	2805 Washington Ave.	Exe. Assistant	$15,579.	Eff: 1-15-81

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted by the Vanderburgh County Democratic Central Committee c/o Larry Aiken for the "Boots Randolf cocktail and dance party" held January 14,1981 at the Vanderburgh Auditorium.

A certificate of insurance was submitted by No-Ruz Grotto for the Monarchs Ball on February 28,1981. at the Vanderburgh Auditorium.

A certificate of insurance was submitted by Curt Bullock Builders, Inc.

All certificates of insurance ordered received and filed.

RE: MONTHLY REPORT....CLERK OF THE CIRCUIT COURT

The monthly report for the month of December 1980 was submitted for the Clerk of the Circuit Court.

Report received and filed.

90.

RE: AWARDING OF BIDS ON GARRISON AVENUE

County Attorney Jones said one of the bid envelopes read on the outside "Gibson Avenue Culvert" and was therefore previously omitted, but it is infact meant to be "Garrison Avenue", as it does read as such on the inside. It was simply a typing error on the envelope. This bid was submitted by Ray Stradtner Excavating, Inc., it is in order in the bid price of $8,689.40, which is the low bid.

To keep the record in order he would also like to state that the bid from Quentin Stahl who was previously stated as the low bidder, when Mr. Guallium checked his summary, there was an error of approximately $50.00 in multiplying his quantities out.

Surveyor Bob Brenner said they have checked the bids, have computed them and at this time his recommendation would be that the Commissioners accept Mr. Stradtner's bid of $8,689.40.

Commissioner Cox asked Mr. Brenner if he was familiar with Mr. Stradtner's work and he replied no but that this would be a good job for us to find out on. They had three new bidders to submit bids this time.

Commissioner Borries moved that we accept the low bid of Ray Stradtner Excavating, Inc. for the repair and widening of Garrison Avenue, in the amount of $8,689.40. Commissioner Cox seconded the motion. So ordered.

RE: COUNTY TREASURER....SURPLUS MACHINES

County Treasurer, Lewis Volpe submitted the following list of surplus office machines.

1....Brandt coin changer.....Estimate age-35
2....Brandt coin changer.....Estimate age-40
4....Burroughs full key adding machine.....Estimate age-30
1....Burroughs posting machine.....Estimate age-30
1....Burroughs posting machine.....Estimate age-25
1....Burroughs validating machine.....Estimate age-30
1....Monroe posting machine.....Estimate age-25

President Willner said these are all available for viewing in the Treasurer's office and will probably be transferred to the basement in the near future.

RE: SURVEY.....PURDUE UNIVERSITY

County Auditor Alice McBride said she received a survey report from the University of Purdue requesting figures on the County Highway funds that they can present them to the Legislature to see if they can get us some additional monies. She filled it out and all that is needed is President Willner's signature.

Commissioner Cox moved that President Willner sign the report. Commissioner Borries seconded the motion. So ordered.

There being no further business the meeting recessed at 9:45 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
	Robert Willner Rick Borries Shirley Jean Cox	Alice McBride	David Jones
SECRETARY:	Janice Decker		

Robert D. Willner
Richard J. Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JANUARY 26,1981

The meeting of the County Commissioners was held on Monday, January 26,1981, at 2:30 p.m. in the Commissioners Hearing Room.

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

RE: AUTHORIZED TO OPEN BIDS

The county attorney David Jones was authorized to proceed with opening the bids that were received for the Deluxe Station Wagon for Hillcrest-Washington Home.

RE: RESOLUTION...HORSESHOE BEND ON THE OHIO RIVER

Judge William Miller was present and submitted the following resolution:

WHEREAS, there is a horseshoe bend on the Ohio River near Evansville, Indiana, and Henderson, Kentucky; and

WHEREAS, it is possible that this land can be developed for commercial, industrial, recreational, and governmental purposes; and

WHEREAS, the first phase of this development would require that a canal be cut through the neck of the horseshoe bend; and

WHEREAS, such a project would require approval of the United States Corps of Engineers.

IT IS HEREBY RESOLVED that a letter be sent to the Corps of Engineers by the Board of County Commissioners asking tham to undertake a study to determine if it is feasible to cut a canal through the neck of the horseshoe bend of the Ohio River.

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Judge Miller said this would be a request from the County Commissioners to the Corps asking them to conduct a study to determine the feasibility of cutting a canal through and building the ground up to approximately a 390 elevation. This land could be used for recreational, commercial, industrial and other governmental uses. This will not cost the County a penny, it would only start things going, the Corps would have an official request from a governmental body to conduct a study. He feels we have a good reception with the Corps in Louisville concerning this. At the present time the Corps pumps the river around Horseshoe Bend in order to deepen the channel every summer and that sand is dumped back into the river, in fact, this is one of the few areas they pump spoiled sand back into the river. Possibly in conducting this study they may determine they could save themselves some money just by pumping this underground and put in some levy's and holding it on high ground. If this is feasible, then we're talking about the possibility of having a thousand or two thousand acres of ground across from downtown Evansville being developed. Your talking about having one of the largest inland ports in the United States. This has been discussed and has been on the burner about a year and now he is requesting that this Board send this Resolution on to the Corps to start the study going.

Commissioner Borries said one of his concerns would be whether or not this study would effect any immediate proposals to improve the current facilities at the Airport.

Judge Miller said he does not know, because in two or three years from now, if they say this is feasible and if Kentucky and Indiana could build a Bi-State Airport sometime in the future, it might have a bearing on it. He would say that he has never seen such wide spread support for any project as he has seen in this one. He said Judge Pritchard and Senator Thomason are interested in this project and they would be interested in meeting with the County Commissioners and Joe O'Day has a proposal of Bi-State Legislation which would also be necessary on this matter.
He said he is not trying to interfer or obstruct any proposals at this time, he just thinks we should let the Corps check out the feasibility because it is popular with the citizens of this community.

President Willner said they could also come back to us and tell us that this is not feasible.

Commissioner Borries said the only reason he brought the Airport up is because he knows that they do have some immediate needs.

Judge Miller said he does not even want to get into an Airport study and he does not feel like this is the time to even take that up.

Commissioner Cox said she wonders if the Corps would continue to maintain the area that would be cut off.

Judge Miller said if it is navigable.....the Corps.

Commissioner Cox said would this effect places like Mead Johnson's terminal, where they are presently located.

Judge Miller said if the barge traffic is going down river they would go through the canal make a right turn and go up to Mead Johnson's, which would be your big port area.

Commissioner Borries moved that this Resolution be approved and forwarded to the Corp of Engineer, as presented by Judge Miller. Commissioner Cox seconded the motion which carri with three affirmative votes.

RE: CONRAD COOPER.....AUDITORIUM

Transfer of Safe from the Health Department

Mr. Cooper said he received a price from Lamasco Transfer to move an afore mentioned safe from the Health Department to the Auditorium, in the amount of $273.00.
He also spoke to a gentleman, who's name slips his mind now, about changing the combination of the safe and that price will be about $20.00 making a total of $293.00 for everything.

Parking Lot Attendant

Mr. Cooper said in regard to a problem they are having with the Teamsters Union and their parking lot attendant, Ms. Norris, they held an informal meeting at 1:00 today and at that time they informally agreed that Ms. Norris would be allowed to continue on at the parking lot at a straight forty hour week and any additional time that they needed a parking lot attendant they would hire a part time person at the rate of $4.10 per hour, which is covered in the 1981 budget.
He would like for the Commissioners to think about mechanizing the parking lot in the future and we could then use Ms. Norris inside the Auditorium.

Fire Instruction

Mr. Cooper presented the following letter to the Commissioners.

Dear Commissioners,

Pursuant to recommendations of the Evansville Fire Department on January 21,1981, the following steps have been taken:

1. Glass frame being purchased to comply with Order #1. Will be completed by January 30,1981.

2. Thirty three (33) bulbs in various exit lights throughout the building replaced January 21,1981.

3. Sand ordered for smoking stands January 21, 1981.

4. Emergency lights repaired January 21, 1981.

5. Glass ordered for fire extinguisher cabinet January 21, 1981.

6. One five (5) pound A.B.C. Fire Extinguisher ordered January 21, 1981.

We are presently preparing to test the Fire Alarm System about mid-week. As of this date, neither the Auditorium staff nor the Evansville Fire Department has been able to find any record of any previous tests. The results of that test will be forwarded to the Commission upon its completion.

Regards,
Conrad Cooper

Painting Completed

Mr. Cooper said the painting of the Gold Room has been completed and is open for the Commissioner's inspection anytime convenient for you.

Heating and Cooling System

Mr. Cooper said they are continuing to get estimates on the heating and cooling system that has been discussed at previous meetings with this board.

Safe

Commissioner Cox asked Mr. Cooper how large this safe is and also does he really need it.

Mr. Cooper said it is 34 X 31 X 34 and it weighs 4,000 lbs.
He said there have been occasions when they have $12,000.00 to $15,000.00 in cash, that the promoter does not always collect the ticket money, and he does not like the idea of that kind of cash being in the area of where he has employees and we are responsible for their safety.

Commissioner Cox said she was not aware of this as she was thinking on smaller amounts of money and also that the promoter held the money.

Mr. Cooper said he checked with Lamasco who deals in used safes and he does not believe we can get even a used one for this amount of money.

Commissioner Cox said she is wondering if this will help our insurance over there, to have something like this to keep the money in, and are we liable for this money.

Attorney Miller said just from a marketing standpoint, anything that would make the Auditorium more attractive to users is in someway or another going to cost the county money. Mr. Miller said if County employees take possession of this money then yes, we are liable for it.

Commissioner Borries moved that we authorize Mr. Cooper to have the safe moved from the Health Department to the Auditorium under the terms presented and that the combination be changed on it for a total amount of $293.00.

Commissioner Cox seconded the motion which carried with three affirmative votes.

Attorney Miller asked Mr.Cooper that since he has been there, does any county employee, as a matter of practice, have occasion to have posession of any sums of money belonging to promoters or other users of the Auditorium.

Mr. Cooper said since he has been there....no, but we have responsibilities of the box office, where the money is kept during the term of the lease.

Attorney Miller said he wanted to know this in order to make sure that there is coverage in our insurance policy to protect the county in the event of theft, loss or un-explained disappearance of those funds.

Welfare Work Agreement

President Willner said they did do some checking on the Welfare Work Agreement and there are personnel that are available through the City Personnel Department, on the Workfare Program. If you decide that you can use some of these people and they must do things that are not usually performed by the union crew, then you may make application to the City Personnel to obtain these people.

RE: JESSE CROOKS.....BUILDING COMMISSION

Permits to Move Houses

Mr.Crooks said he has two requests to move houses, which are as follows:

Eric G. Whitehead has requested permit to move a house from 4921 Bellemeade to Gibson County. The house is to be cut into 12ft. wide sections for moving resulting in a unit sumilar to a mobile home. The anticipated route is west on Bellemeade to Green River then north to Highway 57 then north to the County Line. Anticipated moving date is the week of January 26, 1981.

The route has been checked and recommended the request be granted.

Jesse Crooks

Elmer Buchta has requested a permit to move a house from Inglefield Road and east of the railroad to Gilles Lane in Darmstadt. The house is approximately 28' wide X 48' long. The routing is west on Inglefield to Darmstadt Road to Boonville-New Harmony Road to Gilles Lane to site.

The routing has been checked and the request is recommended subject to obtaining permits and notification to utilities and police at the time of move.

Jesse Crooks

President Willner suggested that Mr. Crooks contact Mr. Urban Keil of the Town of Darmstadt to get their approval of this move.

Commissioner Borries moved the two above requests be approved. Commissioner Cox seconded the motion. So ordered.

RE: DAVID SAVAGE.....TRAFFIC DEPARTMENT

County Surveyor Bob Brenner told Mr. Savage that in going through their inventory at the garage they have piles of pipes, boxes, etc., that belong to the Traffic Department.

Mr. Savage said they would like to leave them there, if possible.

Mr. Brenner said they have been there for years and they are going to have to be moved and he needs to know what is junk and what is valuable.

Mr. Savage said he believes all of it is salvable and that he will get with Mr. Brenner out there at the site and get the problem worked out.

RE: GENE KAUTZMAN....COUNTY HIGHWAY

Weekly Report

Mr. Kautzman submitted the Absentee Report on the employees at the County Highway Garage for the week which ended January 23,1981.

Report received and filed.

Gas Pump Leak

Mr. Kautzman said he would like to make a request for a plumber to come to the garage, as they had a gas pump on the inside of the building start leaking. They have had a gas pump donated to them and they would like to have this pump installed outside, which would be better because everytime they open the doors to pump gas they are letting a lot of warm heat escape out, which is quite expensive.

President Willner said he sees no problem with this being done, but what budget will it come from.

Mr. Kautzman requested that it come from the Superintendent of County Buildings budget.

Chainlink Fence

Mr. Kautzman said they are going to need about 300 feet of chain link fence, but that they do not have a price on that yet. We are going to remove the old fence ourselves so that we will not have to pay out money to have it taken down.

President Willner said we will probably need to take bids on the fence, but not on the installing of the gas pump.

Mr. Kautzman said while the plumber is there he would also like for him to hook up about 30' of airlines that was cut off when they put a door inside the building, they just plugged the airline leading to the tool crib and he would like this repaired.

Bill from SIGECO

Mr. Kautzman said he has a bill from Southern Indiana Gas and Electric for costs incurred by this Company for repair of damage to electric facilities on Schlensker Road one (1) mile east of Browning on December 18,1980 when tree trimmer tore down one (1) span of primary service.....$195.46.

Mr. Brenner said he talked with SIGECO and we did do the damage.

This was referred to the county insurance carrier.

Declare Iron, Metal, Aluminum, etc. Surplus

Mr. Brenner said they would like permission to scrap the iron, metal and aluminum that is piled up at the garage, which is no definable items, tools, etc. nothing on the inventory list, just pieces of old bridges, pipe, guardrail, etc. They would like to throw it on the truck, take it to a salvage company and sell it for whatever the going rate is.

Commissioner Borries moved that the items Mr. Brenner is talking about be declared surplus and that he be allowed to sell it to the company paying the highest price for scrap. Commissioner Cox seconded the motion. So ordered.

Evergreen Subdivision

Mr. Brenner said they have been out on Meadowview in Evergreen Subdivision and it's just like Melody Hills, there is a road built on a hill and somehow water gets under it and we have a cave under the road and he would like to recommend that the specifications for these subdivision ordinances be revised, to put lugs under any road built on a 2% or greater grade. By lug, he means a slug of concrete maybe two feet deep and as it gets deeper, they should be in more often, but something needs to be done to keep the water from going under the highway and forcing it out at the sides. He said he has talked to the City and they have the same problems and they are in agreement with the amendment of the specs.

President Willner said he agrees this should be done and he asked Mr. Stephen if he will work with Mr. Crooks to try to get the specifications changed.

Mr. Stephen said he had recommended this be done at Melody Hills and yes he will work with Mr. Crooks on the matter and try to get it resolved.

Problem with John Deere Grader

Mr. Brenner said they also have a problem with their John Deere Grader and they sent it over to K&W Equipment to have it checked out and Mr. Guillaum went over there and he now has the results of their findings.

Mr. Guillaum said the starter was burned up on it and that resulted in the hook-up cable not being sound, it had a leak and was bleeding through into the block and consequently the starter went out. The turbo itself is shot but the biggest thing in terms of money was of course the engine and upon checking the oil he came to the conclusion that it could have been one of two things, either they were using the wrong type of oil in the machine or it had been a long time since it had been changed. Over-all you are looking at about $3,700.00 and it could be a bit more if they find other complications. This is a 1975 model grader, deisel, six cylinder.

Mr. Kautzman said he talked to the head mechanic out there and he told him they always sent this machine to the John Deere people to have the oil changed, so it should be the correct oil in it.

Commissioner Borries said with the market being like it is would you like to check and see about purchasing a used grader.

Mr. Guillaum said no as this grader still has a high market value and we would be money ahead to have the motor rebuilt, it's just a shame the maintainance was neglected on this piece of machine.

Dog Pound Truck

Mr. Brenner said the miles on that truck for the Dog Pound is not 54,000 as they thought, but the mechanic told him it's more like 254,000 miles on it, that it has had two engines put in it. He said they are after him to get a new or different truck.

Commissioner Cox said she understands that we do not furnish a truck only two men to work in it.

Mr. Kautzman said it has a terrible wobble in it and the tires are completely slick and when it snowed he pulled it off of the street because he was afraid someone would get seriously injured in it, or killed.

President Willner said he did receive a call from the Dog Pound and he has also looked at the truck and besides the frame being bad, you can stick you finger through anyplace from the inside to the outside because the cab is that rusted. The bed on the truck is good and what they are talking about is transferring the bed to another chassis. He said the Dog Pound is continuing to work with one truck and said they could for a week or two but that they are in dire need of the other truck, so we will have to do something, one way or another. He believes he is correct in saying the city has a truck and two men and we have a truck and two men that we are responsible for as this is one of our joint departments.

Commissioner Cox said she thought the county was responsible for only the two employees.

Commissioner Borries said before we grant a request to get another truck could we get someone to find out exactly what we are responsible for.

Mr. Brenner said that somewhere there is an agreement between the city and county for the Health Department.

It was the wishes of the Commissioners that this matter be deferred for a week so that further information could be obtained.

Liquid Asphault

Mr. Brenner said they have a problem with Liquid Asphault AE-150, with the price per gallon as quoted by J.H. Rudolph on a quanity of 750,000 gallons which is 66¢ per gallon. The bid of J.H. Rudolph was accepted by the Department of Public Works upon the recommendation of the City-County Purchasing Department and it was 3¢ higher on the gallon which results in a total extra cost of $24,450.00.
Bituminous Material Co. bid on only one item that was advertised and J.H. Rudolph bid on all four items, therefore to make it more simple they awarded the whole package to Rudolph instead of breaking it up between the two companies and this resulted in a loss of a lot of money.

President Willner said he does not understand how the Board of Works can accept bids on a product that is used exclusively by the county, but possibly since we are a joint department, they can do that, it just seems improper to him for it to be conducted in this manner.

Attorney Miller said he feels this should be re-bid and that the bids should be directed to the County Commissioners, in respect to the materials that are used by the county.

Mr. Brenner said it was not a joint bid and it could have been awarded separately, but the Purchasing Department elected, and he is quoting them directly, that it would be easier to have one person furnishing it all.

Attorney Jones said it is not binding until the Commissioners accept it.

Mr. Brenner said Bituminous Material Co. is our supplyer right now and they think that since their bid was low that they were awarded the new bid. He said the bid for the 750,000 is really high, that they will use more like 400,000 gallons, it depends upon how much road paving we get to do.

Commissioner Cox said she realizes on small items they may lose a little on something but they make it up on something else, but this is over $24,000.00 we are talking about.

Mr. Brenner said he is here for the Commissioners to recind the bid of Rudolph.

Commissioner Cox said we didn't allow the bid in the first place, so how can we. Can't Mr. Brenner send in a requisite for the 750,000 gallons to the Purchasing Department and see what they give him.

Mr. Brenner said they know what price they will give him.....the one from Rudolph.

Commissioner Borries said he feels the Commissioners should not accept this until we get a clarification on it from either the Purchasing Department or the Board of Works.

Commissioner Cox said are we going to have the money to purchase this AE-150.

Mr. Brenner said he hopes so, because without it we can't pave any roads. He would also like to say these prices are on an escalator, based upon the price of oil at the time.

Attorney Miller said he feels the Purchasing Department should receive a very clear word that the County Commissioners do not approve of the Board of Public Works buying for the County, or fixing the price for the County.

President Willner said we are not going to resolve this problem here today, so he would like a vote of the Commissioners to reject this portion of the bid, as it has been accepted, and let the Purchasing Department come before the Commissioners next week with a revised plan and we'll take it from there and in the mean time the county attorneys were instructed to research the legal ramifications in voiding the contract that has already been let.

Commissioner Borries so moved and Commissioner Cox seconded the motion. So ordered.

Airhose, Gas Pumps and Grader

President Willner said on the air-hose and the gas pumps, he feels we should declare them emergencies and get them repaired without a bid.

Commissioner Borries moved that the work be done without a bid, that they be declared an emergency.

Commissioner Cox seconded the motion. So ordered.

President Willner asked if one weeks delay would bother the Highway very much, on the grader.
Mr. Guillaum said it will delay things and they have it all ready to start the repair work on, but they do need it on the road, and the price is not that much out of line.

Mr. Brenner said there is no one else able to do the work and he would recommend we have it done.

Commissioner Borries moved that they be allowed to have the repairs done to the grader at the sum of $3,700.00 and if there is a change use your own better judgement.
Commissioner Cox seconded the motion. So ordered.

RE: REQUEST FROM LEWIS F. VOLPE, TREASURER

County Treasurer, Lewis Volpe was present and stated he is requesting $1,600.00 for some remodeling in his office, that he has the following estimate from the Building Authority.

> Furnish labor and material to erect a 9 X 12 office consisting of two (2) walls and a 32" door, transom, grille, etc. Also, split present curtain rod and curtain.
> This to be placed adjacent to Gil Schiff's office in the Treasurer's office, Room 210.....$1,600.00

Mr. Volpe said this idea was started last fall and he thought that Curt John had followed through on it, but very recently found out that he had not. He said this request has to do with the activity in the computer room, that the ladies that take care of putting the whole thing together must be in complete silence, away from the counter and the rest of the office and things that distract. Our computer room have several in it and also other people going through it all day, so something must be done to remedy the situation.
He said nothing else will have to be done to it later, that this is the full price.

President Willner asked who's budget this $1600.00 will come from and Mr. Volpe replied that in the past, requests of this nature come from the Commissioners budget.

County Auditor Alice McBride said this would have to come from the County Commissioners budget, except, you have no funds available in the remodeling account, as it was all cut out at budget time, therefore you would have to request the additional funds from the County Council at their March meeting.

Commissioner Borries moved that Mr. Volpe appear before the County Council at their regular March meeting and explain his need to them for the additional $1,600.00 and that it be allowed in the County Commissioners budget. Commissioner Cox seconded the motion. So ordered.

RE: SURVEYOR.....ROBERT BRENNER

Backhoe

Mr. Brenner said the Surveyor's office has a backhoe, Model #I9429, Serial #2I49, and we wish to surplus this, we did not take a trade in because Burdette Park has use for it for water lines, etc. We originally paid $5,000.00 for it and Burdette will give us $4,000.00 for it by transferring the money from the Park Fund to the Cumulative Bridge Fund, and he would recommend that the Commissioners do this, as it is sitting at the garage, un-used.

Preisdent Willner said we first need to make a motion to declare this machine surplus and then sell it to the highest bidder.

Mr. Brenner said could we not sell it to Burdette Park, because we have transferred things in-house, for a set price, before.

President Willner said he is not sure if we can do that, because he thinks it has to go to the highest bidder.

Mr. Miller, county attorney said he could check this out, but his opinion would be that if you are moving it to one county department to another county department, you would not be under an obligation to take the highest bid, because at the point it becomes surplus for Burdette Park, they can then sell it for the highest bid, therefore, subject to him finding something different in the next week, he would recommend that you transfer it to Burdette Park.

This matter was deferred for a week pending further investigation.

Guardrail and Bridge Report

Mr. Guillaum said their crew spent the bigger part of the week down at Eagle Slough, they had a portion of the area where they were working to catch on fire, but that is okay now.

Schlensker and McCutchan

Mr. Guillaum said hopefully within a week we will have that done.

Garrison Ave.

Mr. Guillaum said we are scheduled to begin work on Garrison Avenue next Monday.

Vehicles declared salvage

Mr. Guillaum said they have two vehicles they would like to be declared salvage. They have a 1975 Dodge...Identification #LL41C5B392027 and also a 1972 G.M.C. Van....Identification # TGE262U514183. The Dodge is the one with the severe frame problem and could not be straightened out. These vehicles are out at the Highway Department right now, but they need to be moved from the back lot. We purchased the GMC new and the Dodge came from the old folks home. They are not asking for replacements, just to make these salvage.

Commissioner Borries moved that the two mentioned vehicles be declared salvage. Commissioner Cox seconded the motion. So ordered.

Mrs. Meeks notorized the titles and returned them to Mr. Guillaum.

Happe Road

Mr. Guillaum said out on Happe Road their bridge crew is going to start a new project, by putting some new pipe in, and the old pipe they took out of there, a farmer wants. He personally figures by the time we figure hauling cost, labor, gas, ect., that it would be cheaper to let the farmer have it, therefore he would recommend that we give it to him.

President Willner said fine, under those circumstances, dispose of it anyway you can.

RE: DAVID GERARD

Burkhardt Road (Lincoln Ave. to S.R. 62)

Mr. Gerard said everthing is cleared on the Burkhardt Road project and the contractor is awaiting notice to proceed.

Commissioner Borries moved that the contractor proceed with the project. Commissioner Cox seconded the motion. So ordered.

President Willner instructed Mrs. Meeks to get a letter to Mr. Gerard to this affect.

RE: REQUEST....SUPERIOR COURT

Mr. Joe Lutz appeared in behalf of Judge Kissinger stating there was some remodeling done in Judge Kissinger's office and now they find they need the following to be done, and they received the estimate from Mr. Gil Ruston, Building Authority.

Furnish labor and material to rearrange supply duct in room 204.5 and return air duct in room 204-A to better balance ventilation system in room 202 area. Furnish necessary electrical outlets and phone outlets as required.
Rearrange light fixtures for better balance.
$795.00

This work should be accopmlished now that the room has been remodeled and we strongly urge that we be given approval to go ahead with this work through the County Commissioners.

Sincerely,
Gil Ruston

President Willner said we are going again back to the old system of having work done in parts instead of all at one time and knowing from the beginning what the total cost is going to be. He knows this office was in dire need of this and it was an emergency and they will make an exception in this case, but in the future we are going to try and not let this thing happen again. So in addition to the $800.00 for the change of the physical structure of the building, you now need another $795.00 for the work mentioned above in the letter from Mr. Ruston.

County Auditor Mrs. McBride said she would remind the Commissioners again that they have no funds available in their budget for this that they will have to appear before the Council, that it can all be requested in a lump sum and then break it down when they talk to the Council.

Commissioner Cox moved that a letter be sent requesting to appear before the County Council at their March meeting for these additional funds for Judge Kissinger's office, and that someone from that office be present at that meeting to explain the need. Commissioner Borries seconded the motion. So ordered.

RE: BOB FORTUNE....DATA PROCESSING

President Willner asked Mr. Fortune if it would be possible for the Commissioners to get a job description of the employees in his office.

Mr. Fortune said he believes one was completed last year and he will get it up-dated and present it to the Commissioners.

RE: RON LYLES.....COUNTY COUNCIL

County Attorney Jones said he has heard that Mr. Wortman, President of the County Council has stated that it is not legal for the county to lease any space in the old Court House and he would like to know their basis for that statement and their authority for that, because he has not been able to find anything that prohibits it.

Mr. Lyles said he feels that he is not in a position to respond to that question, but he thinks that Curt Wortman reviewed the lease between the County and the Conrad Baker Foundation, which is ten (10) years old, and there has been an amendment added to that original lease, but in the first lease it stated that it was for no public use, so that is probably what Mr. Jones is hearing.

RE: MARK TULEY....SUPT. OF COUNTY BUILDINGS

Electrical Problems at the Garage

Mr. Tuley said last week he talked to the Commissioners about the electrical problems at the garage and since then he has talked to Schofield Electric Company and they have not done a complete analysis as of yet, but he did tell us that most of the electrical work out there is in good shape, that no more than what we use it we can get buy with what we have, but he will get back with additional information at a later date.

County Storage Area in Basement

Mr. Tuley said we are out of storage space in the basement of this building and we need to get a letter out to any office that has space down there, meet with them, and get some things disposed of and things straightened up down there.

Commissioner Cox said we need something standard in the way of shelves or boxes for there.

Mr. Tuley said he would also recommend that we pull all of the keys that are out because we don't know who is taking what down there.

Commissioner Cox said she would like to see the Commissioner's send out a memo to all departmentheads that have storage space in the basement, give them some guidelines and then we'll work on the keys. She will be glad to work on this with Mr. Tuley.

RE: COUNTY ATTORNEY

Bids on Station Wagon

Mr. Jones said in respect to the Station Wagon for Hillcrest Home, received were two bids from the following dealers.

Key Motors Corp....1981 Ford LTD, four door, eight passenger wagon.....$7,389.00 W/trade.
Cooke Chevrolet Co.,Inc.....1981 Chevrolet, eight passenger wagon.....$7,217.00 W/trade.

Both bids are in proper form, with Cooke Chevrolet being the lowest bidder.

Commissioner Borries moved that the bids be taken under advisement for one week. Commissioner Cox seconded the motion. So ordered.

Community Corrections Advisory Board Resolution

Attorney Jones said he has prepared a resolution of this Board establishing a Community Corrections Advisory Board, pursuant to Indiana Code 11-12-2-1, which provides that the Commissioner of the Indiana Department of Corrections shall make grants to counties for the establishment and operation of community correction programs out of funds appropriated for such purposes by the Indiana General Assembly. This advisory board would participate in the formulation of a cummunity corrections plan, observe the operation of community corrections in the county and make an annual report to the Board of County Commissioners containing evaluations of programs and recommendations pertinent thereto. This board would consist of, first of all automatically by Statute, the Sheriff, the Prosecutor, Director of the County Welfare Department, the Mayor of the City of Evansville, a Judge having criminal jurisdiction to be appointed by the Circut Court Judge, the Judge of the Juvenile Division of the Vanderburgh Superior Court, one attorney with a substantial criminal defense practice to be appointed by the Circuit Court Judge, and the following to be designated by the Board of County Commissioners of Vanderburgh County.
One Probation Officer
One Educational Administrator
One representative of a private correctional agency
One mental health administrator
One ex-offender
Four lay persons, at least one of whom is a member of a minority race.
He said members appointed by the County Commissioners will be four year terms and they shall meet within thirty days of the last appointment made to elect their Chairman, Vice Chairman and Treasurer. The Board will have the powers and duties conferred by the statute and in the event that money is allocated by the Legislature they could be granted expenses. He would advise that the money could not be used for the structure of a jail.

President Willner asked Mr. Jones if he would recommend that we adopt this resolution now or wait until the funding is available through the State.

Mr. Jones said we must have the Board in place and the Board itself must adopt a Community Corrections Plan which must be submitted and if it meets the requirements of the statute, that would then qualify the county to receive whatever funds available.
It would be his recommendation that the Commissioners communicate with the Judges, Sheriff and the Prosecutor to see if they have an interest in this program.

President Willner said he would have his Secretary Mrs. Meeks to send a copy of this resolution to all concerned persons and see if we can get their in-put into this, and that they respond to the County Commissioners within the next two weeks.
Commissioner Cox moved the above mentioned resolution be distributed to all concerned persons. Commissioner Borries seconded the motion. So ordered.

Existing Litigation

Attorney Jones said one piece of existing litigation that we had on file has been dismissed, that it was Morton Building,Inc. verses the City of Evansville, the Building Commissioners, the County Commissioners, and the Board of Public Safety, that it has been satisfactorily resolved without any cost to the County

RE: TRAVEL REQUEST....CORONER

President Willner said in a letter received from the Coroner, he is requesting that we allow travel for Doctor R.F. Brown, Deputy Coroner, to attend the American Academy of Forensic Sciences, the 33rd annual meeting held February 17 thru 20, 1981 in Los Angeles, California.
He understands that Doctor Brown does not draw a paycheck from Vanderburgh County, but does do identification by teeth and some other work for the County Coroner, and the question in his mind is whether we are allowed to send someone not an employee of Vanderburgh County to this academy. The prior county attorney tentatively gave his approval, not in writing or at a public meeting, but discussed with him orally, and he has no problems with it one way or another, but he feels we should ask our present county attorney to review this matter and also we need a representative from the Coroner's to be here.

Commissioner Borries moved this matter be referred to the County attorney to examine the legality of sending Dr. Brown to this Academy. Commissioner Cox seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Engineer Associates, for engineering inspection on Lynch Road from 1-12-81 through 1-16-81 in the amount of $3,625.35. Signed by Louis Stephen.

Commissioner Cox moved this claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates for engineering inspection on St. Joseph Avenue from 1-12-81 through 1-16-81 in the amount of $3,136.84. Signed by Louis Stephen.

Commissioner Borries moved this claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Wayne Supply Company for repairs on Engine #3 Cat Grader in the amount of $10,609.38. The amount encumbered last year was $8,928.63 and we need the balance from this years budget to pay the bill. Signed by Gene Kautzman.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

RE: EMPLOYEE CHANGES.....APPOINTMENTS

AUDITOR:

Janet Scisney	2557 Pollack Avenue	Part time	$30.00 Day	Eff:1-26-81

PERRY TOWNSHIP ASSESSOR:

Nancy Rhodes	First Deputy	$8,500.00	Eff:2-2-81

PIGEON TOWNSHIP TRUSTEE:

Jacqueline McBride	640 Reis Ave	Clerk	344.25	Eff:1-16-81

AREA PLAN COMMISSION:

Richard Garland	Box 151, Browning Rd.	Interviewer	3.50 Hr.	Eff:1-21-81

CIRCUIT COURT:

Charley Bland	115 4th.St. Huntingburg, In.	Bailiff Prt-time	5.00 Hr.	Eff:1-12-81
Michael Peeler	1251 Cross Gate Dr.	Bailiff Part-time	5.00 Hr.	Eff:1-19-81

EMPLOYMENT CHANGES.....RELEASES

HIGHWAY DEPARTMENT:

Arthur Hobbs	1528 Audubon Dr.	Laborer	5.73 Hr.	Eff:1-23-81
Kenneth White	1921 S. Bosse Ave.	Laborer	6.18 Hr.	Eff:1-3-81
Bradley Trockman	671 Colony Road	Laborer	5.73 Hr.	Eff:1-7-81

CIRCUIT COURT:

Rebecca Dyer	2727 Nt.Vernon Ave.	Intern	3.35 Hr.	Eff:1-16-81

RE: PUBLIC OFFICIAL BONDS

Two public official bonds were submitted as follows:

Carl Miller, Co-ordinator Clinical Services, Vanderburgh Superior Court.
William M. Campbell, Executive in charge of office, Drug and Alcohol Deferral Services, Superior Court.

Official Bonds received and filed.

RE: APPLICATION FOR PUBLIC OFFICIAL BOND

President Willner said he received a letter from Helfrich Insurance Company informing us the Public Official Liability Policy currently in force for the County of Vanderburgh will expire April 1,1981. In order to provide a quotation for the coming year they will need an application for renewal completed and signed by the President of the Board of County Commissioners. He said we are going to have to do something with the total liability insurance, so perhaps we should postpone this, as maybe we would like to take bids on the total package again this year.

Mrs. McBride said all of the county insurance policies are in the Auditor's office if the Commissioners would like to come there and go over all of them, they are welcome to. She believes the policies expire at different times.

President Willner said he would like to defer this for a week so that further studies can be made before a final decision in made.

RE: BIDS AWARDED ON CORRUGATED PIPE AND RENTAL EQUIPMENT

Mr. Stephen said we received six bids on the corrugated pipe and rental equipment and the timber, which were as follows:

Conner Highway Drainage Co. of Indiana, Inc.....Bid Okay
James Drew.....Bid Okay
Municipal Corp.....No Bid Bond (Rental Equipment)
All Metal.....Bid Okay
Bauer Brothers....Bid Okay
American Timber...Bid Okay

Mr. Stephen said its hard to explain some of these bids because depending upon how much you purchase he would have to say to accept all of them.
He said on the pipe he would recommend both All Metal and Bauer Brothers. On the guardrail he would recommend Drew. On the rental equipment he would recommend Municipal Corp. and on the timber he would recommend American Timber.

Commissioner Borries moved that upon Mr. Stephen's recommendation we accept the bids of All Metal and Bauer Brother's, for the pipe. Seconded by Commissioner Cox. So ordered.

Commissioner Borries moved that upon Mr. Stephen's recommendation we accept the bid of James Drew Corp. for the guardrail. Commissioner Cox seconded the motion. So ordered.

Commissioner Borries moved that upon the recommendation of Mr. Stephen that we accept the bid of American Timber for the timber. Commissioner Cox seconded the motion. So ordered.

Commissioner Borries moved that upon the recommendation of Mr. Stephen that the bid of Municipal Engineering be awarded for the rental equipment, which is as follows:

Bid item 1B-Rental of construction equipment <u>with</u> operator.

1. Dragline Excavator with 3/4 CY bucket.....$45.00 Hour
2. 1-CY Crawler Tractor with front end loader.....$45.00 Hour
3. 3/4 CY Crawler mounted, deisel engine powered pull shovel (Backhoe).....$45.00 Hour
4. Backhoe with front end loader.....$35.00 Hour
5. Tractor and Trailer.....$35.00 Hour

Commissioner Cox seconded the motion. So ordered.

RE: AGREEMENT...COUNTY CORONER AND PATHOLOGY LABORATORY

President Willner said we have an agreement between the Coroner and the Pathology Laboratory for services, this is something we do yearly, that it is in order and after being signed by this board it must go before the County Council for their approval. This is in the amount of $20,000.00 which was approved at budget time.
Commissioner Cox moved that the agreement be approved and that it be sent to the County Council for their apporval. Commissioner Borries seconded the motion. So ordered.

RE: CHECK TO BE ENDORSED.....BLUE CROSS AND BLUE SHIELD

President Willner said he has a check to be endorsed by theCommissioners from Blue Cross and Blue Shield of Indiana in the amount of $42,156.82, which is a refund from our good experience for the year of 1980.

Commissioner Cox moved the warrant be endorsed and returned to the County General Fund. Commissioner Borries seconded the motion. So ordered.

RE: MONTHLY REPORT....COUNTY TREASURER

The monthly report for the month of December 1980 was submitted for the County Treasurer.

Report received and filed.

RE: CUTS -IN

Mr. Stephen submitted the following application for a road cut.

The Indiana Bell Telephone Company requests permission to make a cut on Outer Lincoln Avenue, east of Kirkwood, south to Lakeview Subdivision, to install a 4" conduit.

Application received and filed.

There being no further business the meeting adjourned at 5:00 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
	Robert Willner Richard Borries Shirley Jean Cox	Alice McBride	David Jones David Miller

SECRETARY: Janice Decker

Robert J. Willner

Richard J. Borries

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
FEBRUARY 2,1981

The meeting of the County Commissioners was held on Monday, February 2,1981, at 2:30 p.m. in the Commissioners Hearing Room.

Sheriff's Deputy, Pete Swaim opened the meeting, this being the first meeting of the month.

Commissioner Cox said in last weeks minutes, in the employment changes, under Circuit Court, there was a person hired that had a Huntingburg address and she wondered if it was a typing error or if it was correct, and if it was correct, do we hire people outside of Vanderburgh County, and pay them out of Vanderburgh County tax money.

The secretary, Mrs. Decker told her it was not a typographical error, that the Huntingburg, Indiana address is the address that was submited by Circuit Court.

President Willner said he knows of no policy that prohibits this, however, it is not good practice, but he does not think it violates any law.

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

RE: RESOLUTION...MASTER PLAN OF EVANSVILLE DRESS REGIONAL AIRPORT

Mr. W.C. Bussing, President of the Air Board was present and stated that he has a resolution he would like for this board of County Commissioners to adopt along with the City of Evansville, stating that they support the development of the airport, as per the Master Plan. The reason they are requesting this today is that they have one of their members going to Washington tomorrow with the Mayor and the Chamber of Commerce to visit the various Congressional offices and we would like the resolution showing the Commissioner's support, incase there are any doubts. This same resolution will be presented to City Council for their approval, tonight. He said this Master Plan was accepted by both the Aeronautices Commission of the State of Indiana and the Federal Aviation Administration, on December 22, 1980.

Commissioner Borries moved the Resolution, as presented, be adopted by this Board of County Commissioners. Commissioner Cox seconded the motion. So ordered.

RE: AUTHORIZED TO OPEN BIDS

The county attorney David Jones was authorized to proceed with the opening of bids that were received on the repair and widening of structure on Hirsch Road Bridge #93 and also the Upper Mt.Vernon Road Bridge at Tupman Avenue.

RE: AWARDING OF BID ON STATION WAGON FOR HILLCREST-WASHINGTON HOME

Bids were received last week on the station wagon for Hillcrest-Washington Home and Mr.Dale Work is present today with his recommendation on the bids. They received a bid from Key Motors in the amount of $7,389.00 and a bid from Cooke Chevrolet in the amount of $7,217.00.

Mr. Work said the Chevrolet bid was not acceptable because of the interior, that with all the children they haul, the vehicle must have a high grade interior, and the Ford Wagon they now have is seven years old and they have had good luck with it, therefore he would recommend the commissioners accept the bid of Key Motors for the LTD in the amount of $7,389.00, because it is of better quality.

Mr. David Guillaum said they are interested in purchasing the 1974 Ford station wagon that Mr. Work is trading in and he talked to both companies that bid and Cooke Chevrolet said we could have it for $600.00 and Ford Motors said they would sell it to us for $1,000.00, so the commissioners may want to take this into consideration.

President Willner said sometimes a company has a vehicle in stock that they want to get rid of, so that they can order another, therefore they sometimes deviate from the specifications somewhat.

Commissioner Cox said she thought the whole idea of specifications was that we could get bids on what we wanted and not substitutions. She said must we reject the bid that does not meet specifications.

Attorney Jones said you don't have to, but you can if you desire.

President Willner said the difference in the bids is $172.00 and Mr. Work has requested that we accept the bid of Key Motors.

Commissioner Cox moved that the bid of Key Motors be awarded for the Station Wagon, in the amount of $7,389.00. Commissioner Borries seconded the motion. So ordered.

President Willner asked Mr. Guillaum if he has enough money in his budget to purchase the Ford trade-in from Key Motors and Mr. Brenner said they would not pay $1,000.00 for it.

RE: CONRAD COOPER....AUDITORIUM

Repair of Tornado Floor Keeper

Mr. Cooper said they recieved an estimate of repair on their Tornado Floor Keeper, from American Sanitary Supply in the amount of $882.50. He said they repaired this themselves for $233.97 therefore resulting in a savings of $648.53.

Mohammad Ali Sports Production

Mr. Cooper said he has received a request from Mohammad Ali Sports Production. Over the weekend one of the corporate officials of this company has absconded with some twenty million dollars and this was a partner,therefore they are asking for us to return some $900 which was a deposit that we required of them, for the February 23rd rental of the Auditorium. He told the gentleman that he sympathized with him but that the policy of the Auditorium in the past had been to retain any deposit made if the cancellation was registered within thirty (30) days of performance date. He told him he would bring this matter before the Commissioner's but his personal recommendation would be to deny the request. He said the check has already been deposited with the County Auditor, on this event, in as much as it was out of San Diego, California and we could find no reference on these people, then instead of the normal 50% deposit, we required 100% deposit, so the $900.00 check is for the full amount of the rental cost. He said he has received no letter requesting this refund, only a telephone call.

Attorney Miller asked if this potential leasee signed the standard form contract and mailed it back to us.

Mr. Cooper said he told the gentleman that since he was not aquainted with him, that as soon as the check proved to be good he would forward the contract to him, signed and approved, but to this point we have not forwarded a signed contract to them.

Mr. Miller said if they feel they have a refund coming, then according to the terms of the contract they signed, they will have to sue the county.

Lost coat and gloves

Attorney Jones said there was a matter of a lost coat and pair of gloves at the Auditorium.

Mr. Cooper said he believes this matter is covered under the lease as well and he believes the Auditorium assumes no liability for lost articles. He informed Mr. Mooney that if he weren't satisfied with his explanation of the policy set out in the lease, then he could contact the Commissioners for further explanation.

Mr. Jones said the patrons that check their coats do not sign a lease form. He said we do charge money to check coats and the minute we take that money for holding someones property we assume responsibility of that property.

President Willner said this matter was referred to our insurance carrier for further action and Mr. Mooney should be advised of this.

Mr.Cohoon....Non Profit Organization

Attorney Jones said on the matter that Mr. Cohoon appeared before us on last week about a refund he felt was due him because he was a non-profit organization, he has since then talk- to Mr. Cohoon's attorney Mr. Noffsinger and he, in fact, did have a not-for-profit Corporation, that was incorporated, all monies from that event went to the not-for-profit corporation, so he recommended that in view of that situation that we split the difference with him, but for all future, we stand on the terms of the agreement as it is, that whatever the lease says, then that is what the county should stand on. He believes that Mr. Noffsinger has tentatively agreed to split the $500.00.

Commissioner Cox said have we determined that we do have, in our contract, a provision for a lesser amount of rent to be charged on not-for-profit groups.

Mr. Cooper said the contract does make a provision for a lesser rent for not-for-profit organization and he has given Mr. Miller a copy of the contract, with some notes on it, asking for his opinion on those schedules.

Handling of Promoter's Funds

Commissioner Cox said there was also a question about county employees handling money that belonged to the promoters.

Mr. Cooper said currently, we don't hold promoters money, but in the lease agreement that we hope to re-write, we want to iron that particular item out, that the Auditorium will at some future date handle the funds so that we have the opportunity to get our money off the top.

Mr. Miller said in that event we will just have to make sure the insurance policy covers it.

Safe from Health Department

Mr. Cooper said the safe they received from the Health Department has been moved to the Auditorium, the combination has been changed and everything is in order.

RE: REQUEST FOR REMODELING.....SHERIFF

Deputy Pete Swaim said they are requesting an additional terminal be installed in the communications room, the wire is already there, above the ceiling and all it amount to is notching the ceiling tile and running a tele-pole down the wall. The cost will all be borne by the County Data Processing department.

Mr. Bob Furtune said this is true, that the cost will all be borne by the Building Authority or the Data Processing department.

Commissioner Borries moved that we accept the recommendation for the remodeling of the Sheriff's Department. Commissioner Cox seconded the motion. So ordered.

RE: REQUEST FOR REMODELING...SUPERIOR COURT:

Mr. Will Deems was present from Superior Court and said his request is for cable to be installed in three judges offices, those being Judges Brune, Swain and Dietsch for the purpose of adapting a printer to the computer system in Superior Court. All costs are to be borne by Data Processing.

Commissioner Borries moved that above request be allowed. Commissioner Cox seconded the motion. So ordered.

RE: BOB FURTUNE....DATA PROCESSING

Job Description

Mr. Furtune said last week it was requested that he present the Commissioners with a job description of his employees and at this time he stated he has an up-dated description to submit for the Commissioners viewing.

Ditch Bill for Vanderburgh County

Mr. Fortune said they have sucessfully implemented a program on the NCR system for the Legal Drain ditch bills.

County Auditor Alice McBride said in doing this, Mr. Fortune saved the County about $9,000.00, for which the Commissioners commended Mr. Fortune for.

RE: GENE KAUTZMAN....COUNTY HIGHWAY

Weekly Report

Mr. Kautzman submitted the Absentee Report on the employees at the County Highway Garage for the week which ended January 30, 1981.

Report received and filed.

Moving of Gas Pump

Mr. Kautzman said the plumber has been out and moved the gas pump outside and also repaired the airline that was shut off leading to the tool crib. Both were done satisfactory.

River Road, Behind Ellis Park

Mr. Kautzman said on River Road from Highway 41 to Weinbach has been brought to his attention, that they have a crew out there working on it today to make the road passable, but he would recommend that the road be scorified and returned to rock, because of the heavy truck traffic on it and the future maintenance on it would be a lot less expensive if it were rock. We have the equipment on the cat grader to scorify this and we can do it ourselves.

President Willner said Mr. Bruce at one time helped maintain that road and he is wondering if this is still true.

Mr. Kautzman said he does not know if he will continue or not.

President Willner said he would like for the Commissioners to go out on River Road and look at it before a decision is made, so maybe we can make a decision next week.

Heavy traffic on Green River Road

Commissioner Cox asked Mr.Kautzman if he has received any complaints on large trucks using Green River Road and he said no, that he hadn't.
She said this would be coming from the grainery in Daylight, close to Hwy 57. She said it is posted "No through truck traffic" and has a 10 ton limit on it. She said large trucks are traveling on it all the way to Division Street and they are going to tear the road up. She thinks there are also safety hazards we should be concerned with.

Mr. Brenner said the problem is that agriculture products are excluded from all load limits.

Commissioner Cox said she would like for our county attorney to look into the matter.

President Willner said we have an ordinance and he would be glad to make it available to her.

Commissioner Cox said then we have adopted an ordinance that has created problems for us in maintaining a road that is not built to carry the kind of traffic it is carrying. She said she has been told this is everyday and it's continuous traffic, not just occasionally.

Attorney Miller said his understanding of the current ordinance is that thru traffic would consist of traffic from one state highway to the next state highway, so he thinks we would be fighting a losing battle, on the basis of the present ordinance, subject to it's review, to attempt to keep these grain trucks from driving from the location of the grainery to for instance, Boonville Highway. He would say that if Mrs. Cox is concerned about that kind of traffic on Green River Road then it would be appropriate for her to propose a change in the ordinance.

Commissioner Borries said this is also the concern that he has had on complaints he has received about heavy trucks on the River Road also. The road is almost completely deteriorated, that there are obviously some difficulties because of flooding at certain times of the year.

Lay-off of County Garage Employees

Commissioner Cox said in relation to the five persons being layed off out at the County Garage, do you, Mr. Kautzman, know how long this is going to last.
Mr. Kautzman said no, at this time he does not know.
She said she was not consulted on this matter, did you make the decision on your own, or who did you consult with.
Mr. Kautzman said the decision was made between Mr. Brenner, Mr. Willner and himself.

Commissioner Cox said we have talked about road work and do we have a road maintenance plan now, for our 476 miles of road that needs maintenance.

Mr. Kautzman said are you asking me if we are going to be doing repaving or cutting ditches.

Mrs. Cox said no, she is asking if we have a plan right now to say how you are going to maintain our roads that we presently have. She is talking about cleaning the ditches, cleaning along the right-of-ways and making sure our intersections are clear and not

obstructed and that our road signs are not obstructed, because to her, this is what we need to be doing right now, as this is the time to get our roads ready to take the spring rains that we are going to have. Personally she would rather go to the public and say, look, we aren't going to be able to lay you any new roads but we are going to take care of what we have.

Mr. Kautzman said we definitely had more men then we needed for the amount of machinery we have running at the present time.

Mrs.Cox said she still questions why lay off people when we have this work that needs to be done in order to take care of what we have. She has been told the lay-off was because of lack of funds.

Mr. Kautzman said this is true that we are short of funds and we had more men then we nee[redacted].

Mrs. Cox said she thinks this was cruel and inhuman to give someone notice like today, that they are layed off, as we have to work with county employees and we need to keep them as happy and productive as we can and to her she feels that morale wise, this was a very poor managerial move.

Mr. Brenner said he would like to respond to that.

Mrs. Cox said Mr. Kautzman is the Superintendent of the County Garage and ultimately he is to manage the County Garage and in the interim we have a County Surveyor out there and she wants to know if Mr. Brenner is assuming the supervisory roll or who is.

Mr. Brenner said State Statute provides that he can be out there for a period of ninety days and speaking of poor management, if you have ever worked in a factory, it is sometimes shocking, because when it comes time to lay the people off they receive notice in their checks and this is done so that they do not have problems. Some contracts provide a three day notice, but this one provides none and that is the way it works. If they want a two weeks notice it should state that in their contract.

Mrs. Cox said she can understand that but her point is that there are a lot of things that we need to be doing right now that we aren't doing, because we need to maintain the roads we already have, that we do not have a plan and we need one.

Mr. Brenner said we would be over joyed to use the plan that was left to us from 1980.

Mrs. Cox said we have talked about this, that is was a campaign issue, we've had thirty days, and she simply asked the question, do we have a written maintenance plan for the 476 plus miles of road.

Mr. Brenner said in a word.....no.

Commissioner Borries said this is a thing that we should look at, but he does not feel that Mr. Kautzman was to perform miracles in thirty days, as the state legislature in all of it's non-wisdom, has decided that there is going to be short of some one third of their budget and he is assuming that after this re-organization takes place, and we get a firm comitment on funds to be received, that there may be a possibility that some of these men will be put back to work.

Mr. Brenner said it is very doubtful. At this time, there was two positions we did not fill and one person was terminated and five was layed off, so we have gone from forty three (43) to thirty five (35) men and with that reduction you will save $102,000.00 and if you are able to save $483,000.00 out of materials....you will be even.

Commissioner Cox said we keep blaming the Governor, the Legislator and everone else for our lack of road funds, but its because everyone is using less gasoline.

President Willner said we also made the decision at this time not to buy two new trucks o[redacted] any other piece of equipment, so lets look at the over-all picture.

Commissioner Cox said do we need those two new trucks.

President Willner said, well certainly we need them, but we aren't going to buy them.

RE: ROBERT BRENNER....COUNTY SURVEYOR

Bridge and Guardrail Report

Mr. Dave Guillaum said they have had their repair crew on Happe Road working on the pipe

project and it is completed. Tomorrow, the contractor is scheduled to begin work on Garrison Avenue. He notified Mark Tuley who is to notify the news media of the road closing and when it will take place.

Vehicles declared salvage

Commissioner Cox asked Mr. Guillaum about the two vehicles that was declared salvage last week and have they gotten rid of them and he stated that to date nothing has been done with them.

Scrap iron, Metal and Aluminum

Commissioner Cox asked about the scrap materials they declared surplus last week.

Mr. Brenner said we are not through collecting it up yet, but it will go to General Waste and will bring approximately $400.00, that the checks will be turned over to the Auditor.

DAVID GERARD....E.U.T.S.

Mr. Gerard said he has some FA-2 forms to present along with the Annual Element for the Commissioners approval. He said the FA-2 forms he has today are as follows:

Covert Avenue Extension...Right-of-Way..Total cost is $161,500.00 with the Vanderburgh County share being $40,375.00.

Burkhardt Road Project....Right-of-Way..Total cost is $200,541.00 with the Vanderburgh County share being $50,135.00

Two FA-2 forms for Eichoff-Koressel Road, connecting the two roads together, for the remainder of the preliminary engineering, the contract is still under review of the state, as this would be for the design portions. Total cost is approximately $207,000.00 and local share is $51,714.00.

Mr. Gerard said Vanderburgh County does have the Signing Program that uses three different sources of funds and we are going to submit FA-2's for two of those.

He said he has a new form for Green River Road widening, from Morgan Avenue to essentially where the Lynch Road Extension comes in. Total federal cost is $39,000.00 for the preliminary engineering with a local share of approximately $10,000.00.
He said they have been told by the State Highway other then emergencies, not to plan any preliminary engineering for Federal Aid Urban monies, but we thought we would submit this one, if the Commissioners so desire, and try to make a case for it.

Commissioner Borries said he appreciates Mr. Gerard's willingness to do so,as he noticed in traveling through that area yesterday, with the rain and snow that we have had that there are already traffic problems on Green River Road, with the proposed opening of the new Penney's store so he for one, would think this would be considered an emergency.

Mr. Gerard said we are submitting these for phases of projects that conceivably begin before July of 1982. We tried to make some estimate as to what cost would be incurred in 1981 and they came up with a total local cost of some $295,682.00 that will carry into 1982.

Commissioner Borries moved that the Commissioners approve the FA-2 forms and the Annual Element. Commissioner Cox seconded the motion. So ordered.

RE: LOUIS STEPHEN....COUNTY HIGHWAY ENGINEER

Burkhardt Road Project

Mr. Stephen asked if a letter to proceed with the engineering on Burkhardt Road had been sent.

Mr. Gerard said such a letter has been sent to Morley and Associates and a copy of it will be sent to the state.

Change Order

Mr. Stephen said he has a change order on Lynch Road to incorporate the drive to Drury Inn. He said just prior to letting this contract Drury Inn asked for two drives on Lynch Road but they were only allowed one, to the back of their property, and that was not incorporated into the plans because it came along about the time we were ready to let the contract, so that is the reason for this change order that he needs the Commissioners signatures on.

Commissioner Borries asked if this is in addition to the one drive they already have and Mr. Stephen said no, they didn't have any before, therefore to allow this one will give them only one plus the one to the Highway, but this one today is for the back of their property, on Lynch Road.

Commissioner Cox moved the change order be allowed. Commissioner Borries seconded the motion. So ordered.

Responsibilities of Highway Inspector and Dog Catchers Truck

President Willner said he has asked Louis Stephen if he will take over the responsibilities as Highway Inspector at the County Garage, thereby eliminating that spot from the County Garage' budget and he has agreed to do this. Along with this the Road Inspector has been using a county vehicle and he would like to transfer that particular vehicle to Mark Tuley and transfer Mr. Tuley's pickup truck to the dog pound, remove the bed from the pickup and put the dog catchers bed from the old truck on this better pickup.

Commissioner Cox said what exactly are we going to eliminate here.

President Willner said the County Highway Inspector's position, who's job description was to travel the county roads, look for any dangerous intersections, any bad places in the road, signing and ditches and also when this change is all completed we will be asking Mr. Stephen to get a weekly report from the Sheriff's Department that normally patrol the roads. We want accident reports and any discrepancies that the deputies find in the county roads causing accidents.

Commissioner Cox said in addition to all of his other duties, Mr. Stephen will now be responsible for the 476 miles of county roads and this seems to her like a very big job for one person to handle.

President Willner said our insurance carrier, Hartford, has been asking for this plan for about six months, so to implement this, he feels like is a good thing.

Attorney Miller said from a legal aspect, he does not think that it would be advisable to have the County Sheriff's Deputies expressing an un-solicited opinion as to whether or not a particular condition on the roads was a direct or approximate cause of an accident. He thinks it would be best if the Sheriff's Deputies were simply asked to report conditions at the particular site of an accident and in addition report to Mr. Stephen any potentially hazardous that they find, because we would not want it to constitute an admission of a county officer.

President Willner said he brought up this very thing for discussion because he felt the same way, but our insurance carrier dis-agreed with him and their attorneys for the insurance company dis-agreed with that also and our former county attorneys also dis-agreed. The insurance company said if you go to court and show the court that you do have a periodically means of reporting failures, that you are better off then having none.

Attorney Miller said he does not argue with the reporting of what they find in the way of deteriorating conditions or hazardous conditions, because he thinks this is appropriate and good, but he does not think that we want to have a Sheriff's Deputy draw a conclusion in an accident report to the effect that a particular condition in the road was a particular cause of that accident.

Commissioner Cox moved that the jobs of Highway Inspector and County Engineer be combined into one position and secondly to transfer the vehicles as stated earlier. Commissioner Borries seconded the motion. So ordered.

RE: MARK TULEY....SUPERINTENDENT OF COUNTY BUILDINGS

Fence at County Garage

Mr. Tuley said last week it was reported that the fence was down at the garage and you have asked for bids on that, so he checked with the Purchasing Department and four companies were notified on it and we received only two bids. We received a call-in bid from Benthall Brothers in the amount of $2,850.00 and a written bid from Sears in the amount of $2,055.00.

President Willner asked Mr. Tuley if he has sufficient funds for this fence and he replied that he does have, but that the money is going pretty fast, however, he would highly recommend we get this done because at this point there is no security out there, because there is about 319 ft. of fence down. He said from everyone that he has talked to Sears has done work for the county before and they have been very good, therefore he would recommend that Sears bid be accepted.

Commissioner Borries moved that the Sears bid for the fence in the amount of $2,055.00 be awarded. Commissioner Cox seconded the motion. So ordered.

Electrical wiring at the Garage

Mr. Tuley said also at the garage last week when the emergency work was done to move the gas pump outside,one of the main electrical wires to the garage was knocked down, he had an electrician to fix it and the cost on this is $150.00, so he would like formal approval to have this repaired. He will present a firm price as soon as possible.

Fence at Hillcrest Home

Mr. Tuley said the the Superintendent at Hillcrest Home, Mr. Denzil Reed, brought a matter to his attention that sometime back they took bids through the pruchasing department for some fence to be installed, well, Sears told us they would do it for $600.00, but somehow it got mixed up and was given to National Fence to install it for $833.00, but this job has never been started so he called National Fence this morning and they told him that it was messed up on the order because they do not install commercial fences, so they would like to cancel that contract and re-bid if possible.

President Willner said he to talked with National Fence and they are willing to cancel the purchase order, because they cannot even purchase the materials for that price. Evidently, everything printed on the purchase order was incorrect.

Commissioner Cox moved that the previous purchase order to National Fence be rejected and advertised for re-bid. Commissioner Borries seconded the motion. So ordered.

Shelves from Treasurer's office Declared Surplus

President Willner said he has a note from Lewis Volpe, County Treasurer, stating that he has in his office two home-made wooden shelves, that he is no longer in need of, therefore he would like for them to be declared surplus and perhaps be given to other offices that might have need of them.

Mr. Tuley said we can use one of them in the basement, but the one is to large to get down there, but he will check with other offices to see if someone can use them.

RE: COUNTY ATTORNEY

Transfer of Backhoe to Burdette Park

Attorney Miller after reveiwing the Cumulative Bridge Fund Statute, said he feels that the Cumulative Bridge and Burdette Park can most easily accomplish what they are wanting to do in terms of transferring a backhoe from the Cumulative Bridge Fund to Burdette Park by allowing the Bridge Fund to simply lease it to Burdette Park, but retain title to it in the Bridge Fund and at the time that the piece of equipment is no longer usable then the Cumulative Bridge Fund can declare it surplus and sell it to the best and highest bidder. We will find out what the rental value is & draw up a lease contract to be adopted by all parties involved.

Bids..Hirsch Road Bridge #93 and Upper Mt. Vernon Bridge

Attorney Jones said the bids were for two projects jointly bid, one of those being Upper Mt.Vernon Road Bridge at Tupman Avenue and the second one being the repair and widening of structure on Hirsch Road Bridge #93. There were seven bids received but not all of them bid on both projects. Bids were as follows:

1. Deig Brothers Lumber and Construction:
   Upper Mt.Vernon Road Bridge.....$24,088.00 (If awarded both bids we can figure
   Hirsch Road Bridge.....$147,272.50 a $360.50 reduction)

2. Barnett Brothers, Inc. of Henderson,Ky.
   Upper Mt. Vernon Road Bridge...$28,656.00
   Hirsch Road Bridge.....$149,753.60 (No deduction for awarding both)

3. Ray Stradtner Excavating, Inc.
   Mt.Vernon Road Bridge.....$18,095.00
   (No bid on Hirsch)

4. Robert F. Traylor, Corp.
   Mt.Vernon Road Bridge.....$33,776.00
   Hirsch Road Bridge.....$163,734.60 (If awarded both bids..$1,000.00 reduction)

5. Angel Excavation and Concrete
   Upper Mt. Vernon Road Bridge...$26,961.00
   Hirsch Road Bridge...No bid.

6. Southwest Engineering, Inc.

   Upper Mt.Vernon Road Bridge.....$26,980.60
   Hirsch Road Bridge.....$139,833.60 (No deduction for awarding both bids)

7. Key Construction Co.,Inc.
   Upper Mt.Vernon Road Bridge.....$22,975.00
   Hirsch Road Bridge.....$143,598.00 (If awarded both bids...$2,000.00 reduction)

Mr. Jones said it appears that Ray Stradtner Excavating, Inc. has submitted the low bid for the Upper Mt.Vernon Road Bridge #93 and that Southwest Engineering, Inc. has submitted the low bid on the Hirsch Road Bridge.
All bids are properly signed, they all have proper bonds and checks and all bids contain a non-collusion affidavit.
Mr. Guillaum said the estimates were: Upper Mt.Vernon...$20,000 and Hirsch Road...$150,000.
Commissioner Borries moved that all bids be referred to the Bridge Engineer for further study and a recommendation next week. Commissioner Cox seconded the motion. So ordered.

Discussion of Law Suits with County Employees

Attorney Jones said he and Mr. Miller met with a Margaret Frickey, a claims representativ from Hartford Insurance Company, who carries the liability insurance for the county, and from this meeting arose the need for either the County Commissioners or the County Attorney should send a letter to all departmentheads for whom we represent, advising then that in the event of any law suit filed against the county or that office, that there be no discussion, public or otherwise, by any county employee or officeholder, with anybody who is not authorized by the County Attorney. And also that all subpeonas, summons or claims that are served upon anyone, be immediately taken to the County Attorney or to the County Commissioner's office, that there have been instances when employees involved in law suits have attended a legal proceedings without counsel or have made statements without having first talked to a County Attorney.
A letter needs to be sent out to everyone so that this policy is understood by all.

Attorney Miller said that anytime a county employee is summoned or subpeoned to testify either at a deposition or at a trial, we should be notified so that we can determine what exposure, if any, that testimony would give to the county.
He said the county attorneys will prepare a letter to the Commissioners next week for approval.

Commissioner Cox moved that the County Attorneys prepare such a letter to be submited to all officeheads and employees of the county. Commissioner Borries seconded the motion. So ordered.

Travel request for non-county employee

Mr. Miller said last week the question arose about travel expenses should be paid for a non-county employee and the answer, in his opinion is no.

Litigation

Attorney Jones said in respect to the litigation of major law suits for which he or Mr. Miller enter their appearance to defend the county, which is not within the scope of their normal and ordinary duties, he believes they now have a complete list of law suits they consider to be major litigation that are presently on file, and are as follows:
1. B&M Construction,Inc. verses Kauai Industrial Park, in which the county was named a party defendant

2. Complete Lumber Company verses City of Evansville, and County Commissioners and Southern Railway. It appears to be a claim for adverse taking involving Hirsch and Harper Ditch. He has talked with these parties and eventhough his law firm represents Southern Railway, there's not anything adverse between the county and Southern, so he appeared in behalf of the county in this suit.

3. Reynold Hirsch verses Vanderburgh County, which is again a drainage case and was venued to Warrick County and he has not entered his appearance in this case yet, it was turned over to Attorney Miller, there was local counsel in Warrick County hired which has been retained, and is set for trial in April.

4. The tax sale suits were referred out because both he and Mr. Miller feel there would be at least the appearance of a conflict because of the relationship of our law firms and those cases were referred to Bruce Heathcotte.

5. The class action suit in federal court against the Sheriff,the County Commissioners and the County,and he thinks that both he and Mr. Miller need to be involved in this case.

6. There was a suit filed this week asking for one half million dollars against the Sheriff, which was filed by Phillip Short of the National Prisoners Rights Association, He had entered his appearance in this case and he has also checked to see if some sort of liability insurance is provided,but he is simply going to wait and see whether they will assume the defense of this matter, if not, the Sheriff has asked him to stay on this case in any event.

Shelves from the Treasurer's office

President Willner said he just received confirmation that the County Garage wants the wooden shelves declared surplus from the Treasurer's office.

Commissioner Cox moved that the above request be allowed. Commissioner Borries seconded the motion. So ordered.

RE: TRAVEL REQUEST....COUNTY CORONER

President Willner said last week we had a travel request from the Coroner to send Doctor R.F. Brown, Deputy Coroner to the American Academy of Forensic Sciences 33rd Annual Meeting and it was delayed until the county attorney advised us if it would be legal since Dr.Brown is not a county employee. Attorney Miller has advised us that it would not be legal.

Commissioner Borries moved that the request from the Coroner be denied. Commissioner Cox seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted by Great Scot Supermarkets, Inc. for an appreciation dinner for vendors to be held on February 3,1981 at the Auditorium.

A certificate of insurance was submitted by Angela M. Schultheis and Steven B. Theising for a wedding reception held on January 31,1981 in the Gold Room.

A certificate of insurance was submitted by Whirlpool Employees Federal Credit Union for a union meeting to be held March 8,1981 at the Auditorium.

A certificate of insurance was submitted by J.H. Rudolph and Co.,Inc.

A certificate of insurance was submitted by Feigel Construction Corp.

All certificates received and filed.

RE: BLUE CROSS AND BLUE SHIELD...MASTER POLICY

Submitted was a Blue Cross and Blue Shield of Indiana Master Policy Documents, which are effective January 1,1981. These documents should be inserted into the existing Master Policies.

Documents received and referred to the County Auditor for filing with other policies.

RE: AGREEMENT TO PROVIDE PROFESSIONAL CONSULTING SERVICES

President Willner said we have an agreement to provide professional consulting services from David M. Griffith.

County Auditor Alice McBride said we have had a contract with them for the past several years and she believes last year they made us about $30,000.00, and if they don't save us any money then we don't owe them any.

Commissioner Borries moved the agreement be adopted. Commissioner Cox seconded the motion. So ordered.

RE: ORDER TO APPEAR:

Received was an order to appear against Ruby Norris, employee of the Auditorium.

This was referred to the County Auditor to take the proper steps necessary on it.

RE: YEARLY REPORT:

Submitted was a yearly report from the County Highway. There was a copy of this report for each of the three County Commissioners.

Mr. Kautzman said this was prepared by the former administration.

RE: CLAIMS

A claim was submitted by Engineer Associates, Inc. for engineering inspection on St. Joseph Avenue from 1-19-81 thru 1-23-81 in the amount of $3,119.84. Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.
A claim was submitted by Engineer Associates, Inc. for engineering inspection on Lynch Road from 1-19-81 thru 1-23-81 in the amount of $3,642.35. Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.
A claim was submitted by James Angermeier, County Assessor for attending the Indiana Assessor's Conference in Indianapolis in the amount of $111.80. Meeting was held on January 27,28 and 29.

Commissioner Cox asked if Mr. Angermeier requested permission to go to this conference.

President Willner said he believes all of the Assessor's requested this, so there will be claims for all of them coming through.

Commissioner Cox moved the claim be approved if Mr. Angermeier requested permission to attend the conference and it was previously approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by the Evansville Printing Corp. for Notice To Bidders advertisement for one Deluxe Station Wagon.....advertised in the Evansville Courier.....$14.08.

A claim was submitted by the Evansville Printing Corp. for Notice To Bidders advertisement for one Deluxe Station Wagon.....advertised in the Evansville Press.....$14.08

Commissioner Cox moved that both of the above claims to the Evansville Printing Corp. be approved. Seconded by Commissioner Borries. So ordered.

A claim was submitted by Ashby-Rauscher Agency, Inc. for an Indiana Insurance Company bond on Mr. Louis Stephen, in the amount of $30.00.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

VANDERBURGH SUPERIOR COURT

Leann Pinkston		Riding Bailiff	$11,891.00	Eff:1-26-81

COUNTY COMMISSIONERS

Shirley Roll	1709 So. Vann Avenue	Law Libr. Clerk	$ 8,726.00	Eff:1-31-81

RE: EMPLOYMENT CHANGES.....RELEASES

COUNTY COMMISSIONERS

Beatrice Phillips	1132 Lohoff Avenue	Law Libr.Clerk	$ 8,726.00	Eff:1-29-81

EMPLOYMENT CHANGES...CONTINUED...RELEASES

COUNTY RECORDER:

Anita Riecken	1124 Ravenswood	Misc. Deputy	$9,160.00	Eff:2-2-81

VANDERBURGH COUNTY HIGHWAY DEPARTMENT:

William Boring	1828 Glendale Ave	Laborer	$6.18 Hr.	Eff:2-11-81
Harley Tabor	105 Edgar Street	Laborer	$6.18 Hr.	Eff:2-11-81
James Triplett	10101 Beaty Lane	Laborer	$6.18 Hr.	Eff:2-11-81
Gary Page	2925 Dearborn	Laborer	$6.27 Hr.	Eff:2-4-81
Robert Hertzberger	629 Red Bank Road	Laborer	$6.18 Hr.	Eff:1-29-81

RE: CUTS-IN

Mr. Stephen submitted the following application for road cuts.

The Evansville Sewer Department request permission to cut into right of way on Broadway Avenue on north side of road approximately 1,000 feet east of Schute Road, to install sanitary sewer.
The German Township Water Department requests permission to make a cut on Kuebler at Fischer and Meier, to install water lines.

There being no further business the meeting recessed at 4:30 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
	Robert Willner Richard Borries Shirley J. Cox	Alice McBride	David Jones David Miller

SECRETARY: Janice Decker

Robert D. Willner
R J Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
FEBRUARY 9,1981

The meeting of the County Commissioners was held on Monday, February 9, 1981, at 2:30 p.m. in the Commissioners Hearing Room.

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

RE: HOLIDAY CLOSINGS

President Willner said the County offices will be closed on February 13,1981 for Abraham Lincoln's birthday and also on February 16, 1981 for George Washington's birthday and the next regularly scheduled meeting of the County Commissioners will be February 17th. at 7:30 P.M.

RE: MARK TULEY...SUPERINTENDENT OF COUNTY BUILDINGS

Overhead doors at County Garage

Mr. Tuley said the overhead doors at the County Garage went out. They had to have them fixed and had the other doors serviced and it cost $275.00 so he would like to have this declared and emergency, that he does have the funds available in his account.

Commissioner Borreis moved the above item be declared an emergency and that the bill be paid. Commissioner Cox seconded the motion. So ordered.

Batteries for Lighting at Hillcrest

Mr. Tuley said a few weeks ago the Commissioners approved repair for the emergency lighting at Hillcrest and it was to run about $700.00 for the batteries alone. To have these installed, with all the wiring, it was going to run about $900.00 total. He said he contacted Dave Schofield and told him the county was really low on funds, that we would appreciate anything that could be done cheaper and it is now all in and complete and it cost $518.00.

RE: CONRAD COOPER...AUDITORIUM

Early Set-up Fee

Mr. Cooper said he would like to initiate an early set-up fee for the Auditorium. He said this past week end they had a dance that lasted until 1:00 a.m. which required him to pull in a crew to get the Auditorium ready for a 6:00 a.m. set up for the flea market. They expended $278.49 in overtime and they placed that against the flea market revenue of $537.15, which means they cleared about $258.56 which when you apply that against the utility cost, insurance, etc. he don't think we are meeting expenses, so what he proposes is that we initiate a $40.00 per hour early set-up fee, with a minimum of four hours, with a minimum of $100.00, which should off-set what we have to pay our men in overtime for these special set-ups. He feels this is a fair charge and he based it on the overtime rate they are now paying which is approximately $9.30 per hour for each man.

Consession Area

Mr. Cooper said he has been exploring the possibility of setting up a consession area on the first floor that would serve both rooms. Presently we have only one consession area which serves only the Gold Room primarily and we have gotten into some hassles with the caterer working in the Gold Room who wants to restrict any sales to the Gold Room, meaning that any one attending something in the Auditorium would have to pay the admission price in the Gold Room to purchase a coke. He believes this can be done with no expense to the county, by moving some things around and using some storage areas available on the first floor. He has also talked to the Parks and Recreations Department and possibly they are going to have an auction of their surplus equipment later this month and he looked at it and they have some tables and ice cream chairs that he believes they can work out an agreement on, since they want to use the Auditorium during Matinee periods for meetings for soft ball leagues, etc. therefore he would like to get with them and establish a cash value for items that we will be able to use and maybe work out some sort of trade agreement with them.

Surplus Tools

Mr. Cooper said he has talked with Mr. Kautzman at the Garage and they have some surplus tools and equipment that we can use in our shop and we have a lot of surplus materials that they could use, and he would like to have permission from the Commissioners to exchange some of these items.

Mohammad Ali Sports Production

Mr. Cooper said he mentioned last week about the Mohammad Ali Sports Production cancellation of the fight. We've received a $987.00 cash deposit from this promoter, which was full payment for all rental and ancillary services of the Auditorium that he thought he might need. He understands we are justified in holding the deposit inasmuch as he canceled within thirty days of the event. He spoke with the promoter on the phone this morning and offered to carry the deposit forward for a brief period if they could come up with another open date to use the Auditorium, because he feels it is only fair that he be allowed to use it. They also paid for security services in advance and also paid Indiana State Sales Tax and he personally feels we will be required to return that portion of the man's money.

Mr. Miller, County Attorney said this is correct.

Mr. Cohoon...Non-Profit Organization

Mr. Cooper said he has been unable to contact Mr. Cohoon to see if he would be willing to accept the 50% refund as suggested by Mr. David Jones at the last Commissioners meeting.

Cost of Living Contract

Mr. Cooper said he would like for the Commissioners to continue to work with the Teamsters Union to get him a Cost of Living Contract.

Early Set-up Fee

Commissioner Cox said are we thinking in terms of increasing usage fees for the Auditorium.

Mr. Cooper said perhaps we should consider that at a later date, but at this point he is proposing only an early set-up charge. The lease agreement at this time does not state a money figure, but rather are left blank to be filled in by us.

President Willner asked Mr. Cooper how many men he used to work overtime and he replied he had to use four men at five hours overtime each.

Attorney Miller said the lease is going to be revised a bit and he feels all of the cash prices should be left out so that it is flexible enough to be used as the policy changes on the costs.

It was decided that Mr. Cooper would get with the County Attorney and work out a Resolution and present it back to the Commissioners.

Permission to Negotiate with Parks Commission

President Willner said Mr. Cooper could go ahead and try to negotiate a trade with the Parks and Recreation Department but on the County Garage, that is different and we must be careful, and he should bring anything back to the Commissioners in written form before doing any thing with them.

DAVID SAVAGE...TRAFFIC ENGINEER

Truck Traffic on Green River Road

Mr. Savage said in reference to the truck traffic on Green River Road he would like to say that they are in the process of installing a signal light at Green River Road and Virginia Streets, which is the Service Merchandise intrance. He said his crew working out there has indicated to him that a number of grain and coal trucks were coming from North Green River Road and they think that they are coming down Highway 57 to get to Division Street so that they would not have to go within three miles of the scales on Highway 41. He understands we cannot do anything about agriculture products or any traffic going locally, but evidently not all of it is that kind of traffic.

President Willner said we then should ask the Sheriff to patrol the area and see if we are indeed having through truck traffic.

RE: GENE KAUTZMAN....COUNTY HIGHWAY

Weekly Absentee Report

Mr. Kautzman submitted the Absentee Report on the employees at the County Highway Garage for the week which ended February 6, 1981.

Report received and filed.

Scrap Iron

Mr. Kautzman said on the scrap iron that they have been selling, they have the back lot pretty well cleaned up and they have brought in a little over $700.00.

Changing of Shifts

Mr. Kautzman said they are doing a little re-arranging on the shifts at the Garage by putting Jerry as Manager on nights along with a mechanic and a laborer. We already have two greasemen on nights, and he feels this will definitely work for the better of the operations. They are hoping this will work out and be a permanent statis, and if there are any problems arising from it they will try to work them out.

Commissioner Cox said she wondered about this because you said you were low on supervisory personnel for the day crew and this will take another one from days.

Mr. Kautzman said this is true, but the night crew is a very important function also and we felt this would be of greater help to the operations of the garage.

Tool Crib

Mr. Kautzman said the tool crib is fenced in and completed and they are now in the process of putting in the fence in the back lot that was down.

River Road Problem

Commissioner Borries asked about the problem on River Road and if anything has been done to improve the situation.

Mr. Kautzman said they have it graded and it was not as much of an asphalt road as he had thought. He said we had discussed scorifying it and turning it into a gravel road, but it is not really pressing at this time and if the Commissioners want to go look at it, we can take further action on it at a later date.

Road Maintenance Plan

Commissioner Cox asked Mr. Kautzman if he has the road maintenance plan finished yet and he replied no. He said also they are going to continue to work on the problems that are call in as far as the road maintenance and they are going to try to work on the ones that are nearest the garage so that these machines that are breaking down that we won't have to tow them quite so far.

Commissioner Borries asked if it has been a practice at the Garage before this year to have a preventive maintenance plan and Commissioner Cox said to her knowledge no, it has not been, but it is time for a change.

RE: JESSE CROOKS....BUILDING COMMISSION

Report of Permits Issued

Mr. Crooks submitted the Building Commission Report of permits issued for the Month of January, 1981. He said the number of permits are lower but dollar wise we are ahead of last year.

Ferlick Creek and Blue Grass Creek

Mr. Crooks said he received a call last week about the intersection of Ferlick Creek and Blue Grass Creek, about someone removing a lot of dirt from that area and in doing so it made the drainage worse and the water is backing up and causing problems to homes in that area. This is located off of Heckel Road.

President Willner referred this matter to Dave Guillaum to go out and look it over and report back to the Commissioners.

RE: ROBERT BRENNER....COUNTY SURVEYOR

Bridge and Grardrail Report

Mr. Guillaum said on Schlensker and McCutchan, hopefully, within a week we will have that project complete, as 95% of the project is already complete, it is open to traffic, but we do need to rip rap the bank yet.

Commissioner Cox said the complaints she has received is that the school buses cannot go through there yet and the children are having to walk a distance to catch the buses.

Mr. Guillaum said traffic can get through there but a lot of times a contractor will leave the signs up for his own protection. There should be no problems and everything should be cleared up by the end of this week.

He said last week he had his repair crew on Old Henderson Road, that they have been doing some of the repair work on some of the bridges as far as guardrail and drainage work under the structures themselves and judging from what else has to be done we have at least another weeks work there yet.

Garrison Project

Mr. Guillaum said concerning the project that was let a couple of weeks ago on Garrison Avenue he wants the Commissioners to be aware of the fact that the dirt there is pretty poor which is going to necessitate additional rock and some rip-rap on the banks and probably a little more channel excavation in order to get the full benefit out of the pipe they put in, and it looks like if we take the black top off of the project and also a pipe anchor then he doesn't think that we will be running in the hole, at the most we may be looking at $500.00 to $1,000.00, but if this happens he will come back to the Commissioners with a change order, but he did not want the old dirt put back into the roadway area.

Dismatle of Guardrail

Commissioner Cox said in looking at the weekly report it states that on February 4, 1981, the crew worked at the County Highway Garage on the dismantlement of guardrail and also moved guardrail ends and stored in area with guardrail.

Mr. Guillaum said this guardrail is used only for bridge work and by us doing this work we saved ourselves a good little bit of money. Rather then buy any new rail we intend to use up all of this old rail.

Awarding of bid on Upper Mt.Vernon Road Bridge at Tupman Avenue

Mr. Guillaum said in checking out the bids for the Upper Mt. Vernon Road Bridge they would like to recommend that the bid be awarded to Ray Stradtner Excavating for $18,095.00.

Commissioner Borries moved that Ray Stradtner be awared the contract for Upper Mt. Vernon Road Bridge at Tupman Avenue in the total amount of $18,095.00
Commissioner Cox seconded the motion. So ordered.

Hirsch Road Bridge #93

President Willner said we also accepted bids for the Hirsch Road project, but we have let a contract with an Indianapolis firm to study the Lynch Road extension corridor and he had lunch today with an official of that firm and he told him that one of the areas to be studied might involve Hirsch Road, so he has asked Mr. Brenner to hold up on this project until a later date.

RE: LOUIS STEPHEN....COUNTY HIGHWAY ENGINEER

Extra Work Agreement

Mr. Stephen said he has an extra work agreement on Lynch Road, that when they were doing the ditch work, they ran into a garage and LP gas tank that was sitting too close to the top of the bank and they ended up having to use a 1:1 slope on the bank and it had to be rip-rapped and this is the cost for that riprapping, which is $2,616.12. He said these should never have been allowed to be built there.
Mr. Stephen said the actual work was done in August but he feels like we should have known about this at the time it was being done, but we didn't.
President Willner said he hates to see these change orders come before us after the fact.

Commissioner Borries asked Mr. Stephen about the work, that was it done to your satisfaction.

Mr. Stephen said its not good as close as it is, but as the Drainage Board he would wonder if you have any recourse to get them to move the garage back out of the right-of-way.

Mr. Miller asked if the determination has been made whether or not a building permit was granted to construct the garage.

Mr. Stephen said no, he does not know who owns the garage, but if the Commissioners want to hold up on it he will try to get some history of the problems.

President Willner said Mr. Stephen should also contact the contractor and tell him that in no case to go ahead with anything that is going to cost us over and above the contract price unless he gets approval from the Commissioners.

Mr. Brenner said before we go after the property owner perhaps we better remember what happened on the East Side Urban project, where we widened the ditch and thought we had a seventy five foot right-of-way but come to find out we had only an easement and that is why we have a five million dollar law suit on the other side. On this ditch we are discussing today we never purchased any right-of-way.

Commissioner Borries said he sees no need to delay action on this extra work agreement if the work is complete, but he feels that we might have some problems because this is really close.

Commissioner Cox moved that the extra work agreement be approved. Commissioner Borries seconded the motion. So ordered.

RE: RON LYLES...COUNTY COUNCIL ASSISTANT

Mr. Lyles said he has asked Conrad Cooper to submit to him an itemized list of all of the problems that he's confronted with at the Auditorium, such as the air condition unit and the boiler. It is his understanding that the County Council is going to review this at a special meeting to be held on February 18,1981, and hopefully with this list Mr. Cooper will also have some cost estimates and he would like to have this by Wednesday of this week, if possible. The purpose of this list is that it would give the Council members an opportunity to review what these items are and perhaps be in a position to make an inteligent decision while they are all at the Auditorium. A few months back the Council approved $106,000.00 for improvements at the Auditorium and right now these things are sort of on the back burner for the time being.

Commissioner Cox said she knows that the money to be used for the repair of the air condition and the boiler was originally appropriated for stage repair and new drapes which are in very bad shape and she would hate to think of the liability on the part of the county should they fall.

Commissioner Borries said in conversations that he has had with Mr. Cooper he made some indication that the drapes could be repaired, but if we do not get the air conditioning and the boiler to running, then we cannot run the building.

Also Mr. Lyles said he has had conversations with Mark Tuley who is in the process of talking to different officeholders to see whether they may or may not be interested in the dental and eye plan insurance and Mr. Tuley has assured him he will keep him informed of the progress on this, so that he inturn can inform the Council members.

RE: LARRY LAWRENCE.....COUNTY COUNCIL MEMBER

Mr. Lawrence said he is representing Mr. Wortman, President of the County Council today and as we are all aware of Mr. Wortman has presented a County Personnel Policy which was drawn up by Attorney Edwin Smith, Ron Lyles and Curt Wortman. It is Mr. Wortman's understanding that the Commissioners have now started on some sort of County personnel policy and if this is true he expresses his delight because some kind of policy is certainly needed, whether it be one drawn up by the Council or one by the Commissioners. He said other counties, as we know, have instituted personnel policies and Mr. David Jones has given us his opinion that County Council does not have jurisdiction, but the bottom line is that we do need a policy and we'll let the attorneys for the council and commissioners battle that out. Mr. Wortman also has suggested that possibly the best of two efforts, his and the Commissioners, might be a better result, and he has suggested that the County Commissioners appoint two and the Council appoint two members and a fifth citizen member be appointed to form a committee to look over the possibility of a personnel policy. He said they are glad that the County Commissioners have started to work on a Personnel Policy because not much was done on this until Mr. Wortman announced that he was going to do it.

Mr. Lawrence said secondly he would like to discuss the county insurance, as it is his understanding that the County Commissioners is supposed to be contacting each departmenthead to see if money is available in their particular budgets for eye and dental care for their employees. He personally has no objections to that, if that money has already been allocated and in those budgets, however, in the past two days, he has been in contact with two departmentheads, one agreeing with that type of arrangement and one dis-agreeing and the one agreeing with it is still operating under the false impression that we'll get the eye and dental out of our budget and then we'll come back to council for that amount of money, later in the year, but the way the budget is, there is no way we could come up with some $148,000.00 for this insurance.

He is assuming that when these officeholders came before us at budget session for a line item to be set into such amount, he assumed they needed that money, and now if they can take that money and use it for insurance, then it tells us that perhaps they did not need it for what it was originally allocated for and we will remmeber that at budget session come this September.

Thirdly, Mr. Lawrence said he has been selected as the liaison between the County Council and the County Commissioners and he personally would like to see more cooperation between the two bodies, that perhaps some of that has been a lax on his part, that he has not been into the Commissioners as often as he should, but he sometimes gets the feeling when he is in snooping around that he is not wanted, but we can overcome this, after all they are both controlled by the same party so it looks like things could be operating more smoothly.

President Willner said in response, Mr. Lawrence stated that nothing was started from the Commissioners concerning a personnel policy until Mr. Wortman started one, is not true. The first day of him sitting in this Presidents chair we said we needed a personnal policy and we are working on one, and one will be passed and he has no problem with having the Council's input, the Commissioners input and all Attorney's input into the policy. He does however have a problem distributing a personnel policy to the officeholders before the Commissioners have had some input on it and we have already had a problem with that, because the personnel policy distributed called for a thirty five hour work week and the next day they received calls from the union saying.....me too. This is the sort of thing that should not happen, if we wanted good cooperation between the council and the commissioners then save that policy, bring it to us in private, and we'll go through it and discuss some of the things that causes problems, but the idea of getting it to the public first is not a good idea.
He said before this Commission ever distributes a personnel policy to an officeholder or to the public, he would certainaly hope that it would have the Council's input.
He said the insurance is another thing that he did not create, it was created by the Council and the union picked it up, and well they should have, but he regrets it happened and we are doing our best to work it out but to date he doesn't believe there are any regular county employees that are going to participate, other than union employees, at this time.
He said as far as cooperation, he would agree that it should be better between the county council and the county commissioners and he will certainly see that it is forth coming.

Mr. Lawrence said he intends to make a weekly contact with the Commissioners from now on.

Councilman Borries said he shares the same concerns of Mr. Willner in regards to who in fact has to set out this personnel policy. He personally has been in contact with Allen County who does have a personnel policy and on the school spring break he intends to travel to Fort Wayne to see what they are doing up there.
He said some of the immediate concerns that he sees in regards to county government have a lot to do with what you've expressed with eye and dental as all of the officeholders will have to make their own decision, but it's quite a complicated nature when you have so many elected officials as to who in fact is going to say we want the eye and dental and who's not.

Commissioner Cox said she thinks the news paper's accounting of the thirty five hour work week is for the most part a true and correct assessment, that most of county government offices work from 8:00 a.m. to 4:00 p.m., the employees are allowed a lunch hour, therefore she was glad to see it come out eventhough it did up-set the union, but the public taxpayers pay our salaries and our benefits and they have a right to know what they are paying for. It makes her no difference who writes the personnel policy but she would say we need one very badly.
On this insurance, she too believes there is a lot of mis-understanding, that if they can use some money that is in their budget now to get it started then they can come back later in the year and get an appropriation to cover it.

Mr. Ron Lyles said on the thirty five hour work week, he personally contacted some fifteen counties, by phone, and out of that amount there were four or five who wrote to him explaining their policy in their county and overall most counties have a thirty five hour work week for their employees. In his research, not only did he include like fifteen different counties, he contacted Indiana University and they have a model personnel policy book and they have had a lot of experts to work on it.
He said in all due respect to the legality, he personally contacted the State Board of Accounts, and he won't call the gentleman's name, but he said the county council has already adopted a form of a personnel policy when they adopted the 1981 Salary Ordinance, which is a part of a personnel policy, which means that whether it's the County Council or the County Commissioners, they are both separate, but equal powers, they both have legislative, in essence.

Commissioner Borries said he does not agree with Mr. Lyle's preception, as there are other areas of county government that have specific things, for instance Allen County has three full time County Commissioners, paid at a salary of approximately $22,900.00 each.

Mr. Lyles said he has read the Allen County personnel policy three times and he can assure him that the Board of County Commissioners at Allen County approved that personnel policy.

Commissioner Borries said that exactly right, but he is talking about what Mr. Lyles said about the County Council's powers in regard to their move on a personnel policy. The council must approve salaries but that does not carry over into a personnel policy.

Mr. Lyles said what he is meaning is that in his research, that we do have counties within the State of Indiana that have these powers.

Commissioner Borries said there are county council's in Indiana that have those powers, but he does not think that Vanderburgh County is one of them.

Attorney Jones said St.Joseph County has legislative powers but the County Council of Vanderburgh County, as he advised them when he was Council attorney, does not have legislative power, that they have only the power for fiscal matters.

Commissioner Cox said if she were sitting on the County Council and reviewing salaries for the county employees and one office of employees was doing the same or equal work as another office employee, and the office holders gave a different amount of ill days, birthdays, vacation time, working hours, etc.,she thinks there should be a differentiation in salaries.

Mr. Lawrence said Mr. Wortman has gone public with this and he does not agree or dis-agree with that, he is only saying that Mr. Wortman has initiated the action and no matter what kind of personnal policy we come up with now, it will be because he initiated the action, that if the County Commissioners were working on a personnel policy it was not public.

President Willner thanked everyone for their in-put in this matter and said we will go forth.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted by the Jaycees of Evansvill, Inc. for a flea market to be held on March 1,1981 at the Auditorium.

Certificates received and filed.

RE: LETTER FROM LUKENS AND SONS INSURANCE, INC.

A letter was received from Lukens and Sons Insurance, Inc.advising the Commissioners that the claim for a vandalism, glass breakage loss at the Auditorium is open and pending. Upon receipt of the bill for replacement of the glass, this matter should be concluded.

Letter on file in the Auditor's office.

RE: LETTER FROM CONGRESSMAN JOEL DECKARD

A letter was received from Congressman Deckard concerning the condition of the Old Princeton Road between Haubstadt and Evansville. Mr. Deckard had received a letter from a Miss Debra Ann Jost of Haubstadt advising him of the hazardous road condition, asking that he try to get improvements made through the proper channels.

The letter was referred to Gene Kautzman who is to contact Miss Jost on the matter.

Letter on file in the Auditor's office from both parties.

RE: TRAVEL REQUEST...AREA PLAN COMMISSION

Mr. Joe Ballard, Senior Planner with the Area Plan Commission and stated they are requesting that he be allowed to travel to Detroit, Michigan to attend the 42nd. annual conference of the American Society for Public Admisistration to be held on April 12 through 15th. He said the purpose of this conference is the discussion of management and administration and various issues of federal, state and local government.

Commissioner Cox moved the request be allowed. Commissioner Borries seconded the motion. So ordered.

RE: ANNUAL REPORT OF AREA PLAN COMMISSION

Submitted was the 1980 annual report of the Area Plan Commission, which is filed every year and if there are any questions on it contact Barbara Cunningham.

Report received and filed.

RE: CLAIMS

A claim was submitted by Brinks, Inc. for the Treasurers office in the amount of $303.85. for the month of February. Signed by Lewis F. Volpe.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Brinks, Inc. for the Clerk's office in the amount of $195.30 for the month of January and $195.30 for the month of February for a total amount of $390.60. Claim signed by Robert Willner.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

The following claims were submitted by Perry Township:

Larry Lutz, Perry Assessor for attending the annual Assessors Conference at Indianapolis on January 27,28 and 29, 1981 Three (3) nights @$45.00 per diem
350 miles @20¢.....Total $205.00

Glen Kolb, Chief Deputy for attending the annual Assessors Conference in Indianapolis on January 27,28 and 29,1981 Three (3) nights at $45.00 per diem...Total $135.00.

Karen Gilles, Deputy for attending the annual Assessors Conference in Indianapolis on January 27,28 and 29,1981 Three (3) nights at $45.00 per diem...Total $135.00.

Commissioner Cox moved that the three above claims from Perry Township be approved. Commissioner Borries seconded the motion. So ordered.

The following claims were submitted by Knight Township:

H.Jane Nicholson, Knight Assessor for attending the annual Assessors Conference at Indianapolis on January 27,28 and 29,1981 Three(3) nights @$45.00.....$135.00

Maxine Ginger, Chief Deputy for attending the annual Assessors Conference in Indianapolis on January 27, 28 and 29,1981: Three (3) nights @$45.00.....$135.00

Jerome Zeller, Deputy for attending the annual Assessors Conference in Indianapolis on January 27, 28 and 29, 1981. Three (3) nights @$45.00.....$135.00
Mileage..350 mile @20¢..... 70.00

TOTAL AMOUNT OF CLAIM $205.00

Commissioner Cox moved the above claims from Knight Township be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Sharon Campbell for transportation for Kenya Mattingly from foster home to Indianapolis to attend school for the deaf, in the amount of $312.00 for the month of January, 1981.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Szabo Foods for meals for inmates and officers from January 16 thru January 31,1981 in the total amount of $8,409.90.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates, Inc. for engineering inspection on St.Joseph Ave from 1-26-81 thru 1-30-81 in the amount of $2,162.40. Signed by Louis Stephen.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates, Inc. for engineering inspection on Lynch Road from 1-26-81 thru 1-30-81, in the amount of $3,642.35. Signed by Louis Stephen.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A refund for a building permit was submitted by Ed Dunaway in the amount of $23.00.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Xerox Corp. in the amount of $74.00 for a maintenance agreement for the month of December.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by the Soil and Water Conservation Department for land treatment fro 7-1-80 thru 12-31-80, in the amount of $3,972.50.

Commissioner Borries moved the claim be approved. President Willner seconded the motion. So ordered.

A claim was submitted by Evansville Urban Transportation Study for the county's share of the cost of EUTS for 1981, in the amount of $15,000.00. Signed by David Gerard.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AREA PLAN COMMISSION:

Barbara Cunningham	4920 Lincoln Avenue	Executive Director	$23,000.00	Eff:2-9-81

PROSECUTOR....CAREER CRIMINAL PROGRAM:

John Brinson	1507 Lincoln Ave.	Deputy Prosecutor	$17,000.00	Eff:1-30-81
William Welborn	112 N.W. 7th.	PT Dep.Prosecutor	$12,000.00	Eff:1-30-81

CIRCUIT COURT:

Jon K.Aarstad	626 S.Norman Ave.	Bailiff	$3.35 Hr.	Eff:1-26-81
Roy Tuley	3504 Frisse	Interviewer	$790.40	Eff:1-1-81
Gerald Hoskinson	922 Bellemeade	Work Release	$790.40	Eff:1-1-81

PROSECUTOR:

Michael Langlois	901 D Harriett	Dep.Pros.	$15,000.00	Eff:1-29-81
Allen Hamilton	637 S. Villa	PT Dep. Pros.	$16,000.00	Eff:1-30-81

SOIL CONSERVATION:

David King	200 S.Peerless Rd.	Dist.Tech.	$12,960.00	Eff:2-3-81

VANDERBURGH COUNTY HIGHWAY DEPARTMENT:

Milton Hayden	417 Linwood Ave.	Hwy.Inspector	$12,824.00	Eff:2-3-81

CUMULATIVE BRIDGE

Lee R. Stuckey	4309 E.Chestnut St.	Bridge Insp.	$12,592.00	Eff:2-3-81

RE: EMPLOYMENT CHANGES.....RELEASES

CENTER TOWNSHIP ASSESSOR:

Steve Schuetz	4600 Greencove Ave.	Prt.time Deputy	$30.00 Day	Eff:2-4-81

CIRCUIT COURT:

Janie L.Parker	7500 Knottingham Dr.	Prt.time Bailiff	$3.10 Hr.	Eff:1-1-81
Patricia Gilles		Special Reporter	$5.00 Hr.	Eff:1-1-81

PROSECUTOR:

John Brinson	1507 Lincoln Ave.	PT.Dep.Pros	$10,500.00	Eff:1-30-81

RELEASES....CONTINUED...CAREER CRIMINAL PROGRAM...PROSECUTOR'S OFFICE:

Allen Hamilton	637 S.Villa	Dep Pros	$19,000.00	Eff:1-30-81
William Welborn	112 N.W.7th.	PT.Dep. Pros.	$10,000.00	Eff:1-30-81

AREA PLAN COMMISSION

Charles Osterholt	2507 Hialeah Dr.	Executive Director	$29,165.00	Eff:2-9-81
Lisa Gaus	1280 Hatfield Drive	Part time	$5.37 Hour	Eff:2-9-81

CUMULATIVE BRIDGE FUND:

Milton Hayden Jr.	417 S.Linwood Ave.	Bridge Inspec.	$12,592.00	Eff:2-3-81

VANDERBURGH COUNTY HIGHWAY DEPARTMENT:

Lee Stuckey	4309 E. Chestnut	Hwy.Inspector	$12,824.00	Eff:2-3-81

CIRCUIT COURT:

Karen J. Stewart		Court Reporter	$15,000.00	Eff:1-1-81
Betty Craig	514 S.Grand Ave.	Prt.time Bailiff	$5.00 Hour	Eff:1-1-81
Jackie Elliott	1612 Lee Drive Henderson, Ky.	Prt.time Bailiff	$5.00 Hour	Eff:1-1-81
Terry W. Russell	1610 Adams Ave.	Prt.time Bailiff	$5.00 Hour	Eff:1-1-81

RE: ADOPTION OF AGREEMENT WITH TEAMSTERS UNION:

Submitted for adoption and signing by the Commissioners was an Agreement between the Board of County Commissioners of Vanderburgh County (County Highway) AND Chauffeurs, Teamsters and Helpers Local Union #215, Evansville, Indiana, effective January 1,1981 thru December 31, 1981.

Commissioner Cox moved that the agreement be accepted and signed. Commissioner Borries seconded the motion, which carried with three affirmative votes.

There being no further business the meeting recessed at 4:30 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
	Robert Willner Richard Borries Shirley Jean Cox	Alice McBride	David Jones David Miller

SECRETARY: Janice Decker

Robert L Willner
Richard J Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
FEBRUARY 17, 1981

The meeting of the County Commissioners was held on Monday, February 17, 1981, at 7:30 p.m. in the Commissioners Hearing Room.

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

RE: LEWIS F. VOLPE, COUNTY TREASURER

Mr. Volpe said he has a problem that normally he handles himself, but in this case he has a bad check in the amount of $60,651.30 & if this were private monies he would handle it himself but this happens to be from the West Side License Bureau and it is excise tax money. He spoke with the licence branch manager Thursday and she told him that she wasn't sure when he would get the money, therefore he would like to turn it over to the Commissioners.

Commissioner Cox asked Mr. Volpe if the check had been run through twice and he replied that that bank called him Thursday and informed him that it was bad and he told the bank to send it back to him, which they did, he then called the branch manager, but he does not know if the bank ran it through twice or not.

Commissioner Borries said when taxpayers pay at the license branch, they pay by cash or check so there are no deferred payments on the part of the taxpayers at this time, in regards to license fees, we don't put them on the installment plan, so the money is suppose to be there, up front, so therefore who has an explanation for this type of thing happening.

Mr. Volpe said the only explanation she could give him was that it was written on the wrong account, he then asked her for a replacement check immediately, and she told him she was not sure when he would get the money. The licanse branch manager is Martha Sander.

Commissioner Cox asked Mr. Volpe how he handles his other bad checks, so if a private citizen would send in a bad check how would it be handled.

Mr. Volpe said he first calls that person by telephone informing them of the bad check and ask for immediate payment.

Commissioner Cox said she believes these matters of the license branches are handled by an accountant, so did she not say that she would notify the accountant.

Mr. Volpe said no, she did not.

Commissioner Borries said he feels this is what's wrong with the license branches, that he's not too sure that anyone knows how they are handled, but he feels this is something we certainly need an axplanation for.

Attroney David Jones said he would be concerned about the interest on it, as it is running on a daily basis. If it is the Commissioner's pleasure he would contact the License Branch and it will be treated as any other bad check.

The matter was referred to Mr. Jones for further explanation at the next meeting.

RE: REZONING PETITION.....VC-9-80...FINAL READING

Petitioner....Bert Claspell of 120 South Kerth Avenue
Owner of Record.....Julia E. Droste of 7414 Darmstadt Road.

The premises affected are situated at the corner of Bergdolt Road and Tanglewood Drive, more commonly known as 2835 E. Bergdolt Road.
The requested change is from R-1 to R-3.
The present existing land is vacant and the proposed land use is for apartments.

Mr. Malcolm Montgomery appeared in behalf of the petitioner and stated that at this time the petitioner would withdraw the petition for rezoning.

Mr. Mike Mitchell said he would like to distribute to the Commissioners for their future Drainage Board Meeting, some pictures showing the problems they are having in the effected area. They have a severe drainage problem and also sanitary sewer problem as these pictures very well show. These pictures were taken last week after a one half inch rain.

Commissioner Borries said he was out in that area last Sunday and met with several of the residents and he would agree there are a number of problems out there and we would certainly ask for input from of the people out there to try to come to a solution they feel they need.

President Willner said he too visited this area and he noted a large gathering of starlings and he is wondering if anything is being done to help relieve you of these birds. This is very hazardous to the health of the community and he feels like the local and the state health board should be notified of this. He said the tree tops were simply black with the starlings.

Mr. Bill Butrum of 2821 Blossom Lane was present and asked the Commisioners who he could contact to get some spraying done because the water backs up in the ditch and just lies there and during the summer they cannot sit out in there yard because the mosquito's are so thick. He called the Board of Health to try to get someone to come out and look at it and get it sprayed, but they won't even return his calls to them. He said this is an open ditch that goes through the side of his yard.

David Jones said perhaps someone from the County Highway could see if it's clogged up and if it is opened you may not need to go to the Health Department.

Mr. Butrum said about ten years ago they came out there and opened the ditch up all the way to Lynch Road and the water drained properly but now it's filled up with debri, etc. again. The county sent someone out with a drag line and took care of it in about a half of a day. This is about a 24" drain and they have been told by the Surveyor's office that the top of the drain is lower then the mouth it empties into, so what happens is that the dirt from the fields fill in and pretty soon the ground is as high as the top of the tube and there is no place for it to drain. This could possibly be a part of the Sonntag-Stevens Legal Drain.

President Willner thanked Mr. Butrum for his input and said to give the Commissioners some time and they will try to work on it to get relief for them. He said he will call Mr. Steve Sander from time to time and let him know how things are going and he can in turn relay the progress to the homeowners in the area.
He thanked all the remonstrators for being present at tonights meeting.

RE: MARK TULEY....SUPERINTENDENT OF COUNTY BUILDINGS

Bids on fence at Hillcrest Home

Mr. Tuley said he requested that the Pruchasing Department re-bid for the fence at the Hillcrest Home and they received two, those being as follows:

Benthall Brothers.....$1,090.00 Installed.
Sears Roebuck.....$677.00 Installed.

He said he has the money availabe in his budget to cover this expense.

Commissioner Borries moved that the bid of Sears be allowed. Commissioner Cox seconded the motion. So ordered.

RE: CONRAD COOPER.....AUDITORIUM

Reduced rate for Black Expo

Mr. Cooper said he has a request from the Black Expo Committee requesting a reduced rate on the Mezzanine meeting rooms and the second floor lobby. He said that he believes it would be feasible to rent them these rooms that normally rent for $315.00 per day, for a reduced rate of $200.00 per day, for this reason, the Evansville School Corporation has the Gold Room rented for that same date and as a rule these mezzanine meeting rooms are contiguous with the Gold Room floor and since the event taking place on the Gold Room floor is in conjunction also with the Black Expo, an agreement has been reached between them and he would recommend we rent these meetings room at the reduced rate. These would be rooms A,B,C & D combined for the $200.00 total.

Commissioner Cox moved the request be allowed. Commissioner Borries seconded the motion. So ordered.

Resolution for early set-up fee

Mr. Cooper said last week they discussed adopting a resolution for an early set-up fee for users of the Auditorium and since that time he would like to have added to that resolution a late tear-down charge for those people that do not realize the Auditorium closes at 1:00 a.m., therefore he would like to hold off on this resolution for another week.

RE: JESSE CROOKS.....BUILDING COMMISSION

President Willner said Mr. Crooks could not be present tonight but that the Building Commission office, on February 10, 1981 received a complaint on the condition of property on Schroeder Road. On February 12,1981 inspector Edward Bengert was dispatched to make an inspection report. Conditions found were as follows:

1. Serious damage to roof rafters due to fire.
2. New decking and roofing patched-in over charred rafters.
3. Dangerous stairway to upstairs.
4. Upstairs full of fire and smoke damaged furniture, clothes, boxes, etc.
5. Interior of first floor is full of boxes, paper, clothes, etc.
6. Screen not covering fireplace and combustibles too close.(Fire Hazard)
7. Inoperative toilet facilites. Toilet flushed using hose from bathtub.
8. Unvented, unsafe spaceheater in bathroom.

On February 17,1981 inspector Edward Bengert and Assistant Building Commissioner Roger Lehman reinspected the property and took pictures referring to above. (These pictures are attached to letter). Some effort had been made to correct the problem around the fireplace. Combustibles were moved away and the screen was in place. The house is heated by a fireplace and one unvented gas spaceheater in the bathroom.

President Willner said after an inspection by the Building Authority, they said the whole super structure is weakened, dangerous and should be condemned. He said that Mr. Crooks has not had time to inspect this house but he wanted the Commissioners to see the pictures and then refer it back to his office for a final inspection and recommendation.

Commissioner Borries moved this matter be referred back to the Building Commissioners office for final inspection and a report back to us at a later meeting. Commissioner Cox seconded the motion. So ordered.

RE: GENE KAUTZMAN....COUNTY HIGHWAY

Absentee Report

Mr. Kautzman submitted the Absentee Report on the employees at the County Highway Garage for the week which ended February 13,1981.

Report received and filed.

President Willner said he would like to commend Mr. Kautzman for the good job that was done during the recent snow, that it was fully appreciated.

Preventive Maintenance Plan

Commissioner Cox asked Mr. Kautzman if he has the road maintenance plan completed yet.

President Willner said he knows that Commissioner Cox has asked for this plan several and he is not sure that he knows exactly what she wants.

Commissioner Cox said she means preventive maintenance, a plan to routinely do things, like cleaning out ditches along our roads, keep the road ways clear, keep the intersections clear and to routinely check our road signs, not just work on complaints only, because this keeps our roads in much better condition.

Mr. Kautzman said they have to operate under a daily schedule, which is a daily work routi schedule and he does try to fit in more than just the daily call-in complaints. He said after reading the different manuals on road maintenance he found that you can't make a long range plan to do things, because you don't know on a daily basis what equipment you are going to have, because of the breakdowns and also because of the personnel, you must go on a daily plan.

Commissioner Cox said she does not agree with that, that if we had a preventive plan then we wouldn't be getting all the complaints coming in that we are having now, eventhough we will still get the emergency complaints. She is sorry if she did not make it clear from the beginning what she wanted.

President Willner said Mr. Louis Stephen is now the Road Inspector and it is his duty to report to the Commissioners such things as ditches that need to be cleaned, stop signs down, hazardous corners and things of this nature and also he is to report these things to the County Garage. It is the duty of the County Commissioners to have a plan for Mr. Kautzman to follow. He has not received a report from Mr. Stephen yet, but possibly he has not yet had time to make his first inspection. As soon as we get caught up with the complaints we already have and have any free time we will certainly work on the maintenance.

Commissioner Cox said we spent $500,000.00 for road paving last year and she says lets take care of what we already have, and now is the time to do it, as it is her understanding that the men have been spending a lot of time at the garage, and thats alright, that she does believe in keeping that clean also.

Mr. Kautzman said the men have not been sitting idle at the garage, they have been doing repairs mostly to the machinery and working on organizing the garage.

Commissioner Borries said he feels that Mr. Kautzman has done an excellent job since he's been at the Garage and he feels he is a sincere person who will work toward this goal. He asked Mr. Kautzman how many miles of county roads there are and he replied better then 500. Commissioner Borries said then we're talking about in terms of less then two months trying to develop a plan to include 500 miles of road and with our short fall of money things certainly could not move that fast, not even on a federal level.
He asked Mr. Kautzman if there has ever been a road maintenance plan and he replied no.
He asked Mr. Kautzman if he feels the county garage does need a road maintenance plan and he replied yes he does.

RE: ROBERT BRENNER.....COUNTY SURVEYOR

Bridge and Guardrail Report

Mr. David Guillaum said last week with their repair crew they worked primarily on Old Henderson Road. They also worked some on Schlensker Road at McCutchan Road and also the bridge over Pigeon Creek.

Claim

Mr. Guillaim presented a claim from Ray Stradtner Excavating for the Garrison Avenue Pipe project, which is the first partial payment on the work done. The only remaining work to be done on it is the slush or the concrete on the riprap itself. The quanities have been checked out and the claim all seems to be in order. The total to date is $8,513.53 less 10% retainage in the amount of $851.35, making the total due $7,662.18. and the claim is signed by Dave Guillaum.

Commissioner Borries said he was out in this area and looked the project over and the pipes were installed and had gravel over that and he wants to know if there will be some repaving on that, and Mr. Guillaum said yes it will be repaved, that last week he explained to the Commissioners that we would need additional rock on it, plus an additional amount of riprap. We are trying to keep the cost down as low as possible, that the asphalt will probably be done by the Highway Department, like we discussed earlier. He said they tow in the first layer right at the creek and that makes it appear that it has slipped, but by doing this you have a more substantial footing for the rest of the riprap. He intends to slush the riprap in with grout, which will be relatively cheap, but it's pretty effective on holding a bank, you have in effect the same principal as a concrete slope wall but you don't have nearly the expense.

Commissioner Borries moved that the claim be approved in the amount of $7,662.18. Commissioner Cox seconded the motion. So ordered.

Ferlick Creek and Blue Grass Creek

Mr. Guillaum said on the problem on Ferlick Creek and Blue Grass Creek that Jesse Crooks mentioned last week, he went out there and found the rig that was doing the digging, but it had no identification on it and no one was working because of the cold weather, but as soon as it warms up and someone starts working there again he will try to get some information on it.

Nurrenbern Road

President Willner said he got a call about a culvert that caved in on Nurrenbern Road.

Mr. Kautzman said Mr. Stephen sized that pipe today, we had the pipe in stock at the garage, we sent it out there today and the Surveyor's are putting it in. He contacted the school people and they are making arrangements to go around it.

Old Princeton Road

Commissioner Cox asked Mr. Kautzman if he ever contacted Debra Ann Jost of Haubstadt, concerning the letter she had written to Congressman Joel Deckard about the hazardous road condition on Old Princeton Road between Haubstadt and Evansville.

Mr. Kautzman said he had not, that he would get a copy of that letter from the Auditor's office and contact her this week, if possible.

RE: LOUIS STEPHEN....COUNTY HIGHWAY ENGINEER

Plans on Eastland Estates

Mr. Stephen said he is presenting the plans for Eastland Estates on Pollack Avenue along with a letter from Mr. W.C.Bussing, Jr. requesting the County accept the following streets. Eastland Drive north from Pollack Avenue 920 feet & Eastland Court south west for 530 feet from Eastland Drive.
He submitted to the Commissioners a copy of the plans for Section A and pointed out on it where the streets run that they want accepted, that they want this done so that some of the demands of HUD can be met. The sewers and the storm sewers are already in and the drainage for this project passed through and was approved by this Drainage Board sometime last year.

President Willner asked if there has been any construction going on in any of the lots shown and Mr. Stephen said no.

Commissioner Cox asked Mr. Stephen what was his recommendation and he said he would recommned that it be accepted.

President Willner said can we put in our acceptance that we would ask the contractor to keep the mud off of the street and in good repair while the work is being done because we had had new streets torn up and then we're left holding the bag and he certainly does not want this to happen again.

Commissioner Borries moved the streets be accepted, that they sign the proper prints and letters to proceed with the project. Commissioner Cox seconded the motion. So ordered.

Change Order and Extra Work Agreement....Lynch Road

Mr. Stephen said he has a change order out on Lynch Road, that it is a deduct of $27,248.81 and an extra work agreement for the same amount of money. They are requesting permission to substitute 6½ inches of Class "A" concrete under the concrete curb and gutter in lieu of the planned quantities of HAC as called for. The purpose of this would be to expedite completion of this project, since we would be able to start pouring the curb and gutter in areas where the paving has not yet been started, and of course would not start until the weather conditions are much warmer than would be required for concrete work. Also, by having the curb and gutter in place, we can shorten the period of hazardous driving conditions along this stretch. The paving operation would be able to go right on through, without having to stop after the second layer to wait for curb and gutter construction. Payment of the Class "A" concrete would be for the same amount as if the HAC were installed under the curb and gutter.

Commissioner Cox asked if they have already done this and Mr. Stephen said no, they are awaiting the Commissioners approval.

Commissioner Cox moved that the extra work agreement and the change order for Lynch Road both be approved. Commissioner Borries seconded the motion. So ordered.

RE: COUNTY INSURANCE

President Willner said the Commissioners have had several requests from companies that are presently carrying our insurance for the county on liability, workmans compensation, auto fire and theft and our policy expires April 1,1981. He wants to know if it is the pleasu of the rest of the Commissioners to take bids for this coverage for the coming year. He understands that the prices might be slightly lower this year if we do advertise to take bids.

Commissioner Borries said if we could obtain a lower price on the insurance through the bid process, then he would certainly be for that.

President Willner said this does not include the Health Insurance.

Attorney Jones said there is another liability policy separate from our regular policy and that covers the Sheriff's Department and that also expires April 1,1981.

President Willner said we have a firm out of Indianapoles that writes our insurance specifications for us, or at least advises us on our insurances. He tried to find someone locally to take that responsibility, but could not find anyone that was licensed to do this type of work, so he suppose we'll have to stay with the Indianapolis firm, therefore we need to immediately contact them to they can get back to us before April 1st.
Commissioner Borries moved they advertise for bids for the liability insurance that is due on April 1,1981. Commissioner Cox seconded the motion. So ordered.

RE: LETTER FROM LAW FIRM OF BOWERS, HARRISON AND KENT

President Willner read the following letter from Bowers, Harrison and Kent. addressed to the Vanderburgh County Commissioners verses Southern Railway System.

Enclosed please find the original and four copies of our petition of rehearing which should today be filed, in the above action.

President Willner said this is in relation to the two railroad underpasses, one on Boonville New Harmony Road and one on Bender Road, in which we appeared before the Public Service Commission and he believes the order from that board was that the Southern Railway was to remove the underpass at Boonville-New Harmoney Road with it's own funds and the Railroad Company and the county were to remove the underpass on Bender Road, and evidently that is now being contested. He said he also has a letter from Grove, Miller and Krohn stating that it appears there is a pending petition by the Board of County Commissioners of Vanderburgh County against the Southern Railway System before the Public Service Commission of Indiana, with respect to the abandonment of a certain section of railroad line. Enclosed was a recent decision of the Commission's Administrative Law Judge. He was advised that Southern Railway will file a petition to be heard shortly. This case should be added to the case being held by the County Attorneys under the major case catagory. Please bring it to the attention of all Commissioners.

Mr. Brenner said he would get with Mr. Miller on this and he ask if there has been a hearing date yet and he was told no, there has been no date set as of yet.

LETTER....CHARLES H. KINNEY...2900 BLOSSOM LANE

Mr. Charles Kinney was present and stated they have a terrible drainage problem in the area of Bergdolt and Blossom Lane. He has cemented, graveled it and done everything he knows to to, but they have got some real big problems with the sanitary and storm sewers. He read the following letter addressed to the Board of County Commissioners.

RE: Safety and Health hazard caused by surface
drainage problems in the area of Bergdolt Road
Blossom Lane and adjacent area.

Surface water is a problem, not only in the concrete paved street which is frequently flooded curb deep, lawns, and presumably basements in the area are adversely affected.

The area of Bergdolt Road, north of my property, is partially and apparently inadequately, drained by a concrete pipe installed across the lawn of my residence. The said concrete pipe has collapsed, causing holes in my lawn, as well as releasing water drained from another area.

A number of residents of the areas, as well as other persons whom have observed the matter, have expressed the opinion that the sanitary sewer serving the area has flooded and "backed up" from the pumping station. This at a time co-incident with the surface water problem.

Because if not properly and timely corrected, this safety and health hazard will continue to worsen, I respectfully request the Board of Commissioners to issue proper directives for the alienation of all inequities in the matter herein addressed.

Charles H. Kinney

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President Willner said all the residents in that area are experiencing the same problems.

Commissioner Cox asked about the concrete pipe and does it appear on the county right-of-way on on your property.

Mr. Kinney said the pipe is on his private property.

Mr. Kinney said we have large holes in our yards out there and someone is going to fall in one and get hurt bad, if something isn't done soon.

President Willner asked Mr. Kinney if he bought his home new and he said no that he purchased it from a Doctor about twelve years ago and he does not know who the developer or contractor was that built it.

Mr. Stephen said this is the sewer that is on the plans that he presented to the Commissioners last week, that starts out as a 24" pipe and ends up as a 30" at the outlet, he supposes it changes size under the street and it runs into an open ditch and then on down to a county legal drain. He said the storm drain was installed by the developer, whoever that might be, that he put it on private property and he does not know if there is any dedicated easement along there or not.

Mr. Bob Brenner said he went out to Mr. Kinney's and they walked the area together and everything he has stood here and said tonight is absolutely true, its caving in and coming apart at almost every joint, but, it does not belong to the county, and the county does not have a method to get onto private property, and if the county was out there putting rock on it, they should not have done so, as no one provided any right-of-way or anything else for that. He said he can pull the sub-division map and find out who the developer out there was.

Mr. Stephen said the pipes are all coming apart at the joints and they may never have been sealed in the first place, and when the rain comes it runs right between the houses and he would imagine people with basements get them full of water.

Mr. Kinney said he does not have a basement, but it gets so deep under his house, that he has to get under there and pump it out.

Commissioner Cox asked if the downspouts are hooked into the storm sewer and Mr. Kinney said his is because the downspouts disappear into the ground.

Mr. Brenner said there is no statute that will allow us to correct this on private property, but there is one way we can help them and that is if we would ditch Bergdolt Road from Oak Hill down with a ditch on both sides, which would carry the water down the road instead of like it is presently going into the carport and yards.

President Willner asked Mr. Stephen to check back into the records and see who the developer was and he said that he would see what he can find out on it and report back as soon as possible.

Commissioner Borries thanked Mr. Kinney for coming to tonight's meeting and he would hope that the Commissioners will be able to help in some way, because the frustrating thing to him is that we have all of these planning agencies and it seems to him that someone could come up with some recommendations on matters of this nature.

Mr. Brenner said this is the area that is just about to be annexed and the city has all kinds of different powers than the county does and they do deal with storm drainage and the county has nothing to do with storm drainage whatsoever. This problem did not come just yesterday, it's been there since the beginning.

RE: LETTER....CORPS OF ENGINEERS...HORSESHOE BEND

The following letter was submitted by the Department of the Army.

Dear Mr. Willner,

I am in receipt of you letter dated 27 January 1981 transmitting a resolution of the Vanderburgh County Commissioners requesting that we undertake a feasibility study of cutting a channel across Horseshoe Bend in the Ohio River near Evansville. I have asked my Planning Division to make a brief assessment of this proposal as a basis for our reply. We expect to advise you further on the matter within the next few weeks.

Sincerely,
C.E. Eastburn
Colonel, Corps of Engineers
District Engineer

Letter received and filed.

RE: LETTER....INDIANA STATE UNIVERSITY OF EVANSVILLE

The following request was submitted by I.S.U.E.

Vanderburgh County Commissioners,

ISUE is planning to host the Citizens-ISUE 15K and 5K Road Runs on March 21st, starting at 10:00 a.m. We request permission to run on county roads during the race. A map of the proposed course in enclosed.

We are making provisions for adequate traffic control. REACT and the Sheriff's Auxiliary will assist us in this area.

Thank you for you consideration of this request.

Bill Stegemoller,
Cross Country Coach

Commissioner Cox moved that the request be approved. Commissioner Borries seconded the motion. So ordered.

RE: TORIAN AGENCY INSURANCE....REQUEST

President Willner said Torian Agency carries the county liability insurance and we received the following letter from them.

Dear Mr. Willner,

We have had correspondence recently regarding the Street and Roads Check-Off List in use by the Sheriff's Department (Copy attached).

Attached hereto is copy of letter received from the Hartford Underwriting Department regarding the use of this Check-Off List. They obviously are concerned because of the adverse loss experience in this area and the efforts being made to reverse the trend. We would appreciate you following up by seeing that the questions are answered.

Yours very truly,

Paul T. Torian

President Willner said he attended a meeting of the prior Commissioners and the Torian Agency, the Sheriff's Department and the County Garage at which time he mentioned to Mr. Stephen they would be wanting this information, so at this time he would refer this matter to Mr. Stephen to try to get their information for them.

RE: CERTIFICATION OF CREDITABLE SERVICE

President Willner said he has received a request from Lorraine Layson concerning her retirement benefits. She has worked for the county for nine years and needs ten years service to be eligible for PERF. She has not paid any in and she would not receive the full benefits that others do.
If we waive the one year that she does not have in then she would be eligible to draw some money and this has been done in the past for other employees of the county.

Commissioner Cox said has there ever been an instance where permission was granted for this when the parties had not paid into PERF.

President Willner said he is not sure about that and also he is not sure when the county started with PERF.

County Auditor Alice McBride said the county started in either 1970 or 1971 and why this Lorraine Layson did not pay into PERF was because she worked in the Sheriff's Department as a cook and the Sheriff paid her out of the prisoner's meal account, because at that time he could do that. She said she personally talked to the PERF office in Indianapolis and they told her that it was perfectly alright with them if the Commissioners approved it.

Commissioner Cox said then she will be paid from the PERF account where other people that worked, paid into it.

Mrs. McBride said this is true.

Commissioner Borries moved that the request be granted, that the year be waived. President Willner seconded the motion, with the following roll call vote.

Commissioner Borries...Yes Commissioner Cox...No President Willner...Yes

RE: MONTHLY REPORT...CLERK OF THE CIRCUIT COURT

The monthly report for the month of January 1981, was submitted for the Clerk of Circuit Court.

Report received and filed.

RE: CERTIFICATE OF INSURANCE

A certificate of Insurance was submitted by Cawthar Temple #118 for a social gathering and dance on March 14, 1981, at the Vanderburgh Auditorium.

Certificate received and filed.

RE: CLAIMS

The following claims were submitted by the Pigeon Township office:

Robert T. Dorsey....Attended the Indiana Assessors Conference in Indianapolis on January 27,28 and 29th, 1981 in the amount of $205.00.

David Fox.....Attended the Indiana Assessors Conference in Indianapolis on January 27,28 and 29, 1981 in the amount of $135.00.

James McIntyre.....Attended the Indiana Assessors Conference in Indianapolis on January 27, 28 and 29, 1981, in the amount of $135.00.

President Willner said only Mr. Dorsey is requesting the travel allowance to and from Indianapolis.

Commissioner Cox moved the claims be allowed. Commissioner Borries seconded the motion. So ordered.

The following claims were submitted by the Center Township office:

Alvin E. Stucki...Attended the Indiana Assessors Conference in Indianapolis on January 27 and 28....Per Diem Each Day.....$15.00.....Total $30.00
Lodging per Day.....$30.00..... 60.00
Mileage Round Trip..334 @ 20¢..... 66.80

Grand Total $156.80

Shirley E. Stucki..Attended the Indiana Assessors Conference in Indianapolis on January 27 and 28....Per Diem Each Day...$15.00.....Total $30.00
Lodging Per Day.....$30.00..... 60.00
Mileage Round Trip...334 @20¢..... 66.80

Grand Total $156.80

President Willner said attached to above claims was a note stating the doctor did not want Alvin Stucki to drive to Indianapolis, so they flew and that is why they are asking for mileage for both of them. This was approved in the same manner last year.

Commissioner Cox moved the claims be allowed. Commissioner Borries seconded the motion. So ordered.

The following claims were submitted by Ingineer Associates and signed by Louis Stephen.

Engineering Inspection--St. Joseph Avenue, 2-2 thru 2-6-81.....$2,196.40
Engineering Inspection--Lynch Road, 2-2 thru 2-6-81.....$3,659.35

Commissioner Borries moved the above claims be allowed. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY RECORDER:

Virginia Coleman	622 John Street	Misc. Deputy	$9,160.00	Eff: 2-13-81

SUPERIOR COURT:

Alvis Herrenbruck	Bailiff	$5,500.00	Eff:2-12-81
Lisa Sartore	Clerical Asst.	$13,000.00	Eff:2-9-81

COUNTY COMMISSIONERS:

John Keown	515 Garfield	Trash Truck Driver	$6.27 pr.hr.	Eff:2-5-81

RE: EMPLOYMENT CHANGES.....RELEASES

AUDITOR:

Joane Greer	834 John Street	Part time	$20.00 pr.da.	Eff:2-2-81

SUPERIOR COURT:

Alvis Herrenbruck	Bailiff	$10,675.00	Eff:2-12-81

HIGHWAY DEPARTMENT:

John Keown	515 Garfield	Truck Driver	$6.27 Pr.hr.	Eff:2-5-81

Commissioner Cox said she has a question on the transfer of Mr. Keown from the Highway Department budget to the County Commissioners budget because she thought Mr. Brenner wanted to make him part of the County Highway crew.

Mr. Brenner said he will be paid from the County Commissioner's budget because the money is available to pay him from there, but he will be under the direct supervision of the County Garage and he will fit in seniority wise with the other union personnel. He said since the Commissioner's have a budget that will not be cut we should use it at it's fullest because there is going to have to be some $601,000.00 cut from the Highway budget.

There being no further business the meeting recessed at 9:30 P.M.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard Borries Shirley Jean Cox	Alice McBride	David Jones

SECRETARY: Janice Decker

Robert L. Willner
Richard J. Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
FEBRUARY 23, 1981

The meeting of the County Commissioners was held on Monday, February 23, 1981, at 2:30 p.m. in the Commissioners Hearing Room.

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

RE: CONGRATULATIONS....REITZ HIGH SCHOOL GIRL'S BASKETBALL TEAM

Commissioner Borries said he would like to congratulate Reitz High School for the fine job they accomplished in winning the girls basketball finals and said he would like to read the following resolution.

RESOLUTION OF CONGRATULATIONS TO
FRANCIS JOSEPH REITZ HIGH SCHOOL
GIRL'S STATE CHAMPIONSHIP BASKETBALL TEAM

WHEREAS, the Girl's Basketball Team of Francis Joseph Reitz High School in Evansville, Indiana, has distinguished itself in becoming the first girl's basketball team in Evansville, Indiana, to win the IHSAA State Championship and whereas that achievement resulted from high dedication and long hours of practice and concentration on the part of the coaching staff as well as the players and whereas the Board of County Commissioners of Vanderburgh County, Indiana is eager to congratulate the achievements of the coaches and players.
BE IT RESOLVED, that the Board of County Commissioners of Vanderburgh County, Indiana conveys to the Francis Joseph Reitz High School Girl's Basketball Team its heartiest and warmest congratulations for bringing home to Vanderburgh County, Indiana, that State Girl's Basketball Championship trophy.
BE IT FURTHER RESOLVED that the congratulations of this commission go to the faculty,student body and general public of Vanderburgh County who supported the Francis Joseph Reitz High School Girl's Basketball Team during it quest for this championship.
BE IT FURTHER RESOLVED that in honor of the schievement of the Francis Joseph Reitz High School Girl's Basketball Team, this week of February 22, through February 28, 1981, is hereby declared FRANCIS REITZ HIGH SCHOOL GIRL's STATE CHAMPIONSHIP BASKETBALL WEEK in Vanderburgh County, Indiana.
BE IT FURTHER RESOLVED that a copy of this Resolution shall be delivered to the Principal of Francis Joseph Reitz High School and to each member of the team and coaching staff of Vanderburgh County's State Championship Team.
DATED this 23rd day of February, 1981

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Commissioner Cox moved that the above Resolution be adopted by the County Commissioners. Commissioner Borries seconded the motion. So ordered.

RE: BARBARA CUNNINGHAM.....AREA PLAN COMMISSION

Travel Request

Mrs. Cunningham submitted the following letter of request.

We are requesting travel to send Joseph Ballard and Joseph Story to the Indiana Census Data Center in Indianapolis, Indiana. They will be leaving on Tuesday, February 24,1981 and will return that same day.

Barbara Cunningham,
Executive Director

Mrs. Cunningham said they will be driving to the Center.

Commissioner Cox moved the requested be allowed. Commissioner Borries seconded the motion. So ordered.

RE: MARK TULEY....SUPERINTENDENT OF COUNTY BUILDINGS

Mr. Tuley submitted the following letter to the Commissioners.

Please consider the exchange of the follwing surplus property between the Vanderburgh County Auditorium and Convention Center and the Vanderburgh County Highway Department.

AUDITORIUM	HIGHWAY
(1) Vinyl covered couch	(1) Damaged bench vise
(1) Vinyl covered chair	(1) Lot of belt dressing
	(1) Lot of Drain opener
	(1) Damaged file cabinets.

The Commissioner's prompt consideration of this request would be greatly appreciated.

Regards,
Conrad Cooper, Manager
Vanderburgh Auditorium and
Convention Center.

Commissioner Borries moved the above items as listed be declared surplus and that the exchange be allowed. Commissioner Cox seconded the motion. So ordered.

RE: GENE KAUTZMAN....COUNTY HIGHWAY

Weekly Absentee Report

Mr. Kautzman submitted the absentee report on the employees at the County Highway Garage for the week which ended February 20, 1981.

Report received and filed.

Security System

Mr. Kautzman said he would like to discuss a plan for a security system he would like to see installed at the County Garage. He said this could be hooked up directly to the Sheriff's department and how it would work would be if the fence was shook once it would not go off, but after three shakes, it would be considered a break-in and the Sheriff's Department would receive the alarm and would investigate immediately.

Commissioner Cox asked if there would be a maintenance cost on this system.

Mr. Kautzman said there would be a monthly charge of approximately $300.00 and the fee to install the system will be about $5,000.00. He said the $300.00 would include the answer service if we chose to go with that, which we do not necessarily need.

Commissioner Cox said then what we are talking about is the installation of an electronic detector with the phone calls to be relayed by answering service or patched in directly to the Sheriff's Department and this would be for the 11:00 p.m to 7:00 a.m. shift.

Commissioner Borries asked if the present night watchman makes rounds every hour or so at the Garage and Mr. Kautzman said no, he does not.
He asked Mr. Kautzman whether or not a break-in has ever happened and gone undetected, and Mr. Kautzman said since he has been there nothing has been missed but he knows previously they had missed a radiator from a truck. He said he has been out there many time and the normal procedure was the night watchman would get out the television and watch it and he was told by them that if they did not have a complaint that the Commissioners were just that much happier.

Commissioner Cox said they could walk the perimeter couldn't they, in other words, they were there simply to take emergency calls.

Mr. Kautzman said it was his understanding it had been discussed before about the night watchman walking the grounds but the Commissioners did not want to pay for the little clocks to be punched at designated areas throughout the grounds.

Commissioner Cox said then you are saying the present watchmen that are out at the garage would be moved up to the day shift into a loborers position.

Mr. Kautzman said yes, that also one of the night watchman is also a grease man on second shift on some occasion.

President Willner asked where this money will be taken from.

Mr. Tuley said yes he thinks he has this amount for the security system, we are going to really be tight but perhaps he can transfer from another account at a leter date.

Commissioner Cox said she is wondering if this can come from the Capital Improvement Fund.

Mr. Brenner said the service should be paid from the Highway budget.

Mr. Tuley said if they want to approve it from his budget then we could appear before the Council and ask that it be put back into his budget from the Cumulative Capital Improvement Fund at a later date.

Commissioner Cox said its nice to have everything we want and in order but here we are now confronted with having to cut almost $600,000.00 from the Highway budget, and that is why she suggested trying to use the CCI funds for this system.

Commissioner Borries said he talked with Attorney Miller and they both seem to think this would certainly qualify for the Capital Improvement funds.

President Willner said it is too late for this to be placed on the County Council's agenda for March, therefore it would have to be delayed until April and even later before we would get the State's approval on it.

County Councilman William Taylor was present and stated that he did not believe this type of thing would qualify for the Capital Improvement money, since it is a new system.

Attorney Miller said capital improvements is not limited to brand new buildings, as old buildings can be improved in one way or another in a permanent nature that would qualify it for Capital Improvement monies.

Commissioner Borries moved that Mr. Kautzman be authorized to place this request on the County Council's April agenda.

Mr. Kautzman said he wants everyone to know that the present system is costing about $1,000.00 per week, so if we delay this five weeks we've delayed it the cost of the installation.

President Willner said in checking this out if the attorneys feels it would not be legal to take it from the CCI fund, then we will take it from the Superintendent of County Buildings budget.

Mr. Miller said in his opinion, either way would be satisfactory, but he understands Mrs. Cox' desire to save money in the Superintendent of County Buildings budget also, for unforeseen problems that may arise in the balance of this year. He said he feels that there is no question from the legal standpoint that this request would qualify as a Capital Improvement, but it would be up to the County Council to make the decision on the appropriation. It could be taken from the Superintendent of County Building's budget and then replaced in that budget from the CCI fund in April, therefore saving the county money by not having to wait five weeks or so to get approval.

Councilman Taylor said he stands to be corrected, that upon reading the resolution he fin[illegible] that this security system would, it appears, qualify for Capital Improvement funds, and i[illegible] would seem proper if the Commissioners would request a Special Emergency Appropriation Meeting of the County Council.

Mr. Tuley said his Maintenance account is the one that is running low but if this can be taken from his equipment account, he was allowed $10,000.00 in it and has only expended some $200.00 from that account, therefore he would have plenty to cover it from that account.

Attorney Miller said in talking to the County Auditor Alice McBride he learned that a representative of the State Board of Tax Commisssioners will be in her office this Wednesday and at that time he could give us a ruling of this matter, but for now he would suggest we go ahead & place the request on the Council agenda for April and next week we will know if we can take it from the Superintendent of County Building's budget and replace it with Cumulative Capital Improvement funds.

President Willner said he would second Commissioner Borries motion that this be placed on the Council agenda for April. So ordered.

President Willner asked the other Commissioner's how they would prefer this system be set up, either through the Sheriff's Department or through an answering service, because the Sheriff's Department will have to be made aware of this.

Commissioner Cox said she knows we have call forwarding on our centrex operation and it could be that when the second shift at the County Garage went off work that they could tra[illegible]-fer their phones to the Sheriff's Department.

Commissioner Borries said that if there were a break-in at the Garage the Sheriff would be the one that would have to go there, so it seems sensible to him to have the patch at the Sheriff's Department, subject to his approval.

Commissioner Cox agreed to get with the Sheriff and discuss this matter and see if he would agree to handle it, and then get with Mr. Kautzman and let him know what was decided.

Old Princeton Road

Mr. Kautzman said he had a chance to check out the complaint of Miss Debra Jost about the condition of Old Princeton and he would say basically it is Gibson County's problem and that our part of the road is not the best but it really is not too bad.

President Willner said Old Princeton Road is a hot mix road that has been there approximately fifteen (15) years and it is not in real good shape, but that all the narrow bridges on that road has been replaced, that the surface does have cracks in it and should probably be re-paved, but probably will not be at this time.

Mr. Kautzman said he would get a letter to both Miss Jost and also Congressman Joel Deckard in regards to this request.

Old Henderson Road

Commissioner Cox ask if it is the responsibility of the Highway Department working crew to install culverts, that there is an eight foot culvert on Old Henderson Road by Bayou Creek that need to have something done to the ends, some flood gates, or some bars, because the debri jams it.

President Willner said that is one contension that the union is having a grievance over and the Commissioners are in the process on handling that and that he will bring Mrs. Cox up to date on this at a later time.

Commissioner Cox said she was not aware of the grievance, she just received a request to have something done about the culvert.

Mr. Brenner, County Surveyor was present and stated that the flood gates are handled by the Trustees...that we put in culverts but we do not install flood gates.

Preventive Maintenance Plan

Commissioner Cox asked if we have a Preventive Road Maintenance Plan yet.

Mr. Kautzman said he has brought and would like to present to Mrs. Cox a manual from the Department of Public Transportation which would perhaps help them to understand each other.

Commissioner Cox said she has that manual in her office, that it was left to her by Mr. Davies.

Commissioner Borries said Mr. Kautzman has been at the garage for less then two months now and he would ask him again, if there has ever been a road maintenance plan that he knows of since he's been there, that he could see and Mr. Kautzman replied no.
Commissioner Borries asked Mr. Kautzman if he feels the county garage does need a road maintenance plan and he replied yes, he does.

Commissioner Cox said her last comment is that just because we never had one doesn't mean we don't need one now.

President Willner asked Mrs. Cox if she would agree to writing a plan or at least work on one and if she would come up with a good plan that we could study and possibly adopt, and she replied that yes, she thought she could.

RE: CONRAD COOPER....AUDITORIUM

Security System

Mr. Cooper said if the Commissioners will recall at the time he requested the moving of the safe that he also indicated the need for a security system at the Auditorium and he would request at this time that if the Commissioners are going to secure funds from the Cumulative Capital Improvement Fund for such a system, that the Auditorium be included in the request. He has been securing quotes and figures from alarm system companies but he has one more to get before he submits them to the Commissioners, and he would say that it is a lot less money then he expected.
He said as it is now, he has been taking all of the evening assignments because his chauvinistic philosophy would not allow him to leave his assistant there at night and not having any type of alarm system, and the type of alarm that he is getting figures on would allow her a pocket activator that she could carry with her at all times.

Resolution on fees at Auditorium

President Willner read the following resolution as presented by Mr. Cooper.

RESOULTION

BE IT RESOLVED that Lessee's of the Vanderburgh County Auditorium who require that the facility be available for their use prior to 11:30 A.M. shall be subject to an "Early Set-up Fee" equal to $100.00 minimum or the overtime cost experienced by the Lessor in proparing the facility for such early usage, whichever amount is greater.

BE IT FURTHER RESOLVED that any Lessee who has not vacated the facility by 1:00 A.M. of the day following the date of rental of the facility shall be subject to and required to pay a "Late Fee" in the sume of $100.00 or the overtime cost expended by Lessor in keeping the facility open beyond 1:00 A.M., whichever is greater.

Approved by the Board of County Commissioner this 23rd day of February, 1981.

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Attorney Miller said we are in the process of re-writing the lease and the contract can be written so that it says at the option of the lessor, in the event usage is required prior to 11:30 a.m., there shall be imposed a charge of $100.00 or the amount of overtime, which ever amount is greater, and that is something that the lessee is going to have to budget for, but may not expend.

Commissioner Cox moved the Resolution be adopted. Commissioner Borries seconded the motion with roll call vote as follows:

Commissioner Cox.....Yes Commissioner Borries.....Yes President Willner....Yes.

RE JESSE CROOKS.....BUILDING COMMISSION

Permits Issued

Mr. Crooks submitted a report of permits issued for 1980 for the Commissioners viewing.

Report received and filed.

House on Schroeder Road

Mr. Crooks said as a follow-up on the house on Schroeder Road, he did go out there this past week and the pictures submitted last week do tell the story of what the situation is out there. There is a problem with the burnt rafters that have to be repaired, and other than that the structure is not a really bad structure on the hazard standpoint. The condition inside the house is very serious and it is his suggestion that they tell the people living there that they must clean it out and get it halfway sanitary and he would suggest we give them thirty (30) days in which to do this. We also must have them to fix the roof rafters and he would suggest we give them sixty (60) days to make those repairs, subject to re-inspection.

Commissioner Cox moved that the above time as suggested by Mr. Crooks be approved, that a letter be sent to these people to this regard, that a re-inspection occur at the end of the sixty days and a report back to us at that time. Commissioner Borries seconded the motion. So ordered. Mr. Crooks said he will write a letter to the people living there.

David Gerard.....E.U.T.S.

Commissioner Cox said there is a railroad spur that goes across Lynch Road, it is posted with a regular road sign but she would like to know if there are any plans to install an electronic gate, because she has had some complaints about the dangerous condition there.

Mr. Gerard said last spring they prepared an assessment of all the railroad crossings in the county and those were rated according to traffic volume, train volume, the number of accidents that have occured there, the service condition of the roadway and the condition of the crossing itself and those were grouped into fairly broad catagories in terms of priorities for improvements, that he does not remember where exactly that this crossing came in, that he would check and report back next week. He does know that it is not included in the annual element, that they have not sought funds for improvements of that crossing.

RE: BOB BRENNER.....COUNTY SURVEYOR

Mann Road

Mr. Brenner said this matter had been taken up with the prior Commissioners and it is the

elimination of a bridge on Mann Road that is deteriorated beyond repair and would have to be replaced which would cost about $75,000.00, which is a 55' bridge. They would like to make Mann Road, a gravel road, tie into Bixler and to eliminate the bridge, this would make the cost of the road $15,000.00 plus the right-of-way. The person that owns the property refuses to sell, therefore we should condemn it. The last Commissioners agreed to procede with the condemnation,it was given to the County Attorney and no further action was ever taken on it.
He said the floor was falling out of the bridge and they had to close it, as a school bus was traveling over it, along with other traffic.
He said the same man owns all of the property and he farms it, that this plan presented here would take in one acre of ground. The county has some claim over Lower Big Creek, from bank to bank, which is already county right-of-way and he pointed out on the map where the county has another 75' right-of-way claim. He said fair price for farm ground would be from $5,000.00 to $7,500.00 per acre, but this gentleman wishes not to sell.
He said there was a directive from the County Commisioners in 1980 to go ahead with condemnation proceedings that you will find it a matter of record. He presented a legal description of what they need.

Commissioner Borries moved that condemnation procedings begin on the bridge across Lower Big Creek on Mann road as presented by Mr. Brenner today. Commissioner Cox seconded the motion which carried with three affirmative votes. This was referred to Attorney Miller.

Bridge and Guardrail Report

Dave Guillaum submitted the bridge and guardrail repair report for the period of 2-16-81 through 2-20-81 and stated they spent the week working on Nurrenbern Road off Broadway Avenue and hopefully they will get this job completed sometime today.

They also have the rail up on Schlensker and McCutchan and it is open to traffic. We still have the paving to do and some riprap work has to be done.

RE: LOUIS STEPHEN....COUNTY HIGHWAY ENGINEER
Change Order #23.....Commercial Court:
Mr. Stephen said Andy Easley and the people along Commercial Court are wanting us to re-submit Change Order #23, the Commissioners have approved it once and all you have to do is tell us to go ahead and re-submit it. The state and the feds have both rejected it.

President Willner said this change order was apporved by the previous Commissioners and they are wanting to know if the present Commissioners have any problems with it. But if the state and feds have rejected it, then why are we doing this.

Mr. Stephen said Mr. Easley has done a lot of leg work in contacting people and the area engineer suggested that they re-submit it.
They could extend 12th. Avenue through one of the lots which would give them an outlet and get them down to Hobart and at that point they would have a place to turn left.
He said he personally feels we should not go for any other change, in other words, just leave a section out, therefore the south bounders will not turn left onto Commercial Court.
Mr. Easley is just asking that we re-submit this as it is with the posting of the "No Left Turn" lane on St.Joe Avenue.

Commissioner Cox asked if there is any other way out of the trailer court onto St.Joe.

Mr. Stephen said the trailer court is not effected.

Commissioner Cox said then what is the cut across there for.

Mr. Stephen said to get people out of Commercial Court, which is on the other side of the street from the trailer court. They want to go straight across and south instead of having to go north, find a place to turn around and head back south again.

Commissioner Borries said does he understand they are not considering the alternate, in regards to going back to his property and coming out on Hobart and going that way.

Mr. Stephen said they don't have that planned and all we did was point out that was an alternate to leaving out the section, it would mean some cost to the developer and they would lose part of a lot to make the road through there.

President Willner asked if we got their signature on the cost.

Mr. Stephen said it is a decrease therefore they don't have to sign it. Its just a request asking to leave out 60' of center curb for them to have a passage across the center curb.

President Willner said he was under the impression the feds and the state would leave out a section, but would not come back and blacktop it, and then it would be up to the developer to go in there and do that with his own finances.

Mr. Stephen said actually in this case, we did not write it up that way, that it could be written up where we omitted and he would have to pick up the cost of the asphalt, but he does not think that the original change order was written that way, and the State Highway Commission did not make any mention of that.

Commissioner Cox said she cannot see all of these cuts across, that if these people already have a way out, then that is the way they should go, therefore she would move this change order #23 not be re-submitted. Commissioner Borries seconded the motion. So ordered.

Brookshire Estates #2 and #3

Mr. Stephen said Mr. Sam Biggerstaff has submitted two sets of prints and he is asking for approval of them. Brookshire Estates is between Lincoln Avenue and Newburgh Road. Section #1 is already complete and he is asking for approval of Section #2 and #3, and the drainage for both of them has already been approved by this Vanderburgh County Drainage Board. He said they have done a little shifting in the street design but the drainage system is the same. He pointed out on the map to the Commissioners where the streets run that they are now asking for approval of.
He said this meets all specifications and he would recommend approval.

Commissioner Borries moved that we approve the plans, as submitted, for Brookshire Estates #2 and #3. Commissioner Cox seconded the motion. So ordered.

Claim.....Covert Avenue Extension

Mr. Stephen submitted a claim from the City of Evansville on the Covert Avenue Extension Project. He said the city has been billed by the engineers for most of the work, about 90% of it, and the city is now billing us for our portion, which is 37.75% or $91,488.00. He said this has been approved by the County Council and sent to the State and the State has not sent it back yet, so this claim can be held until they do so, or you can go ahead and approve it now, subject to the approving the money. This is for preliminary engineering work.

Commissioner Borries moved the claim be approved in the amount of $91,488.00, subject to State approval. Commissioner Cox seconded the motion. So ordered.

Change Order....St. Joe Avenue

Mr. Stephen submitted a change order #26 on St.Joe Avenue and stated this work has already been done, that this is a surface seal on the bridge, and orginally the prints, as drawn, had a asphalt overlay on the bridge deck, and either the State or the Feds said to make it concrete and we knew it had to be sealed before we could re-open the bridge, and the additional amount is $4,356.62.

Commissioner Cox moved the change order be approved. Commissioner Borries seconded the motion. So ordered.

Clover Lawn Sub-Division

Mr. Stephen said last week a Mr. Kinney appeared before the Commissioners with a complaint of flooding in Clover Lawn and he was asked at that time to try to find out who the developer was. Well he has researched it and he recollects it was something like Salott, and he looked in the phone book and there is no one listed currently by that name, so he does not know if they are still around here or not.

RE: RON LYLES.....COUNTY COUNCIL ASSTISANT
Resolution from CAPE:
Mr. Lyles said a resolution submitted by Mr. Mike Malone of the Community Action Program of Evansville needs the Commissioner's approval. He said he does not believe that the County Attorney David Miller has had time to review it, but in effect, the resolution is asking the County Commission to approve the resolution and also designate three governmen[redacted]es bodies, the City Council, the County Commission and the County Council as it's representa[redacted] on the CAPE Board.
He said it is his understanding that this is done every ten years and you do not have to specify a particular representative but only an agency as listed in the resolution and it will have to be revised because we do have a new County Commission. This should get back to Mr. Malone as soon as possible.

Problems at the Auditorium

Mr. Lyles said he just had a telephone conversation with the County Council's attorney, Mr. Edwin Smith and Ed had been on the phone talking with a Mr. Ed Gutting, who is the #2 man for the State Board of Accounts, and in reference to the problems at the Auditorium, it is

the opinion of the council attorney, just from the information passed on from Mr. Gutting, that Mr. Cooper at the Auditorium will have to prepare specifications and to let this work out on a bidding process, because of the amount of funds involved. According to Mr. Gutting, if it were under $25,000.00, then it could be handled without taking bids.

Security System at County Garage

Mr. Lyles said in reference to Mr. Kautzman's request for funds to install an alarm security system at the Garage, it is the feelings of Council President Curt Wortman, that if you can appear before the Council in April and ask for new monies from the County General then it could be handled that way, but Mr. Wortman said he would be in touch with the Commissioners tomorrow.

Mrs. Cox said the motion has already been made and approved that we appear before the council in April unless something else can be worked out.

Interest Monies

Mr. Lyles said in reference to some interest monies that he understands Mr. Volpe has available in the amount of $400,000.00, it is the feeling of President Wortman that he would like for Mr. Volpe to make an appearance before the Council in March and explain to the members the amount of monies,how it was arrived at, etc. The council attorney was on the phone talking with Mr. Gutting concerning investment monies and it is the feeling of Mr. Gutting that there are certain joint ordinances that have been approved by the County Commission and County Council that these monies, as so stated in the ordinances revert back to the principal in each of these accounts and according to the council attorney, it is the opinion of Mr. Jim Gutting that these investment monies should revert back to these accounts because it was established that way. Mr. Volpe has been saying for the last three years that the Commission and the Council has not been giving him a sence of direction, but he would guess that what the Council attorney is saying is that the sence of direction is in black and white in these joint ordinances.

Discussion of Session held at Auditorium

Commissioner Borries said he has no prepared statements but he certainly has some concerns in view of the session over at the Vanderburgh County Auditorium. Mrs. Cox and Mrs.McBride was also over there and he is not so sure but he supposed the President inspected it. We are reading prepared statements from the County Council minutes in regards to Personnel Policies and Insurance and the so stated purpose of that meeting was one item, that was on the agenda. He is concerned about how county government goes about the business of looking at situations that have been in a case of severe neglect. Mrs. Cox was present over there and he does not know her opinion, and she may care to comment as to her feelings in regards to the Auditorium boiler situation, did she feel that a maintenance and preventative maintenance plan had been followed over there.

Commissioner Cox said she thought that was one of the problems, that we did not have a preventative maintenance plan. She said she went clear up into the attic over there and there is a motor in-operable and there are parts missing and the chiller needs to be repaired, but in all fairness for everyone concerned someone was amiss, and she does not know if it was the County Commissioners or Mr. Cooper in not properly requesting what we wanted from the council, because they can take no action unless monies is advertised to be appropriated and to her this was the problem and she is going to ask at this time if Mr. Lyles would work very closely with the Commissioners because some other problems have been unproperly done since the first of the year. We know what we want and we want to make sure the Council understands so that action can be properly taken so that we don't run into these delays, because it is impairative that these repairs be made.

Mr. Lyles said there was two items on that agenda Wednesday for the meeting at the County Auditorium, one was the appropriation of approximately $6,300.00 for Group Insurance and the other item was for the council to go on tour of the Auditorium to take a look at the repairs and this is what Mr. Cooper so stated during the last County Council meeting. It was not stated that the council was to take action at that time, but in all frankness to this situation, he is the Executive Assistant to the County Council and in reference to the Auditorium he was shut completely out on the entire situation, he did not receive any communique by letter or by phone from Mr. Cooper, as Director of the Auditorium. In his position, he is suppose to handle data for the Council to prepare this data so that the council can inteligently come up with some decision or decisions, but when the Executive Assistant is totally ignored, and some councilmembers receive communique and others don't, we do have problems in government and he will work very closely with Mr. Cooper in the future as long as there is total cooperation. If any officeholder or any departmenthead wants to by-pass the Executive Assistant to the Council, thats fine and he has no problem with that, but he has to answer to a seven member body and they expect for him to do his job and that is what he intends to do.

Commissioner Borries said the Commissioners expect him to do his job also, but his objection to that is that all members of the Council were duly informed, they requested the information and Mr. Cooper sent it out. Mr. Cooper has done an outstanding job since he has been at the Auditorium in trying to save the County monies.

Mr. Lyles said he would interject here that the total council was not informed of Mr. Cooper's request and if you want names, he will submit them first thing in the morning.

Commissioner Borries said he understands that Mr. Cooper did indeed inform all of the Councilmembers.

Mr. Lyles said that Mr. Cooper also said that he informed him through a letter, but he did not receive one.

Commissioner Borries said we will direct Mr. Cooper to follow that policy but we also going to say that in regards to the Personnel Policy and other things that have been there, and the statements by Mr. Wortman that he has found certain state statutes that say that the County Council has the power to inact Personnal Policies, and we will also produce a number of statutes and editorials from the Evansville Courier that say the Commissioners are the administrative arm and that cooperation goes two ways. He would like to say that there is a certain leadership style that is going to have to be implemented not only on the part of the County Commissioners, which we are trying to do, but also on the part of the Vanderburgh County Council.

Mr. Lyles said he thinks we are jumping around here, that what we are discussing is the business that should be taken care of at the Auditorium and he wants to deal with that situation because Mr. Cooper has got serious problems and he will be the first to work with him to see he gets these problems resolved. He does not care at this point to deal with Personnel Policies, but we've got a serious problem at the Auditorium and he thinks we should put our priorities in order.

Commissioner Borries said those priorities should have certainly been communicated before that meeting took place at the Auditorium, because you are right, there are indeed serious problems over there, and to now have to figure out exactly when we are going to get this on the council agenda is a mystery to him.

Mr. Lyles said that answer has been given that Mr.Cooper must, according to the State Boar of Accounts, be placed on the April agenda for the County Council, so that they can go through the specification and bidding process.

Commissioner Cox said a couple of weeks ago in our regular meeting Mr. Lyles came before this body concerning the problems with the air conditioning and heating over at the County Auditorium and at that time he ask that Mr. Cooper prepare for him an itemized breakdown of what the problems were and an estimate of the costs that would be necessary and ask that it be submitted to him by that Wednesday, therefore she would like to ask Mr. Lyles at this time if he received that data from Mr. Cooper.

Mr. Lyles said no, he did not.

Commissioner Cox asked if any of the Council members received this breakdown.

Mr. Lyles said the Council President did receive a copy of it.

Commissioner Cox said since the request came from Mr. Lyles to the Commissioners, then who's responsibility was it to get hold of Mr. Cooper and inform him he was to get this information available to Mr. Lyles, because she did not do it.

President Willner said he called Mr. Cooper and informed him.
He said at this time we should continue on with the remainder of the agenda and we will get back with Mr. Lyles later in the meeting.

RE: BOB FORTUNE.....DATA PROCESSING

Request from Prosecutor

Mr. Fortune said he has nothing on the agenda today but he sees where there is a letter from the Prosecutor requesting the necessary cable line and pole for computer hook-up through the County System. He said they want to implement a case backing system for the felony division. All of this work will be done from the Data Processing budget and he has obtained permission through the Building Authority to do the work.

Commissioner Cox moved the request be allowed. Commissioner Borries seconded the motion. So ordered.

RE: JOHN HODGE.....HELFRICH INSURANCE COMPANY

Mr. Hodge said he submitted a letter today to Mr. Willner, as to their recommendations as what the county should do, or can do, and the options available to them at this time regarding the insurance program. He said the letter he submitted is self explanatory and in conjunction with the correspondance from the Insurance Audit and Inspection Company in Indianapolis, Indiana, that they concur with our feelings. If there are any questions, he would be glad to try and answer them.

President Willner said in essence what both letter said was that we would not have time before March 1st. to take bids, that it is a three to four month thing for any insurance company to work out any type of insurance that everyone could live with.

Mr. Hodge said a company would have to have sufficient time just to work the premium and an account like the county they would also have to have time to pre-engineer the risks before they could make an honest appraisal of the appropriate premiums.

Commissioner Cox said since the renewal date is April 1,1981, and if we don't go ahead with this then we would be without coverage for approximately two months.

Mr. Hodge said he would verify that the coverage will remain at least as good as it is and the premium will not be any more then last year.

Commissioner Cox said she does believe in competitive bidding but do to the time element involved here she would move the contract, as previously submitted be approved. Commissioner Borries seconded the motion. So ordered.

COUNTY ATTORNEY...INSPECTION REPORT OF THE COUNTY JAIL

President Willner said they have received a letter from the law offices of Bowers, Harrison and Kent and enclosed was a copy of the inspection report of the Vanderburgh County Jail by the U.S. Marshal Service.

Attorney David Miller said he would like to interrupt at this time and advise the County Commissioners that the letter should first be discussed in an Executive Session because of the nature of the pending litigation. He would advise the Commissioners to advertise and hold an executive session, possibly two weeks from today, involving the members of the County Commission, Sheriff DeGroote and any other individual deemed appropriate to consult concerning this particular litigation. Perhaps for the convenience of everyone concerned the Executive Session could immediately follow the regular Commissioners meeting of March 9, 1981.
After discussing the date the Commissioners agreed on the 9th of March.

Commissioner Borries moved they schedule an Executive Session on March 9,1981 and that it be properly advertised as such in the Evansville Courier and Press.
Commissioner Cox seconded the motion. So ordered.

Bad Check from VFW Post #9632

Mr. Miller said as a result of Mr. Jones looking into the matter of a bad check in the amount of $450.00 from the VFW Post #9632 to the Vanderburgh County Auditorium for a show there, Mr. Jones believes it would be in the interest of the County to institute small claims action, not only against the not-for-profit corporation that runs the post, but also against Mr. William Oliver who executed the check. He said the VFW Post has for some reason been almost defiant in answering requests for payment, saying come and get us if you want us. He personally feels this is not the appropriate way to address a bad check that was written to a governmental organization and he feels that Mr. Jones recommendation should be followed.

Commissioner Borries moved that the County Attorney procede with the small claims suit. Commissioner Cox seconded the motion which carried with three affirmative votes.

Statement of unpaid bill from Barber Coleman Company

Attorney Miller said that sometime ago Mr. Cooper, Manager of the Auditorium, turned over to him a statement that has remained unpaid for a substantial period of time, for some unknown services that apparently someone thinks was rendered to the Auditorium in 1980 by the Barber Coleman Company of Jeffersontown,Kentucky. He wrote to this company inquiring as to the basis of his claim and he did receive a very courteous letter stating the Barber Coleman Company made periodic inspections of the tempature control system installed in the building for a contract price of $1,300.00 per year since 1975. With the reply to us was an attached copy of the agreement and he says the service contract would be automatically renewed unless one of the parties chose not to do so and notify the other party in writing within thirty days of the anniversary date, but he does not find anything in this contract to that effect. He does not know what these services were for and it would be his

recommendation to this Commission that this bill be ignored unless and until some positive evidence of services rendered through contract be delivered to us through this company. Mr. Dewes evidently had some reason for not paying this bill, and he has tried un-successfully to reach him by telephone to find out what his feelings are on the matter since he would have the most correct knowledge on it, so when he reaches Mr. Dewes he will get back to the Commissioner of his findings.

Commissioner Cox said representatives of this company was present when she toured the Auditorium and they are the ones that installed the tempature control panel in the office and she understands that they come back ever so often and check it out.

Mr. Miller said he is telling the Commissioners about this to let them know the matter is not being dropped, but rather is still being checked into, but right now we do not have enough information to approve payment of the bill.

Bad Check from the West Side License Branch

Commissioner Cox wondered if Attorney Jones had a report on the bad check received by the Treasurer from the License Bureau.

Attorney Miller said if he has any further information on the matter, he did not mention it to him to report on today.

President Willner said he has been informed that the County Treasurer now has a good check from the License Bureau in his possession.

RE: LETTER FROM GAS COMPANY

President Willner said a letter was submitted by Southern Indiana Gas and Electric Company along with a sketch showing the locations of excavations to be made public right-of-ways. and he asked Mr. Stephen if he has received a copy of this letter and sketch, which is of Cemetery Road and Old Petersburg Road.

Mr. Stephen said yes he knows about them and he sees no reason not to let them go ahead with it, that he has looked them both over. This is to let them install some 2,972' of gas lines, and it will not nessitate closing any roads.

RE: LETTERS FROM BRINKS

Submitted from Brinks Incorporated was a letter stating that effective April 1, 1981 the rate will increase for services rendered to the County Treasurer's office to $349.40 per month, which is an increase of $45.55 per month, from the previous rate of $303.85 per month. This is a 15% increase.

Also submitted was a letter stating effective April 1, 1981 there would be a rate increase for services rendered to the Clerk of Vanderburgh Circuit Court, that it would go from $195.30 per month to $234.35 per month, which is a rate increase of $39.05 per month.

President Willner said we seem to be getting this kind of an increase every year, but he does not know what to do about it, because they are the only secure means of transferring monies for us.

Commissioner Cox said an overall cost per day would run us approximately $14.00 per day for their services, which maybe isn't too bad. We have discussed the possibility of using some other type of security pick up and delivery service through the Sheriff's Department, but after all things were considered, it was not feasible to do so, therefore she would move the new rates stated from Brinks for services be approved. Commissioner Borreis seconded the motion. So ordered.

RE: LETTER FROM INDIANA STATE HIGHWAY COMMISSION

Submitted was a letter from the Indiana State Highway Commission which read as follows:

The executed supplemental agreement, dated July 7,1980, between Vanderburgh County and SIECO, Inc., for construction engineering on this project was approved by our letter of November 14,1980.

This letter is your authorization for the consultant to proceed with the work in accordance with the agreement effective February 2, 1981. Send us a copy of your notice to proceed.

Yours Truly,
D.O. Epp, Engineer of Consulting Services

President Willner said this is for the signs and delineators for the county and he understands this is no cost to the County.

Commissioner Borries moved the letter to proceed with the construction engineering on Project PMS-000S(125) be written and sent to the proper authorities.
Commissioner Cox seconded the motion. So ordered.

RE: LETTER....MARVIN LUTTERMAN.....NO PARKING SIGNS

President Willner said a letter was received from Mr. Marvin Lutterman requesting "No Parking" signs be placed on the south side of Old Highway 460, across the road from the American Legion Funkhouser Post #8,
6001 New Harmony Road Evansville, Indiana
He stated in his letter that the American Legion's customers constantly park along this side of the road, which is on a curve, creating a traffic hazard, and as the owner of the property across the raod from the Legion he can attest to the traffic hazard created and also the problem of having his property destroyed by these people, as they have been driving on it cutting ruts and tearing out large pieces of grass.

President Willner said this should be referred to the Traffic Department and ask them to make a visual inspection and report back to us at a later date.

Commissioner Cox moved this matter be referred to the Traffic Department for further recommendations. Commissioner Borries seconded the motion. So ordered.

RE: CLAIMS

A claim was received from Mrs. Gayla Given of 615 Biddle Ct. for County Recreation Leader (Ass't) at Perry Heights School, in the amount of $209.00. Claim signed by Mr. Willner who stated this is for the County's ongoing Recreation for adults and youths.
Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Mr. Charles Given of 615 Biddle Ct. for County Recreation Leader at Perry Heights School, in the amount of $220.00.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Mr. Ray Trapp of 3512 Debbie Lane for County Recreation Ass't Leader at Perry Heights School, in the amount of $60.00.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Gary Stone of 1010 North Bosse Ave for County Recreation Ass't Leader at Perry Heights School, in the amount of $60.00.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Szabo Food for meals for the prisoners and officers for the period of February 1 through 15, 1981, in the amount of $8,052.05, signed by Sheriff DeGroote.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates for engineering inspection on Lynch Raod 2-9-81 thru 2-13-81 in the amount of $3,676.35, signed by Louis Stephen.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates for engineering inspection on St.Joseph Avenue, 2-9-81 thru 2-13-81, in the amount of $2,145.40, signed by Louis Stephen.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

EMPLOYMENT CHANGES.....APPOINTMENTS

CIRCUIT COURT:

Bitz, Margaret E.	514 Lewis Ave.	Special Reporter	$5.00 Hr.	Eff:2-2-81

LEGAL SERVICES:

Kathy Houston	Box 261 Evansville	Secretary	$5.00 Hr.	Eff:2-12-81

COOPERATIVE EXTENSION SERVICE:

Beth A. LaVey	4506 Meadowridge Road	Part-time	$25.00 Day	Eff:2-9-81

BURDETTE PARK:

Kenneth Mitz	2164 Jefferson	Union Employee	$6.15 Hr.	Eff:2-23-81
Robert Hart	1505 N.3rd. Ave.	Asst. Manager	$545.24 Bi-Weekly	Eff:2-23-81

SHERIFF:

Bruce Grossman		Special Guard	$7.00 Hr.	Eff:2-1-81
Thomas Shoulders		Special Guard	$7.00 Hr.	Eff:2-1-81

RE: EMPLOYMENT CHANGES.....RELEASES

BURDETTE PART:

Kenneth Mitz	2164 Jefferson	Asst. Manager	$545.24 Bi-Weekly	Eff:2-23-81
Roger Reisz	4113 Claremont	Ground Crew	$4.00 Hour	Eff:2-23-81
Darrell Sanders	527 Underhill Court	Rink Guard	$4.00 Hour	Eff:2-23-81

SHERIFF:

Leslie F. Schmitt		Special Guard	$7.00 Hour	Eff:2-1-81

RE: RON LYLES....ASSISTANT TO THE COUNTY COUNCIL

Mr. Lyles said concerning the breakdown list of repairs to be made at the Auditorium, he would like to say he went to the Auditorium the Wednesday morning of the day the tour was made by the Council of the Auditorium and he asked Mr. Cooper's Assistant for a list of the breakdown and she did make him a copy of that breakdown, so that he could prepare himself for the afternoon meeting, but he is in a position to fully cooperate with Mr. Cooper 100% and he feels sure we can get the job done.

There being no further business the meeting recessed at 4:45 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard Borries Shirley Jean Cox	Alice McBride	David Miller
SECRETARY:	Janice Decker		

Robert D. Willner
Richard Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MARCH 2, 1981

The meeting of the County Commissioners was held on Monday, March 2,1981, at 2:30 P.M. in the Commissioners Hearing Room.

This being the first meeting of the month it was officially opened by Deputy Pete Swaim.

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

RE: CONRAD COOPER.....AUDITORIUM

Security Alarm System

Mr. Cooper said last week the Commissioners discussed a security alarm system for the county garage and at that time he said he would like to be included in a system of some sort also. He presented each of the Commissioners with a copy of quotes from ADT Security Systems, Steckler's Alarm Service and Sonitrol of Evansville,Inc. for their review, and after looking them over he is sure the Commissioners will find a considerable cash difference, that Steckler's is about half the price of the others and supplying basically the same equipment. He had these prepared in three phases because he knows of the budgetary limitations that we are all faced with and phase one is what he considers to be the bare minimum that we need that would protect the box office and the office and also provide for the mobile alarm transmitters that the building people could carry in their pockets and would be effective anywhere on the grounds.
When the Commissioners check into it and want to discuss it further, they will contact Mr. Cooper.

Repairs at the Auditorium

Mr. Cooper said he spoke with County Council President Curt Wortman, who indicated to him that he had talked to President Willner concerning the situation at the Auditorium and that we would in fact appear at the next Council meeting and that the Council would in fact give us a verbal commitment to fund the repairs needed at the Auditorium. He told Mr. Wortman that he was waiting for another price on the chiller work, from George Koch & Sons because he would like to do business with local firms, if at all possible, as it is easier to contact them in the event we have problems arise from the work being done.

Commissioner Cox said there will be no problems in the quotes then, that you have being advertised for the April meeting.

Mr. Cooper said that is the understanding that he received from Mr. Wortman on the phone.

Commissioner Borries said to settle something in his own mind he wants to know if Mr. Cooper communicated with each council person.

Mr. Cooper said the day after the request for the information was made, information packets containing all of the quotes, appraisals and estimates that they had were duplicated along with a cover letter of explanation and sent directly to each County Council member. A day or so later he was contacted by the Council's Assistant, Mr. Ron Lyles, who indicated to him that he had not received this information and he then told Mr. Lyles he could not explain why he had not received it, but if he wanted a copy he could run across the street to the Auditorium and get it or as time permitted, he would bring him a copy, and that was the extent of the interchange between us.

MARK TULEY....SUPERINTENDENT OF COUNTY BUILDINGS

New Recorder for Commissioners Hearing Room

Mr. Tuley said as we all know the recording system went out at the beginning of the meeting last week, here in this hearing room and actually he found out that this recorder has been on loan to the Superintendent of County Buildings for several years and Mr. Gil Ruston did not feel at liberty to replace it for us. He bought a new recorder in the amount of $69.95 and he is submitting a blue claim for payment of it, which he is sure to be considered an emergency. The old recorder was beyond repair and Mr. Willner gave him temporary approval to go ahead with the purchase of the new one and this will be paid from the Superintendent of County Building's budget.

Commissioner Cox moved the claim for $69.95 be approved. Commissioner Borries seconded the motion. So ordered.

Boiler at the County Garage

Mr. Tuley said he talked with Ken's Boiler Service today and they have finished up their work at the County Garage but we have not received the bill yet, however he wants the Commissioners to be aware that it is going to run $515.09 when we do get it.

Water Heater at Washington Home

Mr. Tuley said last week we had a water heater to explode during the night at Washington Home, that it caused no damage but it had to be replaced. Evansville Wet Heat came out and did the work and the total bill for that is $1,663.50, which was to furnish and install A.O.Smith #BT-155 commercial hot water heater and relief valve to replace Jackson 150,000 B.T.U. heater that was installed in 1967.

Commissioner Cox asked Mr. Tuley if he has funds available to pay for this and he replied yes, that this could come from his equipment account he feels sure, and he has funds in it.

Commissioner Cox moved the claim for $1,663.50 be allowed. Commissioner Borries seconded the motion. So ordered.

Area Plan Commission Vehicle

Mr. Tuley said he talked with Barbara Cunningham of the Area Plan Commission earlier in the week and she asked him to bring it to the Commissioner's attention that they have a truck and a van that are both standard shift's and her zoning inspectors drive these and she said the girls have a hard time getting them through the alleys, etc., and if possible she would like to trade them to another county department for an automobile. He told her that he did not know how this could be handled but that he would bring it before the Commissioners. He said presently the Superintendent of County Building's has a car and there are times when a truck would be nice or perhaps the Highway would have something they would trade her.

President Willner asked Mr. Tuley to look and see what could be traded with them and then bring it back before this board for approval.

RE: GENE KAUTZMAN.....COUNTY HIGHWAY

Re-bid on AE-150

Mr. Kautzman said he would like to get the Commissioner's approval to rebid on the EA-150 which is liquid asphalt used by the county garage. This had been bid and let to a company prior to this by the City-County Purchasing but it was never approved by the County Commissioners, therefore they rejected the bid after County Surveyor Bob Brenner complained it was too high because the product was grouped and bid on with other items and should have been let out separately. Mr. Kautzman said we need to re-bid this, get it, and continue on mixing the cold mix ourselves instead of buying it outright.

Mr. Brenner said 400,000 gallons of liquid asphalt would be the maximum you would ever use in the county.

Commissioner Cox moved Mr. Kautzman be authorized to bid for the AE-150, Liquid Asphalt. Commissioner Borries seconded the motion. So ordered.

Weekly Absentee Report

Mr. Kautzman submitted the absentee report on the employees at the County Highway Garage for the week ending February 27, 1981.

Report received and filed.

Monthly Report

Mr. Kautzman submitted the monthly report of the Vanderburgh County Highway for the month of January 1981.

Report received and filed.

Annual Operation Report

Mr. Kautzman submitted the annual operational report for the County Highwy Department for the year ending December 31, 1980.

Claims for Public Official Bonds

A claim was submitted from James L. Will Insurance Agency, Inc for $1,000.00 bond for Jerry Linzy, Assistant Supt. at County Garage, in the amount of $30.00.

A claim was submitted from James L. Will Insurance Agency,Inc. for $5,000.00 bond for Gene Kautzman, Supt. at the County Garage in the amount of $30.00.

Commissioner Cox moved that both of the above claims be approved. Commissioner Borries seconded the motion. So ordered.

Security Alarm System at County Garage

Commissioner Cox said in regards to electronic surveillance system, she talked with officer Pete Swaim of the Sheriff's Department and as long as the system that is chosen will fit in with their control panel, then they are perfectly willing to have it installed and also to monitor it and the maintenance fee would only be then to pay for a telephone line into the Sheriff's Department.

President Willner asked Mr. Kautzman if he has seen the new security system at the garage yet, that a public individual who wishes not to be made known, donated a $700.00 piece of security equipment for the building at the county garage. He will send him a personal letter of thanks for his donation. This piece of equipment will sucure the inside of the building.

Road School at Purdue

Commissioner Cox asked Mr. Kautzman if he had received any literature concerning the annual Purdue Road School, and he replied that he had and that he did plan on going. This will be held on March 10, 11 and 12th and he would like permission for himself, Mr. Louis Stephen and Mr. Dan Hartman to attend.

Commissioner Cox moved that permission be granted for the three above mentioned persons to attend the Purdue Road School. Commissioner Borries seconded the motion. So ordered.

Commissioner Borries said another road related matter is that he and Mr. Stephen attended a meeting for Southern Indiana County Commissioner's, in Boonville, Indiana on February 18, and at that time it was mentioned that there is a bill before the State Legislature regarding moving part of the Road School from under the jurisdiction of the school and put it under the State Highway Department, but he has not received anything further on this and wondered if Mr. Stephen has.

Mr. Stephen said no,he has received nothing on the matter.

Commissioner Borries said he wants the commissioners to be aware of the fact that some changes have been proposed, that he is not asking for any positions on the part of the commissioners, but there are some people that would not like to see these changes be made.

RE: BOB BRENNER.....COUNTY SURVEYOR

Mr. Brenner's Services at the County Garage

President Willner said he understands that Mr. Brenner has concluded his services at the County Garage and that his full report will be forthcoming. He thanked Mr. Brenner for his help and services rendered in the past weeks.

Bridge and Guardrail Report

Mr. Brenner submitted the bridge and guardrail repair report for the period of 2-23-81 through 2-27-81.

Report received and filed.

Claim

Mr. Brenner submitted a blue claim from Quentin Stahl Inc. Excavating for repair and replacement of one culvert on Cypress Dale at L&N Railroad tracks at Dogtown, Indiana in the amount of $1,660.00. He recommend this be approved.

Commissioner Cox moved the above claim be approved. Commissioner Borries seconded the motion. So ordered.

RE: LOUIS STEPHEN.....COUNTY HIGHWAY ENGINEER

Change Order #23...Commercial Court

Mr. Stephen said that Mr. Andy Easley is present today concerning a change order that he would like to have re-submitted. This was discussed last week and the Commissioners chose not to re-submit it but Mr. Easley would like to talk to the Commissioners about this.

Mr. Easley said he would have come before the commissioners last week if he would have known there would have been any problems with re-submitting this change order. He said they had a meeting with Dale Lucas, Area Engineer, and he also recommended that it be re-submitted and he would think the commissioners received some letters from people on that street als[redacted] wanting the cut made. He said this Board of Commissioners approved this request originall[redacted] as a change order.

Mr. Stephen said this was approved last year, therefore it was done so by previous county commissioners.

President Willner said he feels it was the feelings of the Commissioners that this was denied once and probably will be denied again.

Mr. Easley said this may be, but he would urge the Commisisoners to please re-submit it. He said Mr. Gary Lichtenberger and Mr. Douglas Abell are both present today in favor of this and there are probably four trucking companies that will join us in requesting this be re-submitted.

President Willner asked if they have had dialogue with the state.

Mr. Easley said he and Mr. Lucas met with Shambaugh & Son, Inc. and asked what would we have to do to get an opening and he spelled out a sign, that if we would request signs for the south bound traffic on St Joe, that he thought perhaps it could be approved. They do not know that this will be approved but they would at least like to have it reconsidered.

Commissioner Borries said he talked with some people that have a trailer court on the other side and they feared they would lose their cut as a result of this and they were not interested in giving their's up, because of the problems of moving the homes in and out of th[redacted] area.

Mr. Easley said this change order does not effect the trailer court's cut, that this will be an additional cut.

Commissioner Borries asked if he would consider the option of putting a cut through property that either you own or maintain down to Hobart Avenue, where there would be a cut.

Mr. Easley said there is no right-of -way dedicated to Hobart, that it would take 60' of frontage. He said no building permits are taken out, but he will say that the properties on the south side of Commercial Court, west of Lichtenberger's property, there are some buildings planned to go in there. Sign Crafters is waiting and so is another building and there is no excess frontage for a street, for they too, want to get out through Commercial Court.

Commissioner Cox said for Mr. Stephen to refresh her as to where the cuts will be along St. Joe, that would effect this.

Mr. Stephen showed Mrs. Cox on the map just where all of the cuts are presently planned. He explained that you cannot make a left turn from Commercial Court to go south, that they must go north, then find a place to turn around and head back south.
He pointed out to Mrs. Cox the way all of the streets run, which way you can turn onto each street, the right-of-ways and the curbs.

Mr. Easley said he knows this is not the ideal plan but he thinks it will function for many many years, that if traffic should ever get to be like Green River Road then it may someday have to be plugged up. He said he first requested this in 1978 and Mr. Keith Lochmueller told him at that time that he would get the plans changed and for him not to worry about it, but he found out this past fall that it was considered discussed and he was never notified that it was never going to be revised.

President Willner asked if we have got the concrete poured yet and Mr. Stephen said not yet, that we are close to the point where they want the cut made.

Commissioner Borries asked Mr. Stephen what he would recommend and he replied to go ahead and submit it again and let the state and the feds review it again.

Mr. Easley said he would wish this could be re-submitted with a request that they find some way to cooperate with local government.

Mr. David Gerard was present and stated the original design called for it to be closed, that he knows Mr. Easley had talked about this with Mr. Lochmueller and there very definitely is a need for south bound traffic out of Commercial Court to be able to go south down to Diamond Avenue. One of the design proposals that was submitted by Mr. Easley was a re-shifting of that median and providing a shorter turn lane on to Wyoming and based upon our projections that probably would not be enough storage capacity to handle all the left turns into there.

Commissioner Borries said what if we do re-submit this and the state rejects it again, then would you go back and look at the cut back to Hobart Avenue.

Mr. Easley said he cannot speak for his partners on wanting to make a capital investment like that, that he had been assured there would be a median opening, that they have borrowed money to make the street improvements and have pro-rated those improvements by the cost of the land and now your asking me would we cut back into Hobart Avenue and he cannot say that he will do that.

Commissioner Cox said this area is Residential and we have that same problem on a portion of Green River Road with large trucks using it and that road is not really able to carry all the heavy truck traffic and we would not want this same problem to arise here and with that understanding she would be willing to see it re-submitted. She said that she is the one that moved it not be re-submitted at the last meeting because she is not for all of these cuts since it slows down the traffic, but with that understanding she would move the request be resubmitted. Commissioner Borries seconded the motion. So ordered.

RE: DAVID GERARD.....E.U.T.S.

Lynch Road-L&N R.R.

Mr. Gerard said that last week Commissioner Cox asked him about the problem of the Lynch Road-L&N Railroad crossing, that there is a contract underway on that project so that the R.R. improvement will coordinate with the Lynch Road improvement that is on it's way now. There evidently is some discussion going on now between the L&N and the Federal and State Highway in terms of the way they have improved that crossing as there are some rather large gaps between the road surface and crossing surface of the tracks. There are also plans to put gates and flashers in there, but he does not know when this will occur.

RE: RON LYLES.....COUNTY COUNCIL ASSISTANT

Resolution....CAPE

Mr. Lyles said a Resolution was presented to the Commissioners from the Community Action Program of Evansville, that in affect it names three public agencies as having representatives on the CAPE Board of Directors.

President Willner said this is an ongoing Resolution that has been in force in the past and we do need to name a representative to serve on the board.

Commissioner Borries moved the Resolution be adopted as written. Commissioner Cox seconded the motion which carried with three affirmative votes.

Commissioner Cox moved that Mr. Borries be the Commissioners appointment to the CAPE board. President Willner seconded the motion which carried with three affirmative votes.

RE: COUNTY ATTORNEY

Community Corrections Program

County Attorney David Jones said the Resolution of the Board of County Commissioners establishing a Community Corrections Advisory Board was submitted a couple of weeks ago and at that time a copy of the resolution was distributed to all involved persons for their input in the matter. He feels he can safely report that we received favorable response from the Sheriff, Prosecutor, Circuit Judge and others involved have given their support to the matter and at this time he feels it is appropriate to adopt the resolution and also to note that the appointments to be made by the Commission should be done in thirty (30) days.

Mr. Jones said a copy of the signed Resolution should be sent to all named in it.

Commissioner Cox moved the Resolution be adopted, as presented. Commissioner Borries seconded the motion which carried with three affirmative votes.

Letter from Guaranty National Insurance Company

Attorney Jones said he received the following letter from the insurance carriers for the county of the law enforcement liability and this concerns a civil action suit in the United States District Court Southern District of Indiana, Evansville Division #EV-81-15-C. Phyllis Short, Plaintiff vs. James A. DeGroote, Sheriff, defendant.

Dear Mr. Jones,

In regards to the above mentioned file, you have been corresponding with Mr. John Coo[redacted] of Guaranty National Insurance Company in Salt Lake City, Utah.

This file has now been referred to the undersigned for future handling.

Since you are the County Attorney for the County of Vanderburgh, Indiana, I am directing this letter to you and I am sure that the county will request that you handle the file to its conclusion.

In reviewing the allegations contained in the complaint, I cannot find where there are any allegations that would be covered under the coverage that Vanderburgh County has in effect with Guaranty National Insurance Company. The coverage that Vanderburgh County has in effect with Guaranty National Insurance Company is the LAW ENFORCEMENT OFFICER'S PROFESSIONAL LIABILITY insurance, which essentially covers four different aspects of law enforcement. The four aspects are false arrest, assault and battery, libel, slander, defamation, and wrongful entry, and as I have previously indicated, in reviewing the allegations contained in the complaint, do not find that these type of allegations are covered under the coverage provisions of the policy that Vanderburgh County has in effect with Guaranty National Insurance Company. Consequently, we cannot enter an appearance on behalf of James A. DeGroote, Sheriff of Vanderburgh County for this loss.

If you have any questions regarding the coverage afforded by this policy, please do not hesitate to contact the undersigned.

Very truly yours,
Harold Fabrizius
Senior Claims Examiner

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Mr. Jones said as we all know the Sheriff has been sued for one half million dollars for "punitive" "inpunitive" damages arising out of an action taken by the so called National Prisoners Rights Union, which is supporting the citizens arrest of the Sheriff. He said this insurance costs the county some $18,000.00 a year to carry and from the above letter it appears they are telling us that they are denying coverage on this particular suit. He said he has sent a letter today to this company making a formal tender for the defense of this matter, which is language indicating that they are on notice to defend this suit. It is his professional opinion that there is either a mistake or that this is a wrongful denial of coverage, because the insurance company has received a copy of the law suit and he has called the company and explained the law suit to them and it is clearly covered by the terms of this policy and if they refuse to defend this matter, then he thinks they wrongfully deny it and we can take further action and moreover, if they insist on denying this it would be his recommendation that within three weeks, the county terminate the insurance coverage. He has discussed this with the Sheriff and feels safe in saying that the Sheriff concurs with this point.

He said he will give the company the benefit of doubt that perhaps they do not understand the suit but in any case they will know where we stand when they receive the letter he has sent to them.

He said he is in the process of preparing a motion to dismiss and it will be heard in federal court as soon as he gets it filed,hopefully this week. He asked for an extention of time to allow the insurance company to get their attorneys in gear and he has no choice but to proceed and knock this thing out as quickly as possible.

President Willner said he asked Mr. John Hodge to read the insurance policy which he did this morning and he reported that he too concurs with what Mr. Jones has told us, so at t[redacted]s time we will wait until we hear from the insurance company in reply to Mr. Jones' letter [redacted] them.

Suit filed against VFW Post

Mr. Jones said he did file a suit against the VFW Post #9632 as authorized by this board and he will keep everyone informed on the matter. This involved a bad check in the amount of $450.00 for a show that was to be held at the Auditorium.

Grievance Filed

Mr. Jones said there has been another grievance filed by Mr. Gary Page of the Teamsters Union at the Highway Department and they are seeking arbitration and he will refer this to Attorney David Miller.

RE: PROPOSAL ON "Citizens for Survival"

Linda Carr a spokesman for residents of the area organized as "Citizens for Survival" made the following statement:

We would like for an underpass to be constructed at Nurrenbern Road, in Union Township. In the past year we have considered the alternatives available to us and through the process of elimination have come to the conclusion that for our immediate needs the Nurrenbern underpass is the most realistic and possible answer to our problems. As our name implies we are mainly concerned with the safety of the people who reside in and visit Union Township. We feel that the large volume of train traffic hampers emergency assistance as well as disrupts our travel in and out of the township. We realize that the realatively small population and limited ability for growth would make funding of an overpass difficult to obtain and planning and construction of such a project would only prolong the completion of an access route. We believe our needs require immediate attention and believe that an under pass at Nurrenbern would be an adequate solution. We ask that you accept our proposal and act in the best interest of those persons whom you represent.

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Ms. Carr said Mr. Herb Roberts, their attorney is in court and could not be present here today.

President Willner asked if this group actually said that this underpass should replace Nurrenbern or that we should leave Nurrenbern and put the underpass adjacent to it.

Ms. Carr said we did discuss the possibility of going south of Nurrenbern Road, but after the meeting was over she did discuss this with Bob Brenner and decided that it should be left up to the discretion of the engineers, that either of the solutions would be fine with them.

Mr. Brenner said they have discussed it quite extensively and we believe we can do it, that the main draw back will be getting an agreement out of the railroad to permit us to do it. He believes it should be put on the County Council agenda in the amount of not less than one half million dollars to do it, and it would come from the Cumulative Bridge Fund.
He said another thing you need to do to make this happen is to repeal approximately $600,000.00 from the First Avenue Project account and start an account for Nurrenbern with it. He said the plans would be drawn in-house.
He said he will bring to the Commissioners, next week, a list of bridges that we feel we should do this year, about six or seven of them.
He said they would indorse this that they feel it is feasible, that anything needing to go through this 12' clearance will have plenty of room, therefore he would recommend it be put on the April Council agenda.

Commissioner Borries moved that this item be put on the County Council's agenda for the month of April. Commissioner Cox seconded the motion. So ordered.

RE: TRAVEL REQUEST...DRUG AND ALCOHOL DEFERRAL SERVICE

The following travel request was presented to the Commissioners for approval.

Gentlemen,

This letter is to recognize with you that Deloris Robinson, a counsellor with our program, will be in Indianapolis, Indiana on March 4,1981. This travel is for the purpose of training with the Substance Abuse Program Development.

Sincerely,
Carl Miller
Associate Director

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Mr. Bill Campbell, Director of Drug and Alcohol Deferral Service was present and stated he does have the funds available in his budget for this trip, that this is the first time he has been asked to appear before the Commissioners and explain a travel request.

Commissioner Cox moved the request to travel be allowed. Commissioner Borries seconded the motion. So ordered.

President Willner said in the future he feels that as long as Mr. Campbell has the funds available in the correct account that a letter will suffice.

Commissioner Cox said she feels the same way, that if he has a travel account approved by Council, then a letter informing us will do.

RE: PUBLIC OFFICIAL BONDS

Submitted were two Public Official Bonds, one being for Gene Kautzman, Supervisor of the County Garage and one being for Jerry Linzy, Assistant Supervisor of the County Garage.

Bonds were received and filed, turned over to the County Auditor's office to be recorded in the County Recorder's office.

RE: CERTIFICATE OF INSURANCE

Certificate of insurance was submitted by Father's and Son's, Inc for a record sale to be held February 26 thru March 1, 1981 at the Auditorium.

A certificate of insurance was submitted by Evansville Square Dance Council for use on 10-23-81 thru 10-25-81 for a square dance at the Auditorium.

Certificates received and filed.

RE: CHECK FROM HARTFORD INSURANCE COMPANY

President Willner said a check was received from the Hartford Insurance Company in the amount of $2,093.36 for damages on a county owned vehicle that was driven by Judge Lensing.

Since no one knew what this was all about the check was referred to the County Auditor to check out and bring back next week.

RE: LETTER FROM LUKENS AND SONS INSURANCE

The following letter was received from Lukens and Sons Insurance Company.

Gentlemen,

We are returning herewith the copy of a letter received from the captioned individual regarding his All Weather coat and a pair of gloves.

We have checked the policy and find that it cannot respond in this situation. We suggest that you inform Mr. Mooney to report this to his own Homeowner's carrier.

We are sorry that we cannot be of assistance in this matter.

Yours Truly
Lukens and Sons Insurance, Inc.

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Attorney Jones when you take custody of someone's property and particularly when you charge for it then you have accepted and implied contract of bailment and you are absolutely liable for failure to return the property regardless of what your excuse or defense is and the only way to avoid this is to refuse to check coats or get some insurance that covers the loss of property.

President Willner said what we need at this time is for Mr. Jones to tell us that it is indeed correct that Luken's policy does not cover this loss and then we'll go from there.

Attorney Jones said he cannot say that because he is not that familiar with the policy, but he will say this, that it would cost a lot more than the price of the coat and gloves to take them to court to find out if the policy should cover it.

Commissioner Borries said what would happen if the coat check over there is operated for free.

Mr. Jones said you are still holding custody of peoples property.

Commissioner Cox said she is wondering if it is posted at the Auditorium "Not Responsible For Lost Articles."

Mr. Jones said there are cases on the books where car lots attempt to stamp on the back of their tickets that they are not responsible for your car, but the minute they accept that car, it doesn't matter what they say, they are responsible.

It is his opinion that the county is responsible once you undertake to take care of some one else's property and in this case we have no explanation of what happened to these articles and that is our responsibility. Even a sign posted "Not Responsible" does not mean a thing.

President Willner said the next question is, where do we get the funds to cover this.

County Auditor ALice McBride said there is an account in the Commissioners budget called "Awards and Indemnities" that this should come out of.

Commissioner Borries moved the Commissioners approve payment for a London Fog coat in the amount of $140.00 and $25.00 for a pair of Isotoner gloves. Commissioner Cox seconded the motion. So ordered.

Commissioner Borries said upon the opinion of the County Attorney on this matter, perhaps we had better get a better understanding with the insurance company of just what is covered under our policy with them.

Mr. Cooper said we use a common claim check that is used in a lot of other places and he would like to make the suggestion that we mark our tokens in some way so that we can distinguish them from anyone else's.

RE: BARRY HEATHCOTTE....COUNTY AUDITOR

Deputy Auditor, Barry Heathcotte appeared before the commissioners and stated he was approached last week by a representative of the State Board of Tax Commissioners who is coming down to work on the reassessment about the number of xerox copies they are going to have to have. Normally they aren't talking about a large volume and usually the township assessors get the copies for them. Now they are talking about approximately 650 copies on both sides and to be fair they are offering to pay for them. Right now we charge 10¢ per single copy and 15¢ for two sides and we do have an auditron that keeps track how many copies are run. He told them he did not know what the cost would be to them, that he would present it to the Commissioners to make a decision on. He said in checking the paper we buy for the machine cost us a little under ½¢ per sheet so it looks now like we are talking about somewhere between $3.00 to $4.00 for the paper, plus we buy some toner and his personal recommendation would be to just forget any charge to them, because he thinks it would cost more to keep track of everything then it would to charge them, that is, if we charge them at our cost for the products. The Commissioner's have bought this machine in the Auditor's office.

Commissioner Cox said in checking the budget book she finds the account was cut by $3,000.00 but there is no election this year and they do use a lot of paper, so we should be alright to allow them to make their copies at no charge.
Commissioner Cox moved that the State Board of Tax Commissioner be allowed to make copies of needed information concerning reassessment and that there be no charge to them.
Commissioner Borries seconded the motion. So ordered.

RE: PETITION BY SOUTHERN RAILWAY CO.DENIED

The following letter was submitted to the county Commissioners from the Public Service Commission.

PETITION OF THE BOARD OF COMMISSIONERS
OF VANDERBURGH COUNTY, STATE OF INDIANA,
FOR ABANDONMENT OF PORTIONS OF A LINE OF
RAILROAD OVER BOONVILLE-NEW HARMONY ROAD
AND OVER BENDER ROAD IN VANDERBURGH COUNTY.

SOUTHERN RAILWAY COMPANY, RESPONDENT.

You are hereby notified that the Public Service Commission of Indiana has on this day caused the following entry to be made.
Comes now Respondent, Southern Railway Company, and files a Petition For Rehearing, said petition being in the following words and figures, to wit:

And the Commission, having read and examined said petition and being duly advised in the premises, now finds that said request for rehearing should be denied, and it shall be so ordered.
IT IS THEREFORE ORDERED BY THE PUBLIC SERVICE COMMISSION OF INDIANA that the Petition for Rehearing filed by the Southern Railway Company is hereby denied.

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Letter received and filed.

RE: CLAIMS

The following claims were submitted but there where problems on them, therefore they were held until next week when a better explanation could be given.

Lukens and Sons Insurance .....$181.00.(Did not know what it was for)
Pitney Bowes.....$7,802.00 (Referred to the County Auditor)
Atlas Supplies.....$9.95 (No purchase Order)

A claim was submitted by Engineer Associates for engineering inspection of Lynch Road from 2-16-81 thru 2-20-81, in the amount of $3,659.35, signed by Louis Stephen.

Commissioner Cox moved the above claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates for engineering inspection of St. Joseph Avenue from 2-16-81 thru 2-20-81 in the amount of $2,162.40, signed by Louis Stephen.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Kathy Mann, County Councilman for attending a workship for Orientation to County Government on February 25, 1981 in Jasper, Indiana, in the amount of $23.20.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY AUDITOR:

Edna Castrup	426 Richardt Ave.	Part time	$30.00 day	Eff:2-26-81
Betty Covey	4412 Longfield Dr.	Part time	$30.00 day	Eff:2-26-81
Marjorie Miller	1621 Wedeking Ave.	Part time	$30.00 day	Eff:2-26-81

CAREER CRIMINAL UNIT...PROSECUTOR

Deborah Munn	1313 Lincoln Ave.	Secretary	$8,000.00	Eff:3-2-81

VANDERBURGH SUPERIOR COURT:

Lisa Sartore		Court Reporter	$13,000.00	Eff:3-6-81

EMPLOYMENT CHANGES....RELEASES:

VANDERBURGH COUNTY HIGHWAY DEPARTMENT:

William Elliott	2576 Stanley Ct.	Truck Driver	$6.27 per hr.	Eff:3-9-81

COUNTY AUDITOR:

Dorothy Rogers	306 Reis Avenue	Part time	$30.00 day	Eff:2-27-81

PERRY TOWNSHIP ASSESSOR:

John Singer	2424 W. Illinois St.	Deputy	$25.00 day	Eff:2-26-81

VANDERBURGH SUPERIOR COURT:

Virginia N. Lomax	Court Reporter	$15,117.00	Eff:3-5-81
Lisa Sartore	Cler. Assistant	$13,000.00	Eff:3-5-81

PROSECUTOR:

Scot Bowers	Deputy Pros.	$ 1,750.00	Eff:3-2-81
Robert Pigman	Deputy Pros.	$24,000.00	Eff:3-3-81

PROSECUTOR.....APPOINTMENT:

James Covert	Intern	$5.00 hour	Eff:2-26-81
Scot Bowers	Deputy Pros.	$12,000.00	Eff:3-2-81

RE: AREA PLAN COMMISSION CONCERNING CHARLES OSTERHOLT

President Willner said the Commissioners received a letter from Mr. Paul Hatfield, President of the Area Plan Commission stating that in October of 1976 the Area Plan Commission established personnel policies, and procedures in the face of Vanderburgh County not having any established or adopted policies or procedures. Those procedures included that upon termination, an employee was eligible to receive compensation for accrued days of leave both for sick leave as accumulated over time up to 24 days after the employee had worked for at least three years of continuious service. The annual vacation leave could be accrued and it is expected that a employee could receive cash payment for accumulated leave not in excess of 18 days at termination.
He said this is in regard to Mr. Chuck Osterholt who has submitted payment of 19 sick days and 18 vacation days for a total amount of $4,134.38. At this time he would like to get a legal opinion from our county attorney.

County Attorney David Jones said Mrs. McBride has received an opinion from someone in the State Board of Account's department in respect to the sick pay, but she did not receive an opinion on the vacation pay.

Mrs. McBride said she spoke with a Mr.Don Euratte of the State Board of Accounts and he told her that there is no statute that allows us to pay for sick days.

Mr. Jones said it is his understanding that if this were union then it would be set by contract and the county has in fact approved it and you could authorize it by contract. He said there is however a statute for sick days, vacation, etc. when the commission adopts it by ordinance, that he has not found one that the Board of County Commissioners of this county has adopted, such as a personnel policy, that would cover this. He said he does not see the in-put of the County Commissioners in this problem in the first place, that he does not see where it should come before them, and here is where he thinks the Auditor and he dis-agree, and probably the State Board of Accounts also. He said the Area Plan Commission is an independent agency, with the only in-put from the County Commissioners being that they appoint members, jointly with the city to that Commission and from there on that is an independent creature, they hire, they fire, has it's own budget and it sets it's own rules and procedures, therefore if they can function under another set of regulations, with their own policy adopted, then they can do what they want, but he cannot see how the County Commissioners can get involved in this matter and his recommendation to this Board of Commissioners is to not get involved with it, that if it is improper then there are ramifications. The Area Plan has their own counsel and he is sure they have been advised by him on the matter.

Mrs. McBride said their money is turned into the county, that their budget is a county budget.

Mr. Jones said the Area Plan Commission has acted and passed on this matter and he does not know why the County Commissioners have been asked to pass on it.

Commissioner Cox said she is the Commissioner's appointment to the Area Plan and this matter was discussed very thoroughly at the Area Plan meeting. Mr. Osterholt did make request for sick days only and in reviewing their administrative manual that they have, they found out that he was also entitled to vacation.
She said there is money in the account to cover this request.

Mr. Jones said he feels this matter should go before the county council and if they approve it then there should not be any question, but the Commissioners should not be involved.

Commissioner Cox said it was the impression of the Area Plan Commission membership, and on advise of their counsel that neither the County Commissioner or the County Council had any authority here at all.

It was decided that Mr. Jones and Mrs. McBride would have a conference call put through to the State Board of Accounts so that they can both talk to them and try to get this thing resolved and Mr. Jones is to report back next week on their findings.

There being no further business the meeting recessed at 4:45 p.m.

160.

PRESENT	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard Borries Shirley Jean Cox	Alice McBride	David Jones

SECRETARY: Janice Decker

Robert D. Willner

R T Borries

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MARCH 9, 1981

The meeting of the County Commissioners was held on Monday, March 9, 1981, at 2:30 P.M. in the Commissioners Hearing Room.

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

RE: BOB FORTUNE.....DATA PROCESSING

Mr. Fortune said he has no requests before the Commissioners.

President Willner said we have assigned one Ceta slot to Mr. Fortune, that he made out application for two slots and he is wondering if this second slot is needed very badly.

Mr. Fortune said in the past he has had two, but with the students he now has, that unless something drastic should happen, he will be okay with the one Ceta slot.

RE: DAVID SAVAGE.....TRAFFIC ENGINEER

The following letter was submitted to the Commissioners concerning the parking problem complaint from Marvin Lutterman out on Old Highway 460, received about two weeks ago.

Vanderburgh County Commissioners,

I have examined the situation outlined in attached letter from Marvin Lutterman and found the following. New Harmony Road, at this location is 22' wide with the American Legion Funkhouser Post #8 located on the north and a 10' grass shoulder on the south. Subject section of road is situated in a curve and the posted speed limit is 45 M.P.H. There is evidence of a small amount of parking on the 10' shoulder.

RECOMMENDATION: Due to the narrow width and curving alignment of New Harmony Road at subject location, this office recommends that the 10' shoulder on the southerly side be posted as "Emergency Parking Only".

David Savage, Traffic Engineer

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President Willner asked Attorney Jones if this would require an ordinance and he replied that he did not think that it would.

Mr. Savage said he does not recall seeing on ordinance for a "No Parking" sign and he would not think this would require one either, however he does not recall ever seeing any "Emergency Parking Only" signs in the City or County.
He would recommend that three (3) signs be posted along the area.

Commissioner Cox moved that Mr. Savage' recommendation of three (3) "Emergency Parking Only" signs be installed at the troubled location. Commissioner Borries seconded the motion. So ordered.

RE: SHERIFF'S DEPARTMENT

Report on Truck Traffic on Green River Road

Deputy Sheriff Pete Swaim said the Commissioners have made them aware of the continuous problem of large trucks traveling Green River Road. He said if necessary, by the number of complaints received from the Commissioner's office and also the Sheriff's Department, they can put one of their cars out there to patrol the area, stop the trucks and see why they are not using Highways 57 and 41. He was informed last week the State Police do have a new portable scales. They use to have to go to the scales if they were within two miles of them but that has been changed within five miles, but if there is a problem, they can take the portable scales to the truck and check it, if they are outside that limit.

Gas tank Truck Accident on Highway 57

President Willer said over the week-end there was a gasoline tank truck that turned over on Highway 57 and the State police re-routed the traffic from Old Petersburg and Highway 57, down Old Petersburg to Baseline and then back over to Highway 57, and in doing so they tore that Old Petersburg section completely up and Mr. Kautzman has reported to us that section will have to be replaced. Some of the residents in that area told us they went over and ask the State Police to please not use that as a bi-pass and they were told by the State Police that it was none of their business, that they would handle the traffic detour themselves, and that they were going to run them down Old Petersburg Road. So what we have now is about one and a half mile of torn up road.

President Willner said this mile and a half will probably cost us somewhere around $15,000.00 or $16,000.00 to replace, and we simply do not have the funds to do this. He personally would suggest we send a letter to the State asking they pay for these repairs. He understands there was a Vanderburgh County Sheriff's vehicle there, but that the State police was handling it.

Officer Swaim said normally the first unit to arrive is the one that handles the traffic.

Mr. Jones asked if a citation was given out and Officer Swaim said he did not know if there was or not. Mr. Jones said the party causing the accident may be required to pay for the damages.

Commissioner Cox said she understood the truck driver was more or less forced into an accident situation by an oncoming vehicle.

President Willner instructed Mr. Louis Stephen to get a copy of the accident report from the State Police and see that Attorney Jones gets a copy of it and Mr. Jones will in turn get a letter sent to Sergeant John Little of the Indiana State Police Post on Highway 41 North.

Truck Traffic on Green River Road

Commissioner Borries said in getting back to the truck traffic on Green River Road, he was not aware that coal trucks were also traveling that area, that he thought it was grain trucks on it.

Commissioner Cox said there are all kinds of lage trucks traveling on it.

President Willner asked that the Sheriff's Department patrol that area a few times and then report back to the Commissioners their findings and Officer Swaim said that they would.

RE: COUNTY ASSESSOR....TRAVEL REQUEST

The following setter was submitted from the County Assessor:

County Commissioners,

This is a request of the County Commissioners to approve of the County Assessor's enrollment and expenses for a workshop on Development and Analysis of the Assessment-Ratio Study. T[redacted] is to be held in Chicago on August 12,13 and 14, 1981 and is being sponsored by the I.A.A[redacted] Leave Evansville August 11 and return 15th.

I am asking for:

Registration fee.....	$140.00
Mileage to and from Chicago...300 Miles @ 20¢ per mile.....	$120.00
Single room at Continental Plaza $42.00 per day @5 days.....	$210.00
Food for 5 days @ $40.00 per day.....	$200.00
TOTAL	$670.00

I would appreciate payment for the expenses prior to July 24, as that is when the registration fee must be paid.

Sincerely,
James L. Angermeier, County Assessor

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Mr. Angermeier was present and explained to the Commissioners just what this workshop will consist of and the great benefit received by attending it.

Commissioner Borries asked if the money has already been budgeted in Mr. Angermeier's travel account to cover this request.

Mr. Angermeier said he has no travel account in his budget, that this would have to come from the County Commissions budget. He said this request is for himself only.

Commissioner Borries moved the above request in the total amount of $670.00 be approved. Commissioner Cox seconded the motion. So ordered.

RE: MARK TULEY.....SUPERINTENDENT OF COUNTY BUILDINGS

Washer at Hillcrest

Mr. Tuley said the commercial washer at Hillcrest, last week they had the relay system to go out on them, it is past the warrenty on them, therefore we had to go ahead and have them fixed. Schofield Electric Company went out and did the repair work which is going to cost us approximately $300.00, which is for a set of relay points and also we went ahead and bought an additional set of points, because in this model they seem to go out quite often.

They also had a water break out there at the Superintendent's home, we sent a plumber to do the repairs and the cost for this should not exceed $200.00, but it was an emergency and did have to be repaired before it ruined the carpets.

Insurance Audit and Inspection Company

Mr. Tuley said upon the requests of the County Commissioner's and the County Council he sent some information to the Insurance Audit and Inspection Company concerning the County's Health Insurance and at this time we do not have a reply back, however he has requested to be put on the Council's agenda for April, and if there are any changes the request can always be withdrawn.

President Willner said he thinks we should get on the council agenda for the insurance and also the Auditorium.

Washer at Hillcrest

President Willner asked Mr. Tuley if he has the funds to cover the repairs at Hillcrest and he replied that he did.

Attorney Jones suggested this be turned into the insurance company that perhaps they would cover a portion of the water break at the Superintendent's home.

Mr. Tuley said he feels they caught it early enough that there was no damage other than the carpet got a little wet, but Mr. Reed informed us that everything is fine, but if the Commissioners want him to, he will go ahead and file it with the insurance company in case a problem should arise from it.

Mr. Jones said he thought it would be wise to notify them.

Storage Area in Basement

Mr. Tuley said the fire department has talked to him several times about this, that there are certain aisles down there that need to be left open for emergencies, that people are storing things down there to the point that it is getting out of hand and until we can get it all straightened out, he would like to request that nothing else be taken down there.

Surplus Items

Mr. Tuley said a lot of county offices are calling him and telling him they have a lot of surplus items, and he would like to send out notices that everything be itemized and presented to the County Commissioners and we can conduct an auction.

RE: CONRAD COOPER.....AUDITORIUM

Heat and Air Conditioning Repairs

Mr. Cooper said they have completed receiving quotations for the repairs of the heating and air conditioning system at the Auditorium, copies have been sent to the council and also the Auditor and the request has been made for him to be put on the Council Call for April 4th. He presented the Commissioners with an itemized list of the contractor's who proposes to make these repairs. It is his recommendation that we accept the quote of George Koch and Sons, first because it is less money and second it is a local company and easier to contact in case any problems should arise from their work.
He said they received an estimate of from $60,000.00 to $100,000.00 to completely revamp the control system by Industrial Contractors, whereas Barber Colmen Company, who are the ones who originally designed and installed the control system say they can revamp it, up-date it and maintain it for a period of three years at a total cost of $26,250.00 to be paid at the amount of $8,750.00 per year.

President Willner said at the last Council meeting each member was polled and he understands it was unanimous they would all vote favorably on the repairs at their next meeting.

Mr. Cooper said he understands this to be true also.

Commissioner Cox said she has a question of the proposal of Barber Colmen, that she is wondering if they can request an amount to carry us through the three years as stated.

County Auditor said this amount of money, $8,750.00, could be appropriated in the County Commissioners budget every year at budget time. You don't want to appropriate for the full three years, only for one year at a time, therefore you can minus $17,500.00 from the total amount to be requested.

Mr. Cooper said he understood he cannot sign a contract unless the full amount of money has been appropriated for it, and would he be violating the law.

Mrs. McBride said this would be like signing a three year contract with the insurance company, which we do, and pay them for a year at a time.

Commissioner Cox said what then Mr. Cooper should do is in September when he presents his budget to the council, he should request another $8,750.00 in his maintenance account.

Attorney Jones said you would not be violating the law but if the Council did not appropriate the money next year, then you would have a breach of contract.

Commissioner Cox said it would be cheaper for them to appropriate it then to fight a breach of contract suit, therefore she would not think he would have any problems along that line. Also she would like to know if this Air Handling Repair and Maintenance plan by Bob Simpson is an on-going maintenance plan.

Mr. Cooper said this is something that has accrued over the years, for instance, the lube and clean ought to be done about every six months, he said these things listed have not been done and his men are not qualified to do them all such as Service Absorption Unit, Clean Cooling Tower, Lube and Service Exhaust Fan System. However, as far as lubricating and cleaning and servicing the fan motors and belts, we can do that and we will, so we are instituting our own maintenance plan at the Auditorium and we will set up a maintenance schedule for things to be done at regular intervals.

Commissioner Cox moved that Mr. Cooper have permission to appear before the county council with a total request for $35,216.09. Commissioner Borries seconded the motion, which carried with three affirmative votes.

Concession Cart at the Auditorium

Mr. Cooper said he has a bit of information that he would like to pass on the the Commission at this time, that perhaps they have discovered an un-tapped source of revenue for the Auditorium. At this time he is not asking for anything specific, but he would like for the Commissioners to at least think about it. He presented a booklet showing a mobile concession cart and stated that presently there are no concession stands at the Auditorium and he thinks we are missing out on a number of dollars of revenue by not having one. There are several ways to go about obtaining something like this and he is looking into it at the present time, because it is staggering to realize the amount of money taken in from concessions being sold.

Commissioner Cox asked if we allow food and drink in the Auditorium.

Mr. Cooper said he believes it was the policy of the former management not to allow it, but the only problem he would see would be the floor maintenance would take a little longer to clean.

RE: POOR RELIEF

Mr. Michael Harris was present and stated that he went to the Pigeon Township Trustee's office and was turned down.

Case worker Donna Jones said Mr. Harris has not been turned down, that he in fact, has not submitted to her the information needed to investigate the case, that he was to give to her his proof of income, because up until a week ago he was employed, at which time he was fired from Zeidlers and evidently there was some problem there because the police has contacted our office on it. She contacted Zeidler's and they told her they will not release his income to her, but they will to him.

President Willner instructed Mr. Harris to contact Zeidler's by telephone and let Mrs. Jones get on the phone and have them to release his record to her. He said this commission hears only applicants that are refused by the Trustee and you have not been.

Matter referred back to the Pigeon Township Trustee.

RE: GENE KAUTZMAN.....COUNTY HIGHWAY

Weekly Absentee Report

Mr. Kautzman submitted the absentee report on the employees at the County Highway Garage for the week ending March 6, 1981.

Report received and filed.

Road School

Mr. Kautzman said he wants it understood that he will be driving the county vehicle to the road school at Purdue, that he has already checked with the insurance company and they have no problem with that. Mr. Dan Hartman of the Surveyor's office will be riding with him. Mr. Louis Stephen will be going also, but he is going to drive by himself and he is not asking for mileage.

Security System at County Garage

Mr. Kautzman said they would like to go ahead and get the security system installed at the garage and take the money from their own account....Contractual Services. He is going to ask for invitaional bids and he does not believe it will exceed $5,000.00.

Commissioner Cox said she understands we are down some $585,000.00 in our budget out there, so where will this come from.

Mr. Kautzman said yes we are, but it could cost us more to delay it, that financially, we'd be better off to go ahead and put it in.

Commissioner Borries said he met with Gene at the Garage this past Saturday and he would like to commend him on the appearance there, as it looks very good.

Assistance of Truck Accident on Highway 57

Mr. Kautzman said on the accident on highway 57, the Sheriff called him and wanted assistance because at the time they could not get hold of any state equipment. He sent two trucks and three personnel were called in to work the accident and we are going to have to pay them out of our budget, when in reality, they should be paid by the State.

Mr. Jones said we should bill the District Engineer, State Highway Department in Vincennes, Indiana and also a copy to Indianapolis requesting they pay for these people called in to work.

President Willner instructed Mr. Kautzman to get the time and the cost of the emergency equipment and personnel and forward it to the state and also get a copy to the County Attorney. Even if they don't pay us, this will clear us.

Bid on AE-150

Commissioner Cox asked if we have received any bids on the AE-150 that was to be re-advertised and Mr. Kautzman said no, not yet, that the Purchasing Department is to handle it, but it would have to be advertised for two weeks prior to receiving bids.

RE: BOB BRENNER.....COUNTY SURVEYOR

The following report was submitted by Mr. Brenner concerning GAS TAX:

County Commissioners

In investigation into the requirement of Vanderburgh County paying state gas tax has resulted in some interesting discoveries:

(A) The county has been filing a special fuel users statement on diesel fuel and then paying 8.5 cents tax per gallon. All of the County's equipment is exempt from this tax. Cost Approximately $500/year.

(B) The county has not been requesting a refund of state tax for the gas used in unlinensed equipment. Cost pproximately $1,500/year.

(C) In reviewing the special fuel users statement, it was noted that 10,000 gallons of the 15,600 gallons total diesel purchased was used for cleaning. Inquiries found that the cleaning diesel was used to keep asphalt from sticking to truck beds. Using a sprayer to apply a light coat of diesel oil to the truck bed will eliminate this cost of $10,000.00 year.

Conclusions:

(A) Total savings County Highway Garage equals $12,000.00/year.
(B) The County Park could have a state tax refund.
(C) The City Controller is checking city departments.

Robert Brenner, County Surveyor

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Mr. Brenner said these things just did not look right to him so he visited the Department of Revenue and they told him that every piece of equipment that we have that uses diesel fuel is exempt and we have been going out of our way to file a report and pay them roughly $500.00 per year, but we can get this rebated.
Also, looking into the gasoline he found that we have to pay the tax but then there is a form we can fill out whereby they will rebate back to us everything that goes through an unlicensed vehicle, such are our grade-all, tracters, compressors, shredder, etc. and calculated out this will be about $1,500.00
On the cleaning diesel, he checked and found out that what they did was when they were going to carry a load of asphalt they pulled up to the diesel pump, turned it on and hosed the truck down and sometimes three to four hundred gallons a day would be used just to wash the beds down.
He said Burdette has some equipment that runs on diesel and so they too should be filing this form and he has informed Ray Wolf of it. He also went to the city controller and they also are not filing for the rebate and this would mean quite a substantial amount for them.

Commissioner Cox asked how many vehicles we have at the county garage that burns diesel fuel and Mr. Brenner replied there are seven of them.

President Willner asked how many years we can go back and file this and Mr. Brenner replied that the gentleman did not want to tell him that.

Attorney Jones said he would recommend we go back as far as we can document and he would also claim the interest on it.

Mr. Brenner took the forms out to the Garage and showed the secretary just what has to be filled out.

Mr. Kautzman said he would follow it through and get copies to the County Attorney David Jones.

Concrete Pipe

Mr. Brenner said laying all over the yard at the garage is concrete pipe of various sizes and up to seven foot in diameter, they went out and completed an inventory of it and he would say we have about $20,000.00 to $30,000.00 worth of pipe, it is usable, some of it is broken up, but there is the possibility that the concrete and pipe company will take it back and repair it. It is absolute junk to us, but he will give us something for it because he can re-sell it as seconds, that he will come out and look at it and tell us what he will give us for it.

President Willner instructed Mr. Brenner to get something in writing to the Commissioners so that it can be declared surplus and then we can sell it.

Mr. Brenner said also at the garage there is a 7'2" diameter pipe, that is an asphalt tank, they cut one end off and they are removing the tar that was left in it and he would like the Commissioners permission to go onto Hillsdale, just west of Browning Road, there is a culvert that is collapsing that would use this same size pipe and they would like to rent a crane, take this pipe out and install it at Hillsdale and this will save us buying a pipe. This pipe has been unused and sitting at the garage for at least thirty five (35) years and he would like to put it to use.

Seven Hills and Wimberg

Mr. Brenner presented a map and pointed out there are two bridges, one on Seven Hills and

one on Wimberg, right off St. Joe.

Mr. Guillaum said essentially these are arch type bridges and we want to widen with our beams on the side, using the used beams we have at the garage and going with our pad and wing modifications.

President Willner asked if there are any right-of-way problems and Mr. Brenner said no.

Mr. Guillaum said the roadway right now is about 15'8" and we will widen it out to 26'.

Mr. Brenner said we estimate both of the bridges will cost $45,000.00, that we will have to bid the projects out because we do not have the equipment. He said he does however have the money to do these two bridges that he will not have to go before County Council.

Commissioner Borries moved we allow the Surveyor to use the pipe at the garage where it is needed on Hillsdale. Commissioner Cox seconded the motion. So ordered.

Commissioner Borries moved the Surveyor advertise for bids for the bridge repairs on Seven Hills and also on Wimberg. Commissioner Cox seconded the motion. So ordered.

Mr. Brenner said the money for the above bridges will come from account 203-2250..Maintenance and Repair.

Mr. Brenner said in his 203-2250....Maintenance and Repairs account they were originally budgeted $100,000.00 and at the present time we have $70,000.00 in it and we have a bridge at Tupman and Middle Mt.Vernon for $18,000.00 which will take it to about $50,000.00 and that will be used for Seven Hills and Wimberg, so at this time he would like to go before County Council and request that another $100,000.00 be put in the 2250 account. Two more of the bridges that would come out of this account is one on Cypress Dale and one on Schmuck which are similar to Seven Hells and Wimberg and the cost will be about the same also. He would also like to establish a new account for elevating and widening of Red Bank Road, just north of Nurrenbern Road. In order to do any good with an underpass or an overpasss on Nurrenbern Road we will have to elevate Red Bank Road where Bayou Creek runs across there. He said he has talked to the local railroad attorney and he is to set up an appointment with the main office in Louisville, or wherever it is, so that this matter can be discussed more intent, but at least we have it started.

Mr. Brenner said another bridge he has is at Old Petersburg Road and Baseline Road, which is an old iron structure. We started to do this one time before and tried to make it a federal project but it would not qualify for federal funds. He said this is in a very sad condition and should have been replaced long ago and it was listed as the number one priority. We are going to need at least $150,000.00 for this project, and he would like to request this at the next council meeting.
He said on both Red Bank and Old Petersburg he thinks they can use the used beams they have at the garage and that will probably exhaust them.

Commissioner Borries moved that the discussed projects be approved and that Mr. Brenner be authorized to request the total sum of $350,000.00 at the April County Council meeting. Commissioner Cox seconded the motion. So ordered.

Bridge and Guardrail Report

Mr. Guillaum submitted the Bridge and Guardrail Repair Weekly Report for the period of 3-2-81 thru 3-6-81. He said their crew in the past week has been in a number of areas, primarily at Red Bank Road where they did some more riprapping and bank protection. They also did some work at Old Boonville Highway where they had a pretty severe wash-out problem.

Report received and filed.

He said there have been some blue claims submitted on some of their projects and if there are any questions on them when they come up he will be happy to answer them.

RE: LOUIS STEPHEN.....COUNTY HIGHWAY ENGINEER

Change Order on Lynch Raod

Mr. Stephen submitted a change order on Lynch Road for the elimination of an inlet and adding a pipe section because of some underground obstructions. This will be a decrease of $800.00, and he would recommend approval.

Commissioner Cox moved the change order be approved. Commissioner Borries seconded the motion. So ordered.

Hazardous Road Report

President Willner said the Insurance Company has requested that we immediately implement our road inspection and our hazardous intersections and road conditions and Mr. Stephen is going to have that for us next week, perhaps not all of it, but a least a portion of it.

RE: COUNTY ATTORNEY

Area Plan Commission....Charles Osterholt

Attorney David Jones said on the matter of sick pay and vacation pay for Mr. Charles Osterholt, past Director of the Area Plan Commission, he would like to submit the followin opinion letter to be made a matter of record.

RE: Payment of accumulated vacation and sick pay,
Charles G. Osterholt, Area Plan Commission

Dear Mrs. McBride,

In response to your question concerning the legality of paying accumulated vacation and sick pay to Charles G. Osterholt from the salary account of the Area Plan Commission, I have reviewed certain statutes pertaining to the question and have conferred with examiners of the State Board of Accounts.

The Area Plan Commission has the authority and responsibility by statute to "appoint, remove, and fix the compensation of the employees of the commission." I.C. 18-7-4-402(A). It is my understanding that the Area Plan Commission has adopted policies and procedures which authorizes payment of vacation and sick pay as well as payment for the accumulation of vacation and sick pay. Moreover, in the case of Mr. Osterholt, the Area Plan Commission at a recent meeting expressly approved payment of the amounts in question to Mr. Osterholt.

Your question concerned whether the amount approved by the Area Plan Commission could be paid directly from the salary account of the Area Plan Commission for the Executive Director, account number 111.0-001, upon receipt of a voucher from the Commission. It is my opinion that the Area Plan Commission should make a request to the Vanderburgh County Council for an appropriation from the salary account, 111.0-001, for the compensation to Mr. Osterholt in the amount of the accumulated vacation and sick pay approved by the Commission. The basis of my opinion is that portion of I.C. 18-7-4-402 which provides th compensation of the employees fixed by the Area Plan Commission "must conform to salaries and compensations fixed before that time by the County Council...."account number 111.0-001 was approved in the 1981 salary ordinance specifically as salary for the executive director. In the event of use of the account for purposes other than straight salary, the County Council should approve such use. You will not that the language of the state draws a distinction between "salary" and "compensation". It is my opinion that accumulated vacation and sick pay are defined as "compensation rather than "salary". Therefore, the County Council should approve the payment of "compensation" from a salary account.

It is my further belief that upon approval by the County Council of the payment to Mr. Osterholt in the amount approved by both the Area Plan Commission and the County Council will be lawful in all respects. It should be noted that approval of the appropriation by the Council for that specific prupose will dispose of any question concerning encumbrance of salary accounts from one year to another.

Pursuant to request by the State Board of Accounts, you are directed to attach a copy of this written opinion of the County Attorney with any such appropriation for forwarding to Mr. M.R. Renner, State Examiner, State Board of Account, 912 State Office Building, Indianapolis, Indiana 46204.

Very truly yours,
David L. Jones, County Attorney

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Mr. Jones said a copy of the above letter has been sent to Mr. Hatfield and also to Mrs. Barbara Cunningham.
There were no questions of Mr. Jones.

Commissioner Cox said we did meet with our insurance carriers and Mr. Charles Bone, representative of Hartford Insurance and along this same line that was brought up about Louis Stephen checking the intersections and road conditions, Mr. Bone is also responsible

for checking Burdette Park, the Auditorium, the County Garage, and any department that we have liability in, and he suggested that as a matter of communication that the County Attorney prepare and write a letter of introduction to these places that Mr. Bone will be going to to tell them who he is and that he is not going around to make them look like they were not doing their jobs or criticize them in any way because he wants to work with them in order to improve our liability situation, therefore she would move that our County Attorney be directed to write such a letter. Commissioner Borries seconded the motion. So ordered.

President Willner said we did do this last year also for Hartford Insurance Company, they did meet with the officeheads and implemented some changes at that time, so we will do this again this year.

RE: LETTER TO HELFRICH INSURANCE AGENCY

The following letter was submitted by the County Commissioners for formal approval:

To Whom it May Concern,

Please recognize Helfrich Insurance Agency, 2303 W.Franklin St., Evansville, Indiana 47712 (1-812-464-5993) as the agent of record for all property and liability insurance coverages and all Fidelity Bonds for the Board of Commissioners of the County of Vanderburgh, Indiana effective April 1, 1981.

Sincerely,
Board of County Commissioners
of the County of Vanderburgh

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Commissioner Cox moved the above letter be approved. Commissioner Borries seconded the motion, which carried with three affirmative votes.

RE: LETTER RECEIVED FROM SECOND CHANCE

The following letter was submitted by Second Chance:

Dear Commissioners:

Per you instructions, I am forwarding the following names of individuals who will serve on the Community Corrections Advisory Baord in accordance with 11-12-2-2, Section 2, (8) of the Community Corrections Act.

(A) One (1) Probation Officer: John Harl, Chief Probation Officer, Vanderburgh Circuit and Superior Courts.
(B) One (1) Educational Administrator: Raymond Bailey, Vanderburgh County School Corporation.
(C) One (1) Reptesentative of a private Correctional Agency: Kenneth Widick, Assistant Director, Second Chance Halfway House.
(D) One (1) Mental Health Administrator: Robert Spears, Administrator, Southwestern Indiana Mental Health Center.
(E) One (1) Ex-Offender: Kenneth Hood, Executive Director, Second Chance Halfway House.
(F) Four (4) lay persons:
1) Roy Vanderford, Director, Southwestern Indiana Manpower Consortium.
2) Pete Murphy, Accountant, Billy Sanders and Company.
3) Dennis Wiechman University of Evansville Criminal Justice Department.
4) Joe Trask, Pastor, Nazarene Baptist Church,867 E. Walnut St.

Sincerely,
Kenneth D. Hood, Executive Director

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President Willner said we need to have a meeting at which time we should name our appointments to this board. It was decided before the regular meeting on March 16th at 7:30 the Commissioners would meet and try to get all of these appointments made.

Mr. Mark Tuley was instruction to notify Mr. Hood and inform him of the meeting.

RE: NOTICE OF CLAIM AGAINST COUNTY

President Willner said the Commissioners have received a notice of claim from the law firm of Lopp, Lopp and Grampp, stating that their client, Mr.David Bower contacted scabies and lice while being confined to the Vanderburgh County Jail on or about October 10, 1980. He was required to undergo medical treatment for the problem and incurred some medical expense in the amount of $30.00 and in addition to this expense, Mr. Bowers has also been caused to suffer sufficient discomfort and pain and embarrassment as a result of contacting these lice. They would like to resolve Mr. Bowers claim without filing suit.

Mr. Jones suggested we contact Sheriff DeGroote and let him make recommendation to us.

The matter was referred to Attorney Jones for further checking.

RE: CHECK RECEIVED FROM HARTFORD INSURANCE COMPANY

President Willner said a check was received from Hartford Insurance Company in the amount of $2,093.36 which is payment of the damages of a county owned vehicle that was driven by Judge Lensing. The vehicle is used to transport Juveniles to institutions.

Commissioner Borries moved the Commissioners accept the check. Commissioner Cox seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted by D.K. Parker Company, Inc for equipment rental by County.

Certificate received and filed.

RE: CLAIMS:

A claim was submitted by Lukens and Sons Insurance for the trade school out at West Heights School for which the county is responsible for. Claim is in the amount of $181.00 and signed by President Willner.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. ordered.

A claim was submitted by Pitney Bowes in the amount of $7,802.00, which is for the mailing machine and scales in the Purchasing Department. They sent a representateve down and showed us how to operate the equipment. Claim signed by President Willner.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Brinks, Incorporated in the amount of $303.85 for services rendered to the Treasurer's office in the month of March. Claim signed by Lewis F. Volpe, Treasurer.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Brinks, Incorporated in the amount of $195.30 for services rendered to the Clerk of Circuit Court for the month of March. Claim signed by President Willner.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates, Inc for engineering inspection of St. Joseph Avenue from 2-23-81 thru 2-27-81 in the amount of $2,162.40, signed by Louis Stephen.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Engineer Associates,Inc. for engineering inspection of Lynch Road, from 2-23-81 thru 2-27-81 in the amount of #3,676.35, signed by Louis Stephen.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

The following claims were submitted by Southwest Engineering Inc.

Estimate #1 Schlensker Road Bridge #99A	Work complete to date Less 10% Retainage.....		$21,304.60
			2,130.46
	Amount due		$19,174.14
Estimate #2 and Final Schlensker Road Bridge #99A	Contract Complets		$23,335.32
	Less Previous Payment		19,174.14
	Amount Due		$ 4,161.18

Mr. Guillaum said on the total of the two claims together, we still ran abount $340.00 under the original bid price. The job is completed and accepted.

Commissioner Cox moved the claims be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Ray Stradtner Excavating on the Garrison Avenue Culvert project in the amount of $1,151.35, signed by David Guillaum and Bob Brenner.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AUDITOR:

Margaret Blaxton	8209 Old State Rd	Part time	$30.00 day	Eff:3-9-81

AREA PLAN COMMISSION:

Joseph Story	1270 Hatfield Drive	Planner	$12,500.00	Eff:3-2-81

SURVEYOR

Bill Jeffers	Rodenberg Ave.	Party Chief	$16,231.00	Eff:3-2-81
Frank Johnson Jr.	2550 Riverside Dr.	Inspector	$12,592.00	Eff:3-9-81

SHERIFF:

Gary O'Risky	Lieutenant	$19,706.00	Eff:2-26-81
Stephen Griggs	Dispatch Corporal	$16,894.00	Eff:2-26-81
Larry Barchet	Dispatch Corporal	$16,894.00	Eff:2-26-81
John Lancaster	Sergeant	$18,246.00	Eff:2-26-81

RE: EMPLOYMENT CHANGES.....RELEASES

SURVEYOR:

Lloyd Rittenour	McArthur Drive	Inspector	$12,592.00	Eff:2-28-81

SHERIFF:

Gary O'Risky	Detective	$16,894.00	Eff:2-26-81
Stephen Griggs	Patrolman	$15,643.00	Eff:2-26-81
Larry Barchet	Patrolman	$15,643.00	Eff:2-26-81
John Lancaster	Lieutenant	$19,706.00	Eff:2-26-81

RE: LETTER FROM PURCHASING DEPARTMENT

President Willner said a letter was sent to the County Commissioners from the City-County Purchasing Department and at the present time, he personally is not ready to discuss it, but if anyone else wants to discuss it they can do so. He said Mr. Evans talked about the AE-150...Liquid Asphalt and the specifications and whether the County Commissioners would like to ask for a refund.

Mr. Jones said that Mr. Evans said he has a list of things that he says was not bid properly.

Mr. Tuley said he went down to his office and he got out the specifications on the bid for the AE-150 and according to the specs they have a right to raise their prices but only upon notification to you from their distributor, in advance.

Mr. Jones said that if Mr. Evans feels this strongly about this, then he does not feel it takes a letter from an attorney, but rather he (Mr.Evans) can write a letter to them and explain the situation and then if there is no action taken or he does not feel the response is appropriate then we take a look at it. But first he feels that Mr. Evans should send a letter to the company advising them of this and let that company respond to us.

RE: CLAIM FOR LEGAL SERVICES

President Willner said we earlier had a claim for some legal services that we were holding until we could find out if the money is available in the proper account.

Mrs. McBride said in checking this out, last year in 1980, the council appropriated, in Legal Services, the amount of $12,000.00 at budget time and later an additional $25,253.50 was put in the account 130-261...Legal Services, making a total for the year...$37,253.50. No funds were approved at budget time for legal services for 1981.

Commissioner Cox moved that a letter be sent to the County Auditor requesting to be put on the Council Call for April for the amount of $37,500.00 for legal services....account 130-261.
Commissioner Borries seconded the motion. So ordered.

RE: POOR RELIEF

The following people requested an appearance before the County Commisisoners today, but either one of them showed up, therefore the matter was referred back to Pigeon Trustee's office.

Fox, Jack Lee.....116 Jefferson
Zachritz,Patricia....5322 Newburgh Heights.

There being no further business the meeting recessed at 4:30 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
	Robert Willner Richard Borries Shirley Jean Cox	Alice McBride	David Jones

SECRETARY: Janice Decker

Robert Willner
R J Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MARCH 16, 1981

The meeting of the County Commissioners was held on Monday, March 16, 1981 at 7:30 P.M. in the Commissioners Hearing Room.

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

RE: MR. KENNETH HOOD

President Willner said that Mr. Ken Hood has some names he would like to present to the Commissioners to serve on the Community Corrections Advisory Board.

Mr. Hood presented the following names and recommended they be appointed to serve on the Community Corrections Board.

1. Probation OFficer.....John Harl,Chief Probation Officer of Circuit Court.
2. Educational Administrator...Raymond Bailey, Vanderburgh County School Corporation.
3. Private Correction Agency...Pete Murphy, Accountant for Billy Sanders and Company.
4. Mental Health Admn.....Robert Spears, Southwestern Indiana Mental Health Center.
5. Ex-offender.....Kenneth Hood, Director of Second Chance Halfway House.
6. Laypersons (4).....Roy Vanderford, Director of Manpower.
   Kathy Mann, County Council member.
   John McCulley, Director of Day Treatment Unit.
   Joe Trask, Pastor of Nazarene Baptist Church.

Mr. Hood said the above recommendations also go along with the Sheriff, the Prosecutor, the Mayor, Director of the County Welfare Deaprtment, one Judge of the Criminal Jurisdiction appointed by the Circuit Court Judge and one Judge of the Juvenile Jurisdiction appointed by the Circuit Court Judge and one Attorney with substantial Criminal Defense practice appointed by the Circuit Court Judge.

Commissioner Cox moved that the names submitted by Mr. Hood be approved. Commissioner Borries seconded the motion, which carried with three affirmative votes.

President Willner said a fly sheet will be put on the Resolution with the above names added. Mr. Hood will contact the Judge as there is one more appointment to be made to the board.

RE: BOB FORTUNE.....DATA PROCESSING

Mr. Fortune said he has nothing, but that he believes Mr. Tuley has some questions of him.

Mr. Tuley said in regard to hooking up to the Data Control Center to the terminal at the County Garage, which will cost approximately $300.00, it will eliminate a lot of man hours, as Mr. Fortune already has the employee I.D. number, the rate of pay, etc, and the needed information can be gathered daily.

Mr. Fortune explained that each employee would have a little card to run through the terminal, they will log in and log out, it will pick up the date and time coming in and going out.

Mr. Tuley said he talked to Mr. Wolf at Burdette Park and he did not seem to think it would save him much. He said to pick everyone up on this system it would run about $900.00.
He said they did let a girl go out at the garage and even after we get out of the financial crunch, it is his understanding that we still won't need her, that they can operate with two people.
Mr. Fortune has told him this program can also record vacation and sick days and it will eliminate the clerical alltogether, without additional cost to the county and Mr. Fortune said he does have the manpower to do this.
He said he would like to take the funds to do this from the Highway's budget, if possible, and if not, then it could come from his budget (Superintendent of County Buildings).

Mr. Conrad Cooper, Manager of the Auditorium said he would also like to be included in that system as he thinks the savings for him would be untold, eventhough he has only five it takes a half day for payroll and this time could be used for what he considers more important things.

Commissioner Cox asked if this would work on a telephone cable hook-up.

Mr. Fortune said it would be what they call a multi-drop line, and would run about $25.00 per month. They would make daily reports available to be picked up by the officeheads. He said since the county is basically paying for this they should utilize it to the very fullest capacity.

President Willner asked Mr. Tuley to re-affirm all the officeheads that would like to go on this system, work up a firm dollar figure and present it back to the Board as soon as possible.

RE: MARK TULEY....SUPERINTENDANT OF COUNTY BUILDINGS

Gas Bill from the City

Mr. Tuley said he has a gas bill from the City of Evansville in the amount of $135.00, whereby we have purchased our gas from them. This bill is for the month of December and is for gas and oil and it is the third one he has paid for last year and he wants the Commissioners to know that he has only $800.00 left in this account for the remainder of the year. He said the other two he paid were also over $100.00 each.

Commissioner Cox said in looking back over last years bills it seems that October, November and December has raised quite a bit from the earlier months.

Mr. Tuley said we have switched over and we are now purchasing gas from the county garage and they are billing us just like the city was, we get the bills quicker and it is easier to keep track of and it is also more convenient to get the gas and oil there for everyone involved.

Commissioner Cox said we must remember money was appropriated in the County Garage's account for this purpose for their own trucks, etc., so won't this run them short and also can we do this since they use gasoline tax money, that this money we would pay them would not go back into a particular account but rather the Highway Fund.

County Auditor Alice McBride said all of the County Garage money is derived from gasoline money and you cannot mix up gasoline money with tax money, which the County General Fund is made up of.

Mr. Stephen said as is done in other counties, the garage could keep it separate and then periodically send Mr. Tuley a bill and let him pay the gas distributor directly for say 500 gallons or whatever.

Mrs. McBride said possibly it could be done that way.

RE: REZONING PETITION....VC-11-81....FIRST READING

Petitioner.....All Type Hydraulic Cylinder Service, R.R. 3
Owner of Record....James C. Tucker, R.R. 1 Box 343, Henderson, Ky.

Premises affected are situated on North side of S.R. 57, a distance of 60 feet north of the corner formed by the intersection of S.R. 57 and North Green River Road.
The requested change is from R-1 to M-2.

The present existing land use is repair and manufacturing hydraulic cylinders and the proposed land use is repair and manufacturing hydraulic cylinders. The existing land use is non-conforming.

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

Commissioner Borries moved that Petition VC-11-81 be referred to the Area Plan Commission on First Reading. Commissioner Cox seconded the motion which carried with three affirmati votes.

RE: REZONING PETITION.....VC-12-81....FIRST READING

Petitioner....James B. Dippel of R.R. 10 Box 94, Evansville, Indiana
Owner of Record.....Morris Plan Loans of 29 Northwest Fourth, Evansville, Indiana

Premises affected are situated on north side of Upper MtVernon Road, 200 feet west of the corner formed by the intersection of Tree Top Lane and Mt.Vernon Road.

The commonly known address is 7139 Upper Mt. Vernon Road, Evansville.

The requested change is from Ag. to RO.
The present existing land use residential and the proposed land use is residence/dental office (occupational home use).
Attorney for petitioner and Owner is Johnson, Carroll and Griffith, P.C.

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

Commissioner Cox moved that Petition VC-12-81 be referred to the Area Plan Commission on First Reading. Commissioner Borries seconded the motion which carried with three affirmative votes.

RE: RAY SCHMITT.....2618 COLONIAL GARDEN ROAD....FLOODING PROBLEM

Mr. Ray Schmitt of 2618 Colonial Garden Road was present and stated he would like to speak to the Commissioners concerning a bill for $124.97 he received for his Legal Drain payment.

President Willner explained to him this would have to go before the Vanderburgh Drainage Board, that they would not be having a meeting tonight, but he could attend the next one they have.

Mr. David Guillaum said he did have Mr. Schmitt's information with him tonight and that he would be happy to discuss the matter with Mr. Schmitt if he would care to step into the hall.

Mr. Schmitt said he would be happy to do this, but that he also has another item that he thinks this board should hear, that he would like to have some help with, that he has tried to get corrected over the past thirty five (35) years. He said the problem is just west of Eagles Country Club, at 2618 Colonial Garden Road. He said he moved to his home in 1946, that originally the Eagles Country Club was Colonial Gardens and the people that owned it had allowed the trees, rubbish, etc., to grow up and plug up the ditch on the west side, just across the road from him. When he moved there the ditch on his side of the road was also pluggged up, there was a small 4" tile under his drive, which he is sure was not legal even then. He took a roto-tiller and dug a ditch on his side to take the water as it ran down from over the hill and until he did this he had water run completely through his house. At one time he talked to Tom Ossenberg, who told him he would do certain things and he also talked to Jack Seibeking, but nothing was ever done to solve the problem.

President Willner got Mr. Schmitt's address and instructed Mr. Gene Kautzman to go out and look the situation over, as this is a county accepted road, and report his findings back to this board at a later meeting.

RE: RESOLUTION ON LICENSE BRANCH REFORM

Commissioner Borries said he understands this resolution would be too late for the State Legislature to act on, however he would still like to propose the following be adopted by this board.

VANDERBURGH COUNTY COMMISSIONERS RESOLUTION ON LICENSE BRANCH REFORM

WHEREAS, the practice of collecting fees from the public for the delivery of auto related services at auto license branches is required by Indiana State law; and
WHEREAS, all Indiana auto drivers must deal exclusively with the branches as established by this law; and
WHEREAS, there is no free market or free interprise involved in the branch system whereby citizens in need of auto related services would have a choice of suppliers or the state would accept bids from competitive branch managers for delivery of those services; and
WHEREAS, County government, like all local units of government in Indiana, faces a severe fiscal crisis which increases the impropriety of allowing any public fees to be used for private profit; and
WHEREAS, the courts and the state attorney general have all clearly declared that the branches are a part of our state government;
BE IT RESOLVED that we, the Vanderburgh County Commissioners, state our opposition to a continuation of the current politicized license branch system which functions to deliver public fees to the treasury of one political party.
Passed by the Board of Commissioners of the County of Vanderburgh, Indiana on the ____Day of _____,1981, and upon said date signed and executed by the members of said Board and attested to by the Vanderburgh County Auditor.

Commissioner Cox said in the last paragraph where it state the license branch system which functions to deliver public fees to the treasury of one political party. It is her understanding that when people buy personalized license plates, this money goes to both parties. Also you opened by saying the county need revenue, and this certainly is true, but she sees nothing in this resolution that offers a solution or an alternative to the present system, therefore she would like to know if Mr. Borries has any recommendations.

Commissioner Borries said he thinks the money should be used for the repair and maintenance of roads, at the local level.

Commissioner Cox said then could we state that in this resolution, because what we are doing here is just critizing the present system and in her life she has tried to not criticize a thing or anyone unless she can come up with something better. She would like to see included in this some feasibility study of the county taking over the operations of the license branches, how much will it cost and how much will we profit, and is there really a profit at all, that as far as she is concerned there are a lot of unanswered questions.

Commissioner Borries said as he understands it, we would have to get some information and he does not believe we could do this at a local level, that we would have to do it on some action of the State Legislature. He would concur with Mrs. Cox, but he does not know if it's possible, locally, to get the information needed. He does not think this will be going before the Legislature this year, but perhaps next year it will and he would like to state his concerns at this point, and perhaps work toward what Mrs. Cox has said.

Commissioner Cox said right now we'd have to figure out where we would house all of the licence plates, how they are going to do it, how many more people they will need to do this, what county benefits we are going to have to pay, and they are going to come under the insurance benefits, unemployment benefits, social security, as right now the license branches do not have a lot of these things. She too believes in competitive bidding, however in this matter they certainly do not have much of a choice that they cannot shop around to see where they get the best buy, so she personally would like for the County Commissioners to go on record as having a feasibility study done to see what the operating cost would be, whether it be state or local.

Commissioner Borries said he thinks Mrs. Cox is correct in saying the money from personalized plates do go to both parties, and he would think that would be a small portion in relation to all of the other plates. Again he would say he does not think we can get the information locally that we need, but he certainly feels the dollars are needed here at h[redacted]. He is asking this Resolution be adopted by this Commission and then passed on to the State Legislatures and the State Senators. He said he certainly would support some of the fine points that Mrs. Cox has made, and also, perhaps there will not be a profit, but we need to know, because locally we need the dollars.

Commissioner Cox said if there is no profit, then let the state run it.

Mr. David Savage said not as the Traffic Engineer, but rather as a driver of Vanderburgh County he would like to say whether the branches are operated in a profit or loss situation, if the State, County or City is operating it, it's doing it as an agency that he has, as a voter, some in-put into. In the present system, where it goes to a political system, we are required by state law to contribute to an organization that is not a governmental body, and as a driver, he wanted to voice his support of some type of resolution.

Commissioner Cox said that is understandable, she just does not want to get Vanderburgh County saddled with another white elephant, thats going to cost us money to operate.

Commissioner Borries moved the Resolution be adopted.
Commissioner Cox asked Mr. Borries if he would amend the part "one political party" to read "both political parties" and he replied that yes, he would.
Commissioner Cox then seconded the motion, which carried with three affirmative votes.

RE: CONRAD COOPER.....AUDITORIUM

Heating and Cooling System

Mr. Cooper said through the efforts of Mr. Benny Gossard, a County Building Authority employee, there will be a savings to the county because Mr. Gossard located an assortment of new surplus belts and motors, many of which can be used on our exhaust fan and air handler systems.

Repair work to Start Soon at Auditorium

George Koch and Sons, Barber Colman and Mogul Water Service personnel have been advised to begin repair of the systems as per the County Commissioners wishes that were expressed at the last meeting and the work is to begin within the week. He said the in-house repairs that they intend to do have already begun and quite a few of those items have already been completed.

Agreement with Susan King Moore

Mr. Cooper said he would like permission to enter into a six month agreement with Susan King Moore to operate the Auditorium Box Office. Ms. Moore is one of the city's more prominent ticket agent and works extensively with events at the Stadium, the Colosseum and also some of the larger promotions at the Auditorium. He proposes that Ms. Moore be allowed to operate our ticket office as a concessionaire or a vendor and what she would do is handle all ticket sales of all events at the Auditorium and pay the Auditorium a 10% commission on her gross business. Heretofore the Box Office hasn't generated the Auditorium any money at all, and if this plan works then we get our hands on the money first. The Box Office is already there, it is heated and she would install her own phone and work out of it. He feels this should work out rather well, but at the present time he is requesting a six month trial period.

Pay Phones at the Auditorium

Mr. Cooper said presently, the only pay phones located in the Auditorium are on the mezzanine and this makes it very difficult for some senior citizens needing to use them. He feels this can be done at no extra cost to the Auditorium, and perhaps even a small profit will be made on them, since the phone company does pay us a commission on pay phone calls. He would recommend we install one additional phone on the Locust Street lobby, one on the Walnut Street lobby and another one in the back stage area which would be a non-ringing type phone, but would have a light on it as not to disturb any of the performances in progress.

Mr. Cooper said he would be willing to answer any questions on the above proposals.

President Willner asked Mr. Cooper where Mr. Gossard obtained the surplus parts and belts.

Mr. Cooper said that Mr. Gossard indicated to him he has collected these things over the years and when the County Home closed he obtained several boxes of belts from there. At this time he would also like to say they have been using some workers from the Trustee's office and these people were put to work sorting these belts out.
He said the electric motors were taken off of various pieces of junk equipment that was to be scrapped and Benny latched onto them and there are several of them that it looks like we can use, which will add up to quite a savings.

President Willner said for Mr. Cooper to relay the message to Mr. Gassard that we very much appreciate his help.

President Willner said concerning Ms. Moore, do we have to enter into a contract with her to perform these services, or will a verbal agreement do.

Mr. Cooper said he personally would rather have something in writing. He has asked Ms. Moore to submit to him, in writing, a proposal and he in-turn would submit a written proposal to this board for final approval, after the county attorney worked it up as a legal document.

County Attorney David Miller said there are some concerns of a legal nature, in this kind of proposal as this person will be handling funds belonging to the county, to the promoter and perhaps this money will be used by the promoters to pay the performers. The county will have to be indemnified against any law suits that occur by reason of any actions taken by any person in this kind of position. There undoubtedly would have to be a bond posted of some type and we will have to have a very clear statement in the agreement as to what a person in this position would be responsible for doing with the funds she collects. He personally feels this is a good proposal from the business stand-point but we must be very careful with how we allow it to come to past, that he does not think a verbal agreement would be appropriate.
He would recommend that first of all a proposal, in writing come from Ms. Moore and we will then prepare a contract to submit to the Commissioners by mail for their review and if you deem it appropriate, then it can be acted upon at a regular Commissioner's meeting.

The Commissioner's all agreed to this recommendation.

Phone Request

President Willner said concerning the request for additional pay phones, would these be installed at no cost to the county and if they did not generate enough money to pay for themselves would we then be obligated to make up the difference.

Mr. Cooper said after his discussion of this with the telephone company it is his understanding that there are two types of pay phone, those being "Public" and "Non-Public" phones. The "Public" phone is totally at the discretion of the phone company, it is of no charge to the building where it is placed at, they take the revenue from it and pay you a commission, which usually amounts to about 10%, and these are the types of phones he would request.

All the Commissioners agreed to let Mr. Cooper have the phones installed if there is no additional charge to the county.

RE: RESOLUTION CONCERNING INVESTMENT OF PUBLIC FUNDS

President Willner said concerning investment of public funds, he does not believe all of the Commissioners have seen the Resolution, therefore he is not going to ask for any action on it tonight but rather defer it for another week. He distributed each of the Commissioners a copy of the Resolution at this time.

RE: LOUIS STEPHEN....COUNTY HIGHWAY ENGINEER

Parking Problem on Highway 460

Mr. Stephen said on the problem of parking out on old Highway 460, he suggested they put up signs "No Parking Within 10 Feet of Pavement" instead of "Emergency Parking Only" signs as he feels this will get the job done.

Problem on Green River Road

President Willner asked Mr. Stephen if he brought up to Mr. Kautzman the problem on Green River Road around Heckel Road.

Mr. Stephen said there are some holes appearing and a really bad one in the south bound lane that should be taken care of as soon as possible.

Mr. Willner said he was talking about the narrow section of road from the bridge, going north, in which we have had some accidents in the past, and he is wondering if some signs could be put up saying "Pavement Narrows For The Next 100 Feet".

Mr. Stephen said the sign should be slightly north of Heckel Road because that is where it actually narrows, clear into Morgan Avenue.

President Willner asked Mr. David Savage if he would please check it out and report back to us with a recommendation.

Mr. Savage said that he would do that.

Claim

Mr. Stephen said he believes the Commissioners have a claim from the Indiana State Highway Department concerning the railroad signaling at Nurrenbern, which was started back in 1977 and it has been done for almost three years and the audit has just now been completed and we are now finding our 10% share of these railroad signs have to be paid. We will soon be receiving our bills for the ones on Boonville-New Harmony, one at Baseline, one at Hogue Rd, one at Peerless Road, and one at Red Bank Road, and usually these all run about the same amount of money. He said back in prior years they usually ask that only the Engineering fees be paid, but then the work went ahead and we didn't even know when the work was being done, nor the cost, until it comes back in the form of our 10% being asked for. He believes we are going to be under funded on some of these projects and on this particular one before us today he would recommend that we transfer funds from account 3778, put it in 3779, the amount to finish covering the cost. The bill is in the amount of $4,105.74.
He said the state has paid all of the bills and now they are billing us for our 10% which we always knew we would be receiving. He said he can transfer funds, by letter, in the Auditor's office, that he will not have to go before the county council.

President Willner said for him to make this transfer and he would also like for Mr. Stephen to write a letter to the state and ask for an up-date and see how many more we will be receiving bills for, and approximately the cost of them.

RE: GENE KAUTZMAN.....COUNTY HIGHWAY

Monthly Report

Mr. Kautzman submitted the Vanderburgh County Highway Monthly Report for the month of February, 1981.

Report received and filed.

Weekly Absentee Report

Mr. Kautzman submitted the absentee report on the employees at the County Highway Garage for the week ending March 13,1981.

Report received and filed.

Price on AE-150

Mr. Kautzman said he has contacted Bituminous and Rudolph both, and requested prices on 10,000 gallons of AE-150, and he received the following.

President Willner said according to the statute and the agreement with purchasing, we are allowed to declare emergencies for bituminous materials. Our original purchase order was recinded by the Commissioners last month and it is still in the state of limbo and the garage is now buying patching material (cold mix) from Rudolph, that we could be mixing ourselves at approximately half the price. He feels this is an emergency and should be declared as such by this board and allow Mr. Kautzman to purchase the AE-150 that he needs to be getting the job done.

Bids Received:

Bituminous Materials, Inc.....~~$74.74~~ per gallon 0.7474
Rudolph Company.....~~$76.50~~ per gallon 0.7650

Bituminous said they could deliver to us by this Wednesday and Rudolph said it would be two or three weeks before they could make delivery.

Commissioner Borries moved that the 10,000 gallons of AE-150 be declared an emergency and that we accept the bid of Bituminous Materials in the total amount of $7,474.00. President Willner seconded the motion. So ordered.

Security System

Mr. Kautzman said the new security system is not yet completed at the garage, that they are going to have to do some more work on the fence.

Request to Travel to Vincennes

Mr. Kautzman said he attended the Road School at Purdue, that he enjoyed it and picked up a lot of ideas.
He said he would like the Commissioners permission to take the county vehicle and travel to Vincennes, Indiana tomorrow (March 17) to see how they are running their county highway garage and they will take him around and show him their highway system.

Commissioner Borries moved that Mr. Kautzman be allowed to travel to Vincennes. Commissioner Cox seconded the motion. So ordered.

River Road

Commissioner Cox said in looking at the monthly report she sees that we spent another $1,515.00 for crushed stone for River Road. She asked Mr. Kautzman if he would take her out and show her this area, because somewhere out there the gravel has all gone from the road to the side ditches and she feels there is a big waste there.

Mr. Kautzman said he would be glad to show her the area.

RE: BOB BRENNER.....COUNTY SURVEYOR

Bridge and Guardrail Report

Mr. Guillaum submitted the Bridge and Guardrail Repair Weekly Report for the period of 3-9-81 thru 3-13-81, and stated they were on Old Princeton Road, Little Schaefer Road, St. George Road, Upper Mr. Vernon Road and also County Line Road, this past week.

Guardrail Damage Report

Mr. Guillaum said they have a couple of guardrail damage reports that they followed up on and contacted the drivers that were involved in the accidents, they have put together the costs incurred by the county, in way of man hours and materials and at this time he gave this information to the County Attorney David Miller to follow-up on.

First Avenue Bridge

Commissioner Cox asked Mr. Guillaum if there are any plans to do something with the First Avenue Bridge, this year.

Mr. Guillaum said he would have to check with Mr. Brenner first, but that he does not believe they have any immediate plans, that there have been some drawings, etc. put together but as far as getting close enough to put bids together, he does not think so, that it would be a long range plan.

President Willner said if we are talking about the replacement of the bridge, then he believes what the prior Commissioners did was to join with the city in putting the bridge on a Federal Program, along with First Avenue, from the four-lane section all the way to Pennsylvania Avenue, and he believes that is where it stands at right now, that we have not had approval from the Feds.

Commissioner Cox said she was inquiring about this because she feels it is a very pressing need.

County Auditor, Alice McBride said this money has already been set aside in the First Avenue Bridge account from the Cumulative Bridge Fund.

RE: COUNTY ATTORNEY

President Willner said at our last meeting we received a letter of claim from the law office of Lopp, Lopp and Grampp stating their client, David Bauer, contacted lice and scabeis while confined to the Vanderburgh County Jail, on or about October 10,1980.

We have had some in-put from the County attorneys, recommending that the claim be denied, that Mr. Bauers was there for a period of only two hours, that the subsequent daily check for scabeis and lice in the jail was negative the day before and the day after Mr. Bauer was there.

Commissioner Borries moved the claim be denied. Commissioner Cox seconded the motion. So ordered, with three affirmative votes.

Legal Fees

President Willner said in talking about legal fees earlier, on some of our pending litigation and it was the Council along with Mr. Lyles' suggestion that we do this piece meal, as we need the money. It had been decided last week that a letter be sent to the council requesting $37,500.00 in account 130-261...Legal Services, but this request can be lowered.

RE: LETTER....NO-RUZ GROTTO

The following letter was submitted and made a matter of the minutes.

Dear Sirs,

Recently we had a "Monarchs Ball" at your Civic Center Gold Room which actually is another of an annual affair.

The Purpose of this letter is to express our sincere "Thanks" for the manner that Mr. Conrad Cooper received us and his valuable assistance and always pleasant manner he became part of the group.

He left nothing to prevent us from having a successful and a very enjoyable evening in this attractive facility.

No doubt you and your various department heads are the recipients of complaints of all kinds. We feel that a pat on the back for a job well done will do no harm either.

Thank you sir, for a very enjoyable evening.

Sincerely Yours,
Robert N. Hargrave, Secretary

RE: SUE McCOOL....COMMENT ON COUNTY JAIL

Ms. McCool thanked the Commissioners for including her on tonights agenda. She said she would like just a few minutes to speak on Jail Expansion and at this time would like to read a letter to the Editor of the Courier that she recently wrote.

To the Editor,

I would like to respond to the recent article in your newspaper regarding Jail Expansion and Sheriff James DeGroote's plea for relief, due to crowded conditions of the County Jail and that article alternatives included Community Base Correction Centers and a program of inmate work outside the jail was mentioned. I feel that more focus should be placed with that notion and less focus on jail expansion. In this city we are blessed with several agencies involved with prisoners, as Second Chance, Defender Aid and Restoration, Work Release, Youth Emergencies Service and Drug and Alcohol Deferral Service. They are dealing much with misdemeanors and the services these agencies provide could be further extended to the prisoner where alternatives could take place. A coalition of such agencies, the County Jail, including it's Jail Expansion Committee and the Courts, could determine how this could be done more effectively. This is worth considering.

Sue McCool
Concerned Person

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She said the Commissioners involvement with Community Corrections could effect this situation and she appeals to this board to consider alternatives to the crowded conditions of the jail.

President Willner thanked Ms.McCool for her in-put on this matter and he would tell her that just prior to her arriving here the Commissioners did name the appointments to the Community Corrections Advisory Board, that the Resolution will be in effect as soon as Judge Miller makes the last appointment.

RE: TRAVEL REQUEST.....DRUG AND ALCOHOL DEFERRAL SERVICE

The following travel request was submitted by Drug and Alcohol Deferral Service:

Gentlemen,

This letter is to recognize with you that Deborah Ransom, a counselor with our program, will be in Indianapolis, Indiana on March 14,1981. This travel is for the purpose of training with the Substance Abuse Program Development. Monies for the above mentioned travel and per diem costs are included in our 1981 budget.

Should you have any questions, please feel free to call.

William Campbell,
Director

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Commissioner Cox moved the request be allowed. Commissioners Borries seconded the motion. So ordered.

RE: TRAVEL REQUEST....AREA PLAN COMMISSION

The following travel request was submitted by Area Plan Commission:

Commissioners,

I am requesting travel to attend the Annual Indiana Conference for Local Planning Officials scheduled for March 24 & 25, 1981 at Purdue University. I will be leaving on March 23 and returning on March 25.

If you have any questions please contact me.

P.S.
The money is in my budget.

Barbara L. Cunningham,
Executive Director

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Commissioner Borries moved the above request for travel be allowed. Commissioner Cox seconded the motion. So ordered.

RE: CERTIFICATES OF INSURANCE:

A Certificate of Insurance was submitted by DBA Shannons School of Dance for a dance recital to be held May 28,29 and 30, 1981 at the Auditorium.

A Certificate of Insurance was submitted by Spring House Associates, Inc. for a concert held on March 15, 1981 at the Auditorium.

A Certificate of Insurance was submitted by Whirlpool Employees Federal Credit Union for a Stockholders Meeting held March 7, 1981 at the Auditorium.

All Certificates received and Filed.

RE: ORDER TO APPEAR

An order to appear stating The American Road Insurance Company vs. Jesse Byers was submitted. This was concerning a garnishment.

This was referred to the County Auditor's Office for the proper steps to be taken.

RE: LETTER FROM STATE DEPARTMENT CONCERNING SURPLUS PROPERTY

President Willner told Mr. Kautzman the Commissioners received a letter from the State Department of Administration telling us that they would like for us to visit their warehouse in the near future, as our organization is eligible to participate in their program and they urge us to take advantage of their services. He named off several of the items they have available. They are opened Monday thru Friday, 8:15 A.M. to 4:30 P.M. and you must call and get a clearance before going in. This is located at 601 Kentucky Avenue, in Indianapolis.

Mr. Kautzman said he would check into it and see if possibly we could get some items from them. He will also check with Burdette Park and make them aware of this.

RE: CLAIMS

A claim was submitted by Engineer Associates, Inc for engineering inspection on St. Joe Avenue from 3-2-81 to 3-6-81 in the amount of $2,162.40, signed by Louis Stephen.

Commissioner Cox moved the claim be approved. Seconded by Commissioner Borries. So ordered.

A claim was submitted by Engineer Associates for engineering inspection on Lynch Road, from 3-2-81 to 3-6-81, in the amount of $3,625.35, signed by Louis Stephen.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

SURVEYOR:

Jerry Ochsner	315 Woods Ave.	Draftsman	$12,592.00	Eff: 3-16-81

COUNTY RECORDER:

Betty Radcliff	511 E. Gum St.	Part time	$25.00 Day	Eff: 3-16-81

SUPERIOR COURT:

Carla Brantley	3326 Edgewood Dr.	Riding Bailiff	$11,891.00	Eff: 3-13-81
Sarah Cook		Court Reporter	$15,117.00	Eff: 3-13-81
Sharon Boardman		Small Claims Secretary	$11,891.00	Eff: 3-13-81
Sally Denton		Court Reporter	$15,117.00	Eff: 3-13-81

RE: EMPLOYMENT CHANGES....RELEASES

SUPERIOR COURT:

Joann Stevens	Court Reporter	$15,117.00	Eff: 3-12-81
Sarah Cook	Small Claims Secretary	$11,891.00	Eff: 3-12-81
Sharon Boardman	Court Reporter	$15,117.00	Eff: 3-12-81
Sally Denton	Riding Bailiff	$11,891.00	Eff: 3-12-81

RE: COUNTY ATTORNEY

Notice of Claim

Mr. Miller said he received a notice of claim by Mr. Randall Deutsch through his attorney Mr. Dennis Brinkmeyer, which is a possible claim against the Vanderburgh County Sheriff's Department, for injuries sustained on February 14,1981. There is nothing for us to do at this point, he only wanted the Commissioners to be aware of it.

Greviences Filed

Mr. Miller said he received, during this week, notification of the various panels of arbitrators that are available to hear the three greviences that are pending with the Teamsters.

Guaranty National Insurance Company.....Sheriff's Suit

We have been notified again by Guaranty National Insurance Company, which is the County's carrier, that they will not assume the defense in the case of Phyllis Short vs. Sheriff De Groote, now pending in the United States District Court for the Southern District of Indiana, on the basis that it appears from their investigations that the incident arose at a time when the Officer was not searching, detaining or arresting the Plaintiff, or during an attempt to search or detain or arrest any person.
He said this means that both he and Mr. Jones will be forced to assume the defense of that action. We may at some point in the future, deem it appropriate to contest the insurance company's decision and sue for declaratory judgement, but at this time it is impairative that someone assert a defense on behalf of the County. He will send the Commissioners a letter confirming this is another case in which they have had to assume defense for the county.

President Willner said he is wondering if we should attempt to not pay the premium, or should we continue to pay it for now.

Mr. Miller said his recommendation would be that we continue to pay the premium and at a time when either he or Mr. Jones, or both of them, can sit down and get a clear understanding of the background of this claim and we can then assert a claim on behalf of the County against the Insurance Company if we believe their conclusion is in error, but he would not want us to refuse to pay a future premium, because it could result in a cancellation at a time when another claim arises.

Statutory Notice

Mr. Miller said they have given a statutory notice to Mr. and Mrs. Adler, pursuant to the directive given two or three weeks ago to initiate the necessary steps to take condemnation of a portion of Mann Road.

There being no further business the meeting recessed at 9:30 P.M.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard Borries Shirley Jean Cox	Alice McBride	David Miller
SECRETARY:	Janice Decker		

Robert J. Willner
Richard Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MARCH 23,1981

The meeting of the County Commissioners was held on Monday, March 23, 1981, at 2:30 P.M. in the Commissioners Hearing Room.

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

RE: POOR RELIEF

Bertha Ridley....822 E. Powell
Investigator.....M. Lancaster, Pigeon Township Trustee.

President Willner said Mrs. Ridley has applied for a non-food order and has been denied by Pigeon Trustee's office because she is over-incomed as set by the Pigeon Township Trustee's standards of eligibility.

Mrs. Ridley said she receives only $318.40 per month Social Security, out of which she has to make a mortgage payment on her home of $121.75 per month, one phone at $9.81 per month, water bill at $5.95 per month, gas and electric bill running between $165.00-$175.00 per month and she is also paying on two life insurance policies. She said her husband died in 1971 of cancer, that she is over 65 years of age, with a bad heart condition and unable to work, that if she was able to work, she would, that she worked for twenty years and has never asked for any help whatsoever, but she is by herself and is desperate for some kind of help. She has no savings account. Her husband worked for the L&N Railroad.

President Willner asked Mrs. Ridley how large of home she has and she replied nine or ten rooms, that she keeps the heat in the upstairs turned down real low.

Commissioner Borries said since you are unable to work do you draw any disability income and Mrs. Ridley replied no, they told her she could not draw any when she asked about it.

Mrs. Ridley said she receives a $36.50 reduction on her light and gas bill every month from the Project Safe Program.

Mrs. Lancaster said her December light and gas bill was $46.00.

Mrs. Ridley said her last three months bills were all over $100.00 even after the $36.50 is deducted from each of them and she would be willing to bring the receipts in as proof.

Mrs. Lancaster said she does not object to Mrs. Ridley receiving the non-food order but their standards will not allow it because she gets over $210.00 per month, which is the limit, and that is why she was denied. Mrs. Ridley receives $32.00 per month in food stamps.

Attorney Jones said he cannot imagine why Mrs. Ridley is not eligible for some sort of disability income based on her heart condition, and especially since she was employed at one time. He asked her if she applied for disability and she replied yes, she applied at the Social Security office.
Mr. Jones said if you take the first no for an answer thats what you'll get, but you should appeal it, because he believes she would be eligible, that she should appeal the rejection of the disability decision.

Commissioner Cox suggested that Mrs. Ridley contact the Council on Aging, in the old Finkes Building, as they have a lot of ways in which to help people in this condition, and also know who to direct you to in order to receive help from other agencies. Personally, after seeing these figures down on paper, she does not see how Mrs. Ridley is surviving.

Mrs. Ridley said she has paid taxes in Vanderburgh County for almost forty years and she has never asked for a thing, but she really needs help now.

Poesident Willner said she believes Mrs. Ridley definitely has a problem, but it is impossible for the Commissioners to go over the income allowed by the Pigeon Trustee's guidelines, that all we can do is point her in some direction, that the County Attorney suggested she pursue the disability income and if she does not have money for legal advise, there is the Legal Aid Society to give her free counseling.

Commissioner Borries moved the request be denied, that it be referred back to the Pigeon Trustee's office. Commissioner Cox seconded the motion. So ordered.

RE: VANDERBURGH COUNTY ROAD INSPECTION REPORT

President Willner said sometime ago the Commissiones decided in relation to our insurance for the county, that we needed to have an on-going inspection report for both the Traffic Department and the County Highway and the first report has been submitted today by the Sheriff's Department, which is quite lengthy, but he personally feels this will cut our insurance premiums down in the coming years. It does show the courts that we are trying to correct the immediate problems that cause many accidents and law suits in Vanderburgh County. He said just briefly scanning over this report he sees that most of them concerns signs, holes in the roads and streets obstructions, so the main people that is going to be involved in these things is the Traffic Department and the County Highway, therefore he distributed a copy of this report to those offices at this time and asked that they review them this coming week, check the locations and the problems out and report back to the Commissioners the ones that have already been taken care of and the ones that have to be done and will require a considerable amount of money, you bring back to us with a dollar figure, so the board can make a final determination on them, but on the small items, you can use your own discretion.

Commissioner Borries said he is certainly pleased with the way he believes this procedure is going to work, that he thinks it is an important step in regards to maybe avoiding some law suits in the future.

Commissioner Cox said she would also like to publicly commend our Sheriff in assisting us in this program and working together with everyone involved.
Mrs. Cox said she would like for the following letter from Hartford Insurance Company to be entered into the minutes.

Dear Shirley,

This letter will confirm my visit to your office in March, 1981. The purpose of my visit was to discuss the Hartford's overall loss control program as it relates to the various Hartford coverages now carried by Vanderburgh County.

Also present at your office during my visit were Dave Jones, County Attorney, Paul Torian of Torian Insurance and John Hodge of Helfrich Insurance.

I wish to thank you and David Jones for the time and consideration shown me during our meeting.

We discussed the fact that you are in the process of proposing a preventive maintenance program for Vanderburgh County and presented me with a list of objectives that you hope to reach, and I think that this can be nothing but beneficial for both Vanderburgh County and the Hartford.

We also discussed the fact that we would initiate the street and road program by passing out checklists to all of the county deputies with the idea in mind being that any of the defects on the checklist wer to be noticed by the deputies, and they could in turn hand these checklists in so that they may be followed up on. We also discussed the fact that we needed someone to carry out this program in reference to John Hodge's letter of March 10, 1981. I see that Mr. Mark Tuley has been appointed as your Executive Assistant and that he will establish a file to be kept in your office for insurance loss control. This file will contain all inspection reports including resulting recommendations and resulting action taken by the responsible parties. Again I think this is also a positive step.

I also obtained from you a list of contacts at the various locations, that I will be calling on from time to time. Since our meeting I have received carbon copies of letters dated March 13,1981 that you mailed to each different department that I will be making periodic surveys. I do appreciate the fact that you solicited their cooperation for me while making these surveys.

Shirley, we also discussed the fact that after each survey hs been completed a followup letter will be directed to the person in charge of the deaprtment that I surveyed with carbon copies of the followup letter going to Mr. David Jones, Mr. Mark Tuley and yourself.

Again I want to thank you for the time and considreation shown me during my visit, and if we at The Hartford can be of future service to you before my next visit please do not hesitate to give us a call.

Sincerely,
Charles J. Bone

Loss Control Representative
Hartford Accident and Indemnity Company

Commissioner Cox said she has asked Mr. Kautzman from the garage to keep a log of all the reported potentially safety hazards that they might have a current and correct record of all the times these were reported.

Commissioner Borries asked Mr. Savage in regards to some of the signs where there are notations with problems with signs that are either faded or missing, would some of these fall under our Signing Program through the State and Mr. Savage said no, that is for hazard markings and there are very few of them.

RE: WILLIAM MONTRASTELLE....CIVIL DEFENSE

Mr. William Montrastelle, Director/Coordinator of the Vanderburgh County Civil Defense wa present and stated he has distributed a packet of information to each of the Commissioner that he would like to discuss very briefly with them. He said the fact sheet on the front came out in 1978 when President Carter re-organized all disaster response agencies in the United States into the Federal Emergency Management Agency called FEMA. Since then, we at the county level have organized into a chart, which is attached, which shows a complete breakdown all the way from the Mayor down. He said he answers to both the Mayor and the County Commissioners, that the City Council is on there because they control our budget, so with this in mind, the bottom line then becomes paramount, that we have organized our selves into an Evansville-Vanderburgh Emergency Management concept, so the bottom line carries all of the various services that would respond to an emergency. He said he has presented this to both the City and County Council, that Mr. Jerry Linzy and Mr. Jim Price from the City Council and Ms. Kathy Mann and Mr. WIlliam Taylor from the County Council have all been appointed to work with him on the feasibility of a system, so that a team may function during a major disaster. He said the telephone is the only means of communication between agencies and departments with Vanderburgh County that have a disaster related mission, and if a tornado should come through and tear down all telephone lines, we would be walking around trying to cope with a disaster. A command communication network, as being proposed, would provide communication between members of the Evansville-Vanderburgh County Emergency Management Team that presently does not exist. Coordination of effort during a major disaster would be greatly enhanced, many lives would be saved and the recovery process necessary to return the community back to normal would be greatly expedited. He said the Coroner's office does at this time have little pagers as means of communications but really the Coroner has no communication system, and we have no communication with the emergency broadcasting system, which is the warning system for the whole county, we have so many gaps in our system, that we are extremely vulnerable to a major disaster, so the fac sheet points out to you the many reasons we need a system. It gives us the capability th we can have a mass conference call with everyone relating to the disaster, which we do not have now. Also inclosed in the packet is three letters of recommendation, those being from the School Corporation, the Red Cross and the Emergency Medical Services, that indorse this system, after it was explained to them in detail. These all already have a system but they are for themselves alone, and they do not want enyone else on their frequencies, and this new proposed system will allow them to talk to each other. He has also, for the Commissioners information, included a complete current listing for the bid for budget, at a slightly inflated figure, realizing it will come in at about 30% less then what it shows on the estimate. Also included you will find specifications for the whole system. He said this propsed system will tie together such agencies as the Mayor, the Sheriff, the City Police, the Fire Dispatcher, the School Corporation, the Board of Public Works, the Health Department, the Coroner, the E.O.C., the Civic Center, the National Weather Service, the Indiana State Police, the Red Cross, the Welborn Hospital Coordinator, the Waterworks Department, the Emergency Service Center, the County Highway Department, the City Garage, S.I.G.E.Co. and the Telephone Company. We would have twenty (20) mobile units and twenty five (25) portable units and eleven (11) pagers that could be dispatched immediately and set up in the area.

He said this system is being proposed to both City and County Council's for joint financing and if the total cost comes in at $80,000.00, which we do anticipate, he will ask for half from each council. He would like to get permission today to proceed with going before the County Council for their half of the appropriation, which we will propose to be bought on a five year lease/purchase, amounting to $3,600.00 per month, or approximately $8,000.00 per year. They would also like to have the maintenance contract to maintain the system for th first three years and that cost is shown on the last page of the budgetary considerations He said this is a unique system that was originally devised by General Electric but bidable by Motorola and RCA.

He said they have this system at the University of Louisville, and had they not had it when the sewers blew recently, they too would have had mass confusion and perhaps a great tragedy.

He said he is not asking this body for any funding, only permission to go before the County Council and present this and request half of the money for the total project.

Mr. Montrastelle said we can probably revise the total figure down, because we are presently looking at agencies that are not city or county, such as Red Cross, State Police, etc. and upon the recommendation of the City Controller we are considering asking those agencies to purchase their own radio's, also on the maintenance cost, half of that will be reimbursed through the State Civil Defense.

Commissioner Cox asked who will be operating this system and Mr. Montrastelle replied this system will be in operation all of the time, it will be maintained by the company who puts it in and he will more or less watchdog the system.
She said then we will not have to hire a full time electronic technician or anyone employed by the county to monitor this system and Mr. Montrastelle replied no.

Mr. Montrastelle said presently he is talking with the finance committee with the City Council and they are looking at appropriate funding and he would like permission to go formally before the County Council to get them to consider funding the system.

It was agreed upon by the County Commissioners that they would review the paper work presented by Mr. Montrastelle and give him a decision in two weeks and then he would still have time to go before the county council in May.

RE: MARK TULEY.....SUPERINTENDENT OF COUNTY BUILDINGS

Water Break.....Hillcrest

Mr. Tuley said they had a water-break out at Hillcrest this past week, which created a little water damage, but not much, and they had it repaired, and other than this, he has no other matters to present today.

RE: CONRAD COOPER.....AUDITORIUM

Broadway Show "Dancin" Sold out

Mr. Cooper said the Broadway show "Dancin" sold out this morning and that puts us a third of the way up on a special provision in the lease we wrote with Mr. Akin, for the Broadway series of a $1,000.00 bonus for the Auditorium, if we sold out for shows and it looks like all three will easily sell out.

Maintenance Shop

Mr. Cooper said that Mr. Gossard has been working with his men at the Auditorium and they are putting the finishing touches on a maintenance shop in the rear of the building and he would like to invite everyone over to see the excellent work that was done on it. They will be equiping it from time to time as they can gather tools and equipment to put in it, so that they can do as much in-house maintenance and repair work as possible.

New Type Light Bulbs

Mr. Cooper said he would like to show to the Commissioners something that was brought to his attention recently by Grote Lighting, who he believes has the contract with the City-County Purchasing for bulbs. He said he has been rather concerned with the large utility bills at the Auditorium and today, one of their lighting engineers brought a very compact florescent bulb in and at this time he demonstrated it to the Commissioners, stating they would like to install two or three of them, at Grote's expense, and see how they would work out. He said this fixture will adapt to our present existing equipment, it will produce 100 Watts of light and using only 13 Watts of power, or at least this is what they tell him it will do. In addition, they tell him that it has a life of about 22,000 hours as compared to about 700 hours of light for other bulbs. The whole thing, as shown, runs about $20.00, but we would still come out, because we use some 200-250 bulbs in the Auditorium, therefore he would like to try them out and there is no expense to us, and at a reasonable period of time he will report back as to how it works out.

RE: JESSE CROOKS.....BUILDING COMMISSION

Monthly Report

Mr. Crooks submitted the Building Commission Report of Permits Issued for the month of February,1981 and stated the number of permits are running just about the same as last year, the dollar value is down a little and the revenue is also down a little.

Report received and Filed.

Repair on E.A.R.C. Building (Change Order)

Mr. Crooks said last week the repairs were started on the E.A.R.C. Building and when the contractor got in there and removed a portion of the coping we found out that we could not do it the way we thought that we could, so we have had to come up with an alternate method that he personally feels is equally as good, but it is going to cost a little more. The flange, or the top extrusion that was on the cap, extended down below the level of the flashing and we couldn't get our proposed flashing underneath it, so we had to make a new cap and put on top, that we made it out of a pre-coated material and it looks pretty good, and it cost about $1,290.00.

Commissioner Cox moved the change order be approved in the additional amount of $1,290.00 making the total cost $7,312.00. Commissioner Borries seconded the motion. So ordered.

RE: DAVID SAVAGE.....TRAFFIC ENGINEER

Green River Road

Mr. Savage said they have taken a look at Green River Road where it narrows around Heckel Road and he would recommend they put up a standard "Road Narrowing 500 Foot" sign, in advance of the narrowing. He also noticed while he was out there, and this is on the road report, the lack of guardrail on the N.W. corner, as there is a pretty steep bank there, so if it is agreeable with the Commissioners, he will go ahead and install the sign, as this does not require an ordinance.

President Willner said on these routine signs, if it does not require an ordinance he would like for Mr.Savage to use his own judgement and go ahead and get them up where he thinks they are needed.

Commissioner Cox said she does however feel that the Commissioners should get a report as to where all of these signs have been and are being installed, since she thinks this would help our liability potential.

Mr. Savage said we maintain a file for every intersection in the county, as far as what work we have done and when it was done and now we are beginning to add the date that we received a complaint call on them.

RE: GENE KAUTZMAN....COUNTY HIGHWAY

Weekly Absentee Report

Mr. Kautzman submitted the absentee report on the employees at the County Highway Garage for the week ending March 20, 1981.

Report received and filed.

Detroy and Mesker Park Drive

Mr. Kautzman said he has some photographs that were taken before and after work was completed at the intersection of Detroy and Mesker Park Drive, that he would like for the Commissioners to all see, and he would think the insurance people would be interested in seeing these also.

River Road

Commissioner Cox said she and Mr. Kautzman made their trip out to River Road and she originally thought that River Road ran out much further than it did and the portion she was talking about with all of the gravel thrown to the side was Lenn-Becker Road. She would like to say though, that we are spending a lot of money for grading and gravel on the River Road and she did not realize it but there are not many homes along there, but that this road is used mainly by the Coal Company trucks and they really keep it torn up and she is wondering if we could perhaps work out something with the Coal Company to help us with the maintenance.

Commissioner Borries said he would certianly agree, that we are not penalizing the coal company for doing business, but that road is really a serious problem.

Dumping Illegally

Commissioner Borries said he has discussed this with Mr. Kautzman, that he has seen some illegal dumping going on down there also.

Mr. Kautzman said he is going to make up a list of these areas and send it to the state.

Happe Road

Commissioner Cox said she knows in January we were down on Happe Road, but those shoulders are really eroding into the roads, that two cars cannot pass and a farm truck got caught in one of the holes. She really worries because there are school buses using this also and she would hate for them to get hung up in it.

Mr. Kautzman said they had to put the John Deere road grader back in the shop again, but he will get down there next week.

RE: BOB BRENNER.....COUNTY SURVEYOR

Bridge and Guardrail Report

Mr. David Guillaum submitted the Bridge and Guardrail Report for the period of 3-16-81 thru 3-20-81. Report received and filed.

Pipe Projects

Mr. Guillaum said there were three pipe projects that were brought to their attention last week and they went out and checked them out. The first one is on Wallenmeyer, which is in very poor condition, as the footing and abutment has settled, it has been undercut, and if it gets any worse, they will have to consider closing the road, since there is school bus traffic on it. There is another similar type structure on Baehl Road and the third one is on Nesbitt Station. What they have planned is sizing it in the way of what they will need in the water shed area, and Dan Hartman is doing this now, and he has also checked with some of the pipe manufactures to get prices. They will try to do all of this work with their own crew, with the exception of the pipes, that they will not have to go before County Council and this money will come from their maintenance account. He said on Wallenmeyer, it looks like it will be in the vicinity of 5'9" on the vertical span and about 16' on the horizontal, and we sure don't want to make the mistake of putting in an under-sized pipe, for the amount of water we will be carrying.
He said they will have a field lay-out sheet on these, which is really not a set of plans, but he would like to have these projects approved today so that they can get started on them.

Commissioner Cox said she has not had a chance to see these, so she doesn't know much about them, and would it create any problem with the Surveyors crew doing the work.

Mr. Guillaum said these are not bridges, but rather they are culverts. He said Nesbitt Station sets on a hard 90 degree turn and it is a real hazard. Baehl and the one on Wallenmeyer are almost twins, but he would definitely put the one on Wallenmeyer as an emergency, as the bridge is out of plumb, it has settled ten inches on one corner and the abutment has a vertical crack right down the center where it has sheared due to the under-cut on the corner and when they get that bad it is a real danger.
He said as far as the Surveyor's crew doing the work, that will be no problem with the Highway, or at least, they do not anticipate any.

Commissioner Borries moved the three projects discussed be approved to begin work on. Commissioner Cox seconded the motion. So ordered.

Bixler and Mann Road

Mr. Guillaum said concerning Bixler and Mann Road, he contacted Mr. Victor Funke to try to get an appraisel and at this time he gave a letter to President Willner with the appraisel in it.

President Willner said the letter states they have an appraisel of $2,500.00 on the Mann Road bridge deletion, that it is in 96.88 of an acre.
He said our county attorney David Miller was working on this project, and he understands that Mr. Adler is in the process of taking a public census opinion in his area to see if they are in favor of closing the road and us not doing anything.
At this time the letter was given to David Jones to refer on to David Miller.

Holly Court

Mr. Guillaum said the work on Holly Court has been completed, that he has been out there and inspected it and the gentleman seems to be happy with it, as it looks real good.

RE: BORERT FORTUNE.....DATA PROCESSING

Mr. Fortune said he has nothing to report on the agenda except that he and Mr. Tuley are still working on the communications at the County Garage and also the Auditorium.

Commissioner Cox said she hopes we will be ready very shortly to put the Library on the computer system for follow-ups.
Also she received a call from a Mr. Leiberman, regarding our services being provided, that he questioned the amount of $14,000.00 per month for the various data processing services, that she referred him to Mr. Fortune and she wondered if he ever called him and Mr. Fortune said no, he has not heard from him.
Mrs. Cox said also, on the system we have, is it a lease/purchase plan or just lease and Mr. Fortune said it is lease/purchase, for he believes seven (7) or eight (8) years.
He said as an OEM Distributor, he is sure Mr. Leiberman is interested, and so is IBM and so is Honeywell.

Commissioner Cox asked Mr. Fortune if he knows how the Data Processing Committee (Study Committee) is coming along, had he touched base with them recently and Mr. Fortune replied no, that the last he heard was they had their preliminary meeting and he does not know what came out of that, but that he would be happy to research it.

RE: COUNTY ATTORNEY....REPORT ON CHECK FROM V.F.W.

County attorney David Jones said he filed he filed an action on the bad check from the V.F.W. in the amount of $450.00. He could not make out the signature of one of the persons on the check, that in reviewing the files that he received from the prior county attorney, there was a statement saying that Mr. Oliver knew the check was bad when he issued it, so he therefore named as a defendant the V.F.W. Post, which is a not-for-profit corporation and Mr. Oliver, who is the past Commander and Quartermaster of that Post and he brought his records into court. Mr. Oliver proceeded to give a rather lengthy tale of woe about this entire matter and he advised Mr. Oliver that he could not make the decision whether to drop the suit or continue on with it and it's obvious that Mr. Oliver would not be liable, but that the Post would, but at any rate, he invited Mr. Oliver to come to this meeting today and tell his story to this board and let the decision come from the board.
Mr. Oliver's story to him was that the other person who appears on the check, Mr. Ron Russell, signed this agreement, in the name of the Post, co-signed the check, that he then took the money and ran.
Mr. Jones said at first he though it was a case where they were defrauded and the show di not go on, which might have been something else, he then kept asking Mr. Oliver "did you use the Auditorium" and he would say yes.....BUT, and he kept getting these qualifiers.
He went on to tell Mr. Oliver that the county certainly had nothing to do with this and if they got tied up with some slicksters from Louisville, then they should be on guard to check people out in advance, that we cannot hold their hand when they decide to step into the business world.
He has asked Judge Shepherd to continue the case for one week, that it would be reset for this Thursday morning at which time we would appear in court again and the Post can either admit or deny the claim and we can set it for trial. He said apparently the facilities were used and the Post suffered a loss so if this board feels that is a sufficient excuse then he can always dismiss, and if not, he can proceed.

Commissioner Cox asked was the contract let with the V.F.W. or with Ron Russell.

Mr. Jones said the lessee's name is the V.F.W.Post and the lessee's agent is Mr. Ron Russell who put on the show for the V.F.W. He also found out that the V.F.W. gave Mr. Russell their check book, that Mr. Russell signed the check in behalf of the V.F.W. but the check was also signed by Mr. Oliver. Mr. Russell was to pay out all of the expenses and give the V.F.W. a certain amount of profit.

Commissioner Cox asked Mr. Jones that based on the contract does he feel the V.F.W. does have a liability and he replied he did.

Commissioner Borries moved we pursue the suit. Commissioner Cox seconded the motion.

President Willner said he feels we would be remiss if we did not pursue every avenue, that he feels somewhat ashamed to do this to the V.F.W. but if it were anyone else we would do it and he feels they should get the same treatment on a bad check.
So ordered.

Administrative Appeal-Southern Railway

Mr. Jones said he has discussed this matter with the Commissioners but he would like for it to be a matter of record, that the Administrative Appeal-Southern Railway, on the two

bridge overpasses. He contacted Mr. William Osburn, who is the Chairman of the Ethics Committee of the State Bar Association, as this concerns a situation whereas his law firm represents Southern Railway against the County in the Administrative Hearing before the Public Service Commission, prior to him becoming a County Attorney. He did not participate in it and did none of the railroad's work, he has not handled, touched, or advised on the matter since he became County Attorney, that all of those matters have gone to David Miller and he believes the situation is coming about where there would be an appeal that would have to be taken into the Appelate Division in that matter, which would in effect, put potentially two clients of his law firms against each other. He did not feel comfortable is that situation and he contacted Mr. Osburn for an ethical opinion about this position, whether or not he might have to resign or withdraw, and Mr. Osburn responded that full disclosure is made to both clients that they do not object as long as he does not participate in a way that his firm could ~~XXX~~ continue representing the Railroad, as long as he did not participate with the county. He is now making that disclosure, having it inserted in the minutes and asking if there are any objections after having made that disclosure and such disclosure has been made to Southern Railway in Washington D.C. and they do not object. If this board approves then it will be sent to Mr. Osburn, who will in-turn send a letter back stating his opinion, as Chairman of the Ethics Commission that this is proper and there is nothing un-ethical about it.

Commissioner Borries moved the request be allowed. Commissioner Cox seconded the motion. So ordered.

Parking on Old Highway 460

Attorney Jones said a few weeks ago the Commissioners allowed Mr. Savage to install an "Emergency Parking Only" sign on old highway #460. He said upon reviewing this, there is no way the commissioners can inforce it, that it does not become an amendment to the master control ordinance, there would be no penalty and no basis to inforce it, that if there is a penalty it must be done by ordinance and it must be published twice, so rather then getting into a problem area, he advised Mr. Savage that he did not think he should post the sign until after this was brought to the attention of the Commissioners. If a citation were given because of this sign, it would be invalid, because there is no ordinance with a penalty attached.

President Willner said many times in the past we have done this same thing knowing full well about this, but hoping that with the sign just being there would stop our problems, and it is within our legal rights to do that, if we do not make any penalties, therefore he would like to have the signs up and see if it stops the problems and if it does not then we can always inforce it through an ordinance, that he is open for either way that works.
Mr. Jones said he will advise Mr. Savage and also the Sheriff's Department of this matter.

Commissioner Cox said she understood this to be a potential hazard area, with it being narrow and people parking on both sides of the road, therefore, perhaps we should go ahead with an ordinance and make it legal and right.

Mr. Louis Stephen said he pointed out that there is another sign that may better fit the situation and that is one reading "No Parking Within 10Ft. of Pavement", but you may also have to go through an ordinance on this one.

President Willner said he will talk to the property owner and see what the statis is out there now and he will bring it back to the board.

RE: LOUIS STEPHEN.....COUNTY HIGHWAY ENGINEER

Agreement from State Highway Commission

Mr. Stephen said in checking back on this he believes there has been a slight foul-up on the traffic signing project by local forces and Mr. Savage (Gep) is going to check it out and get it corrected and get it back to the board as soon as possible.

Change Order

Mr. Stephen said on the hazard markings on bridges, they have changed the type of posts used, that this is on the 100% program with no cost to the county, but the state still requires the county to approve the change. The standards changed for certain installations causing this quantity variation.
He said after this is approved by Vanderburgh County it then goes to Warrick County for their approval.

Commissioner Cox moved the change order be approved. Commissioner Borries seconded the motion. So ordered.

Extra Work Agreement

Mr. Stephen said he has an extra work agreement for the St.Joe Widening Project, whereby they need to relocate 50' of 43" X 27" pipe and end section as per drawing attached to extra work agreement form. Pipe elevation and location makes street approach too steep, approximately 17% and the new location will reduce approach to 8.33%, that the cost for this is $1,801.80.
He said until we started to put the curb in, we did not know that anything was wrong, that we kept checking and it was on the right elevation, but when we went back to the cross sections on the print we found it and he believes we may have recourse to collect from them, because it was their mistake....we are going to have to pull the pipe and put it all back in again.

Commissioner Borries moved the extra work agreement be approved. Commissioner Cox seconded the motion. So ordered.

Commissioner Cox moved that we try for a refund from the engineers on this project, Roberts and Petri. Commissioner Borries seconded the motion. So ordered.

President Willner asked Mr. Stephen to make contact with the engineering firm and report back to the board.

Commercial Court....St. Joe Avenue

Mr. Stephen reported that he received a call from Mr. Dale Lucas concerning Commercial Court, off St. Joe Avenue and told us that if certain things were done then the additional cut requested on St.Joe that Mr. Easley wanted re-submitted, would possibly be approved. Remove all of the modified curb between Hobart and Wyoming and pave the area, but he does not think we can do this. He also told us there would be storage area needed for the south bound, which there isn't enough space, and anyway, part of that is already poured. There would be no federal participation in it either, so some of it that is already poured would have to be torn out. The straight sections that are already in there almost have to remain because we have overhead signs with two poles, one in the middle and one at the edge, carrying our signs for the left turn lanes and straight thru lanes, so he does not see how this could be done.

Mr. Savage stated that Mr. Stephen could check this out, but possibly if you did rip up what has already been layed, you might have to re-imburse the federal government for their share that they have in it.

Mr. Stephen said they would take their share off but we would have to pay Deig Brothers for what they already have in plus tearing it back out and then we would not get any participation in the paving part of it. We are talking about approximately $10,000.00 additional funding.

Commissioner Cox said she wonders if Mr. Easley and his group would be willing to pay this.

Mr. Stephen said he has not discussed this with Mr. Easley as he received it only this morning and he wanted this board to be aware of it before he contacted anyone else.

President Willner said he doesn't think the state would have approved it if it had gone up, that he thinks we were trying to appease Mr. Easley in even trying to do it. He asked Mr. Stephen to contact Mr. Easley, explain the situation and tell him the Commissioners would still be agreeable if he would pick up the additional cost.

Pump Station along Locust Creek

Mr. Stephen said he received a letter from the City of Evansville Board of Works, concerning a problem with a pump station along Locust Creek out by St. Joe Industrial Park Drive, close to the Sani--Clean Company. He pointed out on a drawing where the pump station is located just outside the right-of-way, and the city asked if we would remove part of a rail out there and build them a drive, but he feels this is not too good because once the pull in the drive, they will have to back out into the traffic, plus the fact that we probably couldn't do it as long as it is under federal contract. Right now they park on the pavement along St. Joe and walk in or drive through people's property to get to it.

President Willner said to solve the problem we can let them pave and use our right-of-way.

Mr. Stephen said they may ask us to do the paving, also it is a little steep and it would have to be shaped and sodded, but if a good rock base was built, they could drive in on it.

Mr. Stephen said he will take the matter back to them to try to work something out and he will report back to the Commissioners as soon as possible.

Railroad Switch on Lynch Road

Mr. Stephen said part of the switching in front of Crease Company on Lynch Road is sticking out into a paved lane and the rails are quite wide in the spacing, that the railroad has not filled in and the area that they did fill in with wood and asphalt has been brought to the attention of engineers of the State and they will not approve what is out there. He gave President Willner a copy of all the correspondance on it since last February and he also showed them photographs of the effected area. The matter has not been settled yet but whatever is decided there will probably be additional costs than what has already been agreed upon with the railroad.

President WMllner gave Mr. Stephen all of the correspondance back and told him to hold it in his files until all of this materializes and then we will further discuss it.

RE: DAVID SAVAGE.....TRAFFIC ENGINEER

Mr. Savage said we for some time now have had an arrangement whereby we had a traffic count person supplied by the traffic engineering department and then we provided out of our own funds another person. He has submitted an application for one CETA employee through the county, and wanted the Commissioners to know that this person would be extremely helpful to us in terms of up-dating, particularly in the county, much of the traffic volume data that we have. Right now, we have on loan about fifteen (15) mechanical counters from the state and the City has about five (5) or six(6) and sometime in June or July of this year we are going to be required to return the state counters back in, so we would like to utilize these to the maximum this spring, so the CETA position would be very valuable to us.

RE: REQUEST FROM WELBORN BAPTIST HOSPITAL

Received from Welborn Baptist Hospital is a request for approval of county road use for Welborn Baptist Hospital - WGBF Marathon. They will be using Baseline, Old Priceton Road, Frontage Road and then return.

Commissioner Cox moved the request be granted. Commissioner Borries seconded the motion. So ordered.

RE: CERTIFICATES OF INSURANCE

A certificat of insurance was submitted by Welborn Baptist Hospital Foundations, Inc. for the Welborn/WGBF Fitness Festival and Bike-A-Thon on May 9 & 10, 1981 at the Auditorium.

A certificate of insurance was submitted by the Newburgh Civitan Club, Inc. for lease of the Gold Room premises for 6-26-81 from 7 p.m. to 11 p.m. for a wine and cheese tasting.

A certificate of insurance was submitted by the Boy Scouts of America for a banquet to be held in the Gold Room on 3-28-81.

A certificate of insurance was submitted by Larry Aiken Management for the Bob Fosse's "Dancin" held March 24 & 25, 1981 at the Auditorium.

All certificates received and filed.

MONTHLY REPORTS

The monthly report of the Clerk of Circuit Court was submitted for the month of February, 1981.

The monthly report of the County Treasurer was submitted for the month of January, 1981.

Monthly reports received and filed.

RE: RESOLUTION CONCERNING THE INVESTMENTS OF COUNTY FUNDS

County Treasurer Lewis F. Volpe was present and stated that as everyone is aware of, we have been discussing investment for awhile and as far as investments go, the problem of people attacking him about them, happens every few months, they say the same thing and he says the same thing. He said a couple of years ago he called the three largest banks into his office which were Richard A. Schlottman of Old National Bank, William Brooks of Citizens National Bank and Gary Burk of National City Bank and after a very lengthy discussion they all decided it would be best for all concerned to continue using CD's (Certificate of Deposit).

At this same time he was a little concerned because the State Board of Accounts had started using a grading system based upon the percentage of your investments to your total cash on the last day of the month and this doesn't work too well for him because he gets huge state re-imbursements on the last day of the month, so he worked up a chart of an average of the entire 22-24 working days of the month and it came to better than 90% each month, and he sent this up to the state and they replied to him that this is fine. Also at the meeting Mr. Schlottman was detailed to go up state, by the three banks and himself, to see Mr. Fred Sievers, of the Press and Julian Ridlen, State Treasurer, and at this time he would like to enter the following letter into the minutes.

Lewis Volpe,

Friday morning, I visited with Fred Sievers at the wire service offices in the State Hous[redacted] We discussed the percentage of funds invested of Indiana Counties and he reported in a recent column of the Evansville Press. I related your concern and suggested that a much more meaningful figure would be the earnings that each County is able to generate from investments and told Fred of the remarkabel contribution your office has made to the County budget. Fred agreed that this is a more important measurement and indicated that he would try to obtain these figures. Your business-like manner of managing the County funds was no surprise to Fred as he regards you as one of the State's better treasurers.

I also took the opportunity while in Indianapolis ot visit with the State Treasurer Julian Ridlen. We discussed the same matter, and Julian is well aware of the earnings you are generating in Vanderburgh County and has no concern at all of the 71% figure reported. His concern are those counties where little is being done to put idle funds to work or those where the banking community is paying rates considerably below market rates; in fact, he is writing an investment pooling bill to attempt to solve that problem.

In summary, Lew, I found that your performance is held in high esteem on the State level.

Sincerely,
Richard A. Schlottmen
Executive Vice President, Old National Bank in Evansville

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Mr. Volpe said all he can say at this time is that he is doing his very best and that is several times better than his predecessor's best and yet he is not criticized for doing nothing and I am criticized for doing many times more then he did, and he is really getting sick of it. He said the know-somethings are all complimentary and the know-nothings criticize.

President Willner said he agrees with Mr. Volpe basically, but what really bothers him is that the county has conducted some researh on this matter and through the efforts of David Jones we have been in touch with the State Tax Board and reviewing the Statutes and we have off the record decided that the Statute leaves you very little room as to what you can do with these interest funds after you receive them. We are going to abide strickly by the State Statute and he would ask Mr. Volpe to do so also. What we find is happening now is the amount of money Mr. Volpe has procured for Vanderburgh, over and above the estimate for the year of 1981, is in the sum of $400,000.00, so now we must put this amount of money into five or six different accounts which will not do the county much good being there, that the only place we really need these funds to go is in the County General Fund and the County Highway Fund, and they will probably be getting the least amount of money in them.

Mr. Volpe said he spent a large amount of time with the prior President of the County Commissioners trying to convince him that using the type of resolution he was using, actually put the money where it was not needed, and not be put where it was needed the most, and where the people would receive the most benefit from, that for lack of a better expression, the money is "Thrown Down the Drain".

President Willner said he agrees and he thinks our only recourse is to try and change the State Statute through the Legislature, that he thinks one small line in the bottom of the statute that gives the Commissioners physical flexibility, that we see is now needed.

Mr. Volpe said he will speak to the Legislature's as soon as possible and try to get the bill pre-filed in November and get it out of the hopper as early in January as possible.

Commissioner Borries said he feels we share the same concerns, which seems to be at times, the hand-cuffing by a number of state statutes, as to where you can put money.

Mr. Volpe said the Resolution to be presented today will take one handcuff off of you, but it will take the State Statute to remove both of them.

Commissioner Cox said she supposes she is being referred to as the "know-nothing" because she has voiced some criticism and she would guess the state board of accounts is also a "know-nothing", because they too, have voiced criticism. What she feels the County Commissioners should do is look a little further than the end of our nose and provide for some of these needs that we know is forthcoming. She feels very strongly about our Capital Improvement Fund being protected, monies being put there, interest being generated because we know we are going to have to make some improvements at the jail. She feels very strongly about our Cumulative Bridge Fund because we know we are going to have to do work on the First Avenue Bridge, also the Fulton Avenue Bridge and we are talking about a lot of money on just these two projects. We have also asked for an underpass on Nurrenbern Road which is needed, which is going to take a half a million dollars. She also feels very strongly about our Roads and Streets monies being protected, as we have made commitments that have already been approved by the State for matching funds for several years down the road and she personally cannot sit here and see our transportation system go down the drain and another thing, she would question the fact that last year Vanderburgh County spent over their budget, one million dollars from the county general fund. She feels that Mr. Volpe has mis-led the Council, in telling them that the funds were there, when really, those funds were interest monies that should have gone back into these dedicated accounts, because it might have made th council look at things in a different light when additional funds were requested, because a million dollars is quite a large over-spending program for Vanderburgh County. She said she has looked the resolution over and she cannot see where it says very much at all except that Mr. Volpe can invest the monies as he sees fit, that it does nothing to protect these monies and if we, as County Commissioners, do nothing to protect these monies then we aren't going to have any, that if you are going to dribble out a million every year to the county general fund then we're in trouble.
She said in looking at the letter read by Mr. Volpe, she sees it was dated November 12, 1979 and probably at that time Mr. Schlottman or Mr. Ridlen neither one was aware that there was a county ordinance, which she understands Mr. Volpe couldn't have followed in 1979, that he was in violation of, or didn't plan on following. She said she has attended several work shops whereby they discussed what is called Automatic Overnight Re-purchase Agreement, which she thinks could really help Mr. Volpe at the end of the month when all his monies come in and he doesn't have them invested in CD's, that she is not sure that CD's are the best way to earn interest, and she thinks we ought to look into this.

Mr. Volpe said that the State will always say to you that each county has a different situation, but he did talk to Mr. Schlottman this morning and he still believes CD's are the best method, that the three banks together have about $300,000.00 worth of county money, which will be taken care of by the payroll this Thursday, so he does keep as little money as possible in the banks.

Commissioner Cox asked Mr. Volpe if he has attended any of these workshops and he replied no, he has not.

Mr. Volpe said he would like to say that this Resolution keeps all authority within the County Commissioners and not within the Treasurer.

Commissioner Cox said the Resolution says in the absense of more frequent request, the County Treasurer is directed to appear before us and give an up-date on where the interest is coming from, but prior to that, it says interest from the investments as each specifically named fund shall be credited to that fund, and we haven't specifically named any.

Mr. Volpe said that each three months the Commissioners will tell him what to do then for the next three months, this will be verbal, at a regular meeting.

Mr. Jones said he has the two prior Resolutions of 1979 and he also has the Ordinance of the Capital Improvement Fund and if this were to be put in by Resolution, then in effect, you would require that all of those funds have investments, which is what the prior two Resolution say. They do not for instance direct that Mr. Volpe even consult with the Commissioners over the manner of methods of investments, and that is one point that is not covered in these two Resolutions of 1979, but is covered in the new proposed one, and that Mr. Volpe come in to the Commissioners at least as frequently as a quarterly basis so that you can determine what to do. He believes at that point a Resolution determines what funds are covered. In the absense of that, this thing states nothing more then what is in the state law already. Insofar as protecting funds, you don't have to state that in this Resolution because 5-13-1-3.5 of the public investment act covers accrediting of interest and it simply provides that tax collection investments shall return to the General Fund interest from the investment of a specific named fund shall be credited to that fund and interest from all other monies shall be credited to the General Fund so that you really don't need to state it in an ordinance or resolution, it is automatic, and thats the part at which I think your hands are tied, if you are concerned about being able to put

interest in, and so forth. The crediting process is something that is not further defined, so that you don't have to take monies from R&S and segregate those and put them in one particular instrument, take monies from the Highway fund and keep them segregated in another, that the crediting process can be followed as what has been done, as he understands it and that simply that all the funds be lumped together, if you wish, to get the highest available rate and for whatever period of time. The thought in reviewing all of these things was that it may be that you would want to take a much as possible in the highest rate, leaving some other funds for flexibility purposes in something that may yield a lower interest rate, but the interest may be paid out more frequently, and that was the thought in trying to meet the need for more flexibility, that went into this proposed Resolution, but in any respect, no matter what Resolution or Ordinance passed, you cannot effect the crediting of the interest, because that is covered by statute. The Commissioners can however determine how much, from which fund, at what rate and at what type of instrument or security they desire.

Commissioner Cox said she did not know we had to pass a Resolution for the Treasurer to give us a report every three month, that she thought he was to do this anyway quarterly. She said on the first page of the proposed Resolution in Section 3 it states the interest received from the investment of tax collections must be credited to the County General Fund, interest from the investment of each specifically named fund shall be credited to that fund. Now what do we mean by that.

Mr. Jones said whatever specifically named fund you name.

Commissioner Cox said we have not named any.

President Willner said yes, but your statute does name them.

Mr. Jones said he is speaking of the funds that are under the control of the Commissioners which is what was done in the prior Resolutions, in that you name the funds. It may be that for a particular quarter you cannot feasibly invest any money from a particular fund and if you lock yourself in, then you are investing from all the funds. The purpose of the proposed Resolution is to eliminate all the prior Resolutions and bring them all in to one that is current and provide for that flexibility. He said also, he knows of no law that requires the Treasurer to come before the Commissiones quarterly and report to them, that he does of course, have to turn in his monthy report.

Mr. Volpe said he is the one that suggested it be inserted in the Resolution about him reporting to the Commissioners quarterly, because he does want to work closer with them.

Commissioner Cox said she read somewhere in the statute that it is one of the requirements of the Treasurer to do so. She just feels this should be studied in depth, that she wants to be comfortable with it, that she thinks all this does is take him off the hook for not complying with the other two Resolutions. She would like for us to sit down with Mr. Volpe and study this together and come up with something workable for everyone concerned, and that our funds will be protected.

Mr. Volpe said you are criticizing the County Council for over-spending.

Commissioner Cox said yes, but who told them the money was there to spend.

Mr. Volpe said we certainly can't treat them like children and tell them they can have only so much candy.

Commissioner Cox said when it's taxpayers money, you certainly can. She cannot agree with it and feels this Resolution was drafted with little background input to what is in those funds and whether they can be invested according to fund and she simply is not prepared to vote on this today, that she feels it still needs a lot of study.

Mr. Jones said he spent a number of hours with Mr. Volpe and he went through his investment books, he is aware of the balances in each one of the accounts, that he also spent a great deal of time with respect to the state statutes and his response to Mrs. Cox is that he will give her the figures and also the state statutes and if she thinks that she can change anything beyond that, he simply would like to see it, but with respect to the numbers that are used you must do that yourself on a frequent basis, that you cannot put those into an Ordinance or a Resolution, because you would be amending or repealing it every few weeks if you do, that the idea was not to cast the thing in stone, but to give it to you so that you could study the numbers without plugging them in there, that the prior Resolutions did not have numbers either, in fact, very little effort was done to determine by these prior Resolutions what in the world was going on; that it is a sloppy piece of draftsmanship, and he takes exception that this proposed Resolution did not consider State Statute or did not consider proper proceedure, and he does not know what was meant by the statement that it

does nothing but take the Treasurer off the hook, because he does not know what hook he is on, and could care less. He said he was advised by President Willner to prepare a Resolution that gave this Board flexibility in investment of it's funds within the chapter of the Statute on investment of funds and thats the maximum that he sees you can possibly put in it.

President Willner asked Commissioner Cox how long she would like to have on this because he wants her to be comfortable with the Resolution.

Commissioner Cox said there are Statutes and also Federal Guidelines for federal money that we cannot do anything about, but there are also county monies which we are responsible for and she just does not want a million dollars worth of over spending to happen again this year, as it did last year and she does not want to happen again this year what happened last year with our interest monies. She would like some advise on how we can invest our money and get the most interest because there are several different ways to do it.

President Willner said this has been rather lengthy, so lets give it two more weeks of study after which time we will bring it back for final action by this board.

RE: RE-BIDDING OF AE-150

President Willner reported that we have a request from the City-County Purchasing Department to re-bid for the AE-150 in the amount of 300,000 gallons, approximate usage for 1981 with 5,000 gallon minimum and 10,000 gallon maximum, that all materials are to be delivered to the County Highway Garage, with bid opening to be April 13, 1981.

Commissioner Cox said she understood this had already been advertised.

Commissioner Borries moved the AE-150 be approved for advertisement. Commissioner Cox seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Engineer Associates for engineering inspection on St. Joseph Avenue from 3-9-81 to 3-13-81 in the amount of $2,162.40, signed by Louis Stephen.

Commissioner Cox moved the claim be approved, seconded by Commissioner Borries. So ordered.

A claim was submitted by Engineer's Associates for engineering inspection on Lynch Road from 3-9-81 thru 3-13-81 in the amount of $3,659.35, signed by Louis Stephen.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by the State of Indiana for final payment of Project RRP-E080 (1) in accordance with agreement between the State of Indiana and the County of Vanderburgh. Permission was given by this board on 3-16-81 to transfer funds for payment of this claim.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Szabo Foods for meals for the inmates and officers at the jail for the period of February 16 thru 28, 1981, in the amount of $7,344.00, signed by the Sheriff.
Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Szabo Foods for meals for the inmates and officers at the jail for the period of March 1 thru 15, 1981, in the amount of $8,683.60, signed by the Sheriff.

Commissioner Cox moved the claim be approved. Seconded by Commissioner Borries. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AUDITOR:

Virginia Singer	7608 Greenbriar	Part time	$30.00 Day	Eff: 3-19-81

DATA PROCESSING:

Mark Allen	Night operator	$30.00 Day	Eff: 3-13-81

HIGHWAY DEPARTMENT:

Susan E. Kirk	R.R. 2 Box 256	Secretary	$9,129.00	Eff: 3-20-81

RE: EMPLOYMENT CHANGES....RELEASES

COUNTY BOARD OF REVIEW:

Terry Hill	8031 Darmstadt Rd.	Clerk Typist	$30.00 Day	Eff: 3-23-81
Martha Scheessele	2169 S.E.Blvd.	Clerk Typist	$30.00 Day	Eff: 3-23-81

CIRCUIT COURT:

Cheri D. DeVoy	1400 S. Grand	Part time	$3.35 Hr.	Eff: 3-6-81

DATA PROCESSING:

Mark Allen		Student Intern	$4.50 Hr.	Eff: 3-12-81
Mel McKinney	1055 Covert Ave.	Night Operator	$250.00 Pay	Eff: 3-13-81

COUNTY HIGHWAY:

Thomas Schmitz	801 S.E.Second	Tool Crib	$6.18 Hr.	Eff: 4-15-81
Virginia Hobbs	1000 Fulton Pk.	Secretary	$9,129.00	Eff: 3-20-81
Susan E. Kirk	R.R.2 Box 256	Clerk-Typist	$8,375.00	Eff: 3-20-81

There being no further business the meeting recessed at 5:30 P.M.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard Borries Shirley Jean Cox	Alice McBride	David Jones

SECRETARY: Janice Decker

Robert Willner
R Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MARCH 30, 1981

The meeting of the County Commissioners was hed on Monday, March 30, 1981, at 2:30 P.M. in the Commissioners Hearing Room.

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

RE: POOR RELIEF

Margaret Yates.....209 E. Division Street
Investigator.....L. Hall

Mr. Dallas Schmitt was present in behalf of his mother, Mrs. Yates, who made application with the Pigeon Township Trustee for poor relief. Mr. Schmitt lives with his mother on Division Street.

Ms. Hall said Mr. Schmitt and Mrs. Yates have an income of $514.20 per month. Each one draws $153.10 Social Security and S.S.I in the amount of $104.00 and our guidelines call for $240.00 for two people, therefore they are over-incomed for the Pigeon Trustee's standards of eligibility. Their spend down is $191.25 which leaves $322.95 for them to live on. They are also over-incomed for food stamps and they can only give non-food orders with food stamps. In April of 1980 they were given a food order for $31.00 and in June of 1980 one for $15.00 and also in January of 1981 they were given a food order for $15.50, even though they were over-incomed, but this cannot continue any longer.
They do pay $ 60.00 per month rent, utilities run approximately $125.00 per month, they have no telephone, water runs approximately $6.50 per month, they owe no time payments and are paying on no insurance policies.

County Attorney David Jones asked Mrs. Hall if she is satisfied they do receive $514.20 per month income, that has she seen proof.

Ms. Hall said she has not seen proof, only what they have told her they receive, however, she did send out a Social Security form to the Social Security office some time ago and both of them have received raises since that time, she is sure.

President Willner said perhaps we should have someone make a home visit and also see some check stubs to get exact information.

Ms. Hall said she will make a home call and check into it further and if they are eligible, they will receive help.

Matter referred back to Pigeon Trustee.

RE: BEN EVANS....PURCHASING DEPARTMENT

Mr. Ben Evans of the City-County Purchasing Department was present and stated that in keepir with a recent opinion of the Counsel for the County Commissioners, the following bid items have been let by the Board of Public Works and require the approval of this body.

1. Rock Salt...awarded on the 10th of September, it expires May 31,1981, in the amount of $104,600. Bid awarded to Domtar.

2. Batteries...bid awarded to Holderfield, awarded on December 17,1980, expires December 31 1981, in the amount of $10,332.90.

3. Crushed Stone..awarded to Evansville Crushed Stone on December 17,1980, expires December 31, 1981 in the amount of $437,520.00.

4. Sand and Gravel....Awarded to Evansville Materials on December 17, 1980, expires Decembe 31,1981 in the amount of $18,475.00.

5. Oil Products....Awarded to Hahn Oil Company on December 24, 1980, expires December 31, 1981 in the amount of $50,572.71.

6. Paint Supplies...Awarded to Gehlhausen Brothers on October 29, 1980, expires December 3 1981 in the amount of $19,520.85.

7. Lumber.....Grimm Lumber on November 19, 1980, expires December 31, 1981 in the amount of $23,254.20.

8. Auto Parts...Awarded to Automotive Wholesalers on October 29, 1980, expires December 31 1981 and there is a 20% discount in two different areas.

President Willner asked if there were any items on that list that the County bid on only and Mr. Evans said no, that all of the County items were by themselves and he would have to take them before the Board of Public Works for their approval.

Commissioner Borries moved the items be approved as stated by Mr. Evans. Commissioner Cox seconded the motion. So ordered.

RE: MARK TULEY...SUPERINTENDENT OF COUNTY BUILDINGS

Moving of Icemaker in Sheriff's Department.

Mr. Tuley said in talking to Captain Moers, Jail Commander, he tells us they have an icemaker they would like to move , because they are having problems with it getting the proper circulation where it is presently located. A letter was received from Mr. Gil Ruston of the Building Authority telling us the amount to do this will be $260.00.

Permission was given to Mr. Tuley to move the icemaker.

RE: CONRAD COOPER.....AUDITORIUM

Florescent Lighting

Mr. Cooper said he has nothing else to report on the florescent lighting, as the Grote Company has not got back to him yet on the experimental lights.

Walk-in Cooler

Mr. Cooper said he would publicly like to thank Mr. Tuley for having his walk-in cooler repaired, because when he took over the Auditorium in January, he was under the impression it could not be repaired, that the compressor in the refrigeration unit had to be replaced but Mr. Tuley had a private contractor to come in Friday afternoon, he made a minor repair and we had to call him this morning to come back out, because it is now too cold. The repair cost was something like $100.00 and estimates to replace the compressor unit would have been in the thousands, possibly from $1,000.00 to $5,000.00.

Air Conditioning Work

Mr. Cooper said he would like to bring the Commissioners up to date on the air conditioning work being conducted right now. George Koch and Sons men begin dis-assembling the absorption unit this morning and draining the solution from it and they told him tomorrow they will begin installation of the new diaphragm and re-circulating pumps that have to be inserted before they can start to recycle it, adjust it and time it.

Problem on Roof

Mr. Cooper said they discovered another minor problem on the roof this morning, they found a minor crack in one of the evaporation coils, and according to the Barber Colman Company who is also working over there, this crack is a direct result of someone apparently tampering with the controls of the control malfunctioning on an air damper which allowed very very cold frigid air during the winter to be passed over this coil and freezing the liquid in it, thereby expanding it and cracking it, however, it is copper and we believe it can be repaired instead of having to be replaced.

Parking Lot Devise

Mr. Cooper said he has brought with him today Mr. Richard Hill, a sales representative from Cincinnati Time Recorders and Parking Equipment Company and at this time he would like to make a brief presentation on a parking lot devise for the Auditorium lot. He said if a devise of some sort were installed he thinks it would increase the revenue from the parking lot and also allow him to move the lot attendant indoors as part of the maintenance staff and ease the over-time payments that we are paying her presently.

Mr. Hill distributed folders to each of the Commissioner's containing information concerning parking devises for the Auditorium parking lot and said he would like for each one to follow along with him as he discusses the information at hand. First of all he would like to introduce his company, B.F. Saunders Company, Louisville, Kentucky who has been in business for fifty three (53) years. He is the company's representative living in Evansville and servicing their accounts here in the Evansville area.
The first sheet in the folders contains a list of twenty seven (27) users of their parking equipment at the present time.
Secondly, there is a letter that came to them un-solicited from Saints Mary and Elizabeth Hospital in Louisville, Kentucky expressing their appreciation for the service they have received on their gates and the efficient manner in which they were installed this past summer.
Next, there is a clip from the Cincinnati Airport showing us that they have gone exclusively

to Cincinnati Equipment, which is a computerized system.
Also inclosed is a re-print showing the Washington Metro System utilizing parking equipment from Cincinnati Time at eleven (11) different locations.
He said our proposal to this board today is to have an entrance, which will have a barrier gate, also what they call their M-2 Multi-Coin devise and with that they can have the charges set up in it whereby a patron will drop coins in it, the gate would then open, they would drive through and it would then close automatically behind them. The opening and closing loops will be buried underground. Instead of going back out the same entrance we will have them egress on the other side, where there will be another gate. Also with this M-2 unit we can incorporate in it the usage of Cardtrol Card which is a credit card type thing. Since this would be an un-attended lot, they would incorporate a "Lot Full" system, which would count the cars coming in and also going out, so that cars cannot enter when it is full, that the gates would lock down to prohibit it.
Also included in the folder is a diagram of what the system will look like.
He said that he and Mr. Cooper discussed the installation of this system and after Mr. Cooper talked with the County Engineer, they feel the county have the people qualified to do the actual installation of the equipment which would cut the cost down considerably. He said after the equipment is installed then his company will make the final hook-up and connection of it to make sure it is operating properly before we turn it over to you. They of course would like to take care of it service wise, but if you choose to have your own people to do that, then we do have a school for customers.
Mr. Hill said that is all he would have to say but that he would be happy to answer any questions concerning the system.

Commissioner Borries the most obvious would be a rough idea of the cost to the county for such a system.

Mr. Hill said the total cost of the equipment would be $6,849.50, which does not include the electrical work.

Mr. Cooper said he discussed this matter with Bob Brenner and he believes we have the skills and the manpower available in-house to do this work.

Commissioner Cox asked where Mr. Cooper planned on putting the exit and he said on the Walnut Street side, that there was already an exit there at one time, that they keep it chained up presently.
Mrs. Cox asked if he was planning to fence the lot and Mr. Cooper replied perhaps with some small poles and chains.
Mrs. Cox said she has talked to several people that work in this building and their concern was the security with a parking devise installed, that there have been occasions when things were stolen from cars and tires taken from cars on the back free lot and people would rather pay to park in the Auditorium lot where an attendant is present, because to her knowledge, there has never been anything taken from the pay lot, and also they have mentioned to her they have pass-out privileges from the pay lot, should they have to go out during their lunch hour, they show that day's ticket to get back in, without paying again.

Mr. Hill said these same pass-out privileges can be worked out with their system.

Mr. Cooper said the parking lot attendant earned almost $14,000.00 last year in salary alone which does not include all her other benefits and in addition to that they employed part time casual employees when she was not available, to man the lot, and those people usually work two to three hours until the lot is full or until the event is so far along that no more cars will be coming in, so as far as security goes, the only real security there is the fact that it is a high traffic corner and we do leave the lights on.

Commissioner Cox said she is talking about the daylight hours while people are working in this building.
Mrs. Cox asked Mr. Hill if their coin boxes are pretty secure and he replied that he and Mr. Cooper also discussed this and thought perhaps they could use a locked devise inside of the Multi-coin unit itself for double security.

President Willner thanked Mr. Hill for his fine presentation and told him should the Commissioners decide to go this avenue that we would certainly be in touch with him.

RE: DAVID SAVAGE.....TRAFFIC ENGINEER

Road Report

Mr. Savage said the Commissioners presented him with a road report last week for him to check out and his findings were as follows:

He said on last week's report there were twenty six (26) stop signs on it and six of those were existing signs down and twenty were for new signs. Four (4) of the six (6) they had already put back up. The Sheriff's Department indicated to us that they were going to start giving us the stop signs on the monthly report but after discussing it further with them it was decided they better continue it on a day to day basis since that is a liability situation in the county. The twenty (20) new signs is something the Commissioners may want to consider, that seven of them are privately owned, on not publicly accepted roads and he knows that in the city, they do not sign things like that, that the owner of the property has to, so the Commissioners may want to decide about those situations in the county.

President Willner said it would be up to us to put them on the county right-of-way.

Mr. Savage said perhaps it would be a good idea for him to check with the state on some of the locations and where we would be putting ourselves in a liability situation.

Mr. Savage said there were sixteen (16) requests for speed limit signs and all but two (2) of those were 45 M.P.H. and as the ordinance reads, anything not posted, is to be 45 M.P.H. so he wants to know if the Commissioners still want him to post them.

Commissioner Cox said she wonders if the Sheriff's Department put them on the report, because they thought they were lower then 45 M.P.H. and Mr. Savage said this could be, so he will check with the Sheriff on these requests, because if we have to install these signs all over the county, we are going to have a considerable amount of them.

Mr. Savage said on bridge weight limits, there were twelve (12) of them requested and five (5) required posting, that the remainder were either culvert, that weren't really bridges with weight limits or they were bridges with the legal limit.

On street name signs, they had twenty three (23) and they already had sixteen (16) of them up.

Mr. Savage said on all of the above work they do have a typed up specific report, telling where each sign was installed or even looked at and he will get this to the Commissioners.

RE: GENE KAUTZMAN....COUNTY HIGHWAY

Weekly Absentee Report

Mr. Kautzman submitted the absentee report on the employees at the County Highway Garage for the week ending March 27, 1981.

Report received and filed.

Patched Roads Report for 3-23-81 thru 3-27-81

Mr. Kautzman submitted the following list of roads they patched from March 23 to March 27, 1981, which included the following from last week's road report submitted to him to check on.

Meier Road
Kleitz Road
Middle Mt. Vernon Road
Brook Dale Drive
Burkhardt Road
Mohr Road
Baseling Road
Upper Mt. Vernon Road
Jobes Lane

Mr. Kautzman said when the Sheriff mentioned a Road on the list, they covered that entire road and patched it so that the Sheriff would not send that particular road back again this week. They did not get to cover the whole county but they did work three patch crews instead of the normal one crew. He asked the Commissioners if there is a new report from the Sheriff's Department for this week and President Willner said there was, he gave a copy of it to Mr. Kautzman and also one to Mr. Savage.

Security System at Garage

Mr. Kautzman said he would like for the Commissioners to hold up for another week on the security system because they are waiting for one more bid to come in from Jamison Security Company.....permission granted for the delay.

Health Department.....Concerning Property at 203 Chandler

President Willner said he recieved a note from the Health Department, concerning property at 203 Chandler, which he says is owned by the County and they are requesting that we get rid of the garbage, trash and rubbish from the lot.
He said first of all we need to verify that it is owned by the county and if so, we will get it cleaned up

Mr. Kautzman said he will check this out.

RE: BOB BRENNER.....COUNTY SURVEYOR

Bridge and Guardrail Report

Mr. David Guillaum submitted the bridge and guardrail report for the week of March 23, 1981 thru March 27, 1981 and stated the largest thing this week was the pipe on Owensville Road, one half mile North Nesbit Station Road.

Wallenmeyer Pipe Project

Mr. Guillaum said in going back to last weeks meeting, he now has the pipe ordered for the Wallenmeyer project and we are looking at 50ft. of 5'9" X 16' arch, $149.00 per foot which gives us a total of $7,450.00, that this will be the first structure of this design that we have put in and he thinks that with the conditions we have out there, this will be the only way to go. He talked to the property owner out there that has the property right in front of the structure and he seemed to be very satisfied with the procedure we are going to take on it, so the schedule on it looks like the pipe should all be in Monday and we will be using our crew to put it together, which incidently will save us right at $1,250.00 by putting the pipe together and installing it ourselves.

Permission to Advertise Wimberg and Seven Hills Projects

Mr. Guillaum said they would like permission to advertise for bids for the two bridge structures for Wimberg and Seven Hills, off of St. Joe Avenue. These two have already been brought before this board and approved.

Commissioner Borries moved they be authorized to advertise for bids on Wimberg and Seven Hills. Commissioner Cox seconded the motion. So ordered.

RE: GENE ADLER....MANN ROAD BRIDGE

Mr. Gene Adler of R.R. 1 Haubstadt was present and stated he has a petition from property owners in the vicinity of Mann Road stating they would like to see Mann Road closed from Montgomery Road west to Bixler Road, and not spend taxpayers money to purchase new right-of-way or repair Mann Road bridge. Use money instead to improve the more heavily traveled roads in the area. There was forty four (44) names on the petition. He stated there are three bridges in there that has to be maintained and in his opinion, this road is not traveled enough to keep it opened and he does not want to sell any right-of-way to the county for no more then the road is used. He said in the past the Montgomery Road was sort of abandoned, but in the past year the county rocked the road and put a bridge in and that would give Mann Road an outlet. It also gets under water every spring and the county has to come out and grade it and re-rock it.

President Willner said what we have done is ask an appraiser to appraise the property and he thinks what we need now is get an estimate of what it will cost to repair the bridge and what it would cost to put the run-around from Mann Road to Bixler and until we have a definite figure then we can't give Mr. Adler an answer. He wouldn't say we should bid them but we should have an engineer's estimate at our disposal.

Mr. Guillaum said he will try to have these figures available to the board next week, but he would say right now that he knows it will be far cheaper with the run around.

Mr. Brenner said there is no way you can compete with abandoning the road.

RE: LOUIS STEPHEN.....COUNTY HIGHWAY ENGINEER

Relocation of Sewer....Lynch Road

Mr. Stephen said last week the Commissioners had an itemized billing for a relocation of a sewer out on Lynch Road and he gave that to the Sewer Department, because he thinks Deig

should have held up on it and let the Sewer Department change it because the Feds will not participate in it. Jack Allis took a copy of it and it is to go before the Works Board.

Pump Station on St. Joe Avenue

Mr. Stephen said he talked to the two people down from the State today, that he also talked to Jack about it and he also went out and looked at it again and he thinks it would be feasible to stone the drive as there is very little water coming down, we can fill it in some and ramp over it and they can then drive to the pump station, but the State does not like the idea of taking out any of the guardrail. Mr. Allis agrees with this and a change order is written, also they think we can get participation in that because we do have an item for stone.

Commissioner Cox moved the proposal be accepted. Commissioner Borries seconded the motion. So ordered.

Resignation of Mr. Stephen

President Willner read the following resignation from Mr. Louis Stephen, dated March 16,1981.

County Commissioners,

This letter is to inform the Baoard of Commissioners that I am planning to retire. My last day of employment will be April 2, 1981.

I want to take this time to express to you that I have enjoyed working these past four years with the County of Vanderburgh

Thank you,
Louis H. Stephen

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President Willner said Mr. Stephen's work in Vanderburgh County has been very professional and he personally hates to see him leave but would wish him good luck in his future indeavors, and that he appreciates having known him.

Commissioner's Cox and Borries both wished him well.

RE: DAVID GERARD.....E.U.T.S.

Mr. Gerard said he had this contract last week, but it was all wrong so he took it back and he called the State Highway this week to get it all straightened out, that it now reads Vanderburgh County instead of Sullivan County, and they also had the federal share tagged as the local share which has also been corrected. The local share is $875.00 and it is a project to design and place regulatory warning signs in the county and this is exactly what David Savage talked to you about. We were going for three different pots of money, those being, Federal Aid Secondary, Safe for all System Money and Rural Secondary. Unfortunately for this year, only the Rural Secondary money is available, that we were originally talking about preliminary engineering costs of approximately $88,000.00, but the only one approved was the Rural Secondary for approximately $3,000.00 to $4,000.00, so there is going to be a very limited amount of work accomplished under this contract, but never the less, perhaps we could get something started and then maybe this summer other funds may become available and we can go into it at that time, full-scale. The Commissioners signed an FA-2 form this spring where we were talking about sixty (60) miles of Federal Aid Urban roads in Vanderburgh County that we were applying money for.

President Willner said will we not lose ~~the~~ this portion of the money will we.

Mr. Gerard said no, that amount has already been approved and all the Commissioners need t do is sign the contract.

President Willner said he did not think we could sign this contract until we have the assurance that something can be done.

Mr. Gerard said if you prefer to hold up on it until we can check further to see if something can be done, then it's no problem.

President Willner asked how long they will hold this money for us while we determine if we can do anything with the small amount.

Mr. Gerard said he does not think there is a time limit if you are talking two or three months, but certainly not a year, but he will check and see if anything more can be done here at the local level and get back with the board. He said this would be for signage only on secondary roads.

RE: RON LYLES.....COUNTY COUNCIL ASSISTANT

Mr. Lyles said the County Council meet Wednesday, April 1,1981 and they have a request going before them for $52,716.09 from the Auditorium and the council has gone on record verbally assuring Mr. Cooper that they will take care of the necessary repairs that are presently being done at the Auditorium. However, what they would like to request, in an effort to cut down on new monies, is that monies be repealed from accounts #252...Repairs to Equipment and #712...Buildings, Office and Stage. According to the computer print-out, as of March 27, 1981, there is approximately $21,000.00 total in these two accounts, which they would substract from the $52,700.00 requested, leaving only approximately $32,000.00 to be appropriated by the Council. Not only are they asking the Audtiorium to do this, but a number of other departments as well. Mr. Cooper has been assured by the Council that when those accounts are depleted and he needs monies for repairs, he can come before the council and they will give him monies from the Cumulative Capital Improvement fund. He said Mr. Cooper has discussed these repeals with members of the council and he admits Mr. Cooper is not too favorable about doing it, but he still has the assurance of the council that they will re-imburse those accounts.

Commissioner Cox said Mr. Cooper appeared before the Commissioners a few weeks ago on this request to go before the Council for these funds and the amount was reduced to about $35,000.00 because one of the bids was for a three year contract and we can only pay for it one year at a time.

Mrs. McBride said the letter for the $52,716.09 had probably already been advertised for the council when the lower figure was decided upon, but this is no problem, because the council can allow only the portion needed, which is lower then the request, so there is really no problem with that.

President Willner said this is news to him and he really hates to deplete someone's accounts that have been budgeted for 1981, as this is only March and those monies will be needed.

Mr. Lyles said at one time there was $16,000.00 appropriated in the Cumulative Capital Improvement Fund (#207) for these repairs.

Mrs. McBride said this money never was spent, it was encumbered and put back into the Cumulative Capital Improvement fund.

President Willner said when he last appeared before the Council on this request, there was nothing mentioned about the repeals, and he does not understand it now.

Commissioner Cox said since the $52,700.00 figure has been reduced to a $35,000.00 figure then perhaps the council will not ask Mr. Cooper to deplete the two accounts mentioned earlier, so that he will have some monies to keep him going.

Commissioner Borries said the lower figure was decided before this board at the March 9, 1981 meeting. He said he personally feels like we are going around in circles and instead of having to keep going back to the council, he thinks this should be taken from the 207 account and not continue to go back for bits and pieces.

Mr. Lyles said this request for $52,700.00 is from the General Fund and not the Cumulative Capital Fund.

Mrs. McBride said she questions why this was requested from the County General instead of the Cumulative Capital.

Commissioner Cox said she understood this was to be requested from the Cumulative Capital Improvement funds.

President Willner said this was his understanding also.

Mr. Lyles said apparently it wasn't submitted that way.

President Willner asked Mrs. McBride if the Council chooses to do so at their meeting can they take it from the Cumulative Capital Improvement fund and she replied no, because it was advertised under the County General Fund, but they can verbally give Mr. Cooper approval and he can proceed with the repairs, they can call a special meeting, approve the money and it will be cleared before the bills have to be paid.

RE: COUNTY ATTORNEY

Grievances

Attorney David Miller said we have receded a pace in our move toward arbitrating four sets of grievances with the Teamsters, that several of the arbitrators have been selected.

Potential Claim for Damages

He has had some meetings with respect to a potential claim for damages by an individual who says he was unduly roughed up by authorities and we are communicating with his counsel to show him how imminently reasonable our behavior was.

Southern Railway vs Vanderburgh County

Mr. Miller said in the case of the Southern Railway vs Vanderburgh County case, we have received a notification that the Court of Appeals has granted an extention of time to file the record. He said this case will be treated as any other appeal from a verdict of a trial court and briefs will be prepared by counsel for Southern Railway and also by us defending the determination that was reached by the Public Service Commission with respect to the abandonment of those bridges. That has been a sucessful case and the result is reasonable and correct we believe and therefore we are going to defend that appeal.

Contract for Auditorium

Mr. Miller said they have completed a draft of Mr. Cooper's requested contract, that we should have a new contract ready for the Auditorium within the month.

RE: REQUEST FOR LOAN OF TYPEWRITER

President Willner said he has the following request received from the Convention and Visitors Bureau:
Ms. Mary Schoettlen of the Convention and Visitors Bureau located in the Auditorium building has requested that she be permitted to use a typewriter from the County Commissioners office which we have agreed to loan her. This is a Royal Litton Electric Tyepwriter, Serial #1196313, for the period of April 1,1981 until July 17,1981, at which time it will be returned to it's rightful owner.

Commissioner Borries moved the request be granted. Commissioner Cox seconded the motion. So ordered.

RE: PROCLAMATION ON SOIL STEWARDSHIP WEEK

Received was a Proclamation designating May 11, 1981 to May 18, 1981 as being Soil Stewardship Week.

Commissioner Cox moved the Proclamation be adopted. Commissioner Borries seconded the motion. So ordered.

Proclamation on file in the County Auditor's office.

RE: JESSE CROOKS.....BUILDING COMMISSION

Tickets issued for Code Violations

Mr. Crooks said in the past they have been authorized to use the City's standard citation form for violations in the county and with the change of loads of the City Attorneys they have requested us to handle this in the county and ask that he appear before this board and get written authorization to do it.

President Willner read the following letter:

Dear Mr. Crooks,

By the power vested in the Board of County Commissioners of Vanderburgh County, Indiana, and pursuant to I.C. 17-2-2.5-9, you are hereby authorized as Vanderburgh County Building Commissioner to issue citations for violations of the Vanderburgh County Building Code and to use the uniform traffic ticket form for that purpose.

All Violations cited by you shall be answered in the Vanderburgh County Superior Court, Misdemeanor Division.

Board of County Commissioners
Vanderburgh County, Indiana

Commissioner Borries moved the request be granted. Commissioner Cox seconded the motion. So ordered.

School in Nashville, Indiana

Mr. Crooks said there is to be a schooling in Nashville, Indiana, and he plans to have three or four people up there and he will report back to this board concerning that.

RE: PROPERTY AT 203 CHANDLER...CONTINUED

President Willner said earlier in this meeting the property at 203 Chandler was stated as having belong to Vanderburgh County. He said this piece of property was purchased, deed date 9-11-79, by Mr. Anthony Hill of 761 Judson Street. This information was turned over to Mr. Crooks.

RE: LETTER FROM HELFRICH INSURANCE AGENCY

The following letter was submitted to the Commissioners from Helfrich Insurance concerning renewal quotations.

Gentlemen,

The Public Officials Liability Policy covering the County of Vanderburgh expires on April 1,1981. Forum Insurance Company, the present carrier, has provided the following renewal quotations for the coverage.

Limit Each Loss	Annual Premium	3 Year Prepaid Premium
$1,000,000	$ 9,166.	$ 24,748.
2,000,000	12,832.	34,646.
3,000,000	14,666.	39,598.
5,000,000	16,957.	45,784.

The rate level reflected by these premiums is a bit lower than last year. I feel that the premiums are definitely reasonable, and incourage the commission to consider the 3 year prepaid premium arrangement. This would guarantee no rate increase for three years and also result in 10% annual savings over the one year price.

Please advise us of your decision so that we may put the coverage in force by the renewal date of April 1,1981.

Very truly yours,
John D. Hodge

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Mrs. McBride said we cannot pay for all three years, however, when the state sees how much money can be saved by paying for all three years, they do weaken, but she will check with the State Board of Accounts to see if we can since it will save us 30% overall.

President Willner said we will not have another meeting before the April 1st expiration date so we should go ahead and approve it for one year.

Mr. Hodge said there is no problem, that it can be approved for one year and then if the State tells you that you can pay for all three year, they will make the necessary adjustments.

Commissioner Cox moved the renewal be approved on a one year premium. Commissioner Borries seconded the motion. So ordered.

Mr. Hodge said last week following the Commissioner's regular meeting they met with representatives of the Public Employees Benefit's Company, Inc. who presented the deferred compensation program that the City of Evansville is currently offered to their employees, and this board asked him to investigate the possibility of the county adopting it also. He said this is the program that is recommended by the National Association of Counties and the National Council of Mayor's also. He said after checking with the City Controllers office and several other insurance related resources he does not find anything wrong with the program, or any reason not to recommend it, that he is not saying he recommends we accept it, only that he sees nothing wrong with it, as it does seem to be working very well for the city.

President Willner said they did see a film last week on the Tax Shelter Program for the Vanderburgh County employees, which does not effect the county in any way except it would be payroll deducted. It allows the county workers to put a certain percentage of their salary in a protection plan, in which that amount you would not have to pay taxes on until the time of their retirement or their termination.

Commissioner Cox moved that the deferred compensation program be offered to the Vanderburgh County employees. Commissioner Borries seconded the motion. So ordered.

RE: MONTHLY REPORT.....TREASURER

The monthly report for the Treasurer was submitted for the month of February, 1981.

Report received and filed.

RE: CLAIMS

A claim was submitted by Engineer Associates, Inc. for engineering inspection on Lynch Roa for 3-16-81 thru 3-20-81 in the amount of $3,642.35, signed by Louis Stephen.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Engineer Associates, Inc. for engineering inspection on St. Joseph Avenue for 3-16-81 thru 3-20-81 in the amount of $2,145.40, signed by Louis Stephen.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Helfrich Insurance Agency for Property Insurance and Boiler Insurance effective 4-1-81 thru 4-1-84, first annual premium.....$26,974.00.

Commissioner Borries moved the claim be approved. President Willner seconded the motion. So ordered.

A claim was submitted by Midwest Roofing and Insulation Co., Inc for labor and material for work completed to date on aluminum coping at E.A.R.C. Building in the amount of $1,400.00, signed by Jesse Crooks.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

RE: CERTIFICATES OF INSURANCE

A certificate of insurance was submitted by Lockyear Collage for graduation excersises on June 30, 1981 at the Auditorium.

A certificate of insurance was submitted by Mr. J.G. Whitfield for a concert to be held on April 3,1981 at the Auditorium.

A certificate of insurance was submitted by Vanderburgh County Young Democrats for a dance held March 27, 1981 at the Auditorium Gold Room.

A certificate of insurance was submitted by Bristol Myers Company and Mead Johnson and Co. for a dance to be held April 11, 1981 and October 24, 1981, in the Gold Room at the Auditorium.

All certificates received and filed with the County Auditor.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

VANDERBURGH COUNTY CORONER:

Kathleen Taylor	2900 E. Gum Street	Vacation Clerk	$125.00	Eff: 3-26-81 thru 4-1-81

VANDERBURGH COUNTY HIGHWAY DEPARTMENT:

Thomas J. Schmitz	801 S.E. Second	Tool Crib Clerk	$6.18 Hr.	Eff: 4-23-81

CENTER TOWNSHIP ASSESSOR:

Kathleen Gallagher	Kremer Road	Part time Real Est. Dep.	$30.00 Day	Eff: 4-1-81

RE: EMPLOYMENT CHANGES.....APPOINTMENTS CONT.

CLERK OF CIRCUIT COURT:

Virginia Seybold	R.R.5 Hoeing Rd.	C&S Deputy	$350.95	Eff: 3-30-81

VANDERBURGH COUNTY HIGHWAY DEPARTMENT:

Darryl Chamberlain	710 Rosenberger	Temp. Equipm Oper.	$6.66 Hour	Eff: 3-30-81

RE: EMPLOYMENT CHANGES.....RELEASES

CLERK OF CIRCIUT COURT:

Angela Delgman	413 Vanness Ave.	C&S Deputy	$350.95	Eff: 3-27-81

VANDERBURGH COUNTY HIGHWAY DEPARTMENT:

Darryl Chamberlain	710 Rosenberger	Truck Driver	$6.27 Hour	Eff: 3-30-81

RE: PERMISSION TO TRAVEL....MR. KAUTZMAN

Mr. Gene Kautzman requested travel for himself and three other persons to travel to Indianapolis to go to the Government Surplus that was mentioned a couple of weeks ago. They may take the county vehicle or because Mr. Tuley has a van, which would be roomier, they may take that. He said he will telephone ahead of time to set up an appointment so that the trip would not be for nothing.

Commissioner Borries moved the request be granted. Commissioner Cox seconded the motion. So ordered. President Willner said to inform the Commissioners when they will be going.

RE: RESOLUTION ON LICENSE BRANCHES

Commissioner Borries said for an update on the resolution of our license branches, that we have signed it with the corrections made in regards to both political parties and it will be forwarded on to the various area Legislators, the Speaker of the House, the Senate and the Governor.

RE: TRAVEL TO FT. WAYNE

Commissioner Borries said this coming week, at his own expense, he will be traveling to Ft. Wayne in Allen County. He has been in contact with Ms.July Mass, who is their personnel employee relations director and have scheduled visits to the County Auditor, the County Attorney and the County Highway Director and also the Board of Commissioners. This will be on April 2, 1981, and he will try to have a report to this board by next week.

There being no further business the meeting recessed at 4:30 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard Borries Shirley Jean Cox	Alice McBride	David Miller
SECRETARY:	Janice Decker		

Robert W. Willner

Richard Borries

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
APRIL 6, 1981

The meeting of the County Commissioners was held on Monday April 6, 1981, at 2:30 p.m. in the Commissioners Hearing Room.
This being the first meeting of the month it was officially opened by Deputy Tom Rademacher. The minutes of the previous meeting were approved as engrossed by the County Auditor and and reading of them dispensed with.

RE: CONRAD COOPER.....AUDITORIUM

Quarterly Report

Mr. Cooper submitted a quarterly report on the operations of the Auditorium for the months of January, February and March, 1981.

Report received and filed.

Surplus Parking Lot Equipment

Mr. Cooper presented the Commissioners with a confirming letter from Mr. Gil Ruston of the Building Authority concerning the possible use by us of some surplus parking lot equipment owned by the Building Authority. He would like for the Commissioners to look into this matter, take it under advisement and at a later date advise him on it.

RE: GENE KAUTZMAN.....COUNTY HIGHWAY GARAGE

Weekly Absentee Report

Mr. Kautzman submitted the weekly absentee report on the employees at the County Highway Garage for the week ending April 3, 1981.

Report received and filed.

Patched Roads Report

Mr. Kautzman submitted the weekly patched roads report for the week of March 30 thru April 3, 1981, which included the following roads:

Green River Road
Schlensker Road
Old Petersburgh Road from Baseline to Hwy 57
Old Henderson Road
Owensville Road
Old Princeton Road
Baseline Road, East
Baseline Road, West
Frontage Road
Cemetery Road

Mr. Kautzman said the above is temporary patching, they did not use the roller on all of them.

Prices on Security System

Mr. Kautzman said he has prices on the security system from Sonitrol and also from Jamison Security, and he submitted these to Commissioner Willner at this time.

President Willner said the price from Jamison is $4,490.00 and $24.00 per month for service fee.

Mr. Kautzman said on both companies we'll have a $21.28 per month fee for the beepers. He said Sonitrol's price is $ 6,855.58 and $68.00 per month service fee and also they included the $80.00 for the telephone installation and $11.00 per month for the telephone bill, but he believes that is the same for either company.
The basic charge and the monthly charge is where the big differences are.

President Willner asked the other Commissioners if they would like for this information t be forwarded on to the Purchasing Department to be advertised for bids or do they want to take the invitational bids.

Commissioner Cox said she is wondering if both of these companies are bidding on the same number of security devises, because in reviewing the quotes that Mr. Cooper gave us on his system, she found there was quite a difference in some of his estimates also, but there was also quite a difference in the number of detectors and the location at which they were to be placed.

Commissioner Borries said perhaps we should look at the specifications of this equipment, and should perhaps receive several bids.

Mr. Kautzman showed the Commissioners a copy of the specs as put out by these two companies, and basically, they are the same. He said they count the posts, which there are 220 of them and they then plan to put a detector on every other post, and this is what both companies plan on doing.
He said both of these systems will fit into the Sheriff Department's console.

It was decided that Mr.Kautzman was to get with the Purchasing Department and write a set of specifications and let it out on bid, with bids to be opened in two weeks.

Complimentary Letter from The Hartford Insurance Company

Commissioner Borries said each of the Commissioners and the County Attorney received a very complimentary letter regarding some steps we now have taken in regards to our roads. This letter was written by Mr. Charles Bone, who is the Loss Control representative of The Hartford Accident and Indemnity Company, dated March 30, 1981, in which he has some very complimentary things to say.

Mr. Kautzman said Mr. Bone visited him at the Garage and they went out and reviewed some of the various jobs being done through the Highway Department.

RE: BOB BRENNER.....COUNTY SURVEYOR

Bridge and Guardrail Report

Mr. David Guillaum submitted the bridge and guardrail report for the period of March 30 thru April 3, 1981, and stated their crew worked primarily on Wimberg Road, where they took down three large trees.

Mann Road and Bixler Road

Mr. Guillaum said he would like to submit some figures on the Mann Road and the Bixler Road project, whereas the run around verses the cost of repairing the bridge itself. This was discussed last week when Mr. Gene Adler was present. He said upon looking at the bridge, it is very obvious that the deck and stringers both are in poor condition, so considering removing the deck and stringers you are looking at a total cost of approximately $30,000.00, based on square foot and per yard prices. He said on the roadway section we have about 800 to 900 feet, with about 835 tons of rock, your lenial grading at lenial foot price, 170' of corragated metal pipe, and you are looking at approximately $12,800.00. This may not be right on the money, but you can compare the difference about 2 to 1. He said it was also brought up by Mr. Adler at our last meeting to close the road from Montgomery Road west to Bixler Road and he submitted a petition stating this, and if the commissioners should choose to do this, the cost would be very small.

President Willner read the following letter received from Mr. Ermal S.F. Boren:

RE: MANN ROAD

Dear Sirs,

The bridge over Big Creek needs to be repaired, replaced or by-passed. I would not place myself in a position of trying to advise the County Commissioners as to what action to take as I think they are well qualified to make that decision. I also know they are trying to save the taxpayers money and I commend them for it.
However, I ask with all due respect to please keep the Mann Road open to traffic to the junction with the Bixler Road.
The Mann Road before its temporary closing had been a school bus route and a mail route and with the number of houses on the road it needs to be open for such uses when needed. The road was established no later than the middle eighteen hundreds and the community needs it, I need it and I appeal to you, please don't close the Mann Road to traffic.

Respectfully,
Ermal S.F. Boren

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Mr. Boren was present and stated the letter states his exact position on the matter, that he would be glad to discuss the matter further if the Commissioners so chooses.

Property owner, Mr. Bittner was also present and stated he would rather see the bridge repaired rather than the run around, but he does not want to see the road closed.

Property owner Mr. Scheller was present and stated he would agree with Mr. Bittner, that he would go along with the repair of the bridge or the run around, but he would not want to see the road closed either, because if it is closed he would have to travel another four miles to go around, and during harvest time, this takes up a lot of needed time for us.

Commissioner Borries said last week Mr. Adler brought us a petition with several names on it stating they would like to see the road closed and now these gentlemen here today tell us the road should stay open.

Mr. Boren said he feels sure some of the people signed that petition because of friendship and some of them, he knows, signed that petition not knowing what it said at the top, thinking they wanted the bridge repaired, and not knowing that if it wasn't repaired that there was a possibility of the road being closed. He also wonders about some of the people living on another road, that supposing the bridge on the Bixler Road should go out, then are we going to close that road also, and he does not think those people would agree with that. He said there are three or four houses on the Mann Road and he understands there is only one child going to school and he drives, but he is sure that later on there will be small children needing to catch a school bus, so this needs to be left open for them also. If we keep closing off roads and having dead-ends, we won't be able to travel our roads as we need to, and he feels this would greatly hinder the community.

Mr. Brenner said at this time the Commissioners cannot make a decision to close the road. He said a petition requires a specific format, it must have forty five signatures of people living in the general vicinity. You can decide today to repair the bridge or go with the run around, but not to close it. He would say though if you decide to repair the bridge you spend $30,000.00 and you still have an 80 year old bridge, which will stay 16' wide. He said for the county, and he believes Mr. Adler will agree, the by-pass makes more since, as far as the money is concerned, but Mr. Adler does not want this because it will take about an acre of ground from him, that he has forty acres, so he would lose 2½% of his farm ground.

President Willner said what we need in the future is a recommendation from Mr. Brenner as to which way to go after everything is taken into consideration.

Mr. Brenner said he thinks the board should give Mr. Adler ample time to get his petition in, as there are certain procedures he will have to follow, such as advertising it. As far as his recommendation is concerned he would have to recommend the by-pass, but in all fairness to Mr. Adler, lets give him the needed time on the petition, and he feels that two weeks would be reasonable time.

It was decided they would give Mr. Adler two weeks to file a petition and Mr. Brenner is to contact him and tell him of the decision to allow him time to do this.

Wallenmeyer Project

Mr. Guillaum said the pipe for Wallenmeyer Road should all be here today or tomorrow and as it was indicated before our own crew will put it together.

Wimberg and Seven Hills Projects

Mr. Guillaum said the two projects, Wimberg and Seven Hills, were legally advertised last week and we will have the bid opening of them on April 13th.

Nesbit Station

Mr. Guillaum said they are trying to get the Nesbit Station project ready to go, so they can get on at as soon as they get the Wallenmeyer project done.

Nurrenbern Under-pass

Mr. Guillaum said he and Mr. Brenner met with the Railroad concerning the Nurrenbern Under-pass and he would say everything went pretty well as far as cooperation is concerned.

Mr. Brenner he and Mr. Guillaum had about a three hour meeting with the L&N Railroad concerning the Under-pass on Nurrenbern Road, that they were very receptive and we accepted the job of going back and doing the preliminary engineering on it and it is now on the May County Council agenda, and they have been told to expect quite a bit of opposition, that the Union Township people will also be there and hopefully some railroad people will attend. He said the railroad agreed with it, but no way, if the crossing is still left there, that after we complete the preliminary engineering, then we go to Louisville for their approval.

RE: AL HOLTZ....ACTING COUNTY HIGHWAY ENGINEER

President Willner said he would like to introduce the new acting County Highway Engineer, Mr. Al Holtz. Mr. Holtz has been in the tri-state for many years, is semi-retired and has accepted the temporary position of Acting County Highway Engineer, at this time when we need someone to continue on with Mr. Stephen's work.

Problem with 3901 St. Joe Avenue

Mr. Holtz said he received a call from a Mr. Reager of 3901 St. Joe Avenue telling us the ditch in front of their home has been improved by the new construction, that they are very unhappy with the ditch, which is about four feet deep, the banks are very steep and they do not know how they will even mow there lawn, even though they are all being sodded in. They are wondering if they could get something like a sewer pipe layed in there and covered over. He told the Reager's that he would present this to the Commissioners and get some direction on it.

President Willner said he believes it was the thinking of the Commissioners that we would let the project go ahead as outlined by the engineer and the state highway and the federal government and then we would attempt to come back and any discrepancies or omissions, we would certainly entertain the idea of correcting them, when that project was done and turned over to Vanderburgh County, so unless Mr. Holtz comes to us and tells us there is a gross error and it will not work that way, he thinks we will proceed along those lines.

Commissioner Cox thanked Mr. Holtz for contacting the Reager's because they really have a severe problem and she can sympathize with them and tell them relief is forthcoming.

Roads Turned in to be Accpeted

President Willner said he had a list of roads to be accepted and that Commercial Court was on the list also.

Mr. Holtz said he received this list shortly before this meeting and has not had a chance to go out and view the areas, that the reports are good and also the tests, that he will check it out and come back with a recommendation.

RE: DAVID SAVAGE.....TRAFFIC ENGINEER

Road Report

Mr. Savage submitted a road report to the Commissioners and stated he talked to the Insurance representative and he told him that perhaps the best report would be the actual paper you give us, with a notation of when the problem was corrected, so they are working on that now. The report he presented today sums up what last week's report had and was as follows:

STOP SIGNS.....9	SPEED LIMITS.....12
Already Up.....1	Private Roads.....1
Repeat.....5	Repeat.....4
New.....3	New.....7
STREET NAME SIGNS..10	BRIDGE WEIGHT LIMITS..15
Already Up.....4	Legal Limit.....5
Repeat.....2	Already Up.....2
New.....4	New.....8

Mr. Savage said they recieved several calls where they put up the 45 M.P.H signs, that the people assumed the speed limits were lower, and we are in the precess of looking at them now and he wants to know if the Commissioners wants his office to come up with a recommendation on speed.

President Willner said certainly that if Mr. Savage finds a problem area, the Commissioners would welcome his recommendation.

Acceptance of Streets

Mr. Savage said he would like to comment about the acceptance of additional streets, such as Commercial Court, that perhaps they should check and see if the streets are signed adequately by the developer, at the time we accept it, because this would take care of a lot of the problems we are presently having with private roads that do not have stop signs.

President Willner said he thinks we are responsible for putting up the sign on Commercial Court, where it junctions with St. Joe Avenue, but when you get back into the project itself then that might be a different story...that he does not know who is responsible for that.

County Attorney David Miller said before the County accepts them it is the responsibility of the developer and the owner, to the extent the owners take title to the streets, that if the owners do not take title to the streets, then it is the responsibility of the developer until the county accepts it.

Mr. Savage said the Commissioners then should make it known that before any streets are accepted by the County, they must have the street name signs posted and also any necessary speed limit or warning sign must be posted. He said he would get with Mr. Holtz on this also.

RE: RESOLUTION.....INVESTMENTS OF PUBLIC FUNDS

President Willner said this resolution was discussed a couple of weeks ago and it has been re-written to include the specific funds being stated in it concerning the interests of said funds.

Commissioner Cox said her intent of questioning the resolution before was not to tie the hands of the Treasurer in investment procedures but to make sure that our Road money, our Cumulative Bridge money and our Cumulative Capital Improvement money is protected with interest coming back into those accounts from the monies that were invested, and that was her main interest because down the road we are going to have to come up with a million dollars in R&S in one years time.
She would also like a clarification about the $400,000.00 worth of interest monies that the county has from investments, that she would like to know where it is. She cannot get the Treasurer to tell her where it is at and the County Auditor needs some directives from us or someone before she knows where the money is, and she does not know if this is paper money or actual cash money. She heard this talked about at the County Council meeting and she thinks that before we go on with a new resolution, we should make sure that we are following the federal, state and county ordinances with the $400,00.00 that we now have. Commissioner Cox said she mis-understood Attorney David Jones as saying that we as County Commissioners were to give direction to the County Treasurer in how to invest funds, and she did not feel adequate to give advise in this area, therefore she did ask someone from the State Association of County's to come down, but she now finds there was a mis-interpretation.

Attorney Jones said there was a mis-understanding whereby that particular resolution simply provides a discretion, if the Board of Commission chooses to, they could, but they do not have to, otherwise they can leave it with the Treasurer as to what type of investments made. The prior resolution and ordinances, as well as this new one still have the same results with respect to the interest money because it is controlled by state statute. By statute, the interest money must be credited back to the fund from which the investment money came from. It is also his understanding this $400,000.00 in interest money has not accrued yet, that if his memory serves him correctly it comes due sometime in July, that it is part of a C.D. and that the money must be credited back to the accounts from which it came to start with, and that determination was made by taking the percentage of monies invested based on the balance of each fund on the day before that investment was made.

Commissioner Cox said in other words, we do not have the $400,000.00 at this time.

Attorney said no he does not think so, but Mr. Volpe can give you the exact date when the interest is due.

President Willner said the money has been invested but the interest has not yet been paid.

Commissioner Borries said in his travel to Ft. Wayne last week, he discovered the County Auditor handles many of the specified accounts investments, excluding tax collections which are placed in Certificate of Deposit and then the interest on such investments go to the County General Fund, and that is done by the Treasurer, but it is very interesting to read about it, and he will share it with the other two Commissioners and Mrs. McBride, that it is very vague, but he sees some advantages, in that the Auditor would have probably a day to day accounting of what kind of balances are in the various specified funds, but the Commissioners still have to tell them where to take it from.

Commissioner Borries moved the Resolution Concerning Investmant of Public Funds be adopted.

Commissioner Cox seconded the motion which carried with three affirmative votes.

RE: LETTER FROM HEALTH DEPARTMENT

President Willner said the Commissioners received a letter from the Health Department concerning a vacant lot at 504 E. Sycamore Street, that has accumulated trash and debris, that they say this property is owned by the County and they want it cleaned up.
The letter was referred to the County Auditor to check and make sure the county does own it and if so the Auditor was directed to contact Mr. Kautzman to clean it up.

RE: REQUEST TO TRAVEL....VETERANS SERVICE OFFICER

The following request was submitted for travel from the Veteran's Service Officer:

Board of County Commissioners,

The Vanderburgh County Veterans Services office is requesting permission for Robert Moran and Carl Wallace to attend the 37th. Annual City and County Veterans Service Officers Training Conference. The conference will be held on May 3rd thru May 7th,1981, at the Brown County Inn, in Nashville, Indiana. The Indiana Department of Veterans Affairs sponsors the training session each year with the Veterans Administration staff on the agenda each session.

We have the funds in our account to cover all necessary expenses.

Sincerely,
Robert J. Moran, Veterans Service Officer

They will travel by car.

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Commissioner Cox moved the request be granted. Commissioner Borries seconded the motion. So ordered.

RE: CERTIFICATES OF INSURANCE

A certificate of Insurance was submitted by Larry Aiken Management for the Broadway Show, "Annie" to be held November 13,14 and 15, 1981 at the Auditorium.

A Certificate of Insurance was submitted by Larry Aiken Management for the Broadway Show "They're Playing Our Song" to be held on September 29 & 30, 1981 at the Auditorium.

A Certificate of Insurance was submitted by the University of Evansville for the use of the Vanderburgh County Auditorium by University of Evansville for a Basketball Banquet to be held on April 10, 1981.

All certificates received and filed.

RE: CLAIMS

A claim was submitted by Engineer Associates, Inc. for engineering inspection of Lynch Road from 3-23-81 to 3-27-81, in the amount of $3,625.35 and signed by Al Holtz.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates, Inc. for engineering inspection of St. Joe Avenue from 3-23-81 to 3-27-81, in the amount of $2,145.40 and signed by Al Holtz.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by the Evansville-Vanderburgh County Building Authority for labor and material to move two (2) 12-ft. vinyl walls 3-ft in a northern direction in room 204.5 and 205, Court Building (Judge Kissinger). Reinstall supply air duct and grille in Room 205. Claim signed by Robert Willner.
The money was approved by County Council on March 4, 1981 and has been approved by state.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Brinks, Incorporated for services rendered to the Clerk of Circuit Court for the month of April, in the amount of $234.35, signed by Robert Willner.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Brinks, Incorporated, for services rendered to the Treasurer for the month of April, 1981, in the amount of $349.40, signed by Lewis F. Volpe, Treasurer.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

CLAIMS.....CONTINUED

A claim was submitted by Morley and Associates, Inc., for engineering work rendered on Burkhardt Road, in the amount of $7,056.49. Claim signed by Louis Stephen.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY AUDITOR:

M. Catherine Hall	R.R. 5 Wortman Rd.	Part-time	$30.00 Day	Eff: 3-31-81

COUNTY HIGHWAY DEPARTMENT:

Albert K. Holtz	1613 Washington Ave.	Acting Hwy. Engineer	$25,194.00	Eff: 4-3-81

CIRCUIT COURT:

Lisa A. Goffinet	7601 Adams Ave.	Part-time Typist	$3.35 Hour	Eff: 3-13-81

RE: EMPLOYMENT CHANGES.....RELEASES

CIRCUIT COURT:

Kevin R. Bryant	R.R. 8 Browning Rd.	Special Intern	$3.35 Hr.	Eff: 3-30-81
Lisa A. Goffinet	7601 Adams Ave.	Part-time	$3.50 Hr.	Eff: 3-16-81

VANDERBURGH COUNTY COUNCIL:

Ronald R. Lyles	5806 Twickingham Dr.	Executive Asst. to County Council	$15,579.00	Eff:4-1-81
Edwin R. Smith, Jr.	951 S. St. James Blvd.	County Council Attorney	$7,559.00	Eff:4-1-81

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Commissioner Cox asked President Willner if he recieved a letter from the President of the County Council, Mr. Curt Wortman and he replied that yes he did, that it was as follows:

TO: Robert L. Willner, President
Board of County Commissioners

FROM: Curt Wortman, President
County Council of Vanderburgh County

SUBJECT: Pink Slips and Office Locks

Last week the Evansville Courier reported that the Vanderburgh County Commission had ordered locks changed on the office of the Council's Executive Assistant. However, it's our understanding that the report was denied by you as President of the County Commissioners.

The office in question not only benefits the Council's Executive Assistant, but also the President of the Vanderburgh County Council who has his files located in that office. As a member of the County Council and as it's President, I would discourage this kind of action if reports are correct.

Pink Slips must be approved by the officeholder or departmenthead in charge. It was also reported that pink slips would be presented for both Attorney Ed Smith and Ron Lyles.

To issue pink slips would mean that the present salary ordinance has been modified and it needs Council approval by a 2/3 vote. It must be noted that the Council fixes the number deputies, assistants, and employees to be allowed to each officer, board, and department, or agency and upon the affirmative vote of as many councilmen as is required by law to pass an ordinance of emergency appropriations. (5 votes) IC-17-1-24-18.3.

Again, I would encourage all three Commissioners to research the above matters until such action is taken.

Sincerely,
Curt Wortman, President
County Council of Vanderburgh County

President Willner said in reference to the news paper article that Mr. Wortman is talking about, he did read it and it did not say that he had ordered the locks changed or the files removed or anything of the sort, in the office used by the County Council's Executive Assistant. He did not do this, and as far as he knows, there was no such action on the part of any of the County Commissioners, but he would let each one of them speak for themselves. He said in regard to the pink slip that Mr. Wortman said should not be approved by this Commission, he would point out that no pink slips are approved by this body, that all they do is take the pink slip that is signed by the departmenthead and run it through a regular meeting of this board, initial them and turn them over to the County Auditor and that is what we have done in this case, that if there is any statutory requirement to do different, he is not aware of it. He said he does have a letter from a County Attorney saying that it does take only four votes and he does not wish to get into that problem here at this Commission meeting. The United States Constitution well knows that these problems from time to time may crop up and they have set forth a definite procedure to go by and that procedure will be followed in this particular instance. If anyone is not happy with what has transpired they do have due recourse and this is what they can take. Everyone present here today that wants to speak on this matter will be given ample opportunity to do so. First of all he would like to ask both of the other Commissioners if they had anything to do with the publication of the locks or removal of files from the office of the Executive Assistant to the County Council.

Commissioner Borries and Commissioner Cox both stated that they did not have anything to do with such things.

Mr. Larry Lawrence, member of the County Council was present and asked to be heard at this time. He stated that concerning the pink slips for Mr. Lyles and Mr. Smith, he, as a member of the County Council, was not given the opportunity to either sign or refuse to sign the slip, that he cannot speak for Mr. Wortman or Mr. Schuetz, but this was done without contacting him. He questions that as Mr. Willner earlier stated, the pink slip must be signed by the Departmenthead and the Departmenthead of the County Council is probably the equivalent of the President of the County Council and if his signature is not on that, then it is not legal. This would be the same as if three members of say, Mrs. Kuebler's office decided they would like to issue a pink slip for someone in her office and doing so without Mrs. Kuebler signing it.....it's the same thing, therefore he does think as he stated earlier, it is illegal and he thinks during the process some people, in the long run, will be opening themselves up for a law suit.

President Willner asked Mr. Lawrence if his statement is the opinion of an attorney or his own personal opinion and he stated, his own personal opinion.

Mr. Lyles was present and stated he would say the figure is not correct as stated on the pink slip, that it is only for a forty hour work week, that he is entitled to sick leave, vacation pay and all other benefits, but for the County Auditor, who is that incompetent as to sign a pink slip stating a figure of $15,579.00, then that speaks kind of low of Vanderburgh County.

County Auditor Alice McBride said she did not sign any pink slip, that when the slip came down with Mr. Lyles' name on it, she had nothing to do with it.

Mr. Lyles said, point of correction, that pink slip never comes to the Commissioners unless it passes through the Auditor's office.

Mrs. McBride said, yes it comes through her office, but she only accepts it, not approve it.

Mr. Lyles said do you accept things without reviewing them, that he would like and intelligent decision.

President Willner interrupted at this point and stated that parliamentary procedures will be followed, that he will give everyone ample opportunity to state their case, without any interruptions from anyone else.

Mr. Lyles said it has been his precedure in working in county government, as well as city government that the proper channels of handling pink slips, they start, in his case with the County Council, they then pass through the County Auditor, and then to the County Commissioners and the only thing he is saying to this board today is apparently it was reviewed thoroughly in the Auditor's office and it is up to the three County Commissioners for final approval, but he is saying it has not been thoroughly reviewed and readied to be placed into the County Commissioners hands for final approval, that again he reverts back to the annual salary of $15,579.00.

There being no further business the meeting recessed at 3:40 p.m.

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PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
	Robert Willner Richard Borries Shirley Jean Cox	Alice McBride	David Jones David Miller

SECRETARY: Janice Decker

Robert D. Willner

Richard J. Borries

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
APRIL 13, 1981

The meeting of the County Commissioners was held on Monday, April 13, 1981, at 2:30 p.m in the Commissioners Hearing Room.

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

RE: OPENING OF BIDS ON LIQUID ASPHALT AE-150 AND REPAIR OF STRUCTURES #45 AND #69

The county attorney was authorized to proceed with the opening of the bids for the Liquid Asphalt AE-150 and also the bids for the Seven Hills #45 structure and for the Wimberg #69 structure repairs, following a motion to do so by Commissioner Borries and seconded by Commissioner Cox. So ordered.

RE: MARK TULEY....SUPERINTENDENT OF COUNTY BUILDINGS

Claim

Mr. Tuley submitted a claim from Schalco Const. and Supply Co., Inc. for repairs to the large overhead door at the County Garage at St. Joe and Mill Road, in the amount of $275.00. He said these repairs were authorized several weeks ago and we are just now getting the bill for it.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

Bill for Boiler Repair

Mr. Tuley said he has also received a bill in the amount of $524.67 for repair work completed on the boiler at the County Garage, that it was also authorized to be done several weeks ago and he just received the bill on it, but there is no blue claim attached to it yet.

Commissioner Borries moved the claim for $524.67 be approved, subject to the blue claim being signed and submitted. Commissioner Cox seconded the motion. So ordered.

RE: JESSE CROOKS....BUILDING COMMISSION

Monthly Report

Mr. Crooks submitted the Building Commission Report of Permits Issued for the month of March, 1981 and stated the number of permits are up over last year.

Natural Growth Weed Ordinance

Mr. Crooks said he has dug up a case in the state of Florida, whereby the powers that be in Florida declared that any natural growth in a street corner or highway corner, that if it is a natural growth, you could not make them cut it down and in thinking about our weed ordinance, if we went out and told someone on a particular corner to cut their weeds, and if it was a natural growth, then we could not make them cut them, so he thinks we better get a ruling on this for us.

County Attorney David Jones said he too has a copy of this, that it is from the Court of Appeals of the State of Florida, that it is a 1980 decision. He is not certain whether the State of Indiana would have to follow this decision, that in this particular case there were weeds growing in a corner lot that obstructed the view and the question was whether or not that property owner had to maintain his land so that a motorist approaching the public highway intersection could see the other motorists.

Mr. Crooks said he wanted to bring this before the Board because there is question in his mind whether or not we can inforce our weed ordinance on a highway intersection, but that if it is on the right-of-way, then there is no problem. Right now he sees no reason to change things that we have been doing in the past, and that is when we receive a complaint of high weeds we follow it through to get them cut down and if this is alright with the Commissioners we will continue this procedure unless someone should contest it, and at that time we could make further determinations on it.

Mr. Jones said he will take at look at the County Weed Ordinance.

President Willner said in the mean time we will continue to handle things as they have been done in the past.

Update of E.A.R.C. Repairs

Mr. Crooks said he visited the E.A.R.C. Building this morning and he would like to report that Midwest does have the new coping almost all the way around, with the exceptions of the offsets and the corners and they also do not have the cap put on yet. Off hand he would say they have about another weeks work yet to do, that so far it looks pretty good.

RE CONRAD COOPER.....AUDITORIUM

Report on Cooling System

Mr. Cooper said the work is continuing on the heating and air-conditioning system, that they discovered a problem with a 30 H.P. electric pump motor in the cooling tower and George Koch and Sons recommended we not try to run it until we completed the overhaul work, that we should be completely finished by the end of the week and it appears we should have cool air by then.

Pay Phones Installed

Mr. Cooper said the new pay phones have been installed downstairs in the lobby and also in the stage loading dock area, that they were installed low enough that the handicapped person in a wheelchair will be able to use them also.

Florescent Lighting System

Mr. Cooper said one of the incandescent light fixtures in the lobby has been removed and set off to the Grote Lighting engineers in Indianapolis, they are to study the reflector system in the fixture and will make some recommendations to us about that reflector which will facilitate the change over from incandescant lighting to florescent lighting which will make a drastic reduction of electricity used. This report should be ready in a couple of weeks.

Government Surplus Equipment

Mr. Cooper said last week he traveled with Mr. Kautzman to Indianapolis to look at some government surplus equipment and while there he found a Baker-two ton electric fork truck that we can acquire for $350.00 and also he found a 21" power mower that we can acquire fo $10.00 and at this time he would like permission to travel back to Indianapolis with Mr. Kautzman tomorrow, in a county truck to pick those items up.
He said after checking with some local fork truck companies they told him the estimated value of such a fork truck would be between eight and ten thousand dollars. He said a battery charger will have to be purchased and installed in it and that cost will be approximately three or four hundred dollars.
He said the Federal Government requires that the county keep the machine for a period of at least thirty months.

President Willner said before Mr. Kautzman takes the county truck to Indianapolis, he should check with our insurance carrier to make sure of the coverage on it, when taken outside of Vanderburgh County, that if it's covered they may travel to Indianapolis.

RE: DAVID SAVAGE....TRAFFIC ENGINEER

Mr. Ken Luigs was present to represent the Traffic Engineer's office since Mr. Savage was on vacation. He stated that he had nothing to report but would try to answer any questions the Commissioners might have.

Mr. Luigs said on the road report submitted to Mr. Savage last week, there seemed to be a lot of repeats on it from the first one, that also a lot of the work had already been done.

President Willner gave Mr. Luigs the report for this week and he also gave Mr. Kautzman one.

RE: GENE KAUTZMAN.....COUNTY HIGHWAY

Weekly Absentee Report

Mr. Kautzman submitted the weekly absentee report on the employees at the County Highway Garage for the week ending April 10, 1981.

Report received and filed.

Government Surplus Equipment

Mr. Kautzman said when he was at the surplus warehouse, he did not put anything on hold, that he did look at a boom for their trucks and if it is still there he will look at it again.

Security System for Garage Awarded

Mr. Kautzman said he received a letter from the City-County Purchasing Deaprtment telling of their approval of the letting of a bid on the security system from Jameson Alarm Company,

President Willner read the letter from the Purchasing Deaprtment that stated they have reviewed the prices for the security system and recommend it be awarded to Jameson Alarm Company, in the amount of $4900.00.
President Willner said in addition there will be a $26.00 per month maintenance fee. There is also an $80.00 charge for the telephone and the beepers are $21.00 per month additional.

Mr. Kautzman said this will be hooked up to the Sheriff's Department console, and they will beep us, should the need arise, and one of our employees will go in and reset the devise at the garage.

Commissioner Borries moved the bid be awarded to Jameson Alarm Service in the amount of $4,900.00.

President Willner said he understands they will write up a contract when this bid is let, we will have our attorney to look it over, we will then sign it as final official action.

Commissioner Cox seconded the motion. So ordered.

RE: BOB BRENNER.....COUNTY SURVEYOR

Bridge and Guardrail Report

Mr. David Guillaum submitted the bridge and guardrail report for the period of April 6, through April 10, 1981 and stated their crew worked primarily on Wimberg Road where they cut down three trees, dug out the stumps and cleaned up and hauled the trash away.

Wallenmeyer Pipe Project

Mr. Guillaum said the pipe for the Wallenmeyer project has all been delivered, that he has a full crew out there working on it today. The road will be closed and he turned that information over to Margie Meeks this morning and if everything goes alright they should have it pretty well completed in two or three weeks.

Mann Road

Mr. Guillaum said he contacted Mr. Gene Adler regarding the decision made by this board at the last meeting. He also gave him a copy from the law showing him exactly what procedure he has to follow on getting a petition to close Mann Road.
Mr. Adler's attorney, Mr. Leslie Shively contacted us this week on the matter and we told him that Mr. Adler has another week left to get his petition in.

RE: AL HOLTZ....ACTING COUNTY HIGHWAY ENGINEER

Sewer Replacement on Lynch Road

Mr. Holtz said he received a letter today concerning a claim for a sewer replacement on Lynch Road, that it happened on March 23, 1981. He thinks that Mr. Stephen handled this, in that he told Deig Brothers to present their bill in the amount of $532.33 to the Sewer Department. He said we have now received a letter from the Sewer Department stating that upon received the claim from Deig Brothers in the amount of $532.33, the Evansville Sewage Works Board requests that an explanation be submitted as to why that board was not informed, and approval granted, prior to the work being done. It is possible this work could have been done with city forces with very little additional expense to the sewer department.
He said he received this letter only a couple of hours ago, that he does not have an answer, but that he will continue to work on it and report back to this board the results. He does understand the state had been informed on this matter and that they said it was alright for the contractor to proceed.

Discussion of Acceptance of Commercial Court

President Willner said we received a note from Mr. Holtz asking for the acceptance of Commercial Court for maintenance by the County, which read as follows:

Gentlemen,

I have personally inspected on April 8, 1981, the above subject and the test reports of borings made by Hanson Testing and Engineering, and find the quality of construction and material strengths exceed the Vanderburgh County roadway standards requirements and specifications. The street is in need of a cleaning and Mr. Andy Easley has agreed to have this

done. I therefore recommend it be accepted for permanent maintenance.

Albert Holtz

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President Willner said this is Commercial Court at the intersection of St. Joe Avenue and he asked Mr. Holtz if Mr. Easley had a request on file.

Mr. Holtz said he believes he did but that he does not know where it got to, but that he will get one from him.

President Willner asked Mr. Holtz if the cleaning has been done yet and he replied he did not get out there today, so therefore he is not certain if it's done or not. It was not mud out there, but rock, and quite a large amount of it.

Commissioner Cox asked Mr. Holtz if the proper signs have been put up yet, that they discussed last week, as that should also be done before we accept it.

Mr. Holtz said the street name signs are up, but he would have to check on the rest of them.

President Willner said we will defer this for one week and have Mr. Holtz make sure the things discussed are in proper order and report back to us for final approval.

RE: COUNTY ATTORNEY

Bids Read Aloud on Structures #45 and #69

Mr. Jones read the following bids received on structures #45 and #69, for repairs.

RAY STRADTNER, EXCAVATING, INC.

Seven Hills #45.....$26,215.00 (Combined bid, with discount would be
Wimberg #69.....$29,221.00 $53,436.00)

ROBERT F. TRAYLOR, CORP:

Seven Hills #45.....$41.153.10
Wimberg #69.....$46,101.00 (Total for both....$85,754.10)

BARNETT BROTHERS INCORPORATED:

Seven Hills #45.....$30,551.50
Wimberg #69.....$34,413.10 (No discount for both bids)

G.H. ALLEN, INC:

Seven Hills #45.....$30,792.50 (Combined bid for both...$61,906.15)
Wimberg #69.....$35,113.65

KEY CONSTRUCTION COMPANY, INC.

Seven Hills #45.....$34,327.50
Wimberg #69.....$38,148.10 (Combined bid for both...$70,975.60)

DEIG BROTHERS LUMBER AND CONSTRUCTION COMPANY, INC.:

Seven Hills #45.....$31,091.00
Wimberg #69.....$35,441.50 (Combined bid for both...$66,210.00)

Mr. Jones said all of the above bids were properly executed and in order

BIDS FOR LIQUID ASPHALT AE-150:

Mr. Jones said two bids were received for the AE-150, which were as follows.

BITUMINOUS MATERIALS COMPANY, INC.

5,000 gal. or less.....(.9974¢ per gallon)
Up to 95,000 gallons.....(.8474¢ per gallon)
From 95,000 gallons to 200,000 gallons....(.7474¢ per gallon)

This bid includes one (1) 10,000 gallons portable tank and the bid also contains a price escalator cost.

J.H. RUDOLPH AND COMPANY, INC.

1,000 gal. or less.....(.795¢ per gallon)
1,000 gal. to 4,999 gallons.....(.755¢ per gallon)
5,000 gal. to 10,000.....(.755¢ per gallon)

This bid also includes a price escalator clause to provide for the increase in materials during the course of the contract.

Both of the above bids were in order:

Commissioner Borries moved that the bids for the repairs of Structures #45 and #69, be referred to the County Surveyor's office for their recommendation. Commissioner Cox seconded the motion. So ordered.

Commissioner Borries moved that the bids for the Liquid Asphalt AE-150 be referred to the Purchasing Department for one week, at which time they will give us their recommendation.

Commissioner Cox asked if the prices for the AE-150 could possibly raise in that week's time.

Both of the companies had representatives present and they said there would be no increase in a week's time, that the prices quoted would stay for one week.

President Willner asked Mr. Evans from the Purchasing Deaprtment is there is a possibility of a combination bid and he replied there is that possibility, that he would work on it and get back next week with a recommendation.

RE: PUBLIC OFFICIAL BONDS

Submitted was a Public Official Bond for Mr. Gene Kautzman, Supervisor at the County Garage.

Submitted was a Public Official Bond for Mr. Jerry Linzy, Assistant Superintendent at the County Garage.

Both bonds received and referred to the County Auditor to be properly recorded in the County Recorder's office.

RE: COUNTY EXTENSION AGENT...NOTIFICATION OF 1981 TRAINING SESSIONS

The following letter was received by the Commissioners from Mr. Jack Wade informing us of the 1981 Training Sessions for Staff, and that the funds will come from their travel account.

Agent	Session	Date	Place
Jack D. Wade	Nat. County Agts. Mtg.	Aug 16-20	New York
Allen Boger	Nat. County Agts. Mtg.	Aug 16-20	New York
Jane Heramb	Minn.Ext. Summer School	June 22-26	Duluth, Minn.
Joe Milner	Nat. Youth Agts. Mtg.	Nov 2-6	Orlando, Fla.
Glenna Hanks	Nat. Youth Agts. Mtg.	Nov 2-6	Orlando, Fla.

If you have any questions, please call.

Sincerely,
Jack Wade, Extension Agent C.E.C.

Commissioner Cox moved the above requests be approved. Commissioner Borries seconded the motion. So ordered.

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

Barbara Cunningham submitted a request to travel to attend the spring meeting of the Indiana Population Working Group of which she is a member. This meeting will be held on Wednesday, April 15, 1981, in Indianapolis. She has sufficient funds in her budget to cover the expense.

Letter on file in the Auditor's office.

Commissioner Borries moved the request to travel be granted. Commissioner Cox seconded the motion. So ordered.

RE: LETTERS FROM AREA PLAN COMMISSION ON LOANED ITEMS

Submitted were the following letters from the Area Plan Commission concerning loaned items.

TO: TRIP

This is to confirm that on February 20, 1981 the Area Plan Commission loaned a large gray shelving unit to the TRIP office subject to recall when the above item is needed by the Area Plan Commission.

Lisa Huber Vachet, TRIP
Barbara Cunningham, Area Plan Commission

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TO: HEALTH DEPARTMENT

This is to confirm that on March 20, 1981 the Area Plan Commission loaned an overhead projector to the Health Department subject to recall when the above item is needed by the Area Plan Commission.

Sam Elder, Health Department
Barbara Cunningham, Area Plan Commission

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President Willner said in seeing these confirmations he is wondering where our stand is no on the requests we sent out to all offices requesting a complete inventory of their office.

Mr. Tuley said not very many have responded to the request.

President Willner told Mrs. Meeks, the Commissioner's secretary a memo should go out to all officeheads on this again.

Commissioner Borries moved that Mrs. Meeks be instructed to send out memo's to all departmentheads requesting completed inventories within two weeks. Commissioner Cox seconded the motion. So ordered.

RE: MONTHLY REPORT....CLERK OF CIRCUIT COURT

The monthly report of the Clerk of Circuit Court was submitted for the month of March, 1981.

Report recieved and filed.

RE: DRUG AND ALCOHOL DEFERRAL SERVICE

The following letter was received from the Drug and Alcohol Deferral Service.

TO: Mark Tuley, Administrative Assistant
Vanderburgh County Commissioners

SUBJECT: Change in Salary Ordinance and Job Titles

I am requesting a salary ordinance change regarding two present positions. I would request that the position #137.1-113.0-004, secretary, presently set in at $9,180 be changed to read $10,000.00. I would further request that position #137.1-113.0-005, office manager, be changed to read secretary and the salary presently set in at $11,556 be changed to $10,000.00.

These changes are felt to be needful and appropriate for program development and the

timing at this point would seem to be appropriate in that our present office manager will be resigning due to pregnancy. This will bring the two positions into parity both in the areas of financial remuneration and responsibility. These changes will result in a net savings to the county of $736.

William M. Campbell, Director
Drug and Alcohol Deferral Service

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President Willner said what they are needing to do is submit a request to appear before the County Council with this request, and that it could be retroactive.

Commissioner Cox moved that Mr. Campbell's request be granted. Commissioner Borries seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by Windsor Publications, Inc, for a seminar to be held in the Gold Room on April 20 and 21, 1981.

Certificate received and filed.

RE: CLAIMS:

A claim was submitted by Engineer Associates, Inc. for engineering inspection of Lynch Road for services from Leo Weiss, that this cost is submitted every three months and the fixed fee is per contract....10%. Total claim is $3,535.31, and signed by Al Holtz.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Szabo Foods for meals for the inmates and officers in the county jail from the period of March 16 thru 31, 1981, in the amount of $8,564.60. Claim was signed by Sheriff DeGroote.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Victor L. Funke for the appraisal of property on the northeast corner of Mann and Bixler Roads, in the amount of $75.00. Claim signed by Robert Willner.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Engineer Associates, Inc. for engineering inspection on St. Joseph Ave. from 3-10-81 to 4-3-81, in the amount of $2,145.40, signed by Al Holtz.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates, Inc. for engineering inspection on Lynch Road from 3-10-81 thru 4-3-81, in the amount of $3,642.35, signed by Al Holtz.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

RE:

Mr. David Jones said as we are all aware of the county has a new insurance carrier for the Public Law Inforcement Liability Insurance and Mr. Chapman is the broker for that and having discussed the previous denial of that coverage in the law suit filed by the National Prisoners Rights Union (Phyllis Short vs Sheriff), Mr. Chapman has directed a letter to the Vice President, Guaranty National Insurance Company, which was the insurance carrier that denied the coverage and refused to defend that suit, and Mr. Chapman has taken our view of this matter and in effect, has said, they have wrongfully denied the insurance coverage and he is requesting that the Vice President of the insurance company in Colorado to reconsider that decision. As you know, because the deadline has expired for answering or responding to the complaint, he had to proceed and assume the defense of the law suit. It would be his understanding that if they see the error's in their ways, that the county would recover all the attorney fees and costs that were expended in defense of this suit, so that it could go back into the County General Fund. Another thing he noticed was that this company denied every single claim for an eight month period and the statement was made by Mr. Kessler of

that company that he would rather deny now and litigate later. Whether that was supposed to have been said jokingly he does not know but at any rate he would recommend that no further action be taken for a period of approximately two weeks and lets give Mr. Chapman's letter a chance to bring about some changes in the situation, and it would be his further redommendation that we seek to recover from them at least the amount of the attorney fees costs and if they refuse, then he thinks a suit should be filed against the company for breach of contract and he would seek to recover the amount of premiums, but for right now, he is hoping that Mr. Chapman's letter will bring about a more favorable response from the insurance company. He will keep the Commissioners informed of any changes that may occur.

RE: CLAIMS....COUNTY ATTORNEY

President Willner said he has a couple of blue claims in his desk from David Jones for lega fees and at this time he needs the other Commissioner's approval to go before the County Council and request the funds needed to cover them, as per the Council's instructions.

Commissioner Cox moved the request be put on the Council's agenda for May. Commissioner Borries seconded the motion. So ordered.

RE: LETTER TO GIL RUSTON CONCERNING ROOM #231-C

President Willner said he has drafted a letter that he would like to have made a part of the minutes, which was as follows:

Dear Mr. Ruston,

This letter is to inform you that on this date of April 13, 1981, the telephone in Room 231-C that was assigned to Mr. Ron Lyles who was the Executive Assistant to the County Council is being removed. The telephone number is 426-5120.

On April 1, 1981, Mr. Lyles was terminated by the County Council with four affirmative votes, at their regular monthly meeting. It is our understanding that this procedure was proper and legal.

Also, on this date of April 13, 1981, the parking permit that was assigned to Mr. Lyles will no longer be valid. Please be advised that if Mr. Lyles car is parked in his previous designated space after this date, the City Clerk has the power to either ticket said car or to have it towed away.

We also request that the door lock on Room 231-C be changed. We would like seven (7) extra keys made so that each County Council member will have one.

Thank you,
Vanderburgh County Commissioners

cc: Ron Lyles
Curt Wortman
Betty Lou Jarboe

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President Willner said he has signed the above letter and would ask for the other two Commissioner's approval on it. He said he is sorry he has had to take this action, but he knows of no other way. He did speak with Mr. Lyles this morning with an urgent plea that he give up the Council's office space, with no satisfactory answer coming from him, therefore he would like this letter approved and sent on to the proper authorities.

Commissioner Cox asked Mr. Willner his reason for having the phone taken out.

President Willner said the reason was that there will be no one there to use the phone and it will result in a savings of approximately $20.00 per month.

Commissioner Cox said the office will be there and if one of the Council members should be doing some work in there, they may need to make a telephone call.

President Willner said there are other phones in that office and only some ten feet away that anyone could use. If the need should arise and the phone is usable quite often, then he would entertain the possibility of having it put back in.

Commissioner Borries moved the above letter be approved and that it be sent to the proper authorities.

Commissioner Cox asked if this letter had already been forwarded to the mentioned authorities and President Willner said not yet, that he wanted to bring it before the Commissioners first.

Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

COUNTY TREASURER:

Tara Lynn McCarty	201 Oak St. (Apt-A)	Clerk	$334.32 Pay	Eff:4-13-81
Betty Radcliff	511 E. Gum	Part Time	$30.00 Day	Eff:4-13-81

COUNTY HIGHWAY:

Mary Goodman	741 Douglas Drive	Part time	$30.00 Day	Eff:4-10-81

EMPLOYMENT CHANGES.....RELEASES

COUNTY TREASURER:

Liza F. Veeck	Clerk		$334.32 Pay	Eff:4-10-81

COUNTY HIGHWAY:

Louis Stephen	3711 Atlanta Court	Highway Engineer	$25,194.00	Eff: 4-2-81

President Willner said the Bookkeeper at the County Garage had to have emergency surgery and will probably be off two to three weeks, therefore they hired Mary Goodman to work part time, while the one is off, and when she is able to come back, the part time girl will be terminated.

RE: BIDS ON STRUCTURES #45 AND #69

County Surveyor Bob Brenner said they thought they could come back with recommendations on these structures today, but after checking, they have found some minor complications and so they would like a week to work with them.

Commissioner Borries moved the Surveyor's office have one week to study the bids on Structures #45 and #69, at which time they will came back with a recommendation. Commissioner Cox seconded the motion. So ordered.

There being no further business the meeting recessed at 3:40 P.M.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard Borries Shirley Jean Cox	Alice McBride	David Jones

Robert D. Willner
Richard Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
APRIL 20, 1981

The meeting of the County Commissioners was held on Monday, April 20, 1981, at 7:30 P.M. in the Commissioners Hearing Room.

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

RE: REZONING PETITION....VC-11-81...THIRD READING

Petitioner.....All Type Hydraulic Cylinder Service, R.R. #3
Owner of Record.....James C. Tucker, R.R. 1 Box 343, Henderson, Kentucky.

Premises affected are situated on North side of S.R.57, a distance of 60 feet north of the corner formed by the intersection of S.R. 57 and North Green River Road.

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

The present existing land use is repair and manufacturing hydraulic cylinders and the proposed land use is repair and manufacturing hydraulic cylinders. The existing land use is non-conforming.

Ms. Shirley Sutton, daughter of James C. Tucker was present and spoke on the rezoning at this time. She said you will notice on the sheet attached to the petition, that they are the only ones zoned R-1 and as far back as they know of, back to at least 1950, this has never been a resident, that it has always been a business. They have existing legal non-conforming now and every time they try to do any up-grading on their property they have to run down and get a legal non-conforming, so it would be much better if they were rezoned to M-2, in fact, she has no idea how it ever got to be an R-1. She said she believes everything is in order, and that she would be happy to answer any questions.

President Willner asked how long the business has been there and Ms. Sutton replied they have owned the business for about eight (8) years, and they purchased it from Jones Realty Company, but that it was a business before they bought it at least back as far as 1950.

Mr. Tucker said they at one time leased this building from Jones Realty and eventually bought it, that the business prior to them moving in was a body shop and even before that there was a tool and die machine shop in the building. He said with the type of machines and the type of business they conduct in this building, they should be zoned M-2.

County Attorney David Miller said they could continue to operate their business there as long as they want to, if they are established as non-conforming use, but if they ever attempted to transfer the business, it could not be done. He said truth is that this building should have been rezoned when Mr. Tucker purchased it, that the legal non-conforming use expired at the time of that transfer.

President Willner said upon the county accepting a code, all of the business' in Vanderburgh County that were established at that time were given a zoning on just their merits, then each zoning that comes back, that can prove they were in business at that time and the Area Plan missed, has the same privilege.

Mr. Miller said this is correct, but this does not fall quite into that catagory because of the transfer, but since they have been out there for over eight years, he feels it should be changed.

Commissioner Cox said in going out to this area and looking at it she sees they are located in a kind of a pie shape between Highway 57 and Green River Road and she is wondering if they have entrances from both of those and also do they have approval from the State Highway for their cut from Highway 57 to that entrance.

Mr. Tucker said he sure hopes so, because it has always been there.

Mr. Miller asked if this has been before the Area Plan Commission and Ms.Cunningham said yes, it passed with a 9-0 vote.
There were no remonstrators present on this rezoning petition.
Commissioner Cox moved that rezoning petition VC-11-81 be approved. Commissioner Borries seconded the motion, which carried with three affirmative votes.

RE: REZONING PETITION VC-13-81.....FIRST READING:

Petitioner.....Lewis Ray Clark, 2926 Westbrook Ct.
Owner of Record..Lewis Ray Clark, 2926 Westbrook Ct.

Premises affected are situated on the west side of Grove Street, a distance of 1000 feet south (S.W.N.E) of the corner formed by the intersection of Allens Lane and Grove Street. The commonly known address is 2608 N. Grove Street. The above real estate is located in Zone District designated as Agricultural (A) and the requested change is to C-4.

The present existing land use is storage area and parking lot and the authority for said existing land use is conforming.

The proposed land use is collection point for aluminum cans. No recycling or salvage will be done on site.

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

Commissioner Cox moved that petition VC-13-81 be referred to the Area Plan Commission on First Reading. Commissioner Borries seconded the motion which carried with three affirmative votes.

RE: REZONING PETITION VC-14-81.....FIRST READING

Petitioner....Henry Bertrand, 721 W. Main St. Bellville, Il. 62222
Owner of Record....Moto, Inc. 721 W. Main St. Bellville, Il. 62222
Lessee....FKG Oil Company.....721 W. Main St. Bellville, Il. 62222

Premises affected are situated on north side of Slaughter Avenue, a distance of 0 feet in NW Quadrant of the corner formed by the intersection of Slaughter Avenue and Burkhardt Rd. The commonly known address is 6328 Slaughter Avenue (Division Street). The above real estate is located on Zone District designated as C-1 and Agricultural and the requested change is to C-2. The present existing land use is a service station (C-1) and agricultural and the authority for said existing land use is authorized by conditional use special use as service station was authorized in 1975. The proposed land use is C-2 expansion of present facilities.

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

Commissioner Borries moved that petition VC-14-81 be referred to the Area Plan Commission on First Reading. Commissioner Cox seconded the motion which carried with three affirmative votes.

RE: REZONING PETITION VC-15-81....FIRST READING

Petitioner.....Louis E. Lynn, 4101 Kleitz Road
Owner of Record.....Same

Premises affected are situated on north side of Kleitz Road, a distance of 1,320 feet east of the corner formed by the intersection of Mesker Park Drive and Kleitz Road. The commonly known address is 4101 Kleitz Road. The above real estate is located in Zone District designated as Agricultural and the requested change is to C-4. The present existing land use is residential and storage warehouse and the authority for said existing land use is non-conforming land use.

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

Commissioner Cox moved that petition VC-15-81 be referred to the Area Plan Commission on the First Reading. Commissioner Borries seconded the motion which carried with three affirmative votes.

RE: SPECIAL USE PERMIT

Area Plan Commission Number....4-81-APC
Petitioner...The Servants, Inc.
Owner....Sharon Besaw
Location....3712 Upper Mt. Vernon Road
Present Use of Property....Box Factory
Proposed use of the property.....Same...With Mobile Office.
Zoning Recommendation: This is a Special Use 18 application for a mobile office. Their previous Special Use permit granted 4/5/78 expired 6/30/80. The physical layout of the property has remained the same. Parking is adequate.
Ms. Cunningham submitted some photographs of the affected property.

Property is presently zoned M-2 and the Special Use Permit is number 26. The sanitary sewer is available and is adequate for the proposed use and the storm sewer is not available. City water is available and is adequate for proposed use, and there are no easements needed.

Mr. Larry Besaw was present to represent Servants Inc. and stated that when he originally got the permit he did plan to replace the mobile home, that he planned to build within the two year limit. He thought he would receive notice the permit was about to expire, but he didn't and the time just got away from him on it. He said he really needs the mobile office, that the business is growing and he is limited in his space and he can kind of shuttle the mobile home around the building, because as he had to expand the building, he did not know where he had to have the offices. He employs fifty to seventy five people. He did go for an SBA loan to build offices and production space and acquire equipment, to stay competitive. The loan was approved, but by the time it was approved, the interest rates were so high that he had to start cutting back real quick, in a number of places, and he does not think he can pay the interest rates to build a permanent structure, so at this time he would greatly appreciate an extension of his permit, that will allow him to keep using the mobile unit for awhile longer.
He said he seen some photographs circulating around the desks and you can see from them how he has improved the facility, that he has worked very closely with the neighbors and he does not think there are any problems whatsoever with any of the neighbors.
Again he would ask for an extension, that perhaps the interest rates will come down, because it is really tough on the small businessman.

President Willner asked Mr. Besaw if he understands that a two year extension is all they could allow him here tonight and he said yes, he understands this.
President Willner said if the rates should come down in the near future would you then contemplate building an office and he said that he would.

Commissioner Borries said he feels that Mr. Besaw has made a good start and he can also sympathize with him on the high interest rates, but if they should go down, would office buildings be the first priority.

Mr. Besaw said definitely yes.

Commissioner Cox asked Ms. Cunningham if the two year permit would run from the expired date of the last one or would it run from the time the new one is granted.

Ms. Cunningham said it would be up to the Commissioners to make that decision.

President Willner asked if there were any remonstrators.....there were none.

President Willner said he understands there were no remonstrators at the Area Plan hearing on this matter and there are none here tonight, so he asked Mr. Besaw if he thought that the neighbors would condone this for a short period of time, with no problems.

Mr. Besaw said he personally thinks they would condone it forever, because the relationship between all of them has been just great, that he has worked very close with them to alleviate any problems that might arise.

President Willner asked Mr. Besaw if he would be willing to sign a covevant that if he did have any future expansion, that it would include an office, to replace the mobile home unit, and Mr. Besaw said that yes, he would be willing to do that.

Commissioner Borries moved that a Special Use Permit be granted, effective April, 1981, to The Servants, Inc. for a period of two years.
Commissioner Cox seconded the motion which carried with three affirmative votes.

County Attorney David Miller said he would prepare the covenant and send it to Mr. Besaw for his signature.

RE: BEN EVANS.....PURCHASING DEPARTMENT...BIDS ON AE-150 AWARDED

Mr. Ben Evans, of the Purchasing Department was present with the following recommendations of the letting of the bids received last week on the Liquid Asphalt AE-150, used by the county.

200,000 gallons transport load at a price of .7474 to Bituminous Materials

95,000 gallons tank wagon load at a price of .755 to J.H. Rudolph and Co., and less than 5,000 gallons tank wagon load at a price of .795 also to J.H. Rudolph and Co.

Commissioner Cox moved the above recommendations be approved. Commissioner Borries seconded the motion. So ordered.

RE: MARK TULEY....SUPERINTENDENT OF COUNTY BUILDINGS

Electrical problems at the Garage

Mr. Tuley said it was brought to his attention today by Mr. Kautzman that they have another electrical problem at the Garage, in the area of the deisel pump they had moved outside and also when they moved that pump a wire was cut so he would like to have it all repaired, that the total cost should be approximately $200.00.

Electrical problem at Hillcrest

Mr. Tuley said they had an electrical problem with the washers at the Hillcrest, that was an emergency, that they sent an electrician to do the repairs, that he doesn't have the cost for it yet, but he did okay the work to be done.

Plumbing at Jail

Mr. Ruston brought it to our attention this week that they had some sewage stop up this week and they had to call in a plumber to correct that problem.
They also had to have some welding done on some of the bunks in the jail.

RE: CONRAD COOPER.....AUDITORIUM

Absorption Unit

Mr. Cooper said the absorption unit, or as it is more commonly known, the chiller, that cools the Auditorium, is now working perfectly. We don't have the work completed on the controls that tells it when to work and when not to, but we have plenty of cold air.

Agreement with Barber Colman Company

Mr. Cooper said the agreement with Barber Colman Company, which is the company that we selected to repair the control system, is apparently waiting for a signed contract with the Commissioner before proceeding. They have done a little work to the controls that operate the Gold Room venting system so that we have a limited amount of control in that area, which was sort of an emergency deal, but he sort of gets the impression they aren't going to do very much more until they get some kind of a signed document. He said he has checked with attorney Dave Miller about whether or not we should go this route because there are some pending legal matters regarding an old bill from the Barber Colman Company and Mr. Miller has advised him the old bill should be paid by us, and then enter into the new agreement with them, which is the three year agreement we discussed some time back, which will provide for the up-dating of our control equipment and the yearly maintenance and service agreement.

FORK TRUCK

Mr. Cooper said the fork truck they went to Indianapolis and picked up from the government surplus warehouse is almost operational and so far they have spent about an additional $300.00 on it. They bought a battery charger which was around $200.00 and they had to have a small amount of work done to it, and they are going to hook the charger up to it tomorrow and it looks like it is going to work fine.

Bill from Barber Colman Company

President Willner said on the bill received from the Barber Colman Company....what was it for and when did the repairs occur.

County Attorney David Miller said there is a long standing agreement with Barber Colman for annual checking and servicing the equipment at the Auditorium. It is an agreement that is automatically renewable, it was entered into several years ago by the county of Vanderburgh. He has seen a copy of the agreement, it is in effect, and if any alternative to Barber Colman's annual maintenance agreement is available he thinks it would be well advised if we looked into it, but for now, that agreement is in effect and we are bound to pay it and he sees no reason to litigate it or contest, they are absolutely right, it is in effect. He said we can terminate it at the end of this year if we find someone else, or if we decide that we no longer want their services.
The total bill was for $1300.00.

President Willner asked Mr. Cooper if he has the money to pay this bill.

Mr. Cooper said it was not budgeted this year, but we can scrape it up.

Mr. Miller said it actually is a part of last years's expenses, and it should have been paid last year, or should have been encumbered.

Mr. Cooper said if what Mr. Miller is telling us, then when we pay the old bill, the old agreement is in effect.

Mr. Miller said it's in effect anyway, that it has never been terminated in accordance with it's terms.

Mr. Cooper said then what effect might this have with any new agreement we might sign with them.

Mr. Miller said what you are paying $1300.00 for is services that were rendered prior to December 31, 1979. He said we do business with these people all the time and the bill was just ignored.

President Willner asked the County Audtior if this money was encumbered and she replied that off hand she did not know, that she could check and see.

Commissioner Cox said she thought there was some questions as to whether the services were even performed.

Mr. Miller said that Mr. Cooper did not have any records in his files of any services having been performed for the $1300.00. He personally wrote to the company asking for a clarification of the matter and they wrote back to him and informed him that the 1980 records that Mr. Cooper was looking at would not even reflect this statement, because it was a statement for 1979 services, in fact, the statement he now has was rendered on December 19, 1979, for services already performed.

Mr. Cooper said what he did at the beginning of the year was to take all outstanding bills and tried to verify them as to whether or not we received the services or goods and those he could not verify, he turned over to the County Attorney to investigate.

County Auditor Alice McBride said if this money was not encumbered, then Mr. Cooper must appear before the County Council and ask for additional appropriations, because you cannot pay 1979 bills in 1981.

President Willner asked if we will be receiving a bill for 1982 for the same services.

Mr. Miller said we may be receiving a bill for 1980, unless that contract was terminated by Fred Dewes and he has not seen any indication that it was.

Mr. Cooper said he thinks the it was terminated by Barber Colman when they did not receive payment. We have no bill whatsoever from them for 1980.

Commissioner Borries said after seeing the equipment over there and the condition it was in, he would like to know what services they performed.

Commissioner Cox said Barber Colman did not do any repair work on the chiller, they only maintained the panel board in the office at the Auditorium.

Mr. Cooper said now back to problem at hand, which is getting the current controls repaired. Since we did ask for competitive quotations and Colman did come in way under the rest of the estimates, what do we want to do with it. He asked Mr. Miller if his recommendation to pay the old bill still stands and Mr. Miller replied yes, it does.

President Willner read the following quotation from the Barber Colman Company

FOR: Temperature Control System.

We propose to furnish labor and material to renovate the existing temperature control system for a total net sum of.....$24,326.00

The above price includes:

1. Replacing existing tube type controllers with solid state equipment.
2. Modifying existing sequence of control on air handling units in an attempt to reduce operating cost.
3. Replacement of any control components found to be defective.
4. One year warranty on labor and material after completion of project.

Norman Pfaadt
Planned Maintenance Manager

Commissioner Cox asked about the manner in which the $24,326.00 will be paid, since she knows it is for three years, but that she would like to see it inserted on the quotation.

Attorney Miller suggested the Commissioners modify the quote to include three equal annual installments, sign it and send it back to the Barber Colman Company for their approval.

Commissioner Borries said he still would like in future conversations with the Barber Colman Company, to uncover what services were performed for the $1300.00 we are to pay them.

Mr. Cooper said he will try to have a detailed report from them at the next Commissioners meeting.

Commissioner Borries moved the quotation from Barber Colman be signed and returned to them with the following modification being inserted: "Said sum payable in three equal annual installments on or before December 31 of each year beginning December 31, 1981".

Commissioner Cox seconded the motion. So ordered.

RE: DAVID SAVAGE.....TRAFFIC ENGINEER

Road Report

Mr. Savage said on the road report that was given to him last week he would like to say they are getting down to a pretty steady and even pace now. He said on the Stop signs, the largest number is for signs for which we have no ordinance, they are mostly the private roads that we previously discussed and he would recommend we let this go on a few more weeks and we get an ordinance all together and pass it all at one time. He said they are also working on the final report for the Commissioners with notations giving the work order number and when the work was done, as that is what the insurance company said they needed.

President Willner asked if the ones with no ordinances, are they all on county accepted roads and streets now.

Mr. Savage said no, most of them are on private owned streets, but it is where they come out onto county owned, so the sign would actually be placed on the county right-of-way. He said there were also a couple of requests for street name signs and stop signs in two of the trailer courts in the county, but these are total private property and we would not be able to install these for them.

Commissioner Borries said he received a complaint from the Peerman residence at 7206 Darmstadt Road. Their house sits on the west side of the road and a north bound vehicle has hit their house twice in a period of three years.
He said the curve or the slight movement in the road does not look that bad and after discussing the situation and going out and looking at it with President Willner, perhaps the only thing these people can do is construct a mound.
He said he would like for Mr. Savage to go out and look at this and maybe give us some sort of a recommendation on it.

Mr. Savage said he would contact Mr. Peerman, go out and look at it and get back with a report on it.

RE: GENE KAUTZMAN....COUNTY HIGHWAY

Weekly Absentee Report

Mr. Kautzman submitted the weekly absentee report on the employees at the County Highway Garage for the week ending April 17, 1981.

Report received and filed.

Work Report

Mr. Kautzman said they have been in several areas of the county this past week. They were out on Old Henderson Road, Petersburg Road and also on Frontage Road plus all the other work completed in between these jobs, that they have kept real busy. He said since the coal strike is on they have noticed that River Road has held up real well. He said Happe Road is now in the best shape that it has been for years and also Seminary Road and Goodman, in fact everything through Union Township is in great shape.

Security System

Mr. Kautzman said they did not get the telephone line ordered on the security system last

week, but they started working on it today, that they started laying their conduit.

Estimated Budget Cuts From The Highway Budget

President Willner said Mr. Kautzman has prepared for the Commissioners a list showing the recommended cuts that are going to have to be made by the County Council on the Highway's budget. He said this needs no action from this board today, but he wants each of the Commissioners to have a copy of it so it can be reveiwed and studied and if anyone of them have any suggested changes, please let him know before it goes to the Council on May 6th.

Surplus Government Equipment

Mr. Kautzman said when he went to the Government Surplus warehouse in Indianapolis, he purchased a boom for their truck and they have been working to get it mounted on the truck and he thinks it is going to work real well. He spent $775.00 for this item and then approximately $80.00 to $100.00 on expenses to and from Indianapolis.

RE: BOB BRENNER....COUNTY SURVEYOR

Bids On Seven Hills #45 and Wimberg #69 Awarded

Mr. David Guillaum said on the bids that came in for the repair of structures on Seven Hills and Wimberg he would like to make the following recommendation.

That the board accept the low bid of Ray Stradtner, Excavating, Inc which was:

Seven Hills Structure #45.....$26,215.00
Wimberg Structure #69.....$29,221.00

Combined bid, with discount for both structures would be a total of $53,436.00, which would be a savings of $2,000.00.

President Willner asked about a starting time on these structures.

Mr. Guillaum said they have a utility problem on the Wimberg project, that they will have to get ironed out before they can get started on that, but on Seven Hills they have already indicated to Mr. Stradtner, that if he is awarded the bid, they would like for him to get started on it sometime this week, if possible.

Commissioner Cox said she just wishes Mr. Stradtner lived in Vanderburgh County and also is he a union contractor.

Mr. Guillaum said he would assume he is, because it was in the specifications they must be union contractors. He said we also had bids from Henderson Kentucky and Vincennes, Indiana, so we do have a broad area where contractors are bidding from.

Commissioner Borries moved the bid of Ray Stradtner in the total amount of $53,436.00 be approved. Commissioner Cox seconded the motion. So ordered.

Bridge and Guardrail Report

Mr. Guillaum submitted the bridge and guardrail report for the period of April 13th thru April 16, 1981. (April 14th was Good Friday).

Wallenmeyer Pipe Project

Mr. Guillaum said they did get the pipe installed this past week and they have open cut the road, they have the footings dug, forming them up and should lay the footings tomorrow. They have a lot of mud, but if it doesn't rain any more, hopefully they will have it wrapped up in another week.

RE: BOB FORTUNE.....DATA PROCESSING

President Willner read the following letter from the Evansville Convention and Visitors Bureau.

To County Commission,

The Vanderburgh County Convention and Visitors Bureau is very interested in pruchasing the Sperry Univac 90/30 computer terminal for use in our office. We will share in the responsibilities of cost and installation.

Jan Thuerbach
Executive Director

President Willner said he has met with Mr. Cooper and Ms. Thuerbach and discussed whether they would be needing one or two terminals and he believes the conclusion was that they could very well share one terminal.

Mr. Fortune said this would be very possible and he is to meet with them and come up with some firm commitments that could be brought back to the Commissioners. He said they will not be allowed to run lines across the street on top of the two buildings, therefore this will have to be done through the phone company, that it will have to be by telephone, but he foresees no problems.

RE: MR. LES SHIVELY.....CONCERNING MANN ROAD

President Willner said today is the deadline for Mr. Gene Adler to file his petition to close Mann Road and Mr. Les Shively, attorney, is present today to represent Mr. Adler in his efforts.

Mr. Shively said his firm of Johnson, Carroll and Griffith has been retained to represent Mr. Adler and as Mr. Willner stated, today is the deadline date for Mr. Adler to file his petition for the closing of Mann Road, between Bixler and Montgomery Road.
He said he spent some time with Mr. David Guillaum in the Surveyors office going over the plans and he very much appreciated his assistance. After seeing Mr. Guillaum he then proceeded to try to contact Mr. Adler to set up a time to meet with him on this matter and unfortunately Mr. Adler farms land out of Vanderburgh County and he was unable to reach him and meet with him until this past Saturday at which time they did prepare a petition to conform with the statutes concerning this. Mr. Adler is now in the process of getting the needed signatures, and with the Easter Holidays at hand they had some delays, therefore what he is asking at this time that they be granted a two week extension for the filing of this petition and also a time from this body when you could hear the petition, so they may properly prepare the publication of the notice as required by statute, so that the residents will be aware of the time and date so that they might appear if they choose to do so.

Attorney Miller said he thinks we will have to have the signed petition here before we can set a time for it to be heard, that it will have to be on file with the Commissioners.

Commissioner Borries moved that the two week extension be granted on the preparation of the petition to close a portion of Mann Road.
Commissioner Box seconded the motion. So ordered.

RE: AL HOLTZ.....ACTING COUNTY HIGHWAY ENGINEER

Allens Lane and St. Joe Avenue

Mr. Holtz said there is a problem with some additional right-of-way they need on Allens Lane to put in a Highway marker, that they are about 50' short, going east on Allens Lane. The total area effected is about 10ft. wide and 50 ft. in length, parallel with the road. The owners of the property out there stopped the supervisor from Deig Construction and told him they could not put a marker up out there. He has went through Mr. Stephen's files and he cannot find an agreement with the people to put one out there, that he can find agreements for all of them except this one, therefore he would like to be advised on what to do about the problem. The owner of the property is Mr.John Clemmons.
Mr. Holtz said we must put out thirteen concrete markers, that it is part of our federal program.

Sewer Replacement on Lynch Road

Mr. Holtz said last week we discussed a bill for the replacement of a sewer on Lynch Road, that Mr. Stephen had instructed Deig Brothers to present the claim to the Sewer Department of Evansville in the amount of $532.33. Today he spoke with Mr. Jack Allis and he agreed to take the bill to the Public Works board meeting and try to get it taken care of. We do not have the assurance they will pay this, but it's a step in the right direction.

Service Road off St. Joe Avenue

Mr. Holtz said in his meeting with Mr. Allis they discussed the service road off St. Joe that leads to the pump station. He discussed the specifications and needs with Mr. Allis and he came up with a 10 ft. wide crushed rock road, 9" thick and he specified how he wanted it to follow the fence in front of the Safety Clean property. He said they will not be using this all of the time, that they will park their car and walk over, that there is room to park out in the street, that they will use it only when they have to change the equipment.

Commissioner Cox said they aren't going to park out there on St. Joe, are they?

President Willner said he is probably talking about the bridge, that it is an extra lane wide and that is probably where they are talking about parking. He said it is wider than the four lane all the way from the drive of Safety Clean to the bridge.

Mr. Holtz said he will try to get the drawing complete and the figures on it. He said an equivalent area will be eliminated in sodding.

Attorney Miller suggested we try to get the Sewer Department to fund over and above whatever it costs to do the sodding.

President Willner said it's worth a try.

Mr. Holtz said he thinks the deal was that they would pay the $532.33 for the Sewer replacement and we would pay to put this drive in to the pump station.

President Willner said we should probably wait until they approve Lynch Road and then we will make a decision.

Construction at Bethel United Church of Christ

Mr. Holtz submitted the plat plan and the road plan for work being done at the Bethel United Church of Christ. He said Biagi and Associates are the consulting engineers for this project, at 3029 North Green River Road. They want to put in a forced main conduit under Green River Road to put their 2" sanitary forced main in.

Attorney Miller said they have had some substantial sewer back up problems out there behind the Evansville Drive-In Theater, that houses have been flooded because of the failures of the forced main pumps, and he has been told the Sewer Department has either repaired or replaced them in the last year or so.

Mr. Holtz presented the plans and pointed out to the Commissioners where the contractor plans to force the conduit under Green River Road and also pointed out to them where the county right-of-way runs, because this request is within our right-of-way.

Mr. Miller asked if the pipe will have the capacity to take on anyone else, because there are private sewer agreements whereby these people could recover part of their cost by allowing people to tap in.

Mr. Holtz said he knows of no agreement in this case.

Commissioner Borries said the Lynch Road Extension project is going to be effected by this.

Mr. Miller said he would think they should attempt to get a easement from the farm ground next to it and install this main below plow depth.

President Willner said no one has confirmed this but he believes that the main will be in our right-of-way but far enough away that it will not effect the pavement that will be put down.

Mr. Miller said we need to be assured of this though.

President Willner said he thinks the sewer, the curb cuts and the passing blisters should go to the Urban Transportation Study, for their recommendation to us.

Commissioner Borries said he would agree with this, that our concern is this should all conform with the Green River Road widening plan and they should be put in according to county standards so that they will not have to be torn back out.

Concrete Marker on Allens Lane and St. Joe Avenue

President Willner said he does not know what to tell Mr. Holtz to do about the concrete marker on Allens Lane. He asked Mr. Holtz how un-cooperative the property owner is.

Mr. Holtz said he has not spoken with the property owner but the contractor tells us they will not cooperate. He said this is part of the St Joe Avenue project and whoever did all the work on this left this particular item off.

President Willner said the engineer that drew up the plans was Guy Cantwell of Indianapolis, so we should contact him on this, that he would assume this is his problem.

Mr. Holtz said all of the other markers have been approved to be installed, just this one is the only one we have a problem with.

The commissioners instructed Mr. Holtz to try to contact the property owner to get his feelings and also contact Mr. Cantwell and discuss the particulars with him and bring this back to us next week, if possible.

Commercial Court

President Willner asked Mr. Holtz if the work was all done on Commercial Court, that we have had a request to accept for county maintenance, that it needed to be cleaned up and also checked to see if all the signage was up.

Mr. Holtz said he was out there just this morning and it still does not have the rocks cleaned from the street. Mr. Easley knows this has to be cleaned and he has told us that he will do it, but he hasn't yet.

President Willner said he received a call from attorney Bill Welborn, who was retained by Andy Easley, to help get the turn lane on St. Joe Avenue, which this Commission had decided not to pursue. They have not poured the balance of the concrete retaining wall at that section, and Mr. Welborn asked us to postpone that a few days in order to give him time to contact the state and federal government as to their position on letting the trucks turn off of Commercial Court,south, instead of going north and making a U-turn, so he called Mr. Holtz and after finding out the concrete had not yet been poured and it would not cause an undue burden on the contractor, he gave him the extension of a few days.

Mr. Miller said if you find out the right-of-way has not been obtained, that it was some over-sight on the part of the county, then Mr. Holtz should give me a written report of the name of the land owners and the property that is required in order to install the markers, so that we can take the necessary steps to obtain the right-of-way.

RE: ORDINANCE ESTABLISHING A DEFERRED COMPENSATION PLAN

President Willner said he has a prepared Ordinance in the matter of establishing a Deferred Compensation Plan for the County of Vanderburgh, that he would like to have permission to be advertised in the Evansville Courier and Press and heard at a later date.

Mr. Miller said he thinks this Ordinance should be advertised because it requires the county to perform certain services in connection with the administration of the ordinance, and therefore it is argumental that certain county funds are indeed being expended in terms of county labor, therefore he would recommend it be advertised the appropriate number of times and dealt with after that.

Commissioner Cox moved the Ordinance to establish a Deferred Compensation Plan for the County of Vanderburgh be advertised the appropriate number of times in the Evansville Courier and Press, before final approval by this board.
Commissioner Borries seconded the motion, which carried with three affirmative votes.

RE: COUNTY ATTORNEY:

Trial Concerning Ditch on Burkhardt Road

Mr. Miller said we were supposed to begin a big trial tomorrow in Warrick County concerning the ditch on Burkhardt Road, but Mr. Charlie Martin moved to continue it after he refused a most reasonable settlement offer, that we do not have a date yet, but it is proceeding.

Southern Railroad vs County of Vanderburgh

Mr. Miller said in the case of the Southern Railroad verses the County of Vanderburgh, it is pending on appeal, that they do not yet have their brief.

RE: CERTIFICATES OF INSURANCE

A certificate of insurance was submitted by Lincoln Avenue Foot Patrol for a dance held on April 4, 1981 in the Auditorium.

A certificate of insurance was submitted by Green River Productions, Inc. for a Country-Western Show to be held at the Auditorium.

A certificate of insurance was submitted by Watchtower Bible and Tract Society of New York, Inc. for a convention to be held on April 25th and 26th, 1981 at the Auditorium.

All certificates received and filed with the County Auditor.

RE: RESOLUTION ON ROBERT M. LEICH, SR.

Commissioner Cox read the following Resolution:

WHEREAS, Robert M. Leich Sr. has distinguished himself greatly through a lifetime of outstanding acheivements in professional, civic and military endeavors, all of which reflect most highly upon Vanderburgh County and its people; in particular:

WHEREAS, Robert M. Leich Sr. has long directed the growth, operations and development of Charles Leich and Company to a position of national prominence and regional importance in the wholesale drug industry, contributing to the good health and prosperity of the people of Vanderburgh and surrounding counties; and

WHEREAS, Robert M. Leich, Sr. has further materially aided both the prosperity and well-being of this region through faithful service as Secretary of the Dress Regional Airport Authority board; in roles of leadership with the American Red Cross, Museum of Arts and Science, and other civic and political organizations far too numerous to mention; and

WHEREAS, Robert M. Leich Sr. has completed half a century of service to his country and state through participation in active and reserve military forces, rising to the rank of Brigadier General in the Indiana Guard Reserve; as Civilian Aide to the Secretary of the Army, as Admissions Counselor for the U.S. Military Academy; as an active participant in affairs of the Reserve Officers Association, Evansville Armed Forces Council and other military supportive organizations; and has brought further distinction to Vanderburgh County through his induction as an Aviation Pioneer of America; now

THEREFORE, let it be widely known that the Vanderburgh County Commissioners proclaim with utmost pride that April 25, 1981, shall be known as

ROBERT M. LEICH SR. DAY

recognizing him a distinquished citizen, exemplary businessman, foremost partiot and favorite son of Vanderburgh County.

PASSED by the Board of Commissioners of Vanderburgh County this 20th day of April, 1981.

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Commissioner Cox moved that the above Resolution be adopted. Commissioner Borries seconded the motion which carried with three affirmative votes.

RE: FINAL COUNTY CALL

President Willner said the Commissioners are on the County Council Call in May for Legal Services additional funds and also the Council is to cut some $585,000.00 from the County Highway Department and he would also like to see the Commissioners put on for an additional $335,000.00 from Local Roads and Streets Fund into accounts for bituminous and stone and gravel.
He said in looking over the budget cuts proposed by the Highway Department and to be approved by Council, we can see we are completely eliminating the Calcium Chloride, Weed Spray, Culverts and Pipes, Guard Rails and Summer Emplovees accounts, that we are taking $30,000.00 from the #4721...Trucks account and leaving only $5,000.00 in it because at any time we may have to furnish a truck for the dog catcher and toward the end of the year if that is not needed he would consider taking it out also.
He has found out that what we presently have in the bituminous and gravel and stone accounts is probably not enough to finish the patching for the rest of this year without taking some monies from the R&S Fund and he would like for the additional $335,000.00 to be agreeable with the other two Commissioners, that it really is more than he wants to take out of there, but he feels it is necessary, to get the job done. He said the biggest part of the expenditure is interest from savings.

Commissioner Cox said we were allowed some $460,000.00 for stone and gravel and bituminous materials and she thought this was for re-paving and also some patching, but now you are asking that $188,367.00 be cut from the Highways stone and gravel account and that $163,367.00 be cut from their bituminous account and then request that $335.000.00 be taken from the R&S Funds to do the work with.
She said in looking at account 4120...Nightwatchman & Janitor, she was under the impression that with the new security system we would be able to cut some $54,000.00 from there, that she believes this was a mis-interpretation when it was said this would save the taxpayers $54,000.00.

President Willner said it will do just that, that instead of hiring new people to the ten slots we have empty out there we save that money and the nightwatchman and janitor will be moved to another slot already there.

Commissioner Cox said then we do not need the salaries for the nightwatchman and janitor, that they can be taken out to.

President Willner said that could well be. He said if we move the nightwatchman and janitor into two of the ten empty slots, and not fill the other eight slots, then we are saving the county that money from the eight slots.

Commissioner Cox said she just does not like misrepresentation and she feels that is what this was.

President Willner said any way you slice it, it is a $54,000.00 savings to the county.

Commissioner Cox said is all of the money for bituminous, stone and gravel going for patching or do you plan to do some re-surfacing.

President Willner said yes, he plans on doing some re-surfacing.

Commissioner Cox said she cannot see doing more re-surfacing when we have on-going road projects, and there is only $800,000.00 in R&S right now, we know what is down the line and even if that money is invested and goes back into the R&S account we are still going to end up on the short end of the stick in about three years. She feels like we should tell the taxpayers that we can fill and patch the roads, clean along the sidelines, keep the intersections clear, but we cannot do any re-surfacing this year.
She said the government matches the R&S Funds by every $1.00 of local the state give us $3.00, so we are losing our matching powers when we use R&S money just to go out and do some re-surfacing, and she cannot see doing it.

President Willner said we have a number of paved county roads, that if they have to go through one more winter, they will be back to gravel again and then the maintenance will be doubled to try to get it back into shape again. He would be happy to take Mrs. Cox on a fact finding tour of some of our county roads and show her the shape they are in.

Commissioner Cox said you mean that if we do not pave those roads this year then we will lose them after another winter.

President Willner said this is correct.

Commissioner Cox said she cannot believe that because our roads here are in fairly decent shape. Also she thinks gas consumption is going to continue to go down and she does not think we are going to see the wind falls of monies coming in from the state anymore and she does not know how we will get that money back into the R&S account, therefore she just cannot go along with this.

Commissioner Borries said he shares those concerns, he thinks that transportation is one of the largest obstacles we will have to face in this county in the 1980's, but he also sees that on our existing roads, the needs are still there and he would not like for us to have such deteriorated conditions that in the future would cause us to close roads. He said E.U.T.S. has estimated the local costs for Vanderburgh County road projects next year to be $290,566.00 and that is by far the lowest it will be in the next two or three years.
He said we have roads that it seems like constantly need repairs and the repairs are not going to go away and he does not know about the local situation that unless we are prepared for a significant tax increase, how we are going to find the money, and right now we at the local level have some tough decisions to make. He will say he does not like this solution, but he does not see many alternatives, that he does not know how we can do the needed repairs without it, and he would suggest that perhaps we look at some sort of a local road committee and ask peope in the different areas we live in just what are the critical needs, so that we do not waste any money.

President Willner said the first of the year we talked about a road committee but we have not pursued it any further, and he for one, would like some citizen input and he would be agreeable for one person from each township to serve on a committee to try to get some help with our road repair problems. He asked Commissioner Cox if she would like to talk to a committee of the seven townships and she replied that yes, she would.

Commissioner Borries moved that the amount of $335,000.00 be advertised for the next County Council meeting from the Local Roads and Streets Fund.
President Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Helfrich Insurance Agency for the law enforcement professional liability insurance for the annual premium from 4-1-81 through 4-1-82 in the amount of $19,731.25 . The claim was signed by John Hodges.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Helfrich Insurance for Public Officials Liability Policy for the annual premium from 4-1-81 through 4-1-82, in the amount of $9,166.00. Signed by John Hodges.

Commissioner Borries moved the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Helfrich Insurance for Law Enforcement Professional Liability Insurance for Guarantee National Insurance Co. Audit Premium from 4-1-81 through 4-1-82 in the amount of $237.80, signed by John Hodges.

Commissioner Borries moved the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Helfrich Insurance for non owned aircraft liability insurance, for Insurance Company of North America. Annual Premium: 4-1-81 through 4-1-82, in the amount of $675.00, signed by John Hodges.

Commissioner Borries moved the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by Engineer Associates for the engineer inspection of Lynch Road from 4-6-81 thru 4-10-81, in the amount of $3,676.35, signed by Al Holtz.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the moion. So ordered.

A claim was submitted by Engineer Associates for the engineer inspection of St. Joe Avenue from 4-6-81 thru 4-10-81, in the amount of $2,162.40, signed by Al Holtz.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CIRCUIT COURT:

Rebecca Kay Dyer	4366 E.Lincoln Drive Newburgh, Indiana	Spec. Intern	$3.35 Hr.	Eff: 4-6-81

BURDETTE PARK:

Spencer Evans	1369 E. Chandler Ave.	Ground Crew	$4.00 Hr.	Eff: 4-11-81
Michael Gerard	4920 Shady Court	Rink Guard	$4.00 Hr.	Eff: 4-25-81

PROSECUTING ATTORNEY:

Dennis R. Raider	1132 Hatfield	Intern	$192.00 Wk.	Eff: 4-27-81

AREA PLAN COMMISSION:

Virginia Wirthwein	6017 Hamilton Drive	Part-time	$3.85 Hr.	Eff: 4-20-81

COUNTY HIGHWAY DEPARTMENT:

John Keown	515 Garfield	Equip. Oper.	$6.66 Hr.	Eff: 4-15-81

RE: EMPLOYMENT CHANGES.....RELEASES

PROSECUTING ATTORNEY:

Wrenna L. Gossman	2117 W. Indiana	Secretary	$10,187.00	Eff: 4-24-81

COUNTY HIGHWAY DEPARTMENT:

John Keown	515 Garfield	Truck Driver	$6.27 Hr.	Eff: 4-15-81

There being no further business the meeting recessed at 10:05 P.M.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert L. Willner Richard Borries Shirley Jean Cox	Alice McBride	David Miller

SECRETARY: Janice Decker

Robert L. Willner
Richard Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
APRIL 27, 1981

The meeting of the County Commissioners was held on Monday, April 27, 1981, at 2:30 P.M. in the Commissioners Hearing Room.

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

RE: CONRAD COOPER.....AUDITORIUM

Mr. Cooper said he has nothing to report other then they are about 80% complete on the mechanical repairs on the air conditioning, that they are installing the new coil today to replace the damaged one.
Also, the fork truck in running and they have been using it.

President Willner asked Mr. Cooper if he got with Mr. Ruston on the parking gates and he replied yes, that he is waiting on a reply from the Commissioners as to whether or not we are going to purchase them and get them installed.
President Willner said they will all get together and discusss it and make a final decision.

RE: GENE KAUTZMAN.....COUNTY HIGHWAY GARAGE

Weekly Report

Mr. Kautzman submitted the weekly absentee report on the employees at the County Highway Garage for the week ending April 24, 1981.

Report received and filed.

RE: BOB BRENNER.....COUNTY SURVEYOR

Bridge and Guardrail Report

Mr. David Guillaum submitted the bridge and guardrail report for the period of April 20, 1981 thru April 24, 1981, showing they worked almost all week on pipe at Little Schafer and Cochise Lane.
He said they also have a crew working the Wallenmeyer project and they are beginning to pu the pipe sections together today.

Seven Hills Project

Mr. Guillaum said the contractor has started today to work on Seven Hills, that he has just moved onto the side, that the road is not closed yet, but it will be closed tomorrow morning, about one half mile west of Highway 57. Mr. Tuley and Mrs. Meeks have both been informed of the closing so that they can take the appropriate steps to notify the public.

RE: AL HOLTZ.....ACTING COUNTY HIGHWAY ENGINEER

Commercial Court

Mr. Andy Easley was present concerning the cut on Commercial Court off of St. Joe Avenue and stated he went to Indianapolis this last Friday and met with Mr. Don Lucas and Mr. Jack Skillman to discuss a compromised solution to Change Order #23, which all the Commissioners are well aware of, that it has been didcussed many times in the past meetings. He said this has moved along very rapidly and he is now presenting another change order, which is now #29 and also an extra work agreement, and the two total about $7,800.00. He said the property owners in the subdivision, which he represents, would be willing to pay the counties share, which is 25%. He said they told him to send it through and request standard federal participation, but he is rather apprehensive if they will approve it that way, but Don Lucas told him to do it this way. He thinks we can write a justification letter because this has been pending since 1978, that he thinks he has made no mistakes other then waiting for someone else to do what they told him they would do, and he will pay his penalty for that which will be about $2,000.00. He said if the Commissioners will approv this request today he will hand deliver it to Vincennes this afternoon.
He submitted a map to the Commissioners and they all viewed it and discussed the area this change will effect. He said the purpose of this change is to provide a left turn lane for southbound St. Joe traffic for turning movement into Commerical Court. To provide left turn lane existing center curb from sta 27+75 to sta 30+70. Must be removed and backfilled with bituminous material and also additional stripping and signing is required

Mr. Easley said the State traffic people have looked at this proposal, studied it, and said it will work. Mr. Welborn is the one who set up the meeting and after we got to Indianapolis and there was no county representative present we did not know if we were going to get to have the meeting, but they decided to talk about it anyway, the state has a change of heart, that they say it will work.

Commissioner Cox asked if there are many semi's coming out of Commercial Court and Mr. Easley said yes, several of them, but they will not pull out on St. Joe and block traffic while waiting for southbound traffic to clear.

President Willner said perhaps there will have to be a sign installed that all four lanes must be clear before they can pull out to turn left onto St. Joe Avenue from Commercial Court.

Mr. Easley said he told Mr. Lucas that this board of Commissioners has been wonderfully cooperative, that you approved the change order twice, that both times it was stopped at the state level.
He would say again for the record that he will pay the county's 25% share and he would be willing to go a little more than that if it has to be negotiated further with the state and federal government.

Commissioner Borries said his concern is the storage area is not going to be wide enough to hold anymore than one semi truck, and he has some problems with trucks sticking out into the driving lane.

After much repeated discussion Commissioner Borries moved that Change Order #29 and Extra Work Agreement #30 be approved and sent to the State and Federal Government for their approvals.
Commissioner Cox said she would second the motion, with reservations. So ordered.

President Willner said a letter is to accompany these forms, that if Mr. Easley wants to draft it then Mrs. Meeks will put the Commissioners stamp on it, or if Mr. Easley wants to wait until tomorrow then he will draft one to send, but one should accompany it stating the financial statis of this project and that the county will have no extra expense because of these changes.

Commissioner Cox said she would also like to see inserted in that letter that this will be properly stripped and marked.

President Willner said he does not know if this should be stated in the letter to the state because that might complicate things up state.

Mr. Easley said it probably would, that the matter of stripping and markings should be between him and the commissioners.

President Willner asked Mr. Easley to submit a letter to the Commissioners, from him, stating the agreement that he will pay the county's 25% participation, that we may have it for our records, and at that time we will sign a letter to go to the state.

Construction at Bethel United Church of Christ

Mr. Holtz said last week we discussed the installation of a forced 2" main under Green River Road by Bethel United Church of Christ, and today there is a representative present that would like to speak on the matter. He said he did talk about this to Mr. Gerard of E.U.T.S. and also he spoke to Mr. Dick Eifler who told him there is a 90' right-of-way out there and he sees no harm in installing the main as they propose to do.

Mr. Jim Ritter, representative of Biagi and Associates and also a member of the Bethel Church stated he discovered through records this morning that the right-of-way was purchased and recorded December 11, 1969, which was a 45' right-of-way for the area that the forced main would be running through, which would be a 2" main.

President Willner said would there be any possibility that someone could tap onto this facility and Mr. Ritter said this would be large enough for one or two dwellings.
President Willner said lets say a commerical establishment would be erected immediately adjacent to the church property and they would also come in with a request to lay a sewer in that area, because yours would be too small for them to tap into, then they would have to either put them one in or take yours out and put in a larger one and he does not want to see that happen, that once this is in place, he wants it to be sufficiant in size to handle anything in that neighborhood.

Commissioner Cox asked what size the Spring Valley sewer is and Mr. Ritter said an 8" sewer.

Mr. Ritter said water is available, gas is being brought by, so there are no problems there. He asked if there is a time frame for the widening of Green River Road.

President Willner said it has not been funded for this year, this much he can say.

Commissioner Cox said how would it work to put in an eight inch and then as people move in around the area, could they not tap in and reimburse the church, because it is hard fo her to accept the fact you have a large pipe going into a small pipe and then back into a large pipe.

Mr. Ritter said they would prefer that but an eight inch sewer would be almost out of the ground, that we are already within thirty (30) inches of the top of the ground.

President Willner asked Mr. Ritter what their time frame is and he replied they are taking bids on April 30th and then construction should start within a month, when the money becomes available.

President Willner asked Mr. Holtz for his recommendation and he replied he would recommend acceptance of it, at the total expense of the church.

Commissioner Borries asked if the city has set a time when sewers might be available out in that area and Mr. Holtz said no, they have not.
Commissioner Borries said he does not want Mr. Ritter to think we are trying to give the church a hard time, but we have been very concerned with the rapid growth of Green River Road, between Division Street and Morgan Avenue.

Commissioner Borries moved the commissioners accept the plans for Bethel United Church of Christ, as submitted. Commissioner Cox seconded the motion which carried with three affirmative votes.

Extra Work Agreement.....Lynch Road

Mr. Holtz submitted an extra work agreement between Deig Brothers and the county of Vanderburgh for extra work on Lynch Road to remove thirty feet of fifteen inch PVC inlet, to furnish and install thirty six inch concrete end section with galvanized bar screen at the same location. The pipe is of insufficient size to handle run off of approximately forty acres. He said actually this is just a change in design and it looks like the additional cost will be $1,197.45. He said there is another estimated cost of $1,620.00, that he does not understand, that perhaps it is the cost of the material.

Commissioner Cox asked Mr. Holtz if he has been out there and also have they done this work yet and he replied he did not think so, that they were waiting on approval from the Commissioners.

President Willner asked Mr. Holtz to go out and take a look and it and report back next week, because he does not understand the extra costs on it.

Mr. Holtz said he would check with Leo Weiss and report back.

RE: BOB FORTUNE.....DATA PROCESSING

President Willner said he spoke with Mr. Fortune earlier today and for the record he has worked out a tentative agreement between the Convention and Visitor's Bureau and the Auditorium for the possibility of sharing a computer terminal, that it may also be shared with the Stadium. They are to have another meeting sometime the first week of May and after that Mr. Fortune will come back to us with a firm commitment, that it should be somewhere in the neighborhood of $4,700.00, that it will be paid by the Convention and Visitor's Bureau, at no cost to the county, that it would supplement the rent we normally charge them.

RE: COUNTY ATTORNEY

Mr. David Jones said the only thing he would have would be a couple of up-dates on pending matters.

Mr. Jones said the suit brought by Phyllis Short of the National Prisoners Rights Group against Sheriff DeGroote, the deadline has passed that was set by Judge Brooks of Federal Court, for the Plaintiff to attempt to get counsel. The Judge has given them notice of the passing of the deadline, so he is hoping that very soon this will be dismissed. He said also, there has been no further word from Guaranty National Life Insurance in response to the letter sent to them from Mr. Chapman, concerning their failure to defend us in that suit. The letter was worded very strongly, therefore he believes we will receive from favorable word on it.

Weed Ordinance

Commissioner Cox asked Mr. Jones if he was researching the county weed ordinance and he replied that he did get a copy of it and he does have a problem with the existing ordinance in that it attempts to impose a criminal sanction and under the Home Rule, that is not possible, that it attempts to impose a jail sentence and the county has no such authority to do so.

Commissioner Cox said she would also like to know what kind of jurisdiction the city has over dumping, that can they go so far out into the county and also does the county have some kind of a dumping ordinance that we could inforce. She asked Mr. Jones to please check these things out and let her know, that she has received several complaints be phone on this matter.

Mr. Jones is to report back to this board when his research is completed on the weed and dumping ordinances.

RE: NOTICE OF CLAIM

President Willner said we have received a notice of claim against the county from the law office of Gerling on an accident that occured October 20, 1980 at the intersection of Green River Road and Heckel Road.

This matter was referred to County Attorney Jones.

RE: APPOINTMENT TO ALCOHOL BEVERAGE BOARD

Commissioner Borries said he would like to recommend the name of Mr. Jess W. Woolsey to be the County Commissioners appointment to the Alcoholic Beverage Board of Vanderburgh County, and would put this in the form of a motion.
Commissioner Cox said she understands this is to be a Republican appointee and President Willner said this is correct.

Commissioner Cox said she has nothing personally against Mr. Woolsey, but she does not feel he is a good representative as a Republican appointee, that she does not think his voting record would indicate and in view of discrepancies that have occured in the Alcoholic Beverage Commission, she feels this Commission needs a watch dog, therefore she could not support the recommendation by Mr. Borries.

President Willner said Mr. Woolsey has said he is a Republican and the state statute says one must admit that and he certainly has.

Commissioner Cox said she just finds this hard to believe because she knows that Mr. Woolsey did go out on behalf of several Democrat candidates and run fund raising activities for them, therefore she does not think he is a loyal Republican appointee and his voting records does not indicate that he is.
President Willner seconded the motion which carried with two affirmative votes, those being President Willner and Commissioner Borries. Commissioner Cox voted in the negative.

RE: CLAIMS

A claim was submitted by Engineer Associates for the engineer inspection of Lynch Road from 4-13-81 to 4-17-81, in the amount of $3,642.35, signed by Al Holtz.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates for engineering inspection of St. Joe Avenue from 4-13-81 to 4-17-81, in the amount of $2,911.35, signed by Al Holtz.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by the Building Commission for a refund on a building permit for McConnell Plumbing in the amount of $27.00, claim signed by Jesse Crooks.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Morley and Associates for services rendered on the Burkhardt Road Project, in the amount of $6,301.11, signed by President Willner.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COOPERATIVE EXTENSION SERVICE:

Glenna L. Hanks	2108 Bellemeade	Ext. Agent	$8,528.00	Eff: 5-1-81

PROSECUTOR (505.0-108-J):

Deborah Munn	1313 Lincoln Ave.	Secretary	$8,400.00	Eff: 4-24-81

PROSECUTOR (108)

Jeanne Bittner	R.R.1 Outer St. Joe Ave.	Secretary	$9,600.00	Eff: 4-24-81
Doloris Savage	1300 E. Chandler	Receptionist	$8,725.00	Eff: 4-24-81
Carol J. Hartman	R.R. 1 Box 212	Secretary	$8,300.00	Eff: 5-18-81

RE: EMPLOYMENT CHANGES.....RELEASES

AUDITOR:

Janet Scisney	2557 Pollack Ave.	Part time	$30.00 day	Eff: 4-23-81

PROSECUTOR (505.0-108-J)

Daborah Munn	1313 Lincoln Ave.	Secretary	$8,000.00	Eff: 4-24-81

PROSECUTOR 108

Jeanne Bittner	R.R. 1 Outer St. Joe Avneue	Secretary	$9,000.00	Eff: 4-24-81
Doloris Savage	1300 E. Chandler Avenue	Receptionist	$8,250.00	Eff: 4-24-81

There being no further business the meeting recessed at 3:40 P.M.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard Borries Shirley Jean Cox	Alice McBride	David Jones
SECRETARY:	Janice Decker		

Robert D. Willner
Richard J. Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MAY 4, 1981

The meeting of the County Commissioners was held on Monday, May 4, 1981, at 2:30 P.M. in the Commissioners Hearing Room.

This being the first meeting of the month the meeting was officially opened by Sheriff's Deputy Robert Miller.

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

RE: CONRAD COOPER.....AUDITORIUM

Fluorescent Lighting

Mr. Cooper said they have installed one complete fluorescent retro-fit Arlite E C-10 light fixture in the recessed ceiling fixtures, that it has been in for about two weeks and it seems to be working out well and they have replaced a 175 watt incandescent fixture with a 16 watt fluorescent fixture with little or no noticable change in light levels. He said they have an estimate from Grote Lighting & Supply Co. stating that we can expect approximately a $28.85 savings, per year, per socket by switching from incandescent to fluorescent lighting. He said he has checked this with Southern Indiana Gas and Electric Company's lighting engineer, Mr. Jourdan, and he said this $28.00 figure may be just a little optomistic, but that it is in the right area, so we are talking about a tremendous savings in electricity if we can switch. If we should get this approved it will allow us to work through an existing inventory of incandescent bulbs plus immediately drastically reduce a six-thousand dollar average monthly utility bill, that he thinks the pay back time will be noticed within 12-18 months, depending on the extent of the expected rise in electricity rates.

Mr. Jourdan, from Southern Indiana Gas and Electric was present and stated he would be happy to answer any questions.

President Willner asked Mr. Jourdan if he knows of any other building that has this type of lighting that the Commissioners might look at to compare performances.

Mr. Jourdan said he personally knows of no building that has changed to this new type of lighting, but any time you can get rid of an incandescent light bulb....you are money ahead. He voiced to Mr. Cooper that his only concern is you are going to replace a 175 watt with a 16 watt and you are not going to have the level of light you presently have but if you have too much light now then you are throwing your money away anyway, so he would say to measure that light very carefully. But if all of the figures Mr. Cooper gave him are accurate and valid and if you can get the lighting you want for that energy consumption, then you ought to see a very quick pay back and not only that, but the fluorescent will last for years, whereas the incandescent won't. A fluorescent is two and one half time more efficient then an incandescent.

Commissioner Borries said to the aspect of less lighting, wouldn't there be few times that all of the lights would be used anyway.

Mr. Cooper said that is not necessarily so. He said he does not want to change all of the lights are once, but rather do it in groups and see if we can live with that light level, but his personal opinion is that we are going to find it to give us more than adequate lighting....that it will work.

Commissioner Borries said he would again like to commend Mr. Cooper for the outstanding job he is doing at the Auditroium, that he certainly knows what is going on.

President Willner asked Mr. Cooper if he has enough money in his budget to at least start the program.

Mr. Cooper said he intends to use money from his buildings and grounds account to purchase a small number of these fixtures and at the end of the year there may be some money left over in the utility account whereby he can kick it back to make up for what he is spending.

All of the Commissioners agreed that Mr. Cooper should work toward that goal.

Mr. Cooper said they are also working on the possible conversion of approximately 100 outdoor incandescent canopy fixtures to mercur-vapor lamps, that they orginally thought of using fluorescent fixtures, but in checking it out they found they do not operate very well in cold weather. He has no factual information on this yet, but as soon as he gets it he will get it before the Commissioners.

Construction of New Partition Wall

Mr. Cooper said we are just about to start construction of a partition wall in the Auditorium and Convention Center offices. This will place the office in a pie-shape areas behind the present office that has been used to store Philharmonic Orchestra instruments and equipment. He said the old office space will be converted into a coat-check and lobby sales office to serve both the Gold Room exhibition hall and the Auditorium, that currently the coatcheck room serves only the Gold Room, that this move should result in a modest increase in coat check revenues, but more important, it will allow direct and private access to all areas.
He said we have spent about $100.00 on lumber and we are going to have to buy a couple of doors with glass panels in them for safety purposes. He said this construction will be handled almost entirely by Auditorium and county personnel, that the only contractual services will be to install a service door in a masonry wall in the Convention and Visitors Bureau office, that this door will provide direct access to the data processing terminal and allow ingress and egress in the Convention and Visitors Bureau without disturbing activities in the Exhibition Hall, and this should cost about $400.00.

This was agreeable with all three Commissioners.

Lease Agreement with the Convention and Visitors Bureau

Mr. Cooper said he has given Attorney David Miller a rough draft of the new lease between the Auditorium and the Convention and Visitors Bureau. He said the new lease provides for a net increase in rent of approximately seventeen-hundred dollars ($1,700.00) in in-kind services. In return for slightly increased office space, the Bureau will absorb all costs incurred in providing a data processing terminal, plus approximately thirteen-hundred dollars ($1,300.00) in advertising and membership for the Auditorium and Convention Center in the International Association of Exposition Managers.

Heating and Airconditioning

Mr. Cooper said after one weeks running the "Chiller" in running very smoothly and they anticipate no additional problems with it.

Request to Travel

Mr. Cooper said he would like the Commissions permission for him to travel to Indianapolis again, to the Federal Surplus warehouse to acquire twelve portable stainless steel and aluminum laboratory cage racks, which are approximately 6'8" in height, 21" wide and 7'6" long, that they are very well constructed and can be used, with minor modifications as mobile storage bins. They have large wheels and will easily fit on our freight elevator and they can be purchased for $12.50 each.
He said he would like to take Mr. Benny Gossard with him and we would drive his county owned pick-up truck and rent a trailer in Indianapolis for the one-way trip back to Evansville, that the total cost of the trip would be about $250.00.

Permission granted for Mr. Cooper to travel with Mr. Gossard to Indianapolis.

Refreshment Cart

Commissioner Cox asked Mr. Cooper how things are coming along with the refreshment cart he talked about some time ago.

Mr. Cooper said he has sort of put that item on the back burner for awhile, but he has found out that the soft drink companies would be more then happy to deliver a portable soft drink machine for the events where the building has the concession sales and he had a couple of them that did not do as well as he had expected, because the crowds were down.

Commissioner Cox asked if food and drinks have been allowed in the Auditorium and Mr. Cooper said no, not as a rule.
Mrs. Cox said to her the Auditorium is a high class place and people come in sometimes very formal and she thinks food and drinks being allowed in there will really take away from the beauty of it.

RE: MARK TULEY....SUPERINTENDENT OF COUNTY BUILDINGS

Electrical System at Hillcrest

Mr. Tuley said he has Mr.Dave Schofield from Schofield Electric Company present here today, that we are wanting to do some changing of the electrical system at Hillcrest Washington.

Mr. Schofield said this is pertaining to the installation of 125 amp, three phase service at the Hillcrest Washington Home, and the main purpose is that the washing machines that are there have three phase converters, which you are having to have a lot of repairs made on and he has been informed there are a lot of motors that have been burned up and this three phase service would eliminate that and you would be using smaller motors on all of the equipment out there, which you would operate three phase, so you would be having a savings and this would be done for a sum of $1200.00, with the electrical inspection and all fees taken care of. This amount would not include the purchase of the smaller motors, that it includes the installation of the three phase service, connecting the washing machines they presently have, disconnecting the three phase converters and also to change to meters to an outside pole so they will not have to go inside to read them anymore. You will use the motors you have presently and as they go out then they will be replaced with the smaller motors.

Mr. Tuley said he understands that over the past ten years they have spent some $7,000.00 on the repairs of these motors and converters.

Mr. Schofield said this change should have a pay back in at least a year and a half.

Mr. Tuley said we have spent over $500.00 on repairs of these converters and motors so far this year, so he personally feels this is a real need.

Mr. Schofield said anything you choose to add that is three phase, can go onto this service.

President Willner asked Mr. Tuley if the money is available in his budget and he said that it is.

Commissioner Cox moved that the expenditure of $1200.00 be approved for the work on the electrical system at Hillcrest Washington Home. Commissioner Borries seconded the motion, which carried with three affirmative votes.

RE: JESSE CROOKS.....BUILDING COMMISSION

E.A.R.C. Building (Claim from Midwest Roofing)

Mr. Crooks said he now is presenting the bill from Midwest Roofing and Insulation Co. for the labor and material to complete the work on aluminum coping at the E.A.R.C. Building at 615 West Virginia Street.

President Willner said the total amount of the job was $7,412.00, that they have been paid $1,400.00 and the total amount now due, and is so indicated on the blue claim, is $6,012.00.

Commissioner Borries moved the claim from Midwest Roofing in the amount of $6,012.00 be approved. Commissioner Cox seconded the motion. So ordered.

Mr. Crooks said he received a call from E.A.R.C. the other day informing him they have termites in the building and he told them he did not see how they could because that is all concrete, that there is hardly any wood in the whole building. They told us they had someone who would treat the sub-structure, under ground, for a total cost of some $12,000.00, so he wants to check this out thoroughly to make sure it is termites and then he will report back to this board.

House on Schroeder Road

Commissioner Cox asked Mr. Crooks what the statis is on the house on Schroeder Road that was in such terrible condition and there had also been a fire in it and we talked about condemning it.

Mr. Crooks said they have cleaned out the second story but they have not cleaned out the first story and he will get someone back out there to re-inspect it.

President Willner asked is it true they have had another fire there and Mr. Crooks said he has not found that out, that he will keep the Commissioners informed.

RE: DAVID SAVAGE.....TRAFFIC ENGINEER

Mr. Savage said a couple of weeks ago Commissioner Borries asked him to check out a road in front of 7206 Darmstadt, whereby cars coming around there ran into the house on three different occasions. He checked the road grade out and he feels there is a combination of problems out there. He said it is a gentle curve but there is no advance warning sign, so we will put up such a sign to warn the drivers. He said the curve is just a little bit super elevated, that one side is higher then the other and there is a three inch drop off. You can tell it has been rocked fairly frequently, but as people get off the edge of the road the rock wears away and when people try to come around and get back on the road they are losing control. He said he believes all three accidents have occured late at night and they were all intoxicated. He said the shoulder widens out just a little when you go into that curve by the mail boxes, that perhaps they are following the mail boxes around and then suddenly the shoulder runs out and its back to just the roadway.

President Willner asked if it would be advantageous to have the county asphalt that shoulder and Mr. Savage said he thinks it would be and we would put an edge line on it also.

Commissioner Borries said he appreciated Mr. Savage checking this out.

Mr. Savage said they do have the report on the first quarter and the April report on the work and the dollar figure involved on the road signs, that these are being put together and he will present them at the next meeting.

RE: GENE KAUTZMAN.....COUNTY HIGHWAY GARAGE

Weekly Absentee Report

Mr. Kautzman submitted the weekly absentee report on the employees at the County Highway Garage for the week ending May 1, 1981.

Report received and filed.

Monthly Report

Mr. Kautzman submitted the monthy report of the County Highway Garage for the month of March, 1981.

Report received and filed.

Security System

Mr. Kautzman said he would like to publicly thank the Sheriff's Department for their cooperation with their security system, that we put it into effect Friday and they had a few minor problem, they corrected them, and it is working real well.

7206 Darmstadt Road

Mr. Kautzman said he heard the discussion of the problem on Darmstadt Road with Mr. Savage and he will send someone out there to look at it and report back.

Commissioner Cox said for Mr. Kautzman to look at Happe Road, that it needs some shoulder work also.

Ridgecrest Drive

Commissioner Borries said on Ridgecrest Drive, in Melody Hills, there are some problems developing out there with some roads, that it is a very steep part and there are some rather large cracks in the road and he would like for someone from the garage to go out and take a look at it.

Mr. Kautzman said he is aware of the problems and he has a crew working out in Melody Hills today.

Complaints of Rough R.R. Crossings

Commissioner Borries said he has had complaints about particularly bumpy railroad crossings, and one especially on Oak Hill Road behind the Airport and he is wondering if we should talk to the railroad about this.

President Willner said perhaps we could send them a letter.

Mr. Kautzman said he believes the railroad did some work on it this past week, that he will check it out and report back.

Purchase Equipment at the Government Surplus Warehouse

Mr. Kautzman said he heard that Mr. Cooper plans on going back to the government surplus in Indianapolis and when he does he wants Mr. Cooper to purchase a tire breaking tool they have there. He has enough money in the Highway budget to pay for it. He said he is also willing to make one of our trucks available to Mr. Cooper should he want it.

RE: BOB BRENNER.....COUNTY SURVEYOR

Bridge and Guardrail Report

Mr. David Guillaum submitted the bridge and guardrail report for the period of 4-27-81 thru 5-1-81 and said last week most of the week was spent out on Wallenmeyer Road, that we have our back-fill in, the rocks been compacted and it should be opened up to the traffic by maybe tomorrow.

He said they repaired a culvert on Woods Avenue off Hogue Road that Commissioner Cox informed him of and he wants her to know a crew did repair it.

President Willner said he would like for the other two Commissioners, if they have not already done so, to go out and look at the new structure on Wallenmeyer that is being put in, that it is a completely new concept, that he has never seen another one like it and cost-wise it is probably a third less then if we went another route, and if this new design works, then perhaps we could do some more of them in the future, that it is really remarkable. He asked Mr. Guillaum to get back to the board with the amount of savings we had by doing the bridge with the new design.

RE: AL HOLTZ....ACTING COUNTY HIGHWAY ENGINEER

Extra Work Agreement

Mr. Holtz submitted an extra work agreement for Lynch Road to remove 30' of 15" RCP and on E-7 inlet for the amount of $195.00 and also to furnish and install 36" concrete end section with galvanized bar screen for the amount of $1,002.45, making the total extra work in the amount of $1,197.45. The planned E-7 inlet and 15" pipe was of insufficient size to handle run off of approximately 40 acres. He said he submitted this to the Commissioners last week and he was asked to go out and look at it and he did do that this past week and he would recommend it be approved, that it is Change Order #10.

Commissioner Cox moved the extra work agreement for Lynch Road be approved in the total amount of $1,197.45. Commissioner Borries seconded the motion. So ordered.

Cuts-In

Mr. Holtz submitted an application for a cut by the German Township Water Department on Mesker Park at Mill and Kramer to install a water line. They are going to bore under the road and not bother the surface.

Commissioner Cox moved the request be approved. Commissioner Borries seconded the motion. So ordered.

Commercial Court

Mr. Holtz said he went out and looked at Commercial Court this morning, that Mr. Easley wants it accepted for maintenance and it has been all cleaned up and he personally believes it is acceptable. He said that the street signs have also been erected. He said he does not have the form with him for the Commissioners to sign.

President Willner said we could go ahead and approve this and Mr. Holtz could then get the forms to Mrs. Meeks, the Commissioners secretary, for the Commissioners stamp of approval.

Commissioner Cox said she really believes that when the Commissioners do something like this it should have their signatures on it and not stamped.

Mr. Holtz said he would bring it back next week.

RE: ORDINANCE CONCERNING THE DEFERRED COMPENSATION PLAN FOR THE COUNTY

The following Ordinance concerning the deferred compensation plan for the county has been properly advertised and is now ready for final approval of the Commissioners

ORDINANCE

STATE OF INDIANA
COUNTY OF VANDERBURGH

IN THE MATTER OF ESTABLISHING A DEFERRED
COMPENSATION PLAN FOR THE COUNTY OF VANDERBURGH

WHEREAS, the County has considered the establishment of a Deferred Compensation Plan to be made available to all eligible County employees, elected officials, and independent contractors pursuant to Section 457 of the Internal Revenue Code permitting such plans; and

WHEREAS, certain tax benefits could accrue to employees, elected officials, and independent contractors participating in said Deferred Compensation Plans; and

WHEREAS, such benefits will act as incentives to County employees to voluntarily set aside and invest protions fo their current income to meet their future financial requirements and supplement their government retirement and Social Security benefits; and

WHEREAS, the National Association of Counties has established a Master Deferred Compensation Program for its member Counties, permitting its member counties and their employees to enjoy the advantages of this program; and

WHEREAS, by adoption of the said Program, all regulatory, operational, administrative and fiduciary responsibilities are hereby assumed by the Nationl Association of Counties in behalf of County; and

WHEREAS, the National Association of Counties as Plan Administrator, agrees to hold harmless and indemnify the County, its appointed and elected officers and participating employees from any loss resulting from the National Association of Counties or its Agent's failure to perform its duties and services pursuant to the NACO Program;

NOW, THEREORE, THE BOARD OF COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA DOES HEREBY ORDAIN AS FOLLOWS:

Vanderburgh County, Indiana hereby adopts the National Association of Counties Deferred Compensation Program and hereby establishes the County of Vanderburgh Deferred Compensation Plan for the voluntary participation of all eligible County employees, elected officials and independent contractors.

The President of Vice President of the Board of County Commissioners is hereby authorized to execute for the County, individual participation agreements with each said employee requesting same, and to act as the "Administrator" of the Plan representing the County, and to execute such agreements and contracts as are necessary to implement the program. The incidental expenses of collecting and disbursing of the employees' deferrals and other minor administrative matters are authorized by the present budget but there is to be no additional cost or contribution by the County to the program.

Dated this 4th day of May, 1981

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Commissioner Cox moved the Commissioners adopt the above Ordinance as presented. Commissioner Borries seconded the motion, which carried with three affirmative votes.

RE: CHECK FROM EVANSVILLE CABLE T.V.

President Willner said Evansville Cable T.V.has sent the County a check in the amount o $4,572.79 which is for a quarter year payment per agreement of July 28, 1980 for the period of November 1980 to March 31, 1981.
The following letter was also received:

Dear Commissioners,

Evansville Cable TV is more than happy to send the inclosed check in the amount of $4,572.79 which is the quarter year payment per agreement of July 28, 1980 for the period dated November 1980 to March 31, 1981. This reports 3% of the gross net figure for county residents who have subscribed to cable TV.

We pay the county 3% of our gross net of our basic subscriber dollar which is $8.00 monthly and 3% of our half of the Home Box Office dollar. We charge $9.00 monthly per Home Box Office outlet and our net figure from Home Box Office is $4.50. The county commission is 3% of that $4.50.

Please bear in mind that we really did not get into the county for activating purposes until the last quarter of 1980. We should have the Kasson areas completed by June 1981 which will pretty much complete what we intend to do in the county for the time being. We will be looking at expansion areas that make economic sense to build yet this year or in the future. Most of those particular areas that we are talking about at this time are in the Darmstadt areas. We still have work to be done out Browning Road in McCutchanville all of the way to Oak Meadow. Once SIGECO has changed out their poles, we will be able to complete that segment of the system.

Now that we have introduced Cinemax to our subscribers, the county will receive 3% of revenues from the Cinemax subscribers in the county based on our half of the dollar that we charge. If a sub takes Cinemax along with their cable, it would be $9.00, the same as a HBO outlet; but if the sub adds Cinemax and already has HBO, then both services would be $17.00. Revenues for 1981 will be substantially higher as the county subs are hooked up, etc.

Again, we would like to thank the County Commissioners for giving Evansville Cable TV the pleasure of serving residents of the county with cable TV service.

If the Commissioners have any questions, please feel free to call me.

Robert D. Ossenberg
Vice President and General Manager

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The above mentioned check in the amount of $4,572.79 was turned over the the County Auditor, Alice McBride to be put into the County General Fund, after the three County Commissioners endorsed it.

RE: PETITION TO VACATE A PORTION OF MANN ROAD

Mr. Les Shively said on April 20, 1981 at the Commissioners meeting he ask for a two week extension to file a petition for the vacation of a portion of Mann Road and at that time it was granted to him. He now is presenting that petition, which is signed in triplicate, by the requisite number of people prescribed in the statute. The next step is to set a date, by statute, so that they can take care of the necessary filing with the County Auditor's office and make sure proper notice is sent out and that the public notice be advertised properly in the newspaper.

Mr. David Miller, County Attorney asked Mr. Shively if he has prepared the notice yet and he replied not yet, because he needed a date from the County Commissioners to insert in the advertisement, that is the date it will be heard, but he will prepare it for inspection.

President Willner said what now are the duties of the County Commissioners.

County Attorney Miller said the next step is for the Commissioners to fix a date upon which there will be a public hearing on this petition, then the Commissioners must serve notice to all parties directly effected by the vacation and the county must publish a legal notice in the newspaper and the hearing twenty days from the date of last publication. He would suggest we have this hearing on June 15th, which is the County Commissioners regular night meeting, which would make it easier for remonstrators to attend. The county must also appoint three viewers.
He suggested this be deferred for about ten minutes and let him and Mr. Shively go through the statutes and we will then tell you everything that has to be done and in what order.

RE: ANNUAL REPORT FROM WELFARE DEPARTMENT

President Willner said we have the Vanderburgh County Department of Public Welfare annual report for 1980.

Report received and filed.

RE: CERTIFICATES OF INSURANCE

A certificate of insurance was submitted by Harrison High School Instrumental Music Department Booster Club for a flea market held in the Gold Room on April 26, 1981.

A certificate of insurance was submitted by Supreme Guardian Council, International Order of Job's Daughters for use of the Auditorium.

A certificate of insurance was submitted by Evansville Vanderburgh School Corporation for Reitz High School Junior-Senior Prom to be held May 9, 1981 in the Gold Room.

All certificates of insurance received and filed.

RE: CLAIMS

A claim was submitted by Engineer Associates, Inc for engineering inspection of Lynch Road for the period of 4-20-81...4-24-81, in the amount of $4,265.07. Claim signed by Al Holtz.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Engineer Associates, Inc. for engineering inspection of St. Joe Avenue for the period of 4-20-81...4-24-81, in the amount of $2,358.92. Claim signed by Al Holtz.

Commissioner Cox moved the above claim be allowed. Commissioner Borries seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

GERMAN TOWNSHIP ASSESSOR:

Jim Fehrenbacher	R.R.4 Mill Road	Fieldman	$30.00 Day	Eff: 4-20-81

BURDETTE PARK:

Robert Nunning	104 N. Barker Ave.	Security	$5.00 Hour	Eff: 4-27-81
Mary Stephenson	1916 S. Bosse Ave.	Part time	$4.00 Hour	Eff: 4-30-81

VANDERBURGH COUNTY HIGHWAY DEPARTMENT:

Milton Hayden	417 Kinwood Avenue	Foreman	$13,851.00	Eff: 4-23-81

CENTER TOWNSHIP ASSESSOR:

Jacqueline Page	3918 Claremont Ave.	Real Est. Dep.	$568.58 Pay	Eff: 5-8-81

RE: EMPLOYMENT CHANGES.....RELEASES

VANDERBURGH COUNTY HIGHWAY DEPARTMENT:

Charles Smith	900 N.Lafayette	Night Watchman	$6.18 Hour	Eff: 6-11-81
Larry Gresham	3410 Inlehart Ave.	Foreman	$13,851.00	Eff: 4-23-81
Milton Hayden	417 Kinwood Ave.	Hwy. Inspector	$12,824.00	Eff: 4-23-81

CENTER TOWNSHIP ASSESSOR:

Jacqueline Page	3918 Claremont Ave.	Office Deputy	$350.95 Pay	Eff: 5-7-81
Kathleen Gullaher	Kremer Road	Part time Dep.	$30.00 Day	Eff: 5-7-81

BURDETTE PARK:

Susan Warren	323 Sequoia Lane	Part time Office	$4.00 Hour	Eff: 5-4-81

At this time there was a five minute recess:

MEETING RECONVENED:

RE: VACATION OF A PORTION OF MANN ROAD....CONTINUED

County Attorney David Miller said he and Mr. Shively have reviewed the statutes concerning the vacation of a road and have agreed that upon the filing of this petition the Board of County Commissioners must appoint three (3) viewers who's duty it is to view the proposed area and to make a report to the Commissioners of the location and conditions of the road and any circumstances that they observed while they are viewing. The viewers must be among those people in the county who have absolutely no relationship with the persons who own land that touches upon or be connected with the road that is proposed to be vacated, as a matter of fact, the statute says they cannot be related to any of those people by consanguinity within the 6th degree.
He said the three viewers must be sworn in,that this will be done by the County Auditor, Mrs. McBride. There must be an advertisement for two consecutive weeks in the newspaper of general circulation, and although the statute is not clear on this point, he would say the public meeting should be held twenty (20) days after the second advertisement, just to be on the safe side. He would say in view of the controversy that is going to develope, it might be wise to have it at the regular night meeting of the Commissioners, which would allow anyone wanting to attend, the opportunity. He said the June 15th. meeting would be most appropriate time. He would suggest the Commissioners decide this week upon the viewers they want to appoint and have them to come to the next County Commissioners meeting to be sworn in and request that they give this board a report within three weeks and that report can then be made public at the next meeting of this board, and can then be acted upon at the June 15th. meeting.

President Willner said since we are to appoint three viewers, he would ask that each of the Commission appoint one viewer of his or her choice, to be present at our next week's meeting. (This was agreeable with the other two Commissioners).

Mr. Miller said it is the duty of the County Auditor to do the legal advertising, that it be advertised once each week, for two consecutive weeks successively in a newspaper published in the county, so we only have to advertise it in one newspaper, but given the nature of this, the Commissioners may choose to use both newspapers.

President Willner said yes, he would like for it to be advertised in both the Courier and the Press.

He said the petitioner now needs to file the petition with the County Auditor before the next regular meeting of the Commissioners.

Mr. Miller said there are certain notices that have to be mailed by the Auditor and he asked Mr. Shively to prepare those notes, let him see them, and then give them to the Auditor to sign and then the petitioner can do the mailing.

Mr. Shively said this would be fine, and that he will go ahead and get an estimate from the Printing Corporation as to the cost of the advertisement and have that taken care of in advance.

Mr. Miller said he also thinks the entire petition should be made a part of the legal notice.

Mr. Shively said a copy of the petition and the legal description will be forwarded to Southern Indiana Gas and Electric Co. so that they can make the proper inspection in regard to public utility easements.

There being no further business, the meeting recessed at 4:05 P.M.

	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
PRESENT:	Robert Willner Richard Borries Shirley Jean Cox	Alice McBride	David Miller
SECRETARY:	Janice Decker		

Robert L. Willner
Richard Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MAY 11,1981

The meeting of the County Commissioners was held on Monday, May 11, 1981, at 2:30 P.M. in the Commissioners Hearing Room.

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

RE: GENE KAUTZMAN.....COUNTY HIGHWAY GARAGE

Weekly Absentee Report

The weekly absentee report on the employees at the County Highway Garage for the week ending May 8, 1981 was submitted.

Report received and filed.

RE: BOB BRENNER.....COUNTY SURVEYOR

Bridge and Guardrail Report

Mr. David Guillaum submitted the bridge and guardrail report for the period of 5-4-81 thru 5-8-81 and said the past week they have been trying to complete the Wallenmeyer pipe project. They still have a little more rock work to do in the area of the retaining wall, to give the full width to it. He said they could have opened it up this evening, but after looking at it this morning, he felt they should get the rock smoothed out a little better than it is.
He would say that the savings on the project, using the new design, is around $10,000.00 with us doing the job.

Mr. Guillaum said they would like to begin the pipe project on Mt. Pleasant as soon as we get this one completed, which may be toward the end of this week, or the first of next week.

Meeting with Surrounding County Commissioners

President Willner said some of the County Commissioners from our surrounding counties have expressed the feeling they would like to meet together with the Vanderburgh County Commissioners and discuss our mutual funding problems, so if the other two Commissioners would agree to this he will contact Warrick, Gibson and Posey County Commissioners and set up a night to meet with them. He said Gibson County is also interested in the bridge now being put in on Wallenmeyer Road and he asked Mr. Guillaum to please take some pictures of that structure and to get him a cost run-down so that it can be shared with the other counties.

Little Schaefer and Diefenbach Road

Commissioner Cox said she received a complaint about the Little Schaefer Road and Diefenbach Road, off of Upper Mt. Vernon Road. Little Schaefer is too narrow and it has a lot of obstruction along the right-of-way, such as trees and limbs growing out in the road, but there is also a very deep ditch that runs along beside the road and a young man was riding a bicycle along there and a car came by and the man got on the loose shoulder and fell down into the ditch. There are large chunks of concrete in the ditch and this man hit this and is now in the hospital with a ruptured spleen. She said this is a very dangerous situation and she does not who's responsibility it would be to install guardrails, if that is possible, but something should be done.

Mr. Guillaum said he would have this checked out.

RE: CONRAD COOPER.....AUDITORIUM

Combustion Evaluation on Heating System

Mr. Cooper said on Monday they will begin running a combustion evaluation on both of their boilers in an effort to make them a little more efficient, that this is part of the heating and cooling work they have been doing on the system.

Closing of Walnut Street Entrance to Parking Lot to Auditorium

Mr. Cooper said he has asked the County Garage for a number of links of damaged guardrail to install in the not used entrance to the parking lot, which is on the Walnut Street side. He understands that some years back it was deemed to dangerous to use because of the heavy Walnut Street traffic. There have been a number of devices used to try to keep people from using the entrance but from time to time they are moved, in fact, over the week end they were put in the middle of Walnut Street by vandals. He thinks the guardrail will look better and get the job done at little or no expense to the county. This would make a permanent closure.

President Willner said since the Highway's budget is from gas tax money and if they should do this, then make sure they bill us for their time spent doing it, but he sees no problem with it being done.

RE: JESSE CROOKS.....BUILDING COMMISSION

House on Schroeder Road

Mr. Crooks said concerning the house on Schroeder Road, they were back out there investigating it and as far as they were able to determine there was no recent fire. He said the first floor has not been cleaned up any more but the second floor is alright. He showed the Commissioners some photographs of the house, but they all stated they had seen them before.

President Willner said he knows this is a ticklish subject, that it is really a family matter, but he wonders if Mr. Crooks has a recommendation.

Mr. Crooks said it is a strained matter but he would say the fire damage repairs have been made to the point it is okay, that there is no problem along that line.

Carriage Drive

Mr. Crooks said out off of Green River Road on Carriage Drive they have another request for someone wanting to build in there. He said this area has been discussed before and that it does not drain properly, that there is no drain east to Cullen Avenue to take the water out of there. We can let the people build up to be above the 100 year flood level, but we still aren't doing anything about the drainage problem and we really do need something back in through there.

President Willner said are we talking about someone's home and Mr. Crooks said no, that as far as he knows this will all be commercial..

Mr. Crooks drew the Commissioners a sketch of the effected area and pointed out to them which way the drainage flowed and also just where the Crawford Brandeis Ditch ran. He showed them where Cullen Avenue ran and said when we get a good rain that it stands in water.

Commissioner Cox asked that when the other people built back in there, did they have any covenants and Mr. Crooks said he didn't think so.

Mr. Crooks said he just can't see giving them a hand to build in there because there is a bad drainage problem that needs to be corrected.

President Willner said he wonders if it is possible to get all of the property owners together and have a meeting and try to get an agreement between all of them.

Mr. Crooks said it will take him awhile to find all of the names but he will work on it and try to come up with a mutual agreement that everyone can live with.

RE: DAVID SAVAGE.....TRAFFIC ENGINEER

Quarterly Report

Mr. Savage submitted the first quarterly report concerning the road sign repair and replacement that they have been working on from the road reports given them by this County Commission, together with the Sheriff's Department. There is a dollar figure at the bottom of the report and he stated that if the Commissioners would want copies, they have extras of all the work orders. He said the dollars are running about 17% of their budget, as it is now and he understands that the agreed rate is 14% (Paid by the County).

Mr. Savage said since he has taken over he has not done any billing to the county and he would like to know what the procedures are and Mrs. McBride, County Auditor, said the City Controllers office bills the county, that it is usually done monthly and we do pay 14% of the Traffic Department's budget.

Commissioner Cox asked Mr. Savage if this report reflects average, less or more work and he replied last fall when he first came on, it was heavier than this, that it must be a seasonable type thing.

RE: AL HOLTZ.....ACTING COUNTY HIGHWAY ENGINEER

Commercial Court....Acceptance for County Maintenance

The following letter was presented to the County Commissioners concerning the acceptance of Commercial Court for County Maintenance:

SUBJECT: COMMERCIAL COURT

Gentlemen,

I again approach you that I personally inspected on April 8, 1981, the above subject street and read the test reports of borings made by Hansen Testing and Engineering Company and found that the quality of construction and strength of the materials exceed the requirements and specifications of the vanderburgh county highway standards. As requested, the paved street has been satisfactorily cleaned and Mr. Andy Easley desires to have the street taken over by the County and I certainly would recommend it be accepted for County maintenance.

Mr. Al Holtz,
Acting County Highway Engineer

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Commissioner Cox asked how many tenths of a mile does this take in and Mr. Holtz said he did not measure it, that they have an industrial plat and the number of feet would be on that.

Commissioner Cox said she feels this should be stated.

President Willner asked if Commercial Court will ever extend further east and Mr. Holtz said it ends in a cul-de-sac, but that 12th. Avenue could some day come into it from the south.

Commissioner Cox moved that Commercial Court be accepted for county maintenance, subject to the number of feet to be included in the acceptance letter. President Willner seconded the motion. So ordered.

Letter from Deig Bros. concerning St. Joe Widening

President Willner read the following letter received from Deig Brothers:

Gentlemen,

With this letter we are requesting that you give quick consideration to the proposed change in plans, which calls for establishing a left-turn lane for Southbound St. Joe traffic turning into Commercial Court. This decision should have been resolved some time ago, and is affecting our work schedule for this area. We should be able to wind up this project very quickly, now that good weather is here, and need to have this problem decided one way or the other, in order not to interfere with an early completion date.

Thank you for your consideration.

Sincerely yours,
DEIG BROS. LUMBER AND CONSTRUCTION CO., INC.

Dick Hartmann

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Mr. Holtz said the above letter concerns the signed change order that Mr. Easley hand delivered to Vincennes and we have not heard a thing on it yet.

President Willner said we are not the deciding factor in this matter, that he sees a copy of the above letter also went to Nicholas VanNielsen, with the State Highway Department and he would think that is where the answer should come from, but that this Board has completed everything that is required of us, and it is now up to the State.

Pump Station off St. Joe Avenue

Mr. Holtz said sometime ago we received a request from the City of Evansville, Board of Public Works asking that we provide some access to the lift station by providing a cut in the guardrail and a roadway sloped down immediately off of St. Joseph Avenue. At this time Mr. Holtz submitted a change order requesting that Sta. 58+17 to 59+55.22 along the East R/W line of St. Joe Avenue furnish Rock Drive, as per drawing in lieu of sodding ... specified, with intent to provide an access to service Sanitary Lift Pumps at this location, as requested by Board of Public Works, and what he now needs is the County Commissioners signatures. He said the amount saved is $74.38.

Commissioner Borries moved the change order be approved. Commissioner Cox seconded the motion. So ordered.

Sewer on Lynch Road

President Willner said Deig Brothers and the state ran into some sewer problems on Lynch Road and arbitrarily they decided among themselves to change things and the Commissioners were not aware of the change until we received a bill in the amount of $533.32. This was forwarded to the Water Works Board and we thought they were going to pay it in exchange for some work we did for them and now they want to know why this was done without their knowledge. Mr. Darrell Veach, representative from Engineer Associates was present and President Willner gave him the letter and asked him would he please check it out and report back to this board and he said that yes, he would take care of it.

Overtime Premium on Construction Engineering

Mr. Holtz presented each of the Commissioners with a copy of a letter from the Indiana State Highway Commission concerning overtime premium on construction engineering (CE) porjects. After looking at it's contents President Willner said they would take it under advisement.

RE: COUNTY ATTORNEY

County Attorney David Jones said the insurance company that declined to appear in defense of our Sheriff, has had a change of heart, and that they will appear in behalf of the Sheriff's jail suit.

RE: LETTER FROM MATER DEI HIGH SCHOOL

The following letter was received from Mater Dei School.

Dear Commissioners,

Our Student Council is again preparing for Spring General Elections. In the past we have borrowed the portable voting booths from you. In a phone conversation with the Commissioners' Office I was asked to make this request in writing.

Would it be possible to borrow THREE portable booths to be used on May 19, 20 and 21? I would be able to pick these up at your office and return them personally. The booths would be set up only during the established times for voting. Our appointed Election Board and I will be present during the time of voting. Therefore I feel certain that there would be no damage to the booths. Your office has on file a copy of the Diocescan Insurance Certificate, expiration date 8-15-81.

We appreciate your co-operation in the past and thank you for consideration of our present request.

Sincerely,
Sister Donna Marie Herr
Student Council Sponsor

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Commissioner Cox moved the above request be granted. Commissioner Borries seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was submitted by Jan's School of Dance, Inc. for a dance recital to be held June 5 and 6, 1981, at the Vanderburgh County Auditorium.

A Certificate of Insurance was submitted by the International Order of Rainbow for Girls for the Grand Assembly to be held July 1 thru 5, 1981 at the Auditorium.

Certificates received and filed.

RE: OFFICIAL BOND

An Official Bond for William Sandefur, Deputy Coroner was submitted. The bond was received and filed with the County Auditor's office to be recorded in the County Recorder's Office.

RE: LETTER.....AREA PLAN COMMISSION

The following letter was read by President Willner, as submitted by the Area Plan Commission.

The Area Plan Commission office issues monthly between 40-60 letters of zoning certification.. Most of these are issued to Real Estate firms to comply with Multi-List regulations. We consider ourselves to be a service-oriented agency but the budget crunch, reduction in staff and simply the increased personnel time and costs of researching, plotting, writing, and mailing these letters demands that this be brought to your attention.

In Warrick County, a letter of certifications is $10.00. We request permission to begin charging for these letters. We will still continue to answer phone or personal requests for zoning information at no charge. These fees are only to be applied if a letter needs to be written.

Our cost for printing and binding the Comprehensive Plan is $10.19. Would the Commission members be agreeable to a charge for this? This charge would not apply to other governmental agencies.

Barbara Cunningham, Director

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Commissioner Cox said at the Area Plan Commission meeting last Wednesday this matter was discussed and approved unanimously by it's members that this fee be charged as recommended above, that it would be a $10.00 fee, and not $10.19 as stated in the letter.

President Willner said he sees nothing wrong with it, that this will be for private agencies and it does require a lot of time to compile, that possibly we should have been doing it before now.

Commissioner Borries said our Attorney advises him that because this is a joint City and County agency, we may need a Joint Ordinance.

Commissioner Cox said she asked them where the money from these would be placed and they told her it would go into the County General Fund and not to the City.

Mr. Jones said to impose fees, you may have to have a Joint Ordinance.

Commissioner Cox said perhaps we had better have our attorney to check this out, but she believes they started charging the fee last Thursday, the day after it was approved by the Area Plan Commission.

This matter was referred to the County Attorney, David Jones, to be checked out.

RE: APPOINTMENT OF VIEWERS

President Willner said at this time he will have the Commissioners to name their appointments of the viewers for a portion of Mann Road being vacated, or proposed to be vacated.

Commissioner Borries named Mr. Darrell Veach with Engineer Associates, who was present, and agreed to serve as a viewer in the matter of Mann Road vacation.

Commissioner Cox said her appointment is Mr. Richard Eiffler, that he could not be present today, but he has agreed to serve as a viewer unless there is a problem because he is also City Engineer.

Mr. Jones said he would see no conflict simply because he is City Engineer, as long as he is not related by blood, or he cannot have a financial interest in the property or with anyone involved.

Commissioner Cox said then with there being no conflict she would make Mr. Eiffler her appointment.

President Willner said he would like to name as his appointment, Mr. Jim Bradley, and at this time he asked Mr. Veach and Mr. Bradley to go out into the other office and be sworn in by County Auditor, Alice McBride and then to begin their duties as the viewers. He asked that they view and make a report to the Board within three weeks.

Mr. Eiffler will go to the Auditor's office and be sworn in before resuming his duties.

Mr. Jones said they must each one do their personal viewing, but that the report submitted to the Commissioners may be collectively, with each of their views written in it and if they have any disagreements, it should be stated in the report, and signed by all three viewers.

RE: BARBARA CUNNINGHAM....AREA PLAN COMMISSION

President Willner said Mrs. Cunningham, Director of the Area Plan Commission has entered the room so perhaps we could ask her about the $10.00 fee charged by the Commission. He said we agree with the service fee but the question arose as to whether there would have to be a Joint Ordinance with the City.

Mrs. Cunningham said they now have Mr. Kevin Winterheimer as their attorney and that she would check with him immediately to see if they are in the realm of the statutes, in charging the mentioned service fee.

Commissioner Cox moved that the Area Plan Commission be permitted to charge the $10.00 fee as proposed, subject to it meeting the legal requirements. Commissioner Borries seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by the Xerox Corp for payment on Xerox equipmnet for the month of May, 1981, in the amount of $418.08, and signed by Mr. Willner.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Torian Agency, Inc. for a public official bond for William Sandefur, Deputy Coroner in the amount of $30.00. Claim signed by Mr. Willner.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Patton Heating for a refund on permit overpayment, in the amount of $10.00. Claim was signed by Jesse Crooks.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by David Jones, County Attorney for legal fees in the amount of $462.46, for the month of April on the Jail Suit. The money for this claim is not available and must be put on the Council Call. Attached was an itemized statement.

Commissioner Cox moved the amount of $462.46 be advertised for the County Council's approval. Commissioner Borries seconded the motion. So ordered.

The claim was given to Mrs. Meeks, the Commissioner's secretary for further action from the Council.

A claim was submitted by Engineer Associates for engineering inspection of St. Joseph Avenue for the period of 4-27-81..5-1-81, in the amount of $2,258.14, signed by Al Holtz.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates for engineering inspection of Lynch Road, for the period of 4-27-81...5-1-81, in the amount of $4,047.92. Claim signed by Al Holtz.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY TREASURER:

Barbara Harrison		Part time	$30.00 Day	Eff: 4-28-81
Sherry Pace	1761 Henning Ave.	Part time	$30.00 Day	Eff: 4-30-81
Julia Jarman	629 Madison	Part time	$30.00 Day	Eff: 5-5-81

VANDERBURGH SUPERIOR COURT:

Lisa P. Leavitt		Probation Officer	$380.00 (2-weeks)	Eff: 5-11-81
Mary Hall	(Summer)	Probation Officer	$280.00 (2-weeks)	Eff: 5-18-81

PROSECUTOR:

Vincent Zahnle	3125 Allens Road	Intern	$5.00 Hour	Eff: 5-11-81

AREA PLAN COMMISSION:

David Mulvany	528 Chadwick	Chief Draftsman	$12,000.00 Yr.	Eff: 5-14-81

AUDITOR:

Cathy Hall	R.R.5 Box 25	Posting Clerk	$8,726.00 Yr.	Eff: 5-8-81

PERRY TOWNSHIP ASSESSOR:

Herman Moore		Deputy	$30.00 Day	Eff: 5-11-81

RE: EMPLOYMENT CHANGES....RELEASES

AUDITOR:

Virginia Singer	7608 Greenbriar	Part time	$30.00 Day	Eff: 5-8-81
Margorie Miller	1621 Wedeking Ave.	Part time	$30.00 Day	Eff: 5-11-81
Edna Castrup	426 Richardt Ave.	Part time	$30.00 Day	Eff: 5-11-81
Betty Covey	4412 Longfield Dr.	Part time	$30.00 Day	Eff: 5-11-[redacted]
Cathy Hall	R.R. 5 Box 25	Part time	$30.00 Day	Eff: 5-7-8[redacted]
Margaret Blaxton	8209 Old State Rd.	Part time	$30.00 Day	Eff: 5-8-81

PERRY ASSESSOR:

Herman Moore		Deputy	$25.00 Day	Eff: 5-11-81

RE: MONTHLY REPORT

The monthly report of the Clerk of Circuit Court was submitted for the month of April. 1981.

Report recieved and filed.

RE REQUEST TO TRAVEL

President Willner said he has a note stating that Mr. Benny Gossard will be traveling to Indianapolis on May 12, to pick up the shelving that Mr. Cooper is acquiring from the government surplus warehouse, and he he asking for the Board's permission.

Commissioner Cox moved that Mr. Gossard be permitted to travel to Indianapolis on May 12, 1981. Commissioner Borries seconded the motion. So ordered.

RE: CUMULATIVE BRIDGE FUND....DISCUSSION

Commissioner Cox said she is confused about the Cumulative Bridge funds, that she has asked Mr. McBride for a complete run-down as to where exactly everything stands now. When she read the financial statement, she could not understand why it was necessary to take the $600,000.00 out of the First Avenue Bridge account, when it looked like there was $900,000.00 plus left in there.

Mr. Brenner, County Surveyor said this was done because there was too much money in the First Avenue account, that all we had to have in there is the 30% to be paid by the county and we erroneously put up the 100%.

Mr. Brenner said the money for First Avenue was put into a 2260...Contractual account and really, this account should be wiped out, all the monies repealed and put into separate accounts.

President Willner said is it true that the first of year all the monies for the First Avenue project will go back into the general fund.

Mrs. McBride said if you do not have a contract it will go back. Anything you want to carry forward should be in the budget, that you must have a contract before you can encumber, and when we receive a letter stating they have a contract on a certain project, then we can encumber funds.

Commissioner Borries asked if the federal funds have been approved for the First Avenue project.

Mr. Brenner said no, they have not even been applied for yet, that the environmental studies and the preliminary engineering must first be completed and that will never be this year.

Mr. Jones said First Avenue is in the Green Belt Project and that puts a lot more red tape on it, because it is tied up with the Green Belt Project on Pigeon Creek.

President Willner said that David Gerard tells us the state will not allow it....period.

Commissioner Cox said she did not get that impression, that she thinks they are telling us not to send the state anymore new projects this year, that they cannot do them.

Mr. Brenner said Mr. Gerard did say we would not get federal funds for First Avenue, that it would not be included in Federal Aid Urban.

President Willner said he talked to a County Highway Engineer from another county and he told us that the county he was getting ready to leave was having two bridges done this year through federal funds. Vanderburgh County has never had one done that way so he thinks something is bad wrong somewhere.

Commissioner Cox said yes, but maybe that money was approved five or six years ago and now they have really clamped down on the funds.

There being no further business the meeting recessed at 3:50 P.M.

	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
PRESENT:	Robert Willner Richard Borries Shirley J. Cox.	Alice McBride	David Jones
SECRETARY:	Janice Decker		

Robert L Willner

R J Borries

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MAY 18, 1981

The meeting of the County Commissioners was held on Monday, May 18, 1981, at 7:30 P.M. in the Commissioners Hearing Room.

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

RE: ROGER STEINKUHL....DARMSTADT (INTER-GOVERNMENTAL AGREEMENT)

Mr. Roger Steinkuhl, representing the town of Darmstadt, was present and stated he would like approval for the town of Darmstadt and Vanderburgh County to enter into an inter-governmental agreement to have Vanderburgh County to re-surface some of Darmstadt's roads. He said they would like for Mr. Gene Kautzman to look the situation over, that right now they are mainly talking about Fleener Road, that after Mr. Kautzman makes his recommendation we can take it from there. He said he has discussed this matter with Mr. Jones, Vanderburgh County Attorney.

President Willner said he understands the price would be just exactly the amount it costs to do the work.

Mr. Steinkuhl said this is his understanding, but to this point, they have not been given a firm price.

Commissioner Cox said how many feet or miles are we talking about and Mr. Steinkuhl replied that Fleener Road would be a mile and one tenth and if it works out and you can do more for us then we would like to do more roads.

President Willner asked if they wanted hot mix or cold mix and Mr. Steinkuhl replied cold mix, that it seems to work well in Vanderburgh County.

Commissioner Cox said she has no objections to this, that she likes to see the inter-governmental agencies co-operate with each other.

Commissioner Borries said he has discussed this with Mr. Steinkuhl and he would certainly support the project, provided there are no legal problems, and evidently there are none.

County Attorney David Miller recommended there be a written agreemnt submitted to this board for final approval.

Commissioner Borries moved that pursuant to legal work being completed, that we enter into an agreement with the town of Darmstadt regarding the re-paving of at least Fleener Road, and possibly other roads being negotiated upon for re-paving.
Commissioner Cox seconded the motion. So ordered.

RE: REZONING PETITION VC-13-81...THIRD READING

Petitioner.....Lewis Ray Clark, 2926 Westbrook Ct.
Owner of Record..Lewis Ray Clard, same.

Premises affected are situated on the west side of Grove Street, a distance of 1000 feet south (S.W.N.E.) of the corner formed by the intersection of Allens Lane and Grove Street. The commonly known address is 2608 N. Grove Street. The above real estate is located in Zone District designated as Agricultural (A) and the requested change is to C-4.

The present existing land use is storage area and parking lot and the authority for said existing land use is conforming.

The proposed land use is collection point for aluminum cans. No recycling or salvage will be done on site.

Mr. Clark was present and stated he wants this property re-zoned so that he might buy aluminum cans at the site, that it would be a collection point.

Commissioner Cox said at the Area Plan meeting it was pointed out there is fencing that needs to be done on both sides of the property and the site plans should be submitted.

Mr. Clark said he is aware of this and is agreeable to it.

Commissioner Cox said we really do not have much of a site plan here and she would think what bothers a lot of people is that a C-4 zoning can open the way for a lot of different development and she would think we should have something from Mr. Clark stating this would be for a trailer to collect cans and nothing else.

Mr. Clark submitted a site plan to Mrs. Cox.

Commissioner Borries said in looking at the plans he would like to know what Parcel #2 is and Mr. Clark said that is land in the back, that is a swamp area and cannot be used, that it would take a lot of fill to build it up, but he is asking for both parcels to be re-zoned at the same time.

Commissioner Borries asked Mr. Clark if he anticipated building any permanent structures and he replied no, not for only one day a week collection.

President Willner asked if there were any remonstrators.....there were none.

President Willner said the Area Plan Commission's vote on this was ten (10) affirmative and two (2) negative votes.

Commissioner Borries said in looking at some pictures of the site, he said he sees some trucks parked there and also some smaller structures and he asked Mr. Clark if the site is presently being used to collect cans.

Mr. Clark said those are his trucks parked there, but no, the site is not being used to collect cans, that he is presently collecting them at North Park, but he cannot leave his equipment there.

Commissioner Borries said he understands why he wants to rezone the first parcel, but it is unclear to him why he wants to rezone Parcel #2.

Mr. Clark said he just thought he would go ahead and get it all rezoned at one time, that it is a shame the swamp cannot be used for something eventually, but if this board sees a problem with it, then just forget about Parcel #2.

Commissioner Cox said then if we amend it, will it have to go back to the Area Plan Commission.

President Willner said he understands if we amend it downward, it will not have to go back to them.

County Attorney Miller said if the portion that is eventually rezoned is less then the portion that was petitioned for by Area Plan, it does not have to go back to Area Plan.

Commissioner Cox asked Mr. Clark if he would be willing to amend his petition request to accept Parcel #1 only and he replied, yes, if that is what the Commissioner's prefer.

Commissioner Borries moved that VC-13-81 be amended to include only Parcel #1 and that Parcel #2 not be rezoned.
Commissioner Cox seconded the motion, which carried with three affirmative votes.

RE: REZONING PETITION.....VC-14-81....THIRD READING

Petitioner.....Henry Bertrand.....721 W. Main St. Bellville, Il. 62222
Owner of Record...Moto, Inc.....721 W. Main St. Bellville, Il. 62222
Lessee.....FKG Oil Co.....721 W. Main St. Bellville, Il. 62222

Premises affected are situated on north side of Slaughter Avenue, a distance of 0 feet in NW Quadrant of the corner formed by the intersection of Slaughter Avenue and Burkhardt The commonly known address is 6328 Slaughter Avenue (Division Street). The above real estate is located on Zone District designated as C-1 and Agricultural and the requested change is to C-2. The present existing land use is a service station (C-1) and agricultural and the authority for said existing land use is authorized by conditional use special use as service station was authorized in 1975. The proposed land use is C-2 expansion of present facilities.

Mr. David Heilman was present and stated he was here to represent Mr. Henry Bertrand, who is recovering from major surgery. Mr. Heilman said he is employed by Moto, Inc. as a design engineer. He said Moto, Inc. currently owns and operates the Moto Service Station on the corner of Division Street and Burkhardt Road and they are requesting this rezoning for future expansion plans. He said the station that is presently existing, they plan on keeping it in operation until the new facility is built, and at that time the old building will be torn down and landscaped across the front, that they will put in a vending area where the existing station is now. Their business has grown and they need the extra space to take care of the cars. At this time Mr. Heilman presented the site plans for the board's viewing.

Commissioner Cox said the Urban Transportation Study pointed out some recommendations. On of the recommendations was adequate parking should be provided, that you should have at least 16 slots and you are providing 21 slots, so you are meeting those requirements. The also recommended changes in the Division Street curb cuts will require Indiana State Highway Commission approval.

Mr. Heilman said they were aware of that also.

Commissioner Cox said the last recommendation is that access on Burkhardt, if permitted, should be limited to one curb cut, and we see that your plans call for two cuts on Burkhardt.

Mr. Heilman said he would have to take a strong look at it but probably one drive on each of the roads will probably do it.

Commissioner Borries told Mr. Heilman that if he would agree to subject to the existing set-back requirements and agree to the one curb cut on Burkhardt Road, he would support the rezoning.

Mr. Heilman said he would agree to the stipulation, but that he would like something in writing, so that they will know what they can do.

There were no remonstrators present.

Commissioner Borries moved that rezoning petition VC-14-81 be approved subject to the existing set-back requirements and no more then one curb cut on Burkhardt Road and that site plans be submitted to the Area Plan, with the changes shown.
Commissioner Cox seconded the motion which carried with three affirmative votes.

RE: REZONING PETITION...VC-15-81...THIRD READING

Petitioner.....Louis E. Lynn, 4101 Kleitz Road
Owner of Record....Same

Premises affected are situated on north side of Kleitz Road, a distance of 1,320 feet east of the corner formed by the intersection of Mesker Park Drive and Kleitz Road. The commonly known address is 4101 Kleitz Road. The above real estate is located in Zone District designated as Agricultural and the requested change is to C-4. The present existing land use is residential and storage warehouse and the authority for said existing land use is non-conforming land use.

Attorney James Flynn was present to represent Mr. Louis Lynn on this petition. He said this petition went before the Area Plan Commission on May 6,1981 and after due consideration they recommendation against this petition, by a vote of eight (8) to five (5). He believes the reason for that denial was in the size of the area to be rezoned, and we have endeavored to correct that problem. He said Mr. Lynn built a concrete addition to a barn that is located on his property on Kleitz Road and in his off-duty hours as a Fireman, he endeavors to operate a business whereby he places amusement machines into places of amusement. He said those machines are operated on site in commercial business's, zoned commercial. Mr. Lynn only makes a profit on that business operation when those machines are on site in the places of amusements, but now and then there are breakdowns in these machines, and when Mr. Lynn cannot repair these machines on site, he brings them to this barn, repairs them, and as soon as possible, removes them from his property and places them back on site, where they can earn him some money. There is no outside storage, there are no customers that come upon the premises, there are no delivery of machines made there, there are no signs of advertisement on his place. He does not advertise in the yellow pages of the phone book, nor in the newspaper, in fact, he does not advertise at all, anywhere.

He said they would have liked to have ask for a less intense use of this property then the C-4 we have petitioned for, however, the staff of the Plan Commission advised us that this was the only appropriate use under the ordinance, and so what they have endeavored to do is to petition for C-4 and then commit out of C-4 effectively, that is to say, they have submitted to the commissioners tonight a commitment signed by the petitioner, Mr. Lynn, in which he has committed himself that if he should ever sell or dispose of this property or if he should die, the property would revert back to the agricultural or R-1 statis. He said it was indicated to him that such an agreement was not enforceable and be that as it may, Mr. Lynn is willing to give any such assurance as this board might require and find enforceable. In addition to this Mr. Lynn has also submitted, in writing, his promise that he would not advertise the operation of any business activities on this property, anywhere or anytime. He also promises that he will not do any business with any customers on the premises, that all business will be on site at the places of amusements. He said before this petition was filed Mr. Lynn went to his neighbors and gave them these commitments, in writing, and after discussing the matter with them many of them signed a piece of paper on which they consented to Mr. Lynn's request, if he kept those commitments. At this time Mr. Flynn presented these signatures to the Commissioners to be filed with them. Mr. Flynn said several of Mr. Lynn's neighbors are present here tonight in his behalf. They acknowledged their presence by raising their hand's.
Mr. Flynn said when they met before the Area Plan Commission, they thought they had met all the requirement, however, it was indicated to them, after the meeting was over, that the Area Plan would have preferred that instead of a five acre area for rezoning, that we limit the rezoning to the specific building where the activitiy is, together with the access drive to that area, and so at this time, they have had their surveyor to carve out an area inclusive only of the area of the concrete addition and barn and the drive-way to Kleitz road, excluding the residence and the rest of the lot, so now it consists of not the five acres but only one half acre and at this time they seek to amend the area to zone C-4, with the same written commitments as before. He presented a legal description of the .52 acreas.

County Attorney Miller asked what Mr. Flynn's feeling would be in light of this being previously denied by the Plan Commission, because of the larger area, that it be referred back to the Area Plan Commission for consideration of the amended petition.

Mr. Flynn said they want to comply with whatever is required, but of course, his client would hope to not have to go before another governmental body, but he will, to settle any legalities of the operation.

Commissioner Cox said if this goes back to the Plan Commission and then back to us it will mean another months delay.

Mr. Flynn said if the Area Plan should reconsider and approve it, then he thinks it will not have to come back before this body again, if it is approved here tonight.

Mr. Miller said after researching the statutes, it is true, that if this board approves it tonight with certain stipulations and it goes back to the Plan Commission for reconsideration and they approve it, then it will not have to come back before the Commissioners, if the amended petition is approved tonight. Only if Area Plan does not approve the amended petition will it have to come back to the Commissioners.

President Willner said let the record show that on the petition submitted by Mr. Flynn that there are nine signatures on it and all addresses are R.R.4 Kleitz Road.

Mr. Andrew Thomas was present and stated he represents three remonstrators, all of whom live in the effected area, and signed a petition which reads as follows.

We the undersigned who are neighbors of Louis E. Lynn who's petition for a change of zoning ordinance and docket number 8120-VC-15-81, commonly known as 4101 Kleitz Road, requesting a change from an Agricultural zone to a C-4 zone for a residential and storage warehouse oppose such change whether or not the commitments filed by the petitioner, Louis E. Lynn, are a make condition of the rezoning.

Mr. Thomas said there are several issues involved here which go beyond a gentleman operating a repair shop in his spare time, when he is not working his regular job, that we have here a very rural area that is zoned agriculture and has always been zoned as such. We now have a request for it to be zoned a C-4, which is a very intensive use zoning. The change from ten acres to point five acres, which he just found out about, does change the size of the commercial wedge, but it is still there, and in terms of the use, there is no effective difference. Entering wedges, given past patterns in Vanderburgh County, are something to be seriously considered, that we have had situations in the city and in the county, or at least in the city, where an innocuous spot zone has led to the change of a neighborhood and right now, there is no change out there. He thinks if the Commissioners would take a look at Kleitz road, you would find several people out there trying to operate businesses

and the zoning is not permitting them to do this. He has a feeling this is not the last Kleitz Road rezoning you are going to see before you, although it may be the first. Maybe some of those rezonings will look as innocuous as this one, and maybe not, but three or four innocuous looking C-4's start looking like a trend. He said Mr. Flynn has not misled this body, but perhaps there is a problem with the commitments, because Mr. Lynn's commitments look a whole lot like a contract legislation, that I'll do this and that, if you will pass my ordinance. There have been a lot of courts within the state that has decided that is just not within your power to do, that you have the power to make ordinances but you do not have the power to make contracts, and to make ordinances consideration for getting something in return. Understand, it has been decided the other way also, that we are never a black and white area, that when it comes time to inforce these zoning commitments, they are un-inforceable. He said he does not think this rezoning is proper and tha eventually it will lead to the descentigration of the neighborhood, and that is the reason we had the zoning ordinance to begin with, so he would ask not only for his remonstrators, but on behalf of the integrity of the zoning ordinance of Vanderburgh County, that this particular amendment be defeated.

President WIllner said to let it be known there are three names on the petition submitted by Mr. Thomas and that two of them are at the same address.

Mr. Flynn said that they too are concerned about this neighborhood and at this time he submitted a photograph taken from Kleitz Road toward the house of Mr. Lynn and we can see that because of the hilly country there is a natural screen for what is going on behind the drive-way. He said by way of rebuttal he would say they really do not intend in any way to contract for legislation, that Mr. Lynn, as a property owner, would like to make effective use of his property, and he realizes he must consider his neighbors and so the commitments given is nothing more or nothing less then an effort on our part to use our property without interferring with our neighbor's rights.

Commissioner Cox said wouldn't the commitments being made here of no signs or other advertisements be constructed or used on vehicles, and no customers shall be invited to the premises, no outdoor storage, wouldn't these commitments be binding in the operation of repairing. As far as it reverting back to Agriculture upon Mr. Lynn's death or upon the selling of the property, it would not automatically do this, that it would stay C-4 until someone came in and changed it back.

Mr. Flynn said they have exposed themselves to a law suit for injunctive relief, if they violate the commitments. He would say the deed can be amended to include these commitment if need be required, that Mr. Lynn would abide by that, eventhough we feel like the commitments, in their present form, are now inforceable, otherwise he would not have drafted them, that he has used these commitments in connection with rezonings before City Council, that the format of those commitments was created by Mr. Steve Appel, the City Attorney at that time. However, we will follow the County Commissioner's requirements, whether or not you want it by commitments or contained in the deed.

Mr. Miller said he thinks Mr. Thomas' point concerning contracting legislation is one that is totally valid although the cases he is familiar with do not relate exactly to the point as it is here, that it is a longstanding custom in usage in zoning work for certain stipulations to be made by the legislative body as a condition to approval, that it may very well be those would not be inforceable, that he does think however, that if the stipulations were made in the form that Mr. Flynn proposes and if there were, in addition, a deed to a trustee with a deed back, containing the same covenants, conditions and restrictions for the usage of the property, then he thinks there is no doubt it would be inforceable at that point. He believes the point is well taken that there is no automatic reversion to a previous zoning classification on the death or sale by the current owner, that that particular portion of the commitment is simply not effective eventhough he is sure the intention was there to make it effective, that otherwise he believes the commitments are inforceable, that he would recommend it be done be both, commitment and deed.

Commissioner Borries moved that petition VC-15-81 be amended to include only the one half acre to be rezoned and to include all the commitments stated by Mr. Flynn and that this be referred back to the Area Plan Commission for their reconsideration, with approval from this Board of Commissioners, that it be by commitment and deed.
Commissioner Cox seconded the motion which carried with three affirmative votes.

RE: REZONING PETITION....VC-16-81....FIRST READING

Petitioner.....W.C. Bussing, Jr., 2905 Bayard Park Drive, Evansville, Indiana
Owner of Record...W.C. Bussing, Jr., 2905 Bayard Park Drive, Evansville, Indiana

The common address is 301 South Burkhardt Road.
The above described real estate is presently zoned R-3 and the requested change is to PUD. Present existing land use is unimproved and the proposed land use is PUD single family residential.
Premises affected are situated on the west side of Burkhardt Road a distance of 1300 fee south of Division of the corner formed by the intersection of Burkhardt Road and Division Street.

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

Commissioner Cox moved that petition VC-16-81 be referred to the Area Plan Commission on First Reading. Commissioner Borries seconded the motion which carried with three affirmative votes.

RE: SPECIAL USE PERMIT...DOCKET #2-81-APC

Applicant: Karen Jones
Premises affected: More commonly known as 2540 W. Boonville-New Harmony Road.
Nature of Case: Applicant requests a special use for a one chair beauty shop.
This petition was approved with twelve affirmative votes from the Area Plan Commission.

Ms. Jones was present and stated the request is for a one chair beauty salon in the basement of her home, which is outside the corporate limits of the town of Darmstadt.

President Willner asked Ms. Jones if she was aware of the restrictions and could not hire any additional operators and she replied that Area Plan has informed her of the restrictions.
There were no remonstrators.
Commissioner Cox moved that special use permit, docket #2-81-APC, be approved.
Commissioner Borries seconded the motion which carried with three affirmative votes.

RE: SPECIAL USE PERMIT....DOCKET # 7-81-APC

Applicant: United General Baptist Church
Premises affected: More commonly known as 3500 Mesker Park Drive.
Nature of Case: Applicant requests a special use for a church.
This petition was denied with two affirmative votes and eleven negative votes.

Mr. Jack Phillips was present to speak on the above request for a church. He said he is a trustee for the United General Baptist Church and with him is Mr. Gene Collins, also a trustee at the church and there were several supporters of the request and acknowledged it by raising their hand. He said he understands there may be others in the audience that would like to speak on the matter at hand.
He said to start with they are required to have thirty three (33) parking places and they are providing thirty nine (39), which will still leave about one half acre for parking, if they should have to enlarge it. He said the site plan will show you that approximately 50' will be used for the chapel, that it could some day be enlarged because the class rooms are not partitioned, in order for them to be expandable. The drainage system has all been checked out and it is sufficient and they are willing to put tile around Folz Lane and Mesker Park Drive should it be necessary.
The lot size is approximately one and one half acre for the church building which is 40 X 110'. The septic tank meets all of the requirements.
He said the question of the corner being dangerous has been raised and Mr. Lester Garrett, a member of their church is also a member of the German Township Volunteer Fire Department is present and since he went on the Fire Department in 1964 he cannot remember any serious accidents at this particular corner.
He would like to say that they believe some of the people on the Area Plan Commission had Folz Lane confused with Folz Road.
He said the present Fire Chief in German township will verify that no serious accidents have happened at this particular corner, in the past three years. In the winter time they probably would not hold services if the roads were too slick to travel safely on.
They feel the church will be very pretty, it will be brick exterior, the chapel will have cathedral ceilings, stained glass windows, beautiful entry door with light fixtures and proper landscaping and it will be built all on one level in order to meet all the handicapped needs. There will be three rest rooms and they believe they will be an asset to the German Township area and to the community.
It was also brought up at the Plan Commission's meeting that Folz Lane is not a county road, but he believes that this board tonight can verify that it is indeed a county road

and maintained as such. He said he does not know where the Urban Transportation report got their information, but it states there is approximately 3,000 cars a day traveling down Mesker Park Drive and approximately 500 a day down Folz Lane, but there is no way this could be correct on Folz lane.
He said they have discussed this matter with people at Twin Towers and have received no complaints from any of them.
He said they talked about entering from Folz lane, but there is the possibility they could change that and enter from Mesker Park Drive.

Commissioner Borries said he drove through that area recently and talked to some of the residents and there does not seem to be any opposition other then the very narrow part of Folz Lane. Also he pointed out to Ms. Rappee of the Area Plan Commission, that there could have been some confusion in regards to the site map, because it indicates this is situated on the corner of Mesker Park Drive and Folz Road, instead of Folz Lane. There is a Folz Road out there, but this is not the affected area for this request, so he thinks that is where they got the rather high traffic count. He said he also noticed there is a home being built just north of where this church is to be. He asked Mr. Phillips if since the road is so narrow at a certain point, would he be willing to enter the church from Mesker Park Drive.

Mr. Phillips said they would be willing to do whatever this commission asked of them. He would say the person building the new home has been advised of the new church and he had absolutely no objections.

Ms. Deloris Blackford was present and stated she has lived in German Township since age three and she truly believes this church would be a great asset to the community and they would certainly appreciate any consideration given to them.

President Willner asked if there were any remonstrators.

Mr. Irvin Moto said he was there to represent himself, the Youchims and the Schmitts, all of whom live in the area. He would like to say first of all that he has never been contacted on this matter, that he has no knowledge of what they are going to build there, that they did not extend that courtesy to us. He said none of them have anything against the church, they are against not knowing. He said as far as Twin Towers is concerned, the have only the road in front of there, that he owns all the other property.

Mr. Phillips again told about the structure of the church and also apologized to Mr. Moto about him not being contacted, that the realtor was to do all of this and they assumed that everyone in the area was contacted. He said he would be willing to take the plans to Mr. Moto's house and let him review them....that again, he apologizes.

President Willner asked Mr. Phillips where they are presently holding services and he replied in the Old Court House.

(Commissioner Cox)
She said this really bothers her, that she did vote no when this request went before the Area Plan Commission and she did so because of the narrowness of Folz Lane. She asked Ms. Rappee how we would go about changing the site plans so that they would enter and exit on Mesker Park Drive instead of Folz Lane.

Ms. Rappee said if you are interested in stipulating a site development plan that would say they would only develop the property in accordance with that drawing then she would suggest that the Commissioners request they work with E.U.T.S. to develop an adequate access onto Mesker Park and that what design they come up with would be the design that was incorporated into their plan and recorded with their amendment. If you are not interested in acquiring a site plan, you could simply suggest they work with Urban Transportation on the design and when the permit is issued the adequate design be implemented.

President Willner said if there are no other objections, we can approve it subject to engress and egress being on Mesker Park Drive.

Ms. Rappee said that would be fine, that they would work with the design.

Another gentleman, who did not give his name, stated he was present tonight as a point of concern and he is wondering about the noise factor to the neighborhood, that would there be a problem with social events.

Mr. Collins said we may have a dinner there occasionally but there will never be any loud music from hi-fi systems or anything of the sort to disturb anyone in anyway.
He said they hold services on Wednesday night at 7:00 p.m. and on Sunday morning from 9:30 a.m. to 12:00 noon and on Sunday night from 7:00 to approximately 8:30 p.m.

President Willner asked the gentleman to identify himself and he said his name is Mr. Gregory Schmitt.
Mr. Schmitt said he was also concerned with people parking along the road side, that invariably you will have someone do this, if you do not have adequate parking space and Folz Lane certainly will not handle this type of thing, so there should be the stipulation of no parking along side the road.

One of the lady supporters in the audience stated that there is approximately one half acre of green land, so there certainly is adequate parking for the facility and expansion room, should the need arise.

A gentleman from the back of the room said they use to have one half acre of ground and they are now going to have one and one half acre, with the same amount of congregation, so he sees where there would be no problems whatsoever.

Commissioner Borries moved that special use permit Docket #7-81-APC, be approved subject to engress and egress being on Mesker Park Drive instead of Folz Lane. Commissioner Cox seconded the motion which carried with three affirmative votes.

RE: SPECIAL USE PERMIT....DOCKET #8-81-APC

Applicant: National Dock Corporation
Premises affected: More commonly known as 2720 Dixie Flyer Drive.
Nature of Case: Applicant requests a special use for a temporary office trailer for a dock.
This petition was approved with ten affirmative votes and three negative votes on the Area Plan Commission.

There was no one present to speak for or against this special use permit.

Commissioner Cox moved that Docket #8-81-APC be deferred until June 15, when rezonings will again be heard by this board. Commissioner Borries seconded the motion. So ordered with three affirmative votes.

Ms. Rappee said possibly they did not know they were to have a representative present here tonight, that she would notify them to be here on June 15th. at 7:30 p.m.

RE: CONRAD COOPER....AUDITORIUM

Mr. Cooper said they completed the combustion analysis and calibration on the boilers at the Auditorium and as of now, the combustion efficiency, which is the rate at which the boilers burn the natural gas, on boiler #1 it has been increased from 65% to 75% and on the old back-up boiler they were able to raise it from 63% to 71%. One of the back-up boilers has duel capabilities, that it burns fuel oil or gas, but in testing it with oil it does not work at peak efficiency, so our boiler man, Bob Simpson is going to overhaul the pump.

Request to Travel

Mr. Cooper would like permission to travel to Cincinnati, to attend the National Association of Exposition Managers summer meeting on June 4 and 5th. He plans to fly Delta the morning of the 4th, that the air fare is approximately $123.00 and he will be meeting his wife so he will not be flying back. The motel room is approximately $38.00 for one night. He has the money available in his budget for this.

Commissioner Cox moved that Mr. Cooper be permitted to attend the meetings in Cincinnati on June 4th and 5th. Commissioner Borries seconded the motion. So ordered.

Mr. Cooper said they are still working on the parking lot lay-out but he does not yet know what part of the work the county garage can do and what we may have to contract, that he will continue with it and report back.

RE: JESSE CROOKS....BUILDING COMMISSION

President Willner said Mr. Crooks could not be present but that he submitted his report of permits issued for the month of April, 1981.

Report received and filed.

RE: BOB BRENNER.....COUNTY SURVEYOR

Bridge and Guardrail Report

Mr. David Guillaum submitted the bridge and guardrail report for the period of 5-11-81 thru 2-15-81 and stated they have been completing their project on Wallenmeyer Road and at this time he submitted photographs taken at the site. He said they do have it open to traffic now. He would say in comparing this job to other one of this size it would have cost approximately $22,000.00 to do it, but in using the new concept design it ran about $12,200.00 resulting in a savings of about $10,000.00.
He said he will get all of this information together to present to the surrounding Commissioners when this board meets with them to discuss the mutual funding problems.

Little Scheafer and Diefenbach Road

Mr. Guillaum said last week he had a request from Mrs. Cox to do some research on a dangerous problem on Little Scheafer and he would report they have done some rail work on it and will be doing some drainage work on it as soon as possible.

RE: AL HOLTZ....ACTING COUNTY HIGHWAY ENGINEER

Change Order #30

Mr. Holtz presented a change order #30 to replace drive pipe for drive 13+74 (Allen Lane) south side, due to widening of street, the reason being that the pipe was overlooked on the plans. There is a total increase of $780.00. We will have federal participation. The labor is included in the amount of $780.00.

Commissioner Cox moved that change order #30 be approved. Commissioner Borries seconded the motion. So ordered.

Commercial Court

President Willner asked Mr. Holtz if the Feds turned down the change order for the cut on Commerical Court and St. Joe Avenue that we re-submitted.

Mr. Holtz said yes, he understands they did turn it down, that he did see a copy of the denial from the State and he will see to it that all of the Commissioners get a copy of it also.

RE: APPOINTMENT TO ALCOHOLIC BEVERAGE BOARD

President Willner said Mr. Jesse Woolsey's application was returned to us with a note from the Indiana Alcoholic Beverage Commission stating they cannot accept Mr. Woolsey's application because he leases to a Stop-N-Go Market.
Mr. Willner said he was not aware when the appointment was made that the Stop-N-Go sells beer and Mr. Woolsey owns the building leased to Stop-N-Go, so at this time another appointment must be made.

Commissioner Borries said he would like to recommend, as the Republican appointment to the Alcoholic Beverage Commission, Mr. Bert Reed, who was at one time a Republican County Clerk for two four year terms and also County Treasurer for four years and after that he served as Special Agent for The Hancock Insurance Company.

President Willner seconded the motion.

Commissioner Cox said based on the fact that we got into trouble the last time by not seeing the completed application of our recommended appointee, she thinks this time we should see it before we go any further.

President Willner said our attorney Dave Miller did contact Mr. Reed and they discussed the statute fully and he has come to the conclusion there are no problems.

Commissioner Borries amended his motion to say that they appoint Mr. Reed subject to seeing his application, next week.

Commissioner Cox said she cannot accept someone without seeing their application first.

Commissioner Borries said perhaps then Mr. Reed could come in this week and we could vote on his appointment next week.

This was agreeable to the commissioners, and Mrs. Meeks was instructed to inform Mr. Reed of the decision.

RE: ANNUAL REPORT FROM STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

President Willner said he received an annual report of Congressional, Common School and Permanent Endowment Fund from the State Superintendent of Public Instruction to be signed by this board only to confirm that it went through this board and not that the figures on it are correct. The figures were filled out by the County Treasurer.

Commissioner Cox moved the report be signed, and forwarded to the State. Commissioner Borries seconded the motion. So ordered.

RE: LETTER FROM E.A.R.C.

The following letter was submitted:

Dear Commissioners:

The Evansville Association for Retarded Citizens, Inc. does hereby notify the Board of Commissioners of Vanderburgh County of its intention to request an increase in its annual allocation from Vanderburgh County to operate its community services for the mentally retarded in 1982. This increase is for $10,000.00 which will help to defray increasing costs in the operating budget.

The requested allocation for 1982 is $191,732. This increase is a 6% increase over the 1981 allocation.

The Association's members, parents and the mentally retarded are very appreciative to the county for its continuous support of the Association and its programs.

Repsectfully,
Thomas J. Jones,
Executive Director

Letter received and filed.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance from Albert and Marian Hodges dba Hodgini Dance School was submitted for a dance recital to be held June 11,12,&13th, 1981 at the Auditorium.

Certificate received and filed.

RE: CLAIMS:

A claim was submitted by Engineer Associates, Inc. for engineering inspection of St. Joseph Avenue from 5-4-81.....5-8-81 in the amount of $3,033.07. Claim signed by Al Holtz.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates, Inc. for engineering inspection of Lynch Road for the period of 5-4-81....5-8-81, in the amount of 4,274.01, signed by Al Holtz.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Morley and Associates, Inc. for payment on the Burkhardt Road project, in the amount of $10,320.68 (Attached Statement). Claim signed by President Willner.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Helfrich Insurance Agency for crime coverage in the amount of $1,327.00 for the period of 4-1-81 to 4-1-82, signed by Robert Willner.

A claim was submitted by Helfrich Insurance Agency for public employees faithful performance blanket bond in the amount of $920.00 for the period of 4-1-81 to 4-1-82, signed by Robert Willner.

A claim was submitted by Helfrich Insurance Agency for Yacht insurance for 1979 Century Yacht, in the amount of $540.00 for the preiod of 4-1-81 to 4-1-82, signed by Robert Willner.

Commissioner Borries moved that all the claims from Helfrich Insurance Agency be approved. Commissioner Cox seconded the motion. So ordered.

RE: GENE KAUTZMAN.....COUNTY HIGHWAY

Absentee Report

Mr. Kautzman submitted the weekly absentee report on the employees at the County Highway Garage for the week ending May 15, 1981.

Report received and filed.

Gas Usage

Mr. Kautzman submitted the report for gas usage for company vehicles.

Report received and filed.

Discussion of Lay-off at County Garage

Mr. Kautzman said there has been a lot said about the lay-offs at the garage and the Commissioners have taken a lot of criticism but he wants to set the record straight and say he takes full responsibility for the lay-offs. He consulted with Mr. Willner before hand but he thought I was going to give him more time. Commissioner Borries and Mrs. Cox did not know about it and he wants everyone to know it was his responsibility in full. He understands the union and several of the men are very upset over this action, but he felt like he had people standing around, he had equipment down, there were budget cuts to consider and also he had a few personality problems and he felt that now was the time to make a temporary cut and get our equipment back up in shape.

Commissioner Borries said he supposes one of the things you fast find out in politics is that you are going to get roasted from time to time. He did not know, until he talked t[o] Mr. Willner that this was going to take place and he is concerned from the standpoint of failing to have adequate knowledge of the action, because it is obvious that we need to know these things. He knows the garage is a considerable undertaking and he thinks Mr. Kautzman has worked hard. He asked Mr. Kautzman what he feels like is going to be some of the critical problems in getting these people back to work and is the equipment going to soon be repaired.

Mr. Kautzman said things went well last week, with the classification changes that resulted from the lay-off. They worked more people mechanically, that they were in the incentive plan because they wanted to get their union brother back to work and they turned out a really good week's work in the shop. He feels like it is time to sit down and discuss bringing the other men back and the time table for it.

Commissioner Borries said he wants Mr. Kautzman to be able to run the garage, but he certainly wants to have full knowledge when there is going to be considerable personnel changes. He asked Mr. Kautzman if he could develop a log of what kind of work is going to be used and where the men are going to be used, on a day to day basis, so that we will have some knowledge.

Mr. Kautzman said yes, he will try to develop that.

Commissioner Cox said she is glad she came tonight, because this is the first time she has learned who is responsible for the lay-offs. The only thing she has known is what she has read in the paper, that Mr. Willner was quoted in the newspaper and Mr. Borries appeared on television and the three reasons that were given for the lay-offs, she finds no concrete evidence that these are valid reasons and she still has not found any and she thinks we ought to be honest and above board about things, that if there are personnel problems, then lets call them in and try to work things out, but don't give the taxpayers a snow job by telling them we need to lay these people off because of the budget cuts, because this is money there for these men.

Mrs. Cox said right after the first of the year we had five people terminated, either by resignation or by firing and they were legitimate reasons and she has no quarrel with that because if a person does not resume the responsibility of his or her job, she will be the first one to stand behind that action. She said those five people made an average of $12,000.00 per year which is $60,000.00 combined. Then we had the additional lay-offs that would account for another $60,000.00. Then we had the installation of the electric system security fence that was supposed to save another $54,000.00 and in going over are proposed budget cuts here, an item by item report, that was given to us about three weeks ago, well to look at it she finds there was only $60,000.00 cut out of salary accounts, which means there is money for these people. Number two, for you to say that there is no work for those men to do is a false statement and she thinks it is a dis-service to the taxpayers when we have weeds that need to be cut and other things that need to be done. She said thirdly the question was raised on the equipment break-down and this was the one thing she was not sure about, that she knew the money was there, the work was there to be done, but this thing on the equipment, she did not know about. She made a trip to the garage today to re-affirm what she had been verbally told by two mechanics who have worked on the equipment out there and when you say you do not have the operable machines to put these people to work, she thinks that is not true. She said we have sixteen (16) dump trucks, we have eight (8) pick-up trucks, plus a van, plus another 3/4 ton truck that the dog pond has and we have never, traditionally, had that many drivers. It's true some of the equipment have problems with them and Mr. Kautzman went over these problems with her and he told her this morning that the Ford truck #10 had bad brakes and they were going to take the engine out and put it in Ford truck #1, but it has already been done, so why wasn't she told that this morning. This kind of thing leads her to believe that Mr. Kautzman is there and he does not even know what is going on. She said she checked to see what the mechanics have to work on and they have a bush hog that they have to re-place a pin on, which will be repaired today and the grade-all that they were working on has no more of a problem now than it has had for several years, that it is either in the bushings or bearings and it was in the garage to be worked on. The other grade-all is workable. On the five trucks, one had a bent frame but it is usable, two had broken springs, one had brake problems, which we will always have brake problems on equipment. Mr. Kautzman also told her that these dump trucks were not his regular trucks, that these five are over and above the eleven other dump trucks that we have out there for the men to use, so based on these facts, she does not see how Mr. Kautzman can make the statement he does not have the equipment out there for the men to use. Not everybody has to ride a grade-all or a bush-hog, but you have shovels locked up out there for people to use. She thinks this is a dis-service to the taxpayers and an injustice to the men out there by not telling the truth. She does not believe we have bad employees at the garage, she thinks we have bad management because you, Mr. Kautzman tell them one thing, Mr. Brenner tells them another thing and the secretary out there tells them another thing and they don't know who to listen to. She thinks the first thing to be done is a table of organization, and then we won't have these problems.

Mr. Kautzman said he is amused at the way Mrs. Cox has mis-construed many of the things, that she spent about five minutes looking at the books. He asked her to come in and look at the inventory cards on each particular truck. He said we do have decent running equipment, but we also have twenty three (23) other people working there. He asked her to come out to the garage for a week and work with them, that perhps she would get a better idea of road maintenance.

Commissioner Cox said it is not her job to go to the garage and work with them, that all she wanted to know was the condition of the machinery.

Mr. Kautzman said he believes they have a lot of unsafe equipment, that he will not stand here a argue, but he does not think Mrs. Cox has given him a fair shot, that she is mad and perhaps that is why she has mis-construed a lot of the information.

Commissioner Cox said perhaps you are right...I probably am a little mad, but she did not want to know what has been done to the equipment since the first of the year, all she wanted to know is the condition of the machinery today. She is not going to go back on any of her statements because she believes very strongly in what she has said.

President Willner said he certainly does not mind Mrs. Cox questioning Mr. Kautzman or the Commissioners on this matter because she is only doing her job and that is exactly what she should do. He said he has been sitting on this board for ten and one half years and we have gone through seven county garage superintendents, and it is not an easy job, and he told Mr. Kautzman this when he accepted the position. He said we are trying to upgrade the facility to where we don't have a turnover and he is sure Mr. Kautzman is

trying to help us to do that, that he has a lot of guts and he admires him for that. He would say that as long as Mr. Kautzman has the best interest of Vanderburgh County at heart that the job will be his, for as long as he wants it. He does think that if we should have anymore major personnel policy that the Commissioner's should know about it. This is the first meeting we have had since the lay-off, so it is the first time we have been able to discuss it. We intend to upgrade the garage to the best of our ability and along the way we will make some mistakes, as will everybody else here tonight, because the person doing things will make mistakes and as long as Mr. Kautzman is thinking of Vanderburgh County and trying to upgrade the facility, then he will have his complete backing. He is sorry that Mr. Kautzman has had to take the heat he has taken, but that is the way the game is played.
It really bothers him to think of the families of the men that were layed-off, but this i happening all over the nation, and he does not think we can be blamed for that.
He said last year the Commissioners spent their entire budget plus one half million dollars more and now we are getting $585,000.00 less then our budget for 1981, and still we are trying to do a reasonable job.
At this time Mr. Willner asked Mr. Jerry Linzy to come before the board and said he does not intend to put Mr. Linzy on the spot, but he would like to ask him, fair and honest, if the productivity at the county garage is better this year then it was last year.

Mr. Linzy said this really does put him on the spot, because he was superintendent last year at the garage, but he will have to say that Mr. Kautzman is doing a good job, that up till this point and time, we have had some problems with the equipment, but to this point everything is going well.

Mr. Clifford Arden, President of Local 215 Union was present and spoke at this time. He said he does not want to take a shot at anyone, but as the representative of these people he thinks he has to have some questions answered. He said some time ago he met with the commissioners and some of their people and at that time we discussed that if there was going to be any major lay-offs that they would all sit down and talk about it before hand.

President Willner said this is correct.

Mr. Arden said in this case the people reported to work on a Tuesday morning, after a regular Commissioner's meeting on Monday and nothing was mentioned in that meeting or nothing was said to the union officials about the lay-off, and when these people got to work that Tuesday they were given their pink slips. He asked Commissioner Willner if this is a good way to do business.

President Willner said certainly not, that he did tell Mr. Arden that this would not happen, and it was done without his approval. He said he met with Mr. Kautzman on Monday and he was down in the dumps, wanting to resign his position, and he talked him out of it, then on Tuesday he and Mr. Borries was to meet with Mr. Kautzman at noon and they found out Mr. Kautzman had layed these men off that morning, without their knowledge, that Mr. Kautzman took it upon himself to do the lay-off. He suppose he failed to tell Mr. Kautzman that he had told Mr. Arden there would be no more lay-offs until it was discussed with him.

Mr. Arden said Mr. Kautzman was in the earlier meeting when this was first discussed. He said he is not here to put anyone on the spot, but this is really bad relationship and he has heard five different reasons why these people were layed off and he wants the real reason why it was done.

President Willner said he can give him three reasons, those being (1) Money, (2) Equipment and (3) some personnel problems. He said as far as he knows they have no problem with the union, but they do have some personnel problems, lots of money problems and lots of equipment problems.

Mr. Arden said he heard the statement was made to the media that you could not lay them all off because of the union. He said he has told everyone involved that if you have personnel problems then lets sit down and try to work it out. He said the one reason he has heard most is that the County Council turned down the request for R&S monies to be spent and he wants to know if this was the reason.

President Willner said this was not a reason whatsoever.

Mr. Arden asked Mr. Kautzman if he had made the statement that this was the reason and Mr. Kautzman replied that he had not, that possibly he had said that did not help the situation.

Mr. Foster said he and two union stewards went out to the garage that Tuesday morning about 10:00 a.m. and at that time he asked Mr. Kautzman why these men were layed off and he said because the County Council did not give you any money.

Mr. Arden said he would like to see a meeting with all the commissioners present and Mr. Kautzman and lets try to work this out, that if we have to bite the bullet, then lets all bite it together. You have the Surveyors office who is doing almost the same things as the garage is doing and there was not one single person reduced in that office, and he would ask again if this is fair. If you have to lay off people, why don't you do it uniformly and across the board.

President Willner said the bridge program has not been reduced in funding, in any way, shape or form. In the highway budget we are talking about one million dollars less than they had last year, but the bridge fund is different, in that it has not been reduced.

Mr. Arden said aren't these two funds kind of inter-woven and Mr. Willner said no, none whatsoever.
Mr. Arden said normally this work was done by some of your crew, the statute says they can spend money, but it does not say it is mandatory. This work that use to be done by the county highway crew was shifted over to the engineer's crew and this is the thing that upsets us. If we get general lay-offs throughout different departments, then we think there is really a problem, but when the unit they represent gets really cut up, then he just does not think it is right, and especially to do it without consulting the union first.
He said he does not want to keep on that the hour is getting late, but he would say that when three commissioners have a superintendent at the county garage that did not inform them of something as major as the lay-off, then something is wrong with you and them.

President Willner said that is a point well taken.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

SHERIFF' DEPARTMENT:

Ronald A. Brown	8113 Middle Mt.Vernon	Summer Intern	$82.50 Wk.	Eff: 5-8-81
Tim Klingler	R.R. 8 Seib Road	Summer Intern	$82.50 Wk.	Eff: 5-8-81

BURDETTE PARK:

Jeff Henry	815 Schutte Road	Ground Crew	$4.00 Hr.	Eff: 5-11-81

CIRCUIT COURT....PROBATION DEPARTMENT:

Janie L. Parker	P.O.Box 482 Newburgh	Summer Intern	$140.00 Wk.	Eff: 5-4-81
Danny J. Lottes	2809 Jeanette Ave.	Summer Intern	$140.00 Wk.	Eff: 5-11-81

VANDERBURGH COUNTY HIGHWAY:

Mark Montgomery	Assistant Mech.	$6.54 Hr.	Eff: 5-13-81
Russell Schroeder	Head Mechanic	$7.28 Hr.	Eff: 5-13-81
Kirk Humphrey	Assistant Mech.	$6.54 Hr.	Eff: 5-13-81
Thomas Jameson	Assistant Mech.	$6.54 Hr.	Eff: 5-13-81
Larry Babbs	Truck Driver	$6.27 Hr.	Eff: 5-13-81
Walter Swope	Truck Driver	$6.27 Hr.	Eff: 5-13-81

RE: EMPLOYMENT CHANGES.....RELEASES

CIRCUIT COURT...PROBATION DEPT.

Sue A Hartig	5152 Normandy Ct.	Ct. Commission.	$16,256.50 Yr.	Eff: 5-1-81
Charley E. Bland	115 4th. Street	Pt.time Bailiff	$5.00 Hr.	Eff: 5-1-81
Michael Peeler	1251 Cross Gate Dr.	Pt.time Bailiff	$5.00 Hr.	Eff: 5-1-81
Christopher Kiefer	2008 Vann Ave.	Pt.time Bailiff	$5.00 Hr.	Eff: 5-1-81

COUNTY RECORDER:

Betty Jo Radcliff	Pt.time Deputy	$25.00 Day	Eff: 4-13-81

RELEASES CONTINUED:

CIRCUIT COURT-PROBATION DEPARTMENT:

Jodie L. Hill	R.R.2 Wadesville	Pt.time Bailiff	$5.00 Hr.	Eff: 5-1-81
Susan L. Orth	R.R.1 McDowell Rd.	Pt.time Bailiff	$5.00 Hr.	Eff: 5-1-81

VANDERBURGH COUNTY HIGHWAY DEPARTMENT:

Thomas Waterman	Truck Driver	$6.27 Hr.	Eff: 5-12-81
James D. Smith	Truck Driver	$6.27 Hr.	Eff: 5-12-81
Jackie Crawford	Truck Driver	$6.27 Hr.	Eff: 5-12-8[redacted]
John Keown	Truck Driver	$6.66 Hr.	Eff: 5-12-8[redacted]
Ronald Martin	Truck Driver	$6.27 Hr.	Eff: 5-12-81
Cecil Sills	Truck Driver	$6.27 Hr.	Eff: 5-13-81
Darryle Chamberlain	Equip. Operator	$6.66 Hr.	Eff: 5-12-81
Freddie Blair	Asst. Mechanic	$6.54 Hr.	Eff: 5-13-81
Horance Luther	Asst. Mechanic	$6.54 Hr.	Eff: 5-13-81
James Triplett	Laborer	$6.18 Hr.	Eff: 5-12-81
Walter Swope	Equipment Operator	$6.66 Hr.	Eff: 5-12-81
Larry Babbs	Equipment Operator	$6.66 Hr.	Eff: 5-12-81
Thomas Jameson	Equipment Operator	$6.66 Hr.	Eff: 5-12-81
Kirk Humphrey	Equipment Operator	$6.66 Hr.	Eff: 5-12-81
Russell Schroeder	Equipment Operator	$6.66 Hr.	Eff: 5-12-81
Mark Montgomery	Head Mechanic	$7.28 Hr.	Eff: 5-13-81

Mr. Arden asked who has the authority to dismiss someone or take a person off of the payroll before the Commissioners meet.

President Willner said the Departmenthead does.

Mr. Arden said you mean the departmenthead can release a person and then the Commissioners sign the release and make it retroactive.

Mr. Miller, County Attorney said he has not researched the question, but that it has been his experience in watching governmental operations in the county over a period of years that departmentheads exercise the authority of the commission to engage people in certain positions and also to dis-engage them and then the necessary paper work is done in the next succeeding meeting and the formality of the execution of the paper is then engaged in, retroactive. For instance, when certain employees in key policy making positions are placed on the payroll, effective with the change in administration, the slips are not signed until the next succeeding meeting of the commission.
He told Mr. Arden if he would like a letter from him indicating the authority, he would be happy to get one to him.

Mr. Arden said, yes, he certainly would like one, because he questions the lay-off without first having the commissioners approval

Commissioner Cox said she thought it says in the contract with the union that the County Commissioners and the Superintendent of the Highway Department would consult with the union representatives before any lay-off occured, or anything else of this nature.
She said she would also like to know when they can meet and talk about putting these people back to work.

President Willner said he will consider this and try to make it soon, that we will see how the equipment comes along, that we will consider it as soon as possible.

There being no further business the meeting recessed at 10:30 P.M.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner	Alice McBride	David Miller
	Richard Borries		
	Shirley Jean Cox		
SECRETARY:	Janice Decker		

Robert D. Willner
Richard J. Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
MAY 26, 1981

The meeting of the County Commissioners was held on Tuesday, May 26, 1981, at 2:30 p.m. in the Commissioners Hearing Room.

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

RE: POOR RELIEF

President Willner said they have a claim for poor relief from a Mr. Hollis Johnson.

Mr. Johnson was present and said he lives at 651 Sweetser and he is here for a medical bill. He said he has a back injury and he would like to have a prescription filled.

President Willner asked Mr. Johnson how many doctors he had and Mr. Johnson said he has two (2) doctors, one is for his back injury and the other is for his neck.

Ms. Harrison, from the Trustee's office was there and said they had denied him because on May 7, 1981 they did fill a prescription for him for Darvocet, and on the 11th of May they filled a prescription for Arthritis Medication. She said he came back on the 14th on an in and out at Deaconess Hospital and he said he got hurt and she said she told him he would have to file a 475 with the Welfare Department because they do not take care of accidents. She said he was back in on the 21st wanting another refill on the Darvocet. She said she called the druggist and he had an in and out at Welborn on the 8th, and went back to the same druggist and got a refill on Darvocet on the 8th and he also had an in and out at Deaconess on the 14th. She said they cannot write all of these on different doctors.

Commissioner Cox asked if there was a prescription for each visit and Ms. Harrison said yes. She said he had a prescription filled on the 7th, 8th, 11th and an in and out on the 14th.

Commissioner Cox asked if each prescription was for the same medication and Ms. Harrison said yes, they were for Darvocet.

President Willner asked if they were written by the same doctor and Ms. Harrison said no, Welborn has their doctor and Deaconess has their own doctor.

President Willner said he thinks they have to get in touch with both doctors before they can make a decision.

Commissioner Borries asked Mr. Johnson if he has filed any kind of insurance claims on these accidents he has had and Mr. Johnson said no. He said it is still in the doctors care right now.

President Willner ask Ms. Harrison if she would try to contact the doctors and come back up and they will discuss it further.

RE: MARK TULEY

Mr. Tuley said Feigel is ready to finish the paving at Hillcrest-Washington Home as soon as the weather breaks.

Mr. Tuley said also the County Garage has declared the John Boat surplus and Burdette Park would like to have it if possible so they can use it to remove litter on the lake.

President Willner said he sees no problem with that, he said if his information is correct the boat was found in the back waters of the Ohio River at one time and stored at the county garage, so there should be no problems in letting Burdette Park use and store the boat.

Commissioner Cox said she understands that the Sheriff's Dept. found the boat after the flood and needed somewhere to store it and stored it at the county garage, pending someone claiming it. She said she does not know what the statute says concerning found property.

Mr. Jones said there is a very lengthy statute on abandoned property, and it is very involved.

President Willner said why don't they give them permission to use it and store it at Burdette Park.

Mr. Jones said that would get what they want done a lot quicker and he would check on any insurance coverage that Burdette Park has on using a boat because of water hazard, etc.

Commissioner Borries moved that they give permission for Burdette Park to use and store the boat until it is claimed. The motion was seconded by Commissioner Cox. So ordered.

RE: CONRAD COOPER...VANDERBURGH AUDITORIUM

Mr. Cooper said he has the price quotations from the Building Authority on the parking lot and they need the approval of the Commissioners so they can get started.

He said they contacted Mr. Brenners office and his people are working on the necessary lay-outs for putting in the concrete to hold the gates. He said they will have to get an electrician to move the power to where they need it.

Commissioner Cox asked if the surveyor's crew was going to do this and Mr. Cooper said the county garage people are going to do it.

The price quoted to Mr. Cooper is as follows:

2 Gate Standards.....$450.00 each
1 Coin Standard..... 200.00
2 Detectors..... 100.00 each

President Willner asked Mr. Cooper if he has the money in his budget and Mr. Cooper said he did.

Commissioner Cox said she is not in favor of this, and she said she feels there is going to be problems for the Commissioners. She said there are people that have to pass in and out of that lot and she feels that there will just be problems.

Commissioner Cox said people park in there and have to leave at lunch time, they will not be able to get back in there for just the one price as they do now.

Commissioner Borries moved they give approval to install the gates at the Auditorium Parking Lot. The motion was seconded by President Willner and the roll call vote is as follows:

Commissioner Borries, yes; Commissioner Cox, no; President Willner, yes. So ordered.

Mr. Cooper also presented a blue claim for an Airline Ticket in the amount of $53.00 to attend a convention in Cincinnati.

Commissioner Borries moved the claim be allowed, seconded by Commissioner Cox. So ordered.

RE: JESSE CROOKS...BUILDING COMMISSIONER

Mr. Crooks presented to the Commissioners, the following letter:

TO: County Commissioners DATE: May 22, 1981
FROM: Jesse Crooks, Bldg. Commissioner SUBJECT. Move House

Elmer Buchta, Inc. has requested permit to move a 21 x 36 one story frame house from 5142 Old Boonville Hwy. to Warrick County. The move route will be East on Old Boonville Hwy. to Telephone Road to Warrick County Line.

The owner is Roger Hites, and the move date is the week of June 1, 1981.

The route has been checked and it is recommended the request be granted.

Commissioner Cox moved they approve the above request, seconded by Commissioner Borries. So ordered.

Mr. Crooks said he just came back from the E.A.R.C Building and there are two (2) leaks over there. He said they will have to be repaired when the weather breaks.

Mr. Crooks also presented his Annual Report for 1980. President Willner said to show it received and filed.

RE: AL HOLTZ...ACTING HIGHWAY ENGINEER

Mr. Holtz said he has a change order in the amount of $323.52. He said the reason for this is "Commercial Drive to Citizens Bank Sta 88+54.5 to 89+28.5. This drive existed prior to the contract letting but after the field reconnaissance had been obtained for

the plans!"

Commissioner Cox moved that Change Order #11 on the Lynch Road Project be approved. The motion was seconded by Commissioner Borries. So ordered.

Indiana Bell Telephone Company...Push

Mr, Holtz said he has a push from the Indiana Bell Telephone Company. He said it is to push a cable across the Road. He said it is at Old State Road and Ridgeview Drive.

Commissioner Cox moved that the above request be granted, seconded by Commissioner Borries. So ordered.

RE: PRESIDENT WILLNER...Industrial Drive

President Willner said he received a call from a business on Industrial Drive and St. Joe Avenue. He said in between Valley Packing and Steam Fitters there seems to be some water trapped and the Engineer was down and agreed that it needs to be dug just a little bit deeper. He said they are not talking about a change order, they just need to dig the ditch a bit deeper. He said he needs for this to be checked out.

Mr. Holtz said he has already checked this out and what they need is a 12in X 24in pipe in there.

Mr. Kautzman said they have the pipe out at the Garage to take care of this.

Commissioner Borries moved they dig this ditch out and put in this pipe, seconded by Commissioner Cox. So ordered.

RE: COMMISSIONER BORRIES...St. Joe Area

Commissioner Borries said he received a call from a gentleman who lives in the St. Joe, Mill Road Area who is quite concerned with the time length now on the St. Joe project. He said the man told him that when this was approved they talked in terms of eight (8) months. He asked Mr. Holtz if he would talk to the project engineer's on this and see just when they think it will be completed.

RE: GENE HAUTZMAN...COUNTY GARAGE

Mr. Kautzman said he has the weekly absentee report. He said he also made a road report for this week. He said he also has April's Monthly Report.

Mr. Kautzman said he has a classification change and an intersection change report.

President Willner said let the record show the reports received and filed.

President Willner said on the work report he has Melody Hills on there and does he have any recommendations on this.

Mr. Kautzman said he is recommending that six blocks of Melody Hills be repaved.

President Willner said he did go out there and looked at these streets and they do need to be repaved.

Commissioner Cox said those roads out there have been a problem ever since the sub-division was built. She asked if they had done core samples and Mr. Kautzman said they have not done core samples.

Commissioner Borries said this same person who called him about the St. Joe project is saying there is a lot of litter at this point and he doesn't know if it is from the Browning-Ferris Trucks or from individual haulers that are using the dump. He asked Mr. Kautzman to check on this.

RE: POOR RELIEF...Continued

Mr. Jim Lewis, from the Pigeon Trustees Office spoke at this time and said that Dr. Newsome is out off town and he would recommend that they go ahead and fill this pre-scription and wage a full investigation.

RE: COMMISSIONER COX...Recall of Workers

Commissioner Cox asked if they have any timetable for sitting down and talking about the employees being called at the County Garage. She said she did not ask Mr. Kautzman because at the last meeting they said they were going to talk about doing this and they haven't done it at this point.

President Willner said he talked to Mr. Foster that day.

Mr. Cliff Arden was there and said they are willing to meet anytime.

President Willner said if Mr. Arden is willing they can meet this afternoon after the Commissioners Meeting.

RE: DAVID GUILLAUM

Mr. Guillaum said he has a report on the repair crew for last week. He said they do have Wallermeier pretty well straightened up and the are getting ready to start on Nesbit Station Road.

RE: COUNTY ATTORNEY

Mr. Jones said the County has been sued again. He said there was a complaint filed on May 19th naming the City of Evansville, Vanderburgh County Sheriff's Department, Vanderburgh County and a former jail nurse.

He said there is a complaint for Personnel Injuries, Negligence in the care and treatment after an individual is arrested, Assult and Battery, False Arrest, etc. He said the amount of the suit is $600,000.00. He said as for as he can tell this claim is not covered by by any liability insurance. He said it is prior to the county obtaining law enforcement liability.

Mr. Jones said he would recommend they answer that is required to be filed on or before twenty (20) days after receiving the summons.

President Willner asked Mr. Jones that before the county carried the liability, did not the Sheriff have a policy of his own.

Mr. Jones said not that he can find. He said that took effect April 1, and one before that , but it was for a one (1) year period. He said this occured in May of 1979. He said he is not very hopeful at this time of finding any coverage.

President Willner asked Mr. Jones to get with the City Attorney and see who will be the lead attorney in the case and report back to them and Mr. Jones said he would.

RE: REQUEST FOR TRAVEL

President Willner said they have the following request for travel:

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

Commissioners,

I respectfully request you permission for myself and Chief Deputy, Glen Koob, to attend the sixth annual seminar of Indiana Assessor's Association which will be held in Indianapolis, Indiana on June 14-17, 1981.

The State Board of Tax Commissioners will certify per diem and mileage.

Thanking you in advance.

Larry E. Lutz
Perry Twonship Assessor.

The second request is as follows:

TO: VANDERBURGH COUNTY COMMISSIONERS

I, Robert T. Dorsey, Pigeon Township Assessor request permission and approval for myself, Chief Deputy and Real Estate deputy to attend at the request of the State Board of Tax Commissioners the instructional meeting June 15, 16 & 17, 1981 at the Holiday Inn North, Indianapolis, Indiana.

Sincerely yours,

Robert T, Dorsey

The third request for travel is as follows:

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

RE: Permission to Travel
H. Jane Nicholson, Assessor
M. Ginger, Chief Deputy
P. Schlachter, Second Deputy

Dear Commissioners:

The 6th Annual Indiana Assessors School will be held June 15-17, 1981 at the Holiday Inn North, Indianapolis, Indiana.

The State Board is designating payment for the Assessor and two deputies. The assessor and two deputies will be entitled to a $15.00 per day subsistence allowance, lodging expenses for each night preceding the date or dates of attendance, including the tax thereon. but NOT TO EXCEED $30.00 per night, and mileage allowance of twenty cents (20¢) per mile necessary to travel to and from the Indianapolis Holiday Inn North.

Even though more than one (1) person may have been transported, only one (1) mileage allownace may be paid to an official or employee furninshing the conveyance.

Your favorable consideration for this trip is requested. Will you please contact me upon your decision.

Thank you,

H. Jane Nicholson
Knight Township Assessor

Commissioner Cox moved the above travel request be granted, seconded by Commissioner Borries. So ordered.

RE: REQUEST FOR TRAVEL...SHERIFF'S DEPARTMENT

President Willner said they received the following two request from Sheriff James DeGroote:

Vanderburgh County Commissioners
Robert Willner, President
Civic Center Complex
Evansville, Indiana

Dear Sir:

This letter is to request your permission to allow Detective John Crosser to attend a P.S.E. Seminar to be held June 3rd, 4th and 5th in Savannah, Georgia. Sufficient funds are available in the training budget to cover the expense of this trip.

Respectfully submitted,

James DeGroote, Sheriff

Vanderburgh County Commissioners
Robert Willner, President
Civic Center Complex
Evansville, Indiana

Dear Sir:

This letter is to request your permission to allow Detectives Steve Schnell and Steve Sparks to attend the Sirchie Crime Scene Technician School which will be held from July 13th through July 17th, in Raleigh, North Carolina.

Sufficient funds are available in the training budget to cover the expense of this trip.

Respectfully submitted,

James DeGroote, Sheriff

Commissioner Cox moved the above requests be approved, seconded by Commissioner Borries. So ordered.

RE: TELEPHONE REQUEST...HIGHWAY DEPARTMENT

President Willner said they have a telephone request from the highway. He said they want the privately owned mobile channel from St Joe Avenue & Mill Road to the water

tower removed. He said the prior costs for the service was $39.60 and they are raising it by $16.19, so the total monthly charge is now $55.79.

Mr. Kautzman said this is the equipment to hook up their horns to the vehicles and when they are out and someone at the garage is trying to reach them, the horn blows.

Mr. Kautzman said it is very seldom used and request that they discontinue the service.

Commissioner Borries moved they approve the above request to remove this equipment. The motion was seconded by Commissioner Cox. So ordered.

RE: REQUEST FOR ELECTRICAL OUTLETS...PROSECUTOR

Mr. Bob Pigman was there from the Prosecutor's office and said they needs these outlets because of the order to have no more extension cords on the floors.

The following letter was sent to the Commissioners:

May 5, 1981
Board of County Commissioners
Vanderburgh County

RE: Installation of an electric outlet
to eliminate an extension cord

Gentlemen:

We are presently using an extension cord to take care of three electrical items in this office. Mr. Gil Ruston was in this date and when talking with him he informed me that it would cost approximately $60.00 per outlet and we would need two.

If it is possible that this work be done at this time, we would certainly appreciate your informing Mr.Gil Ruston.

Thank you,

Jeffrey L. Lantz,
Prosecuting Attorney

Mr. Tuley said he has the money in the Superintendent of County Buildings Budget.

Commissioner Borries moved the request be allowed, seconded by Commissioner Cox. So ordered.

RE: CLAIMS

A claim for Engineer Associates, Inc. & Warrick National Bank for Engineering Inspection for Lynch Road in the amount of $2,799.96.

Commissioner Borries moved they approve the claim, seconded by Commissioner Cox. So ordered.

A claim for Engineer Associates, Inc. & Warrick National Bank for Engineering Inspection for St. Joseph Avenue in the amount of $2,145.40.

Commissioner Cox moved the above claim be approved, seconded by Commissioner Borries. So ordered.

RE: EMPLOYMENT CHANGES...APPOINTMENTS

County Highway Department

Russell Schroeder	Asst. Mechanic	6.45 Hr.	Eff:5/[redacted]/8

Prosecutors Office

James E. Corbett	400 Kings Valley	Dep. Prosecutor	15,000.00 Yr.	Eff:6/1/81

Vanderburgh County Clerk

Lucille Fowler	3201 Schenk Rd.	Juv. Ct. Dep.	9,698.00 Yr.	Eff:5/25/8
Jane Steber	6701 Arcadian Hwy.	Venue & Appl.	9,160.00 Yr.	Eff:5/25/8

RE: EMPLOYMENT CHANGES...RELEASES

County Highway Department

Russell Schroeder		Head Mechanic	7.28 Hr.	EFF: 5/13/81

Prosecutors Office

James E. Corbett	400 Kings Valley	Intern	5.00 Hr.	EFF: 5.29.81

Vanderburgh County Clerk

Lucille Fowler	3201 Schenk Rd.	Venue & Appl.	9,160.00 Yr.	EFF: 5/25/81
Jane Steber	6701 Arcadian Hwy.	Juv. Ct. Dep.	9,698.00 Yr.	EFF: 5/25/81

There being no further business the meeting adjourned at 3:55 p.m.

MEMBERS PRESENT:

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY SURVEYOR	COUNTY ATTORNEY
Robert Willner Richard Borries Shirley Jean Cox	Barry Heathcotte	David Guillaum	David Jones

SECRETARY: Jean Wilkey

Robert Willner

R Borries

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JUNE 1, 1981

The meeting of the Vanderburgh County Commissioners was held on Monday, June 1, 1981, at 2:30 p.m. in the Commissioners Hearing Room.

The meeting was officially opened by Deputy Sheriff Pete Swaim.

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

RE: POOR RELIEF...RANDALL RAYMER

Mr. Raymer said he was asking for a lot but the people are trying to push him around. He said they told him he had a problem and he should sign up for S.S.I. He said he is supposed to work his hours out at the Trustee's.

President Willner asked Mr. Raymer if he was denied bus fare and Mr. Raymer said yes, he was denied bus fare, medicine, medical bills, welfare.

President Willner asked Mr. Raymer why he needed bus fare and Mr. Raymer said he needed it to get to his doctor. President Willner asked where his doctor was and Mr. Raymer said he is on the east side. He said his doctor is Dr. de la Flor and he has released him saying he is able to work.

President Willner asked what he was being treated for and Mr. Raymer said he was being treated for alcoholism and some other problems he had which he will not talk about now.

President Willner asked what his last employment was and Mr. Raymer said he was working for Joe Bassmeier as a parking lot attendant and a clerk at a hotel. Mr. Raymer said he was laid off March 29th.

Mr. Raymer said he has set up a trust fund for the one child he has through Ted Lockyear and the Old National Bank.

Mr. Jim Lewis, from the Pigeon Township Trustee's office was there and said he is confused as to why they are up there. He said they disallowed him early in the day because of some disturbances he caused in the office and they told him to leave and calm down and come back and they would try to help him, he said later in the day he did come back and theyfilled some prescriptions for him. He said they feel the man needs professional help and they have tried to get him to go to Southwestern Mental Health several times.

President Willner asked Mr. Lewis if he would contact Mr. Lockyear and see if he can help if he does represent him.

County Attorney David Miller said they should try to contact his next of kin and try to get some help for him.

Commissioner Cox said there is a procedure by which this can be handled, she said it does not have to be handled by the next of kin. She said it can be handled by any interested party, she said it works through the courts and they are held for 72 hours at the mental health association for evaluation.

Mr. Lewis said he will contact Mr. Lockyear and see just what can be done to locate his next of kin.

RE: POOR RELIEF...NELSON DAVID REYNOLDS

Mr. Reynolds said he asked the Trustee to pay his Hospital bill because he is unemployed. He said his insurance will not pay this bill. He said the trustee said he did not live in Union Township and for the last ten years since he has been divorced this has been his permanent address. He said the house belongs to his mother. He said he worked in the State of Louisiana in 1980, he said he has come back home and cannot find work. He said the bill is over $3,000.00.

President Willner asked if he has any means to pay this bill and Mr. Reynolds said not at the present time.

Commissioner Cox asked if he has tried to make arrangements to pay this bill in installments and Mr. Reynolds said the hospital checked and found that his insurance was no good and told him to go see the Trustee.

Mr. Reynolds said he worked on the Railroad for ten years and was injured and he has filed for his retirement and social security.

Mr. Bernard, the Trustee of Union Township was there and said what Mr. Reynolds said was true. He said the property does belong to his mother and he has permission to live there. He said there is also a son that claims this as a residence and he has helped him in the past. Mr. Bernard said there was no formal application made, it was all done on the telephone from the hospital.

Mr. Bernard said he does not know if Mr. Reynolds has a different address or not but he mailed him one denial at the address of the property and he did not receive it, as he uses a post office box.

Mr. Reynolds said he does not have a post office box, his address is R.R. 2 Box 303 Old Henderson Road, just like it says on the envelope he gave to President Willner.

President Willner told Mr. Reynolds to make an application to the trustees office in person, using his permanent address and go from there.

RE: MARK TULEY

Mr. Tuley said he wanted to show the Commissioners some pictures taken last week at the Hillcrest-Washington Home, the preparation shots for the paving of the parking lot and drive. He said the job has been completed and it looks very nice.

Mr. Tuley said in his budget he has a slot for a utility man and he would like permission to hire someome for that slot. He said there is $2,166.00 in that pay slot and he would like to hire some summer help. He said last year approximately 20% of the roofs out at Hillcrest was sealed and he wauld like to see this finished this year. He said some of the regular windows and storm windows will not open or close. He said there is a lot of painting to be done. He said they have the money to buy the materials and if he can hire this part-time person they can get a lot done this summer.

RE: CONRAD COOPER

Mr. Cooper said he did not really have anything today except to say that they have secured the parking lot equipment and it is over at the Auditorium in the basement and they are in the process of sorting out the various components and they are going to set them up and operate them inside before they set them up outside so they will know just what they are doing.

RE: JESSE CROOKS

Mr. Crooks said they got a report back on the bugs they found at the E.A.R.C. building, he said they are termites. He said that he talked to Gary just after lunch and he suggested to him that he get ahold of Williams and that they treat those two areas and forget about the rest of it.

Mr. Crooks said he found out that the Mechanical Room roof leaked over the weekend. He said this is the first time they have had this. He said they were going to get some patching and see if they could patch this roof. He said it is around the air conditioner cooling towers.

President Willner said he has an application to be filled out for the Federal Energy Management Agency on the national flood insurance program and Mr. Crooks said he will handle this.

RE: DAVID SAVAGE

Commissioner Cox said she has a request of Mr. Savage, she said out on Oak Hill Road, close to the Aspen Drive, Elmridge Drive, there is a group of streets that come in. She said these are not accepted county roads and so the school bus cannot go out there to pick up the children. She said there are 20 to 30 children that live in that area and there are about 40 that get off the bus on Oak Hill Road. She said picking them up in the morning is no problem because they pick them up on the sides they live on, but when they let them off they have to cross Oak Hill Road. She said she would like for Mr. Savage to check this for proper signing of something that would help.

Mr. Savage said there should probably be a legal cross walk put there.

Mr. Miller said what would be wrong with having Elmridge Drive considered for acceptance as a public street.

Commissioner Cox said that was going to be her next question.

Mr. Savage said he does not know what the statute reads in the county code as to what is required to designate a school cross walk, and he will check this out this week so they can act on it next week.

RE: GENE KAUTZMAN

Mr. Kautzman said he has his weekly absentee report.

Mr. Kautzman said he would like to recommend that they bring back three (3) truck drivers, and one (1) mechanic at this time. He said he has filed a pink slip for these employees.

Mr. Kautzman suggested that they bring these employees back on Thursday morning, that will give him time to notify them and give them notice. He said this is also the beginning of the next pay period.

Mr. Kautzman said he also has a report on last weeks activities.

Commissioner Cox asked how many employees are still off and Mr. Kautzman said six (6).

Syls Drive

Commissioner Cox said they have a bad drainage problem on Syls Drive and there is a gentleman here to discuss it.

Mr. Kautzman said he looked into this situation very throughly and the problem is very serious to Mr. Whitherspoon. His basement is flooding and it is the result of an easement that sets beside his property. He said they property owner behind him built a driveway across and thereby created a levee, of sorts, beside his home. He said the only course of action that he could recommend is for Mr. Whitherspoon to hire an attorney and take action against the man who put the levee in there.

President Willner said Mr. Whitherspoon was before them once before and was told the same thing.

Mr. Kautzman said the street that is causing the problem is Syls Drive and is in front of Mr. Whitherspoon's home.

Mr. Whitherspoon said Mr. Kautzman was out and inspected this property, and everyone agrees there is a problem there. Mr. Whitherspoon said he was up there about a year ago and was told at that time that this was county easement for a future road if and when the property to the west is ever sub-divided and plotted, they have to put a legal size road to be accepted by the county. He said this is approximately 30' 10". Mr. Whitherspoon had a plat to show the commissioners just how this water runs.

Mr. Whitherspoon said Mr. Williams came before the Commissioners and was told he could put this road in there.

Mr. Whitherspoon said this road has been raised above his basement and his sliding glass doors. He said for the 24 years he has lived there they have never had a drainage problem until Mr. Williams built this road. He said he cannot find out who designed the road or who put the road in.

Mr. Whitherspoon said he was told that the County accepted part of Syls Road so for 18 years he has maintained this road and now he finds that the county accepted all of Syls Road and now he is requesting that his be finished with sealer. He said he is tired of cutting grass and maintaining this road.

Commissioner Cox said they should determine just who is responsible for this.

Dave Guillaum suggested they get a survey crew out there and check this out so they will know just what they are talking about.

David Miller said if the road has not been accepted as a county road, then from a legal stand point they have no business doing any work out there. He said this is private property.

Mr. Kautzman said he stopped to talk to Mr. Williams, but he was not home and his wife told him that Engineer Associates designed this road.

Mr. Miller said this land has to belong to someone, and Mr. Whitherspoon said it is a public right-of-way.

Mr. Miller said so long as the drainage problem is caused by something within the public right-of-way then they can take action to help him, but if it is beyond the property line north of Syls Drive then he is going to have to seek recource against the people that own the ground. Mr. Miller said it is not that the county does not want to help him, but they cannot get on private property.

Pressdent Willner said for the surveyor crew to go out there and shoot the line and see just where they are.

Mr. Whitherspoon said if Syls Road, (all of it) has been accepted then he is making a request of the Commissioners to notify the county garage to finish and surface this road.

Mr. Guillaum said they would go out there and report back to the Commissioners.

President Willner said this is basically the same thing they had last year and he asked Mr. Whitherspoon why he hesitates to file suit and getting this taken care of.

Mr. Whitherspoon said he has asked persons of authority to come out there and look at the situation.

Commissioner Cox said Mr. Whitherspoon wants to know who's problem this is and he will go from there.

RE: DAVID GUILLAUM

David Guillaum said he has his bridge and rail report for the past week. He said they worked on the Marx Road project and they hope to get it open this evening. He said they did go ahead and get another piece of pipe on an emergency basis. He said they brought this up to them early in the week and it was just one of those things they couldn't wait on. He said they had a problem with the band on it not fitting correctly and they did go ahead and poured a concrete lug completely aroung the joint.

Mr. Guillaum said he has one employee change which he gave to President Willner.

President Willner said he had a question for the attorney and that is, if the insurance is going to pay for the Marx Road project in its entirety, and they assume there will be no cost to the county, do they need to declare Marx Road Bridge an emergency as for as their records are concerned.

Mr. Miller said they should go ahead and declare it an emergency and if the county is reimbursed, fine and if the county is not reimbursed then the work was done in proper order.

Commissioner Cox moved that the Marx Road Bridge be declared an emergency for repair. The motion was seconded by Commissioner Borries. So ordered.

Commissioner Cox asked Mr. Guillaum if the representative from the insurance company said why it took him so long to get out there.

Mr. Guillaum said he indicated that it was paper work, and he just got it the day before. He said a claim of damage of this type goes from one office to another.

President Willner said there was one other thing that he read in the media that bothered him. He said the newspaper said they should have let the farmer bring his tractor out and work on it and he wants to tell him to never let that happen because if they do let someone do that and they get hurt, the liability is very great.

Commissioner Cox said she agrees but she also feels the farmer had a concern because of the force of the water out there.

Sensmeier Road

Mr. Guillaum said he has a comment on Sensmeier Road, he said they have a small bridge project, he said they did have David Savage and the Traffic Engineering put some signs up posting it at three (3) tons and they have another one to do.

RE: AL HOLTZ...ACTING COUNTY HIGHWAY ENGINEER

Mr. Holtz said he has a letter from Deig Brothers, a Mr. Hartmann, regarding sod laying. He said the deadline for laying sod is June 1st. He said they have quite a bit of it to lay yet and they are asking for an extension on the time.

Mr. Holtz said he did not ask for a certain time but it has to be covered for the life of the contract.

President Willner read a portion of the letter which is as follows:

We are requesting permission to lay sod on this project after June 1, 1981, we will guarantee that the sod will be in good live growing condition and will be placed within thirty six (36) hours after cutting and will be protected from damage during that period.

President Willner said he feels they should put a time limit on it.

David Miller asked Mr. Holtz when did he project the work will be completed and Mr. Holtz said he has no idea with the weather the way it is.

Commissioner Borries moved the give Deig Brothers and fifteen (15) day extension, that would make the deadline June 15th, 1981. The motion was seconded by Commissioner Cox. So ordered.

Burkhardt Road

Mr. Holtz said they are going to have to go before the council to appropriate money for the Burkhardt Road project.

President Willner said they got a bill from Jim Morley for the design of Burkhardt Road for $10,000.00, and there was only $4,000.00 in that account, for the fact that the past commissioners was under the impression that the county only appropriate their portion of the contract. He said they now find they have to appropriate the entire monies for that project, so therefore he has asked Jim Morley to pick his bill up and change it to $4,000.00 and they will go before the council and get the rest of the money appropriated from R/S funds. He said Mr. Morley has agreed to do this.

Commissioner Cox asked if part of this is going to be reimbursed by the State.

Commissioner Cox moved to do this, seconded by President Willner. So ordered.

Mr. Holtz said the complete amount is $71,386.00.

President Willner said they were going to ask for $75,000.00 because if they have a change order they would still be in trouble.

Mr. Holtz said Mr. Heathcotte said they should request to council $53,385.51.

President Willner said he does not feel they should cut it to the penny.

Mr. Holtz said he would take care of getting this request to the Auditor to be put on the July council call.

Elmridge Drive

Commissioner Cox asked Mr. Holtz if he would check Elmridge Drive to see if it can be an accepted county road.

Mr. Holtz said he would check into this.

RE: COUNTY ATTORNEY

Mr. Miller said he has just reviewed the complaint and summons that were served upon the Commissioner and they will undertake to respond. He said he is not sure he understands the basis of the complaint. He said this concerns the firing of Ed Smith and Ron Lyles.

Mr. Miller said they are preparing for the first orbritration with the teamsters union, which is set for June 10th.

President Willner said he has one item that appears that Vanderburgh has a safety deposit box. He said it is at the National City Bank and the rent is due on it in the amount of $160.00.

He said he can find no one that knows what is in this box. He said it is a trunk storage, 16 drawer box. He said Mr. Volpe thinks it is micro-filming and that in order to get into the box they need the signatures of two (2) county commissioners and the county auditor. He said before they pay this claim they should see if they need it.

Commissioner Cox said she would be glad to either go over with someone or sign something to see what is in it.

County Auditor Alice McBride asked who had the key and President Willner said he would guess the bank has the key.

Mr. Miller said no, the bank has one key and someone in county government is supposed to have the other one.

Ms. McBride said she would check with Mr. Volpe and see if they can find the key.

President Willner asked Mr. Miller if he would go to the bank with them so see what the contents are and Mr. Miller said he would.

RE: APPOINTMENT TO ALCOHOL BEVERAGE COMMISSION

President Willner said they have the application for Bert Reed to be appointed to the Alcohol Beverage Commission.

Commissioner Borries moved the appoint Mr. Reed to be the republican appointment to the Alcohol Beverage Commission. The motion was seconded by Commissioner Cox. So ordered.

Commissioner Cox said Del Cato came in and applied for this appointment because he understood there was an opening.

RE: TITLE XX CONTRACT

President Willner said they have aTitle XX Contract to be signed by the Commissioners.

Ms. McBride said last year they got back $25,000.00 from Title XX.

Commissioner Cox moved they sign the Title XX Contract.
The motion was seconded by Commissioner Borries. So ordered.

RE: CERTIFICATE OF INSURANCE

President Willner said they have a Certificate of Insurance from Atlas Van Lines, Inc. to use the Auditorium on June 9, 1981. He said let the record show it received and filed.

RE: CLAIMS

A claim was submitted by Engineer Associates, Inc. for the Engineering Inspection for Lynch Road in the amount of $3,659.35. He said the claim is signed by Al Holtz. Commissioner Borries moved the claim be allowed. The motion was seconded by Commissioner Cox. So ordered.

A claim was submitted by Engineer Associates, Inc. for the Engineering Inspection for St. Joe Avenue in the amount of $2,162.40.

Commissioner Cox moved the claim be allowed, seconded by President Willner. So ordered.

A claim was submitted by Brinks, Inc. for services rendered to the Clerk of the Circuit court for the month of June in the amount of $234.35.

Commissioner Cox moved the claim be allowed, seconded by Commissioner Borries. So ordered.

A claim for the County Soil & Water Conservation District for the second half of cost share in the amount of $3,972.50 was submitted to the Commissioners for approval.

Commissioner Cox moved the claim be allowed, seconded by President Willner. So ordered.

A claim for Jim Morley and Associates for Burkhardt in the amount of $4,635.06.

Commissioner Cox moved the claim be allowed, seconded by President Willner. So ordered.

RE: EMPLOYMENT CHANGES

APPOINTMENTS

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Russell Schroeder		Equip. Operator	$	6.66 hr.	6/4/81
Cecil Sills		Truck Driver		6.27 hr.	6/4/81
Thomas Waterman		Truck Driver		6.27 hr.	6/4/81
Darryl Chamberlain		Truck Driver		6.27 hr.	6/4/81
Larry Babbs		Equip. Operator		6.66 hr.	6/4/81
Horance Luther	2516 B. Elsas	Asst. Mechanic		6.54 hr.	6/4/8[redacted]

COUNTY SURVEYOR

Wayne Pasco	626 E. Delaware	Draftsman	$12,592.00	yr.	6/1/81

AREA PLAN COMMISSION

Jeffrey Hobbs	1528 Audubon Dr.	Intern	$	1.57 hr.	6/1/81

BURDETTE PARK

Kimberly Hankins	2908 Lakeview Blvd.	Extra Guard	$	3.25 hr	5/21/81
Catherine Hamlow	2800 W. Penn.	Extra Guard		3.25 hr.	5/21/81
Don Lochmueller	1333 Savannah Dr.	Extra Guard		3.25 hr.	5/21/81
Candy Garnett	1200 April Dr.	Reg. Guard		3.50 hr.	5/21/81
Jennifer Amstutz	3008 N. Red Bank	Pool Cashier		3.50 hr.	5/21/81
Karen Hobson	5032 Stratford Rd.	Pool Cashier		3.50 hr.	5/21/81
Jane Hutchison	2026 W. Michigan	Reg. Guard		3.50 hr.	5/21/81
Robert Owens	R.R. 2 Roth Road	Reg. Guard		3.50 hr.	5/21/81
Beth Minton	10515 Olivia St.	Reg. Guard		3.50 he.	5/21/81
Michael Powless	5816 Ashbrooke	Reg. Guard		3.50 hr.	5/21/81
Sharon Jankowski	6912 Cliftwood Dr.	Reg. Guard		3.50 hr.	5/21/81
Bryan Norman	R.R. 2 Box 63	Reg. Guard		3.50 hr.	5/21/81
David Creech	631 College Hwy.	Reg. Guard		3.50 hr.	5/21/81
Lori Sinclair	613 Walden Lane	Reg. Guard		3.50 hr.	5/21/[redacted]
Jacquelyn Oberhausen	4218 Tremont Rd.	Reg. Guard		3.50 hr.	5/21/[redacted]
Sarah Waltz	6710 Hogue Road	Reg. Guard		3.50 hr.	5/21/[redacted]
Judy Searl	10114 Browning Rd.	Reg. Guard		3.50 hr.	5/21/81
Michael Rippy	2763 W. Franklin	Reg. Guard		3.50 hr.	5/21/81
Sarah Rexing	7600 Marx Road	Extra Guard		3.25 hr.	5/21/81
Joyce Price	3925 Jackson	Extra Guard		3.25 hr.	5/21/81
Jenny Vescovi	3525 Laurel Lane	Extra Guard		3.25 hr.	5/21/81
Tim Ruff	6504 Raintree Dr.	Extra Guard		3.25 hr.	5/21/81
Donna DeWeese	818 Allens Lane	Pool Cashier		3.50 hr.	5/21/81
Angela Cook	8010 Petersburgh Rd.	Extra Guard		3.25 hr.	5/21/81
Dave Wedding	1667 S. Weinbach	Security		9.00 hr.	5/21/81
Jim Truitt	612 Berkely	Security		9.00 hr.	5/21/81
Brian Klaser	713 Monroe	Security		9.00 hr.	5/21/81
Kurt Koehler	415 S. Boeke	Ground Crew		4.00 hr.	5/18/81
Kim Lilly	2601 Tremont Rd.	Head Guard		35.00 day	5/15/81
Jennifer Oberhausen	4218 Tremont Rd.	Pool Manager		42.00 day	5/15/81
James Stewart	7110 E. Cherry	Head Guard		35.00 day	5/15/81
Judy Oberhausen	4218 Tremont	Asst. Head Guard		35.00 day	5/15/81
Cindy Lilly	2601 Magnolia Dr.	Reg. Guard		3.50 hr.	5/21/81
John Winiger	2308 N. Heidelbach	Reg. Guard		3.50 hr.	5/21/81
Laura Hutchison	2026 W. Michigan	Reg. Guard		3.50 hr.	5/21/81

CIRCUIT COURT

Beverly Corn	3314 Washington	Adm. Ass't.	$	6.04 hr	5/22/[redacted]
Michael K. Peeler	1251 Cross Gate Dr.	Summer Intern		140.00 wk.	5/18/[redacted]

CENTER ASSESSOR

Joyce Fields	1101 Laubscher Rd.	4th Deputy	$	390.95 bi-wk.	6/5/81

COUNTY RECORDER

April Clemmon	609 S. Evans	Pt. tm. Deputy	$	30.00 day	6/1/81

DRUG & ALCOHOL DEFERRAL

Georgann Lidwig	3017 Crowley Ave.	Secretary	$10,000.00	5/11/81
Sherri Page		Secretary	$10,000.00	5/22/81

KNIGHT TOWNSHIP ASSESSOR

Barbara Jeffreys	215 Reis Rd.	Per Diem	30.00 day	6/1/81

SHERIFF

Joseph Winfield		Corporal	16,894.00	5/22/81
Ova Stambush		Prob. Pat.	14,643.00	5/22/81
Kip Joe Fussner		Dispatch	10,708.00	5/22/81

CO-OP EXTENSION

Cynthia Stott	R.R. 8 Box 141	Summer Help	27.00 day	5/11/81
Gary Abell	712 Bennighof	Summer Help	30.00 day	5/26/81
Dwayne Brazelton	5100 Happe Rd.	Summer Help	27.00 day	5/26/81
Bradley E. Foster	9910 Browning Rd,	Summer Help	30.00 day	5/11/81
Ray Alan Marchant	10701 Darmstadt Rd.	Summer Help	30.00 day	5/26/81
Diana Russell	900 Judson	Intern	4.50 hr.	5/21/81

RELEASES

VANDERBURGH COUNTY HIGHWAY

Russell Schroeder		Asst. Mechanic	6.54 hr.	6/4/81

COUNTY SURVEYOR

Alice Bowling	1131 S. Lincoln Park	Draftsman	12,592.00 yr.	5/29/81

CIRCUIT COURT

Beverly Corn	3314 Washington	Adm. Ass't.	9,044.00 yr.	5/22/81
Janie Parker	Newburgh, In.	Summer Intern	140.00 wk.	5/22/81

COUNTY ASSESSOR

Dorothy Joest	2011 N. Green River	R.E. Deputy	12,437.00	5/29/81

DRUG & ALCOHOL DEFERRAL

Jo Ann Mullis	214 E. Florida	Office Man.	11,556.00yr.	5/8/81
Sherri Page		Secretary	9,180.00yr.	5/22/81

KNIGHT ASSESSOR

Joyce Fields	1101 Laubscher	Deputy	9,160.00yr.	6/5/81

SHERIFF

Dwight Rounder		Corporal	16,894.00yr.	5/21/81
Joseph Winfield		Patrolman	15,643.00yr.	5/21/81
Ove Stambush		Dispatch.	10,708.00yr.	5/21/81

DATA PROCESSING

Diana Russel	900 Judson	Intern	4.00 hr.	5/21/81

There being no further business, the meeting adjourned at 4:25 p.m.

PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
Robert Willner	Alice McBride	David Miller
Richard Borries		
Shirley Jean Cox		

SECRETARY: Jean Wilkey

Robert D. Willner
R. Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JUNE 8, 1981

The meeting of the Vanderburgh County Commissioners was held on Monday, June 8, 1981, at 2:30 p.m. in the Commissioners Hearing Room.

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

RE: CHRIS WEAVER...CITY REORGANIZATIONAL PLAN

Mr. Weaver was there to explain to the County Commissioner just how the City plans to reorganize so as to have a more efficient government.

Mr. Weaver said he has Councilman Linzy and Councilman Koehler with him if the Commissioners have any questions.

Mr. Weaver said he had put together a packet of information for each Commissioner so they can keep it on file, it contains reorganization outline that the mayor presented to members of the City Council last Monday evening, as well as a memo from Mr. Linzy, Mr. Koehler and himself to the Commissioners concerning what they are here to talk about today.

Mr. Weaver said there is also information about the repealed legislation as outlined and engrossed House Bill #1001, local government study commission information as well as a copy of the Metropolitan Evansville Energy Committee's Vehicle Report that they presented to the Mayor last week.

Mr. Weaver said he would like to spend a few minutes going through what #1001 House Rule Act really means for the City of Evansville, the reorganization plan as they have it outlined they will find a background information on #1001, what they propose under the reorganization, what the effects of the reorganization means under the terms of major changes in the city, a time table of implementation, a current City of Evansville table of organization, a proposed table of organization which is indicated on the chart that he set up to show the Commissioners, a proposed result table and a actual copy of House Rule Act #1001.

Mr. Weaver said House Rule Act #1001 is probably the most important single piece of legislation that those in city government have been waiting for for over seventy (70) years. He said this law permits them to decide their own reorganization.

Mr. Weaver said what they have attempted to do, through their reorganization plan is more clearly defined, various levels, line of authority in city government. He said the Mayor has stated more than once that in any given time, at any given day and any given month he could have twenty four (24) or thirty two (32) individual departments calling the mayor's office on guidance on policy, personnel matters, and whatever. He said they have attempted to limit those calls through this reorginazation plan and in essence create more distinct lines of authority. He said they have created six (6) executive departments: the Department of Administration, the Department of Police, the Department of Fire, the Department of Parks and Recreation, the Department of Transportation and Services and the Department of Planning and development. Mr. Weaver said each one of these departments will have a director and each director will have under their authority, various divisions that will hopefully carry out the implement policy as it is handed down by the mayor.

Mr. Weaver said those directors, as well as the Corporate Counsel, the assistant to the mayor and the city controller will serve in a capacity of the mayor's executive committee. (The Cabinet) He said the cabinet will meet at least weekly so that the mayor can communicate policy as it is decided to the directors and they down to the division heads. He said it is a dramatic change of what they currently have. The system that is outlined in their packet makes it very difficult to streamline the city government.

Mr. Weaver said some of the major changes include the establishment of a personnel human relations division, they are not necessarily merging the function of the personnel human relations, but locating them together so they can share personnel, such as secretaries and clerk-typists. He said in creating a internal board of public works which under the law would permit the city attorney, controller and city engineer to serve as claim adjustment board, so that all claims would go before this board for review. He said the board of public works would also serve to open and approve bids on public works projects.

Mr. Weaver said under the Dapartment of Police they would have the continued relationship with the Board of Public Safety, and the Department of Fire they are creating a division of code enforcement trying to bring together various code enforcing divisions, agency's and departments of personnel. Under the Parks and Recreation the only major change there is moving Roberts Stadium under that department an abolishing the Board of Trustees at the Stadium. He said by creating the Department of Transportation and Services this redefines the present Board of Public works, making it more transportation orientated, creating a motor pool division as per the recommendations in the Evansville Metropolitan Energy Report moving the transportation under that department so that it can be more closely tied in with some of the transportation services they now have in the city. He said they were realigning the current Metropolitan Development Department into the Department of Planning and Development for emphasis on planning as it applies to other divisions in the city. He said they are moving Department of Economic Development under the Department of Planning and Development, eliminating the executive director of both Economic Development and Redevelopment.

Mr. Weaver gave each Commissioner a chart showing them exactly what they plan to do.

Mr. Weaver said they felt it important they come to the County Commissioners the week after the Mayor went before the City Council to give them an outline of what the reorganization says and give them an indication of those areas which they would be interested in at least talking about, coming to some formal terms in a written agreement between the city and county on a functional basis, such as the possibility of expanding the jurisdiction of the Human Relations Commission to include some county boundaries. Reworking the city-county Purchasing Department to make it more effective. Under the city-county Health Department include under county jurisdiction the Division of Air and Water Quality.

Mr. Weaver said they would appreciate having one of the Commissioners staff persons work with them as they get into the areas that need city-county working relations. Mr. Weaver said he would propose to members of the commission that David Jones be allowed to work with them.

Mr. Weaver said they plan to have the reorganization plan ready to go into effect January 1, 1982.

Commissioner Cox said she has one question for Mr. Weaver and that is, the whole purpose of this reorganization is what?

Mr. Weaver said the concept of Home Rule had been something that cities and towns have been battling for for over seventy (70) years, ever since Judge Dillon at the turn of the century made his statement that the cities are in fact animals of the state, so the Indiana Association of Cities and Towns brought together around 1910 to do battle with the State Legislature. He said it is a lobbying organization, so they have lobbied for over seventy (70) years to obtain what they have now as the Administrative Home Rule.

Mr. Weaver said the reason they want to reorganize is because this is the first time that they have been able to reorganize in an overall sense in the history of the city. He said they hope that reorganization will give them more clearly defined levels of authority, and a better position to implement policy.

Commissioner Borries said he would like to commend their move here, in his experience in county government one of the councilmen said the easy way to be successful is to be against everything but he said he thinks that in a case like this, it is an important start.

President Willner asked Mr. Weaver if he has any recommendations now that they might have as for as disbanning any of the inter-government working agreements between the city and the county.

Mr. Weaver said he has no recommendations at this time. He said what they wish to do is take a serious look at those agreements as they are stated on paper and make sure they do have functional agreements so there are no misunderstandings.

President Willner said he would like for Mr. Jones as well as one of the commissioners to also sit in on these meetings.

At this time President Willner thanked Councilman Linzy and Councilman Koehler for attending this meeting.

RE: ALLEN HENSON

Mr. Henson said he was there for the County Work Release Program, he said he is seeking a signature from President Willner for a yearly contract for service for Indiana Department of Corrections through the Indiana Social Services. He said I.O.S.S. allocates X number of dollars to the Department of Corrections each year and they in turn sub-contract to provide services to local inmates. He said the contract has been through the Commissioner of the Department of Corrections and through the Circuit Court Judge and is now awaiting the signature of the President of the Board of County Commissioners. He said it is a standard contract and the same one they have had for the last three (3) years. He said the only change in the contract is the amount of money they are going to receive, they are being cut back down to $19,999.08 from $50,000.00 last year.

Mr. Henson said they in dire need of funds, these funds are from the Federal Government in terms of I.O.S.S. funds and are no match by county or local organizations here.

Commissioner Cox asked Mr. Henson just what is his total budget for Work Release and Mr. Henson said not counting in-kind services it is $94,000.00.

Commissioner Cox said so in the past 50% has been financed by Federal Title XX funds and the State match and the rest is by county and now that is being cut.

Mr. Henson said it is being cut to 19% of their total budget. He said they are seeking State funding through this new legislation that was passed naming the Department of Corrections to directly fund local community corrections programs. He said they are in the process of a grant now and they won't need the money until July 1.

David Jones asked that if they merge the Bail Bond Program with this, could this not support the program, if it could be used for that.

Mr. Henson said that is why the merger is being contemplated, to bring in that extra fee.

Commissioner Cox said the Sheriff's Department is very appreciative of the Work Release Program and it sure relieves some of the conditions up there in the jail.

President Willner asked when the day comes that they need county funds would there be a move to put, or has the board looked at the possibility of this being a self-sustaining operation.

Mr. Henson said up to this date no.

President Willner said he would think that given the right direction this could be a self-sustaining program, whereby the placement of personnel in lieu to jail.

President Willner asked if there was some statute that says this could not happen.

Mr. Henson said it could happen, according to the statute that has been enacted now, could have a local organization such as is R.E.S.C.U.E, a not for profit organization.

Mr. Jones said he thinks it is possible if it were done that way because the people that go into Work Release are working in the first place and all they are doing would be to correct the cost of room and board which is part of where the expense is going anyway. He said the fee could be increased and would still be cheaper than going through a bondsman. He said the bail bondman takes 10% of the amount of the bond and keeps it whether they are innocent or guilty.

Commissioner Cox moved the contract be signed, seconded by Commissioner Borries. So ordered.

RE: MARK TULEY...SUPT. COUNTY BLDGS,

Mr, Tuley said he wanted to give the Commissioners the final breakdown on the paving at Hillcrest-Washington Home. He said they came out even on this with no over-run or under-run. He said the total contract price on that was $14,215.00.

Mr. Tuley said he started his new utility man today and he and Benny are both working over at the Auditorium and they should finish up there about the end of the month. He said they are painting the conference rooms today and are working downstairs on the remodeling they are doing.

Commissioner Willner asked Mr. Tuley if he had a claim on the Hillcrest-Washington Home project and Mr. Tuley said no, he talked to Steve Rudolph today and told him he would send it out to him today.

RE: CONRAD COOPER...AUDITORIUM

Mr. Cooper said he did not have anything specifically, that he left with them some information regarding the trip he took to Cincinniti the past few days. He said he was able to obtain some information from other building managers concerning standard base rent. He said over the next week or so they should direct their attention to that as theirs is considerable lower.

President Willner said he would be glad to go through this with him at his convience and they will also have the attorney along to guide them.

RE: GENE KAUTZMAN...COUNTY GARAGE

Mr. Kautzman said he had his weekly work report and his weekly absentee report.

President Willner said let the record show they are received and filed.

Mr. Kautzman said he would like to recommend that they bring back the six (6) layed-off employees.

Mr. Kautzman said he has a problem with Mr. Swope. He has a 20% disability with his knees. He said he has seen Mr. Swope pass out in the past and he doesn't feel comfortable letting him go back to equipment operating but his doctor has given them a statement saying he is over these blackouts and capable of driving heavy machinery. He said he just wanted to fill the commissioners in on this.

President Willner said he did talk to the insurance company and there is the possibility of sending him to a doctor of their choice if they would like to and other than that they have no choice but put him back on the job.

Commissioner Cox said she has a question on his work report and that is, on Friday June 5, listed mowing Hogue Road, Upper Mt. Vernon Road and Baumgart Road. She asked what part of Upper Mt. Vernon Road did they mow.

Mr. Kautzman said he did not go out there over the weekend to see, he said he gets these reports back from the foreman.

Commissioner Borries asked Mr. Kautzman how the equipment is and Mr. Kautzman said they are getting stronger, the grade-all is ready to go and he would like to start doing some paving tomorrow.

President Willner asked Mr. Kautzman if he was going to do those sections in Melody Hills and Mr. Kautzman said yes.

President Willner said he needs to ask the County Auditor about the $70,000.00 in the Roads and Streets account.

Ms. McBride said if the money was appropriated for some specific project, it could be encumbered and could not be used for any other project.

President Willner said it was encumbered for Stone and Gravel and Bituminous.

Ms. McBride said they had to know what project it was encumbered for.

President Willner said the project was repairing county roads.

Ms. McBride said she would go down to her office and see what she can find in the minutes.

RE: DAVE GUILLAUM...COUNTY SURVEYOR'S OFFICE

Mr. Guillaum said he has his Repair Crew Report for last week. He said they cleaned up Marx Road and on Cypress-Dale they had a section of ditch that they got cleaned out. He said right now they have Seven Hills under construction and that is by contract. He said it is going pretty well and the road is closed now.

Mr. Guillaum said they had a preliminary done on Sensmeier Road and this is the one that he brought to their attention last week and they have a problem with the bridge itself. He said hopefully they will have some engineering put together on that so they can get it going.

Mr. Guillaum said he did send a survey crew out on Syls Drive per last meeting and he is going to get with Mr. Williams in the next day or two and see if they can get the problems ironed out.

He said they measured the entire area and the actual length of the road runs past the intersection so it is in the accepted area.

Commissioner Cox asked Mr. Guillaum when did he think Marx Road would be finished.

Mr. Guillaum said it is not quite done, there is a spill-box at the bottom of the drop-box. He said it was damaged also and they are rebuilding it. He said they would be done with it in another day or two.

RE: AL HOLTZ...ACTING HIGHWAY ENGINEER

Mr. Holtz said he has a change order for an undercut on St. Joe Ave. He said they needed to go down a little deeper in order to get a good base. Mr. Holtz gave the commissioners drawings of this undercut. He said it is in the amount of $3,651.12 in addition to the regular contract.

Commissioner Willner said this is change order #31.

President Willner asked why this was not taken care of in the original contract and Mr. Holtz said this is something that the state demands.

Commissioner Cox moved that change order #31 be approved, seconded by Commissioner Borries . So ordered.

Commissioner Cox said since they are talking about St. Joe Avenue, the mediums out there have looked to be up to this stage a boulevard type medium with soil in them and now it looks like the soil is being removed and going to be replaced with either concrete or asphalt.

Mr. Holtz said there is going to be a blacktop finish on them.

Commissioner Cox asked if the original plans called for the asphalt top and Mr. Holtz said yes, this is not a new change.

President Willner said if she wants to change it, now is the time.

Commissioner Cox said some of the people out there are disappointed because there can be no trees planted and in talking with the construction workers they found out that this was going to be asphalted over.

Mr. Holtz asked if they were interested in accepting in Roman Acres Subdivision.

President Willner asked if he was talking about the drainage plans and Mr. Holtz said no, this is not the drainage plans.

Mr. Holtz said this is Roman Acres Subdivision and Anthony Estates. He said the streets are Anthony Drive and Caesers Court. He said they have been through before on 7/16/76 and 12/8/80.

President Willner asked were they denied and Mr. Holtz said they were pending.

Commissioner Cox asked if someone was petitioning this for acceptance.

Mr. Holtz said the shoulders are bad and need reshaping but the streets are good.

President Willner said for Mr. Holtz to notify the developer that before final approval this work needs to be done and Mr. Holtz said he would.

Mr. Holtz said he checked into Elmridge Drive for Commissioner Cox and the pavement is in good condition.

Commissioner Cox asked if Elmridge Drive meets specifications for a county road and Mr. Holtz said it looks like it was built according to their standards in width and the paving looks in pretty condition.

President Willner said it was proper procedure for the developer to petition to have the road accepted and they get the specs as to how the road was built and then they take a core sampling and then make a decision.

David Jones said the residents can petition to have this road accepted.

Commissioner Cox said she would call these people back and explain to them what has to be done.

Mr. Holtz said he has run into a problem on Lexington Road off of St. Joe. He said Key Construction called him and said dirt is being hauled into a place out there.

He said they are driving over this bad area in the street, approximately 200 square feet, about a ten (10) by twenty (20) area. Right where they are turning in they have to go right over that and they wanted to call it to his attention that this damage had been done previously.

Mr. Holtz said he wants to know about the repair on that, if anything can be done about it, and he feels it is due to a weak base.

President Willner said if he reads the media right, Warrick County tried to do that last week with Southern Indiana Gas & Electric Company with coal hauling and didn't get the job done.

President Willner asked if this was a county accepted street and Mr. Holtz said according to the records it is. He said the records show it was accepted by the county in 1958.

President Willner asked Mr. Holtz to take a look at it and come back with a recommendation.

Mr. Holtz asked the commissioners if they had talked to Mr. Easley about the letter that said the Federal Government was not going to participate in the changes on St. Joe Avenue.

Mr. Holtz said if they go ahead and make the changes they will be charged for both, what the original would have cost and what the new is going to cost.

President Willner said as he understands it, it is going to be put in as originally planned with no extra cost to anyone.

President Willner said they are going to proceed with the original contract.

RE: ALICE McBRIDE

Ms. McBride said she checked about the Road and Streets money and found that it was appropriated in 1979, it did not say what projects it was for and if it doesn't say a road or project then it should not be encumbered. She said she would let the commissioners know tomorrow if that money was for a certain project.

RE: DAVE JONES...COUNTY ATTORNEY

Mr. Jones said he had some good news to start off with and that is one of the larger suits in terms of money that was filed against the county has been successfully defended was dismissed today in Federal Court. The suit was Phyllis Short of the National Prisoners Rights Union VS Vanderburgh County. He said they had filed a $1,000,000.00 law suit against the Sheriff and it was dismissed by Judge Brooks that same day. He said it cannot be refiled.

Mr. Jones said he was assisted in this by Danny Glass of the Fine, Hatfield firm. He said they have since gotten a new insurance carrier for the counties public liability, but that appearance was not entered and it was not counsel's fault, but with the insurance company until way after the time period had expired to file an answer, so that the county was forced to defend that suit and the attorney fees as major litigation were incurred. He said it is his feeling and maybe perhaps the other county attorney, who is not handling the case might be better prepared to speak to this but at one point was prepared to file suit over that fact and it would seem to him that they have done what the insurance company should have done and that is defend the case and knock it out, and he said he feels that the attorney fees expended by the county should be paid by the insurance companies since they should have been in on it from the very beginning.

Mr. Jones said he would be glad to compile the figure and present it to the insurance company.

Mr. Jones said David Miller should examine this and give his recommendation and possibly John Hodge, their insurance consultant and see if that is not his thought also.

Mr. Jones said the bad news is, the suit that was just recently filed named Henry Hunt VS Dwight Rounder, City Police, County Sheriff, and the Jail Nurse. He said he could not get the city to agree to carry the burden for them for litigation. He said this is something that is going to have to be equally born, he said he attempted to call Mr. Malcolm Montgomery, who is going to be handling the case for the city and he has examined the two liability policies that they carried and this incident occured prior to any coverage. He said both policies indicated that liability insurance covers within the period of the policy and they missed it by about four (4) months. He said this incident happened in May of 1979 and the claim was filed November of 1979 and brought before the commissioners in December and the insurance was picked up in April, 1980.

He said the jail nurse, there is a claim in there for medical malpractice and the man claims he was denied medical care in the jail on the one hand and on the other hand what was done made him worse. He said Sarah Cline is no longer the jail nurse, she was on duty at that time and she had malpractice insurance. He said he has advised her to contact her carrier although by county ordinance which has been in effect for some time, the county would and should defend all of its employees. He said he has since discovered that there is a statute for medical malpractice that was in effect at that time that requires before suit is filed that the malpractice claim be referred to a medical review board, that was not done in this case, which would cause the malpractice part to be dismissed. He said it is his opinion that they can knock out that portion of it, and that leaves about six (6) counts for still $600,000.00.

Mr. Jones said he has discussed this with the sheriff and can find nothing to relieve it, he said he was hoping that possibly the sheriff had something with the sheriff's association or anything at all that could get someone else in here and defend this thing. He said he has been able to find none of that. He said what they need to do is consider authorization of properly defending the action on behalf of the county employees and the county.

President Willner said he would like to commend Mr. Jones on the sucessful defense of the big case against Vanderburgh County.

RE: SHIRLEY STUCKI...TELEPHONE REQUEST

Ms. Stucki from the Center Township Assessor's office was there to request a change of location of a telephone. She said when they got some extra floor space it reduced lighting over the employees desks. She said there would not be any extra monthly billing and that Mr. Ruston said it would cost the Authority $60.00 to move the telephone.

Commissioner Borries moved they approve the request. Seconded by Commissioner Cox. So ordered.

RE: SAFETY DEPOSIT BOX

President Willner asked Ms. McBride if she checked on the safety deposit box at National City Bank.

Ms. McBride said what she found in her safe is a list of what is in National City Bank. She said it is a micro-film list from the recorders office. She said she hasn't found a key as yet but she has a lot of keys.

President Willner gave the list to David Jones and explained to him that they received a claim for $160.00 for yearly rental on this box.

RE: DARRELL VEACH

Mr. Veach said the commissioners had previously asked him to look into the circumstances revolving around the emergency sewer break on Lynch Road. He said Jack Alles from the Sewer Board would like some kind of answer from the Board of County Commissioners. He said he has investigated this and written the following letter to the commissioners and forwarded it to Mr. Alles:

June 8, 1981

Mr. Bob Willner, President
Vanderburgh County Commissioners
City-County Building
Evansville, Indiana 47708

RE: Lynch Road R-12628 Emergency Break Repairs-Sewer Lines

Dear Mr. Willner:

Pursuant to you request, I have investigated the circumstances surrounding the bill as submitted on March 23, 1981 by Deig Brothers Construction Company in the amount of $532.33 for emergency repairs incurred on the job sight.

Our project manager, Mr. Rick Floyd, related that on January 6, 1981, during roadway excavation adjacent to the property of Albert and Wanda J. Bethel, a six inch sanitary sewer line was uncovered and broken. This line was not indicated on the plans and as raw sewage was coming from the line, Mr. Floyd along with Dale Lucas of the FHWA, in agreement, made the decision to have the line closed immediately. Mr. Floyd also in comformance with the right-of-way agreement, permitted the lowering of the line in order that construction might proceed in this area.

Although time could have been taken by Mr. Floyd to notify the Sewer Department of this break, it is my opinion that he acted on the assumption that his decision was the right one under these conditions. I concur with Mr. Floyd on his decision, however, I did instruct him that in all future practable situations the affected utility should be notified in case they should want to take action to make emergency repairs or to instruct the contractor to make such repairs.

I am attaching the bill from Deig Brothers which has been itemized and approved by our project manager. I hope this will adequately justify the circumstances involved in the decision made by our project manager.

If further information is desired, please feel free to contact me.

Very truly yours,
Darrell Veach
Engineer Association, Inc.

He said this should be paid by the sewer board, that this just goes through the commissioners.

President Willner said one of the things they asked was why were they not notified.

Mr. Veach said he feels this letter will explain this to them.

RE: DAVID JONES...SAFETY DEPOSIT BOX

Mr. Jones said the bulk of these records appear to be court records. Mr. Jones said their responsibility is providing places for these things, and he said he doesn't know if they can't be stored in this building and eliminate this costs. He said there is no requirement he can see that they have to keep this in a safety deposit box. He said the only legal requirement is that these records be kept in a safe place. He said there may not be any originals of these records if they have been reduced to micro-films.

Mr. Jones said in the Recorders Office, a problem will probably come before them in a week or so about the master and the duplicate. He said one is required by law to be kept and the other kept for the public, but he does not think they have to be kept in a safety deposit box.

Commissioner Cox said she thinks the law in micro-filming provides that one copy shall be stored in a fire-proof vault and the other one is accessable to the public. She said she was not aware that any court records micro-filmed whatever.

Mr. Jones said this is dated August 28, 1956.

Mr. Jones said he would recommend that they try to find out if we have the original copy somewhere and do they have any fire-proof container in the building.

President Willner asked Ms. Meeks if she would look at the minutes of 1956 and see if she could find out just what this is and they will discuss this again next week.

RE: TRAVEL REQUEST...AREA PLAN COMMISSION

Ms. Cunningham submitted the following letter to the commissioners:

Robert Willner, President
Vanderburgh County Commissioners
Room 305 Civic Center Complex
Evansville, Indiana 47708

Dear Sir:

This letter is to request your permission to attend a governor's conference to be held June 16 at the Indianapolis convention center. Sufficient funds are available in our budget to cover the expense of this trip.

Respectfully submitted,
Barbara Cunningham

Commissioner Cox moved the request be granted, seconded by Commissioner Borries. So ordered.

RE: INSURANCE BINDER

President Willner said they received an insurance binder from the Torian Agency, Inc. and to let the record show it received and filed.

RE: CERTIFICATE OF INSURANCE...AUDITORIUM

President Willner said the received a certificate of insurance from the Albion Fellows Bacon Center to use the Auditorium on June 17, 1981, and to let the record show it received and filed.

RE: MONTHLY REPORTS

President Willner said they have the monthly reports from the Clerk of Circuit and Superior Courts and from the County Treasurer and let the record show they received and filed.

RE: CLAIMS

President Willner said he had a claim for David Jones in the amount of $744.00, for the month of May, 1981.

Commissioner Borries moved this be placed on the July Council call, seconded by Commissioner Cox. So ordered.

A claim for Engineer Associates for St. Joe Avenue for Engineering Inspection in the amount of $2,162.40.

Commissioner Cox moved the above claim be allowed, seconded by Commissioner Borries. So ordered.

A claim for Engineer Associates for Lynch Road for Engineering Inspection in the amount of $3,549.35.

Commissioner Cox moved the above claim be approved, seconded by Commissioner Borries. So ordered.

A claim for Evansville-Vanderburgh Building Authority for Labor and materials to install two (2) duplex electrical outlets in the Prosecutor's Office in the amount of $120.00.

Commissioner Borries moved the claim be allowed, seconded by Commissioner Cox. So ordered.

RE: EMPLOYMENT CHANGES...APPOINTMENTS

CAREER CRIMINAL PROSECUTOR				
Stanley Levco	Mt. Vernon, Indiana	Director	$25,000.00	6/5/81
John Brenson		Intern	17,000.00	6/5/81
PROSECUTOR				
James Schroeber		Intern	6.00hr.	6/18/81
Carol Hartman		Secy.	8,600.00	6/19/81
TREASURER				
Annette Schneider		Part time	30.00da.	6/8/81
RECORDER				
Betty Jo Radcliff		Part time	25.00da.	6/8/81
COUNTY CLERK				
Beatrice Phillips		Dep. Clk.	350.95	6/5/81
SUPT. COUNTY BLDGS.				
Kenneth L. Palmer, Jr.		Utility Man	210.00wk.	6/8/81
HIGHWAY DEPARTMENT				
John Keown		Truck Driver	6.27hr.	6/9/81
Ron Martin		Truck Driver	6.27hr.	6/9/81
James Smith		Truck Driver	6.27hr.	6/9/81
Jackie Crawford		Truck Driver	6.27hr.	6/9/81
James Triplett		Laborer	6.18hr.	6/9/81
Freddie Blair		Asst. Mechanic	6.54hr.	6/9/81

RE: EMPLOYMENT CHANGES...RELEASES

CAREER CRIMINAL PROSECUTOR				
Stanley Levco	Mt. Vernon, Indiana	Director	$25,000.00	6/5/81
John Brenson		Dep. Pros.	17,000.00	6/5/81

PROSECUTOR			
Carol Hartman	Secy.	$8,300.00	6/18/81
TREASURER			
Betty Jo Radcliff	Part time	30.00day	6/5/81
Sherri Pace	Part time	30.00day	6/5/81
Julie Johnson	Part time	30.00day	6/5/81
Flora Rose	Part time	30.00day	6/5/81
COUNTY CLERK			
Vicki Dean	Clerk	350.95	6/5/81

EMPLOYMENT CHANGES...HIGHWAY DEPARTMENT...TRANSFERS

Appointment:			
Walter Swope	Eq. Operator	6.66hr.	6/4/81
Released:			
Walter Swope	Truck Driver	6.27hr.	6/4/81
Appointment:			
Thomas Jameson	Eq. Operator	6.66hr	6/9/81
Released:			
Thomas Jameson	Asst. Mechanic	6.54hr	6/9/81
Appointment:			
Kirk Humphrey	Eq. Operator	6.66hr	6/9/81
Released:			
Kirk Humphrey	Asst. Mechanic	6.54hr	6/9/81
Appointment:			
Mark Montgomery	Head Mechanic	6.28hr.	5/3/81
Released:			
Mark Montgomery	Asst. Mechanic	6.54hr.	5/13/81

RE: COMMISSIONER COX

Commissioner Cox asked the other commissioners if either of them plan to attend the workshop June 10, at the Holiday Inn in Jasper.

Commissioner Borries asked if this was in the evening and Commissioner Cox said it was all day.

Commissioner Cox said the workshop is on Home Rule, a new tool for local government, what this means to counties and cities, and etc. She said there is a luncheon and at 1:00 p.m. there is to be a discussion on local government and she would like to attend.

Commissioner Borries moved that Commissioner Cox be allowed to attend this workshop and to be paid for mileage and registration fee. The motion was seconded by President Willner. So ordered.

There being no further business the meeting recessed at 4:50 p.m.

MEMBERS PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
Robert Willner	Alice McBride	David Jones
Richard Borries		
Shirley Jean Cox		

SECRETARY: Jean Wilkey

Robert D. Willner
Richard J. Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JUNE 15, 1981

The meeting of the County Commissioners was held on Monday, June 15, 1981, at 7:30 p.m. in the Commissioners Hearing Room.

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

RE: REZONING PETITION VC-16-81....THIRD READING

Petitioner.....W.C. Bussing, Jr., 2905 Bayard Park Drive, Evansville, Indiana
Owner of Record.....Same

The common address is 301 South Burkhardt Road.
The above described real estate is presently zoned R-3 and the requested change is to PUD. Present existing land use is unimproved and the proposed land use is PUD single family residential.
Premises affected are situated on the west side of Burkhardt Road a distance of 1300 feet south of Division of the corner formed by the intersection ofBurkhardt Road and Division Street.

Mr. Philip H. Siegel was present to represent the petitioner and stated the request is to change the R-3 zoning to a Planned Unit Development, which is commonly known as PUD. He said the real estate sought to be rezoned is located on the west side of Burkhardt Road approximately 1300 feet south of Division Street., between Division Street and Outer Lincoln Avenue. He said should this request be approved Mr. Bussing plans to construct single family dwellings on platted lots. He showed the Commissioners a sketch of the plat that has been approved, which is called Summit Place. He also furnished the Commissioners with a drawing showing what a proposed house will look like, which also included the floor plan. He said this property presently has a covenant in favor of the residents of Fielding Court, and they had discussed this matter with the attorney representing the residents of Fielding Court and it is within the covenant and it provides a lower density rather then what we could construct in that area right now.
He said Mr. Bussing now owns the real estate which is on the south, which is Lant Manor. Williamsburg on the Lake Apartments are on the north side and to the far west is Fielding Court.
He said the Area Plan Commission approved this petition nine to zero.

said
Commissioner CoxAshe mentioned this during the Area Plan Meeting that during the heavy rains we have recently had, that people living in Williamsburg on the Lake Apartments really had a lot of water and drainage problems and she was assured at the Area Plan meeting that these plans on the drainage will work and not create any more problems for Burkhardt Road and Division Street.

Mr. Sam Biggerstaff, Engineer on this project, stated this drainage will work and it will not have the problems that Williamsburg has and he would say they would not have had those problems if it had been done like the engineers wanted to do it, that they tried to save money and that is why they are in that position.

Mr. Siegel said all of the reqirements set forth in the code have been complied with by the petitioner and they will be under the supervision of the Area Plan Commission.

There were no remonstrators present.

Commissioner Cox moved that VC-16-81 be approved. Commissioner Borries seconded the motion, which carried with three affirmative votes.

RE: REZONING PETITION....VC-13-81...FINAL APPROVAL

Ms. Barbara Cunningham, Director of Area Plan was present and stated the petition of Lewis Ray Clark was approved at the last County Commissioners meeting on the third reading and a that time it was amended and went back to the Area Plan Commission for final approval, and it was approved nine to zero.

County Attorney David Miller said they are of the opinion this really did not have to come back to this board, but to cover all possible objections they thought it best to be put to a second vote eventhough it has been passed by this board.

There were no remonstrators present.

Commissioner Borries moved that VC-13-81...Lewis Ray Clark petition be approved. Commissioner Cox seconded the motion which carried with three affirmative votes.

RE: REZONING PETITION VC-15-81....FINAL APPROVAL

Ms. Cunningham said the petition of Louis E. Lynn has also been approved by this board on third reading, that it then went back to Area Plan in an amended form and was approved with ten affirmative votes as amended down to .5 acres and restrictions on use.

There were no remonstrators present.

Commissioner Borries moved that VC-15-81 be approved. Commissioner Cox seconded the motion, which carried with three affirmative votes.

RE: SPECIAL USE PERMIT....DOCKET #9-81-APC

Mr. William H. Wheeler, Chairman of the Blue Grass Church Cemetery was present and stated this request is to allow a 1/2 acre expansion of an existing cemetery. He said there will no be any buildings on this land that it is only for additional burial space to the present cemetery.

There were no remonstrators present.

Commissioner Cox moved that special use permit #9-81-APC be approved. Commissioner Borries seconded the motion which carried with three affirmative votes.

RE: ADOLPH HURM.....REPLACEMENT OF DRIVE-WAY

Mr. Adolph Hurm was present and stated this matter concerns his drive at 3001 Lynch Road. He submitted a copy of an easement for temporary construction between Adolph F. and Margaret T. Hurm of Vanderburgh County and the Board of Commissioners of Vanderburgh County. The easement state it was for temporary construction easement only for the construction of driveway apron from pavement of road to driveway. Temporary easement during period of road construction only. County responsible for any damage done to owners property including yard. Will seed and slope frontage in "same or better condition" as prior to construction. Mr. Hurm said he had in a 14' wide concrete drive and they (Vanderburgh County) are wanting to replace it with a 14' blacktop drive. He had a concrete drive and he wants one put back in, or he will have to go to court.
He said they are going to replace at 2955 Lynch Road a 16.8' concrete drive and at 2950 Lynch Road a 17' blacktop driveway and that is what the owners had before the reconstruction.

County attorney asked Mr. Hurm is the portion of the driveway approach that he is complaining about on county property or property owned by him and Mr. Hurm replied it is on his property.
He asked Mr. Hurm if a portion of his driveway was removed in the course of the improvement of Lynch Road, and he replied yes, they took everything out.
He asked Mr. Hurm how many feet into his property they came for that purpose and he replied approximately 25'.
Mr. Miller said it looks pretty clear to him that the county is committed to replace what Mr. Hurm had originally.

President Willner asked Mr. Al Holtz if he has been out and looked at these situations and he replied that no, he had not.

Mr. Hurm said also they removed some trees that they paid him $350.00 each for and there was one more that had to be removed, so he is due another $350.00 for that one. They did not remove the last tree at the beginning because they did not know for sure if they would have to but later found out they would have to remove it also, so they still owe him for it.

Mr. Miller instructed Mr. Hurm to go to the County Auditor's office and fill out a blue claim which will then go before the Commissioners for approval of payment on the one tree they removed.

President Willner asked Mr. Hurm if he made his grievance known to the engineer on the project and he replied that he did.
President Willner said Engineer Associates is the project engineers and Deig Brothers is the contractor.

President Willner called Mr. Al Holtz, Acting Highway Engineer to come forward and instructed him to make an appointment with either Darrell Veech or Leo Weiss and Mr. Hurm, on the

driveway problem and all of them make a site inspection, discuss the matter and report back to this board next week on both the driveway and tree problems.

RE: SPECIAL USE PERMIT....8-81-APC...NATIONAL DOCK CORP

Mr. Herbert Pritchett, agent for National Dock Corp was present and stated this request is for them to be able to use a mobile office for use by the coal loading facility employees. He said the address is at 2720 Dixie Flyer Drive and it is presently being used for a coal loading dock. The mobile home is already there, that they want it only temporary until things get to going for them. He said there are no residents around the area that it is behind the L&N R.R. yards. He said they hope to grow large enough that eventually they can erect a permanent building

Ms. Cunningham said this request was approved at the Area Plan meeting ten to three.

There were no remonstrators present.

Commissioner Cox moved that special use permit #8-81-APC be approved. Commissioner Borries seconded the motion which carried with three affirmative votes.

RE: PUBLIC HEARING ON VACATION OF A PORTION OF MANN ROAD

Mr. Les Shively, attorney representing the petitioners on the vacation of a portion of Mann Road was present and stated he and County Attorney David Miller met together prior to this meeting to review the statutory compliance, with notice to property owners in the area and one of the duties was not only to provide notice by publication, which was done, but to also give individual notice by certified mail to those property owners. At this time he presented to Mr. Miller the green cards showing the mail was accepted by the owners. He said also in the interest of time he prepared a brief outline of our argument of the vacation of that portion of Mann Road between Bixler and Montgomery Road. Also included in this report are copies of supporting documents and he distributed this report to each of the Commissioners, so they might follow along with his presentation of the matter. He said the purpose of this petition is to obviate the necessity for the County to go forward with its plans to relocate the portion of Mann Road between Bixler and Montgomery Road, eliminating the need to repair and reconstruct Bridge #7 in this area. It is the contention of the Petitioner that not only in is project unnecessary, but any monies allocated to the maintenance of this road is also a costly and unnecessary expenditure. This contention of Petitioner is supported by the following reasons:

1. The portion of Mann Road in question is not a necessary access road for property owners in the immediate area:

(a) reference to the Aerial Photograph.

Mr. Shively said on page three of the report there is an outline showing an aerial photo of the portion of Mann Road in question.

(b) reference to leter from Chief Deputy, Mark Mabrey, Vanderburgh County Sheriff's Department, which is as follows:

Dear Mr. Shively:

In reference to your letter dated May 19th, addressed to Sheriff DeGroote requesting our response concerning the vacation of Mann Road between Bixler and Montgomery Roads, on today's date, I traveled to the area in order to determine any problems that could occur with the vacation order. On arrival, I found that the road itself was in an e tremely deteriorated condition and that in actuality, the portion in question had already been closed to the public. There are no homes serviced by Mann Road between Bixler and Montgomery. Service to other homes would not be interrupted by the vacation of Mann Road at this location.

While there, I took four color Polaroid photographs depicting the condition of the road as well as a bridge that is presently closed. Enclosed are those photographs.

It is my opinion that there would be no service interruption to this area that the severity of damage to the road necessitates it closing.

Very truly yours,
Mark C. Mabrey, Chief Deputy

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Mr. Shively presented the photos taken by Mr.Mabrey to the Commissioners for their viewing.

The following letter was also a part of the report.

Dear Mr. Shively,

In response to your letter dated May 19, 1981 concerning the petition and notice for the vacation of Mann Road between Bixler and Montgomery Roads I wish to inform you that after surveying the area I find that there is no objective from Vanderburgh County Civil Defense as the vacation of Mann Road between Bixler and Montgomery Roads would have no effect on emergency services provided by our agency to this area.

Sincerely yours,
William F. Montrastelle,
Director/Coordinator

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Mr. Shively said with regards to fire protection, he does not have a letter from the Scott Township Fire Department that serves this area, but the Chief of that Fire Department pointed out to him that since they are dispatched from the Sheriff's Department, that they reviewed Chief Mabrey's letter and they concur with his findings.

The following letter from Southern Indiana Gas and Electric Company was also part of the report submitted by Mr. Shively.

Dear Mr. Shively,

Southern Indiana Gas and Electric Company has reviewed the petition to vacate a portion of Mann Road between Bixler Road and Montgomery Road. We find that we have no gas facilities in the right-of-way proposed for vacation.

We find that we do have a pole, down guy and anchor and overhead conductors upon and crossing the right-of-way proposed for vacation. A rough sketch of those facilities is attached for your records. We would request that the following language be inserted in the final version of the resolution adopted by the Vanderburgh County Commission:

> Said vacation is subject to an easement in favor of Southern Indiana Gas and Electric Company to inspect, operate, maintain, rebuild, enlarge and remove the existing electric facilities over, upon, and across said road.

Subject to the inclusion of the foregoing language, Southern Indiana Gas and Electric Company has no objection to the vacation of Mann Road between Bixler Road and Montgomery Road.

Thank you for your cooperation.

Sincerely,
Ron Jourdan
Government Liaison Representative

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Mr. Shively said the second point he would like to bring to the Commissioners attention is as follows.

2. Additional costs which have not been considered.

(a) purchase of right-of-way on Adler property
(1) compensation for acreage necessary for construction.
(2) compensation for acreage affected by project.

(b) said project will not eliminate the necessity to either replace and/or reconstruct the two (2) other bridges in this area built in 1897 and 1903, respectively;

(c) cost of paving and/or placing rock on road.

Mr. Shively said he would like to present more photo's of the affected area, including the mentioned bridges. He then continued on with the following points.

3. Lower half (½) mile of this portion of Mann Road floods annually, depositing two (2) inches of mud on all bridges and washing out portions of the road, making it impossible for travel. (Pictures were submitted)

4. The width of Mann Road in this area is not sufficient to allow two (2) cars to pass, and therefore, is an antiquated, unusuable thoroughfare. (Pictures were submitted).

NOTE: The presence of a ditch on either side of Mann Road in this area would make it impossible to widen for purposes of making this said portion functional.

5. Adequate access to properties in the immediate area is provided by the frontage road (Woods Road) which was constructed in conjunction with the I-64 project, thus eliminating the necessity of utilizing many of these old backroad paths.

Mr. Shively said that pretty well covers all of his report but he would say there are four petitioners present tonight but you can see there are twenty signatures on the petition, a lot of whom are farmers and could not be present here tonight.
He said since we are talking about taxpayers money he would like to see their interests considered in this matter.

Commissioner Cox asked when the photographs were taken and Mr. Shively said some were taken a week ago last Saturday and Mr. Mabrey took his in mid May.

President Willner asked Mr. Shively if he knows how much income is derived from that section of road and he replied no he does not, that he was hoping the viewers reports would give us some insight in regard to the costs.

Mr. Alvin Sheller was present and stated they have always been able to use the portion of Mann Road that you are talking about vacating, that Montgomery Road is even more narrow then Mann Road. He farms in this area and he really needs this road, that if he has to go around it will add another two hours to his going and returning.

Commissioner Borries asked Mr. Sheller what kinds of equipment he takes across that bridge and he replied anything he has, tractors, combines, etc., that he has no trouble getting over it with anything he farms with. He said he lives southeast of the Nesbitt area.

Mr. Cletus Bittner was present and stated he has lived out in the affected area for many years and they are not after any personal gain that they are just trying to keep what they already have. He would hate to see the road closed that he feels it is necessary to many people out there and he does not think it will break the county to repair that bridge and leave it open. He said there are two more bridges out there, one above and one below the one affected, and they were all built about the same time, so what are you going to do when they get bad, close up everything.
He said Mr. Hartman uses this as an entrance to his forty acre farm, between Montgomery and Bixler road, and this would cut his entrance off between the two bridges.
He said he seen the signed petition and if a lot of those people aren't careful with what they sign, they are going to hang themselves. He presented the following letter to be made a matter of the minutes:

To Vanderburgh County Commissioners: Dated June 13, 1981

We, Arvine C. and Yvonne R. Mann, property owners on Mann Road in Vanderburgh Indiana do not want the Mann Road closed. We do want the Big Creek bridge on Mann road repaired.

Arvin C.& Yvonne R. Mann

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Mr. Bittner said he is also speaking in behalf of Mr. and Mrs. Ermal Boren, who contacted him this evening and said they could not be present tonight, but they expressed their feelings.....they were against closing the road.
Again he would say they want no personal gain, they are interested only in getting the bridge repaired and keeping the Mann Road open.

Commissioner Cox asked where Arvin and Yvonne Mann live and Mr. Bittner said they live on the other side of Frontage Road on I-64, but they own forty acres in this affected area and they travel back and forward to farm it.

Commissioner Borries asked Mr. Bittner if he has any idea how much it would cost to replace the bridge and he replied he has heard several figures, but he does not feel the cost would be all that great to repair it.
Commissioner Borries said in viewing the report filed by his appointed viewer of the site tells us it would run some $140,000.00 to replace the bridge and he personally cannot go along with this kind of cost on such a small traveled road, such as Mann Road is.

Commissioner Cox said in the five tenths of a mile we are talking about vacating, there are five bridges,some of which are in dire need of repair or replacement and we are talking about a lot of money to bring these bridges up to where they should be in order to be safe and how can we justify using such large amount of funds to do this with when money is so tight and this is such a little used road. She too hates to close a road but Mann Road dead-ends at Bixler and what we are talking about is closing just a section, therefore Mann Road would dead-end at Montgomery. She was afraid to try and drive over one bridge.

Mr. Bittner said on the drainage problem, they use to not have problems, then about five years ago they dug that ditch due south and they are trying to run water up hill and when the creek gets full, it spills over into Mr. Adler's property, because it is going to find a low place, no matter where they try to run it.

Mr. Harold Hartman was present and stated he owns property in the affected area and on one of the bridges that Mrs. Cox mentioned she was afraid to drive her car over, well he hauls 700 bushels of corn over that bridge and he too needs that portion of Mann Road to gain access to his forty acres of land. He said on the new bridge on Montgomery, he came over it the other day, and if you are not careful, you are not going to get over it on a tractor because of the guard rails. He said he pays a lot of tax money and he feels the least that can be done is to leave them this road open and spend a little money to repair the bridge.

Mrs. Alvin Sheller spoke at this time stating that if there is no money availabe to repair the bridge then that would be alright, but money is available and it would not just be an inconvenience to the men folk, but a lot of time the men have to take several pieces of equipment to the fields and their wife must follow them there and bring them back to pick up another piece of equipment and then there are also lunches that must be taken to them while they are out working, so its not just one trip in the morning and one in the afternoon.

President Willner said there have been some conflicting reports about this road used as a school bus route before the bridge was out.

Mr. Hartman said yes, the school bus did use it and it was also a mail route.

Mr. Gene Kautzman, County Highway Superintendent said Montgomery Road had not been maintained by the county for about ten years and he started doing maintenance on it since the first of this year because of the School Corporation, that they were really pushing us about this road being closed. He said he is not sure where the pick-ups were but perhaps it would be wise to talk to the School Corporation before a final decision is made on this matter.

Mr. Ron Jourdan, Government Liaison Representative of the Southern Indiana Gas and Electric Company was present and stated he just wanted to be insured that their letter was made part of the record, that they have no gas mains out there so they aren't concerned about gas facilities, but they do require an easement for a pole, an anchor and some overhead lines on the right-of-way proposed for vacation and they would like the following language be inserted in the final version of the resolution adopted by the Commissioners:

> "Said vacation is subject to an easement in favor of Southern Indiana Gas and Electric Company to inspect, operate, maintain, rebuild, enlarge and remove the existing electric facilities over, upon, and across said road."

He said if the above is included, then they would have no objections.

One of the persons signing the petition, Mr. Maurice Baumgart, was present and stated the only reason he signed the petition, was to not take any of Mr. Gene Adler's property, but he did not sign it to have the road closed, that he feels the bridge ought to be repaired and Mann Road left open. He said his dad, Mr. Carl Baumgart also signed the petition for the same reason, that he also does not want the road closed.

President Willner told Mr. David Guillaum of the Surveyor's office that he would like again to have the estimate of the road repair or the bridge repair.

Mr. Guillaum said he remembers they had an overall replacement cost and they had another figure for a re-route. He said that he does not know if they had a figure on the repair but that it would be significantly less than the cost of replacement, which is something like $147,000.00. He said they can get the Commissioners some figures on repairs if they want them.

President Willner said he would appreciate it, that he feels the Commissioners should have this information.

Another gentleman, who did not state his name, said he is active with the Big Creek Drainage Association. He said he understands that everyone here tonight are against some of the proposed answers, but everyone seems to be in harmony with the one thing that they do not want to cut across the Gene Adler property and he would strongly oppose that also. He asked that if the Montgomery Road could be improved, would that satisfy the remonstrators and they replied, no, it would not.
He asked if the Drainage Board of Vanderburgh County ever studied the volume of water coming down the creek and also the need of the bridge sizes. He thinks they were built many years ago and they perhaps need to be larger and he is wondering if any studies have been made as to what bridges should be built down there. Somewhere along the line all of these bridges need to be evaluated.

President Willner said a couple of years ago we did have a bridge survey done but it was for only the replacement or repair of bridges and not for the flow of the water.

The remonstrator said was this wise and President Willner said in this case no, it was not, but most of them aren't that serious.
The remonstrator said Pond Flat, Lower Big Creek and the Buente ditches are deeper then they have probably ever been in their history and while he was running a drag line on Nesbitt Road it was his understanding that the grade of the ditches were lower then the footings. They were rip-rapped at that time, but this can't go on forever, that couldn't we get on some sort of a program whereby we could get these bridges replaced, but in the mean time repair them.

Mr. Guillaum said in the original report submitted in 1973 on the repair and replacement of bridges there was a catagory in there that evaluated the waterway capacity, but on the up-date that President Willner was talking about, it did not include this particular catagory. He said these figures are available in the Surveyors office and he would be happy to show this gentlemen the figures and discuss the matter with him if he would come into his office.
Mr. Guillaum said there has been some development since 1973 and that would increase the amount the ditches are now carrying.

The remonstrator asked if there is any sort of ordinance to try to help the situation.

President Willner said there is a county ordinance that almost all of the big developments on the east side are now required water retention and it has been for the past four or five years.

Mr. Gene Adler was present and stated that if the bridge is repaired and the road is left open, then he wants the bridge that is at the southeast corner of his farm taken out and cover put in and the road raised up so the water cannot come in and flood him, so if the Commissioners want to spend that kind of money.....okay. Right now the water backs up on his property.

Mr. Shively requested that the viewers report be read into the minutes so that everyone present knows what they contain.

Commissioner Cox read the following report:

June 15, 1981

RE: View a portion of Mann Road between Bixler Road and Montgomery Road

Dear Commissioners:

As per instructions, I have this date viewed the above described reoaway and the bridge thereon. I am pleased to submit the following report:

The bridge must be replaced as it is no longer safe for any traffic as I am sure you are aware. The elevation of the deck is also too low as evidenced by the trash caught on the bridge from previous storms.
The roadway for several hundred feet East of the bridge is washed out as is a short portion West of the bridge.
If the bridge is replaced and the roadway repaired, you can expect to spend close to $150,000.00.
There is another possible solution to the problem. The bridge can be abandoned, and a new roadway approximately 700 feet in length be constructed parallel to Lower Big Creek. I have estimated that the cost of the necessary fill, road stone, grading and right-of-way will be approximately $45,000.00
In light of the projected costs for either solution and the present usage being made of this roadway, my recommendation is to vacate the roadway from Bixler Road for a distance of 1320 feet to the East. The cost of repair or replacement is not offset by gas tax revenue.

Respectfully submitted,
Eichard C. Eifler, P.E.

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President Willner said they have received only one more report on the viewing of this road.

County Attorney said the statute requires only the majority of the viewers reports, and we have two letters, therefore the statute has been complied with on the matter.

Commissioner Borries read the following viewer's report:

RE: MANN ROAD INSPECTION
East from Bixler Road
to Montgomery Road

Dear Mr. Borries,

Pursuant to your request and appointment of myself as a viewer for the referenced road section, I made an on site inspection and hereby submit the following for your perusal and use.

On Wednesday, June 10,1981, at 10:30 a.m. cdt, I conducted an on-site inspection of Mann Road in Northwestern Vanderburgh County. The portion petitioned to be vacated is an East-West road one half mile in length located on the common line of Sections 21 and 28, Township 4 South, Range 11 West beginning one fourth mile east of said section line of 21 and 28, which is the location of Bixler Road, thence east one half mile to Montgomery Road, which is one fourth mile west of the east line of said sections 21 and 28. Mann Road is now closed due to a bridge located approximately one fourth mile east of Bixler Road being closed to traffic because of a large hole existing in a portion of the deck.

If the County elects to keep Mann Road, this structure should be replaced with a new bridge widened to the State minimum of 24 feet and lengthened approximately 22 feet in order to accomodate the waterway opening. This would require a bridge with a deck area of 2353 square feet with an estimated cost of construction at $140,000.00. If you refer to the 1979 Vanderburgh County Bridge Report Structure Inventory and Appraisal Sheet which is attached to this report, you will note that the bridge has been recommended for replacement by 1983.

There are two other structures located west of the large bridge. They appear to be structurally sound, but they are too narrow and would need eventual replacement.

The roadway is approximately 13 feet in width, pit run and limestone aggregate have been put down for base material and the greater part of this has been washed from the road to the field on the south side. This resulted, of course, from water washing over the road. The road is much too narrow and will not accomodate the passage of two vehicles. If this road were close, I could see no inconvenience to any residential dwellings in the area. Motorist approaching from the west on the County Line or Adler Road could turn south on the Owensville Road to Newman Road to continue east. Motorist approaching from the east on County Line Road or the Nesbit Station Road would have no apparent problem. North and south approaches present no apparent problem.

3/2.

I further ascertained from talking with a Mrs. Adler, whose farm lies to the north of the road, and the gentleman who farms to the south of the road that very few vehicles use the road, which is further substantiated by the structure inventory and appraisal sheet (0-50). I understand that the mail carrier and also school buses traverse this section.

After taking all the facts into consideration and relating these to retaining this section to a cost benefit ratio, it is my opinion that the section does not mandate the expenditures to implement its passage.

If extenuating or mitigating circumstances prevent closing of the section, then I would recommend by-passing the large bridge and beginning at a point located some distance east of the bridge I would relocate the road in a northwesterly direction, along the berm on the north side of the creek and tie in at Bixler Road north of the bridge on Bixler Road. This alternative would negate the expenditure of replacing the bridge subsequently discussed in this report. This road section, however, would approximate an expenditure of $25,000.00 but it is certainly less than the expenditures that would have to be made on the large structure. There would, of course, be other cost involved with the road location such as purchasing right-of-way from the Adlers and installing a large culvert under the fill area.

Respectfully submitted,
ENGINEER ASSOCIATES, INC.
Darrell A. Veach

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Commissioner Borries said he has went out and looked at the problem many times and this is a very difficult situation and a very hard decision to make, that he cannot support taking any of Mr. Adler's property and he also cannot support the large amount of monies to be spent on repair or replacement of the bridge.

President Willner said he feels like closing any road in Vanderburgh County is a step backward but said in checking it out he found this road brings us in the neighborhood of $1500.00 per year in. He said if there were no remonstrators, then he would vote to close this road, but as we see now that some of the people that signed the petition to close it now say they do not want to. He could go along with repairing the bridge but he is not for replacing the bridge or closing the road.

Commissioner Cox moved that a portion of Mann Road, between Bixler Road and Montgomery Road be vacated. Commissioner Borries seconded the motion. Roll call vote:

Commissioner Cox.....Yes
Commissioner Borries.Yes
President Willner....No

Motion carried, and the petition approved.

Commissioner Cox said there has to be an easement allowed and she forgot to include that in her motion, therefore she would like to withdraw her motion and make a new one. Commissioner Borries withdrew his second.

Commissioner Cox moved that a portion of Mann Road, between Bixler Road and Montgomery Road be vacated and that said vacation is subject to an easement in favor of Southern Indiana Gas and Electric Company to inspect, operate, maintain, rebuild, enlarge and remove the existing electric facilities over, upon, and across said road.

Mr. Miller said you can include an easement in favor of a public utility but you cannot include an easement in favor of the general public to pass through a road that the county is no longer willing to maintain, so the motion made by Mrs. Cox is proper.

After repeated discussion President Willner called for a vote on the motion, which was as follows:

Commissioner Cox.....Yes
Commissioner Borries.....Yes
President Willner.....No

Motion carried and the petition to vacate was approved.

RE: MARK TULEY.....SUPERINTENDENT OF COUNTY BUILDINGS

Claims for Hillcrest Washington Home Paving

Mr. Tuley submitted the following claims for paving done at the Hillcrest-Washington Childrens Home:

A claim was submitted from Feigel Construction Corp. for paving and repair work at Hillcrest Home, per contract dated December 8, 1980 for the sum of $7,647.00

A claim was submitted from Feigel Construction Corp. for excavation, stone base, grading and paving of the lot at top of hill, south of building, per agreement of December 9, 1980 and April 24, 1981, at Hillcrest Home for the sum of $3,482.00.

A claim was submitted from Feigel Construction Corp. for grading and paving of the parking lot along the main drive at Hillcrest Home per agreement of December 9, 1980 and April 28, 1981 for the sum of $3,086.00.

Commissioner Cox moved the three above claims be approved. Commissioner Borries seconded the motion. So ordered.

Problem with steel gas tank at the County Garage

Mr. Tuley said at the county garage there is a 5,000 gallon steel gas storage tank for regular gas and it is badly deteriorated, that it has been in the ground since approximately 1940 and it needs to be replaced with another steel tank or a fiber glass tank but he would say the finances would prohibit us to replace it with a fiberglass tank because we would be talking about upwards around $9,000.00 and a steel tank would run about $3,200.00 plus installation which he does not have a figure for at this time, but it should be less then $200.00. He said the people at the garage can dig the old tank out. There is only one place locally that sells these tanks.

President Willner asked the Auditor if this cost could be taken from Mr. Tuley's budget and she said she talked to Mr. Tuley concerning this and she would have to check with the state before she had a definite answer but she feels it will be alright.
President Willner said regardless who's budget it has to come from we must replace the tank.

Commissioner Cox moved that the tank at the garage be replaced. Commissioner Borries seconded the motion. So ordered.

Carpet for the Auditorium

Mr. Tuley said they must install 89 square yards of carpet in the new offices in the Auditorium. They checked around and got a good price of $7.41 per square yard, installed, for a total cost of $660.00. He has money available in his budget to cover it.

Commissioner Borries moved the request be approved for the carpet in the amount of $660.00. Commissioner Cox seconded the motion. So ordered.

RE: CONRAD COOPER.....AUDITORIUM

Mr. Cooper said he hoped to have a resolution regarding rehearsal dates and policies to submit today, but the county attorney could not get it completed so he will have that as soon as possible.

There were no questions of Mr. Cooper.

RE: DAVID SAVAGE.....TRAFFIC ENGINEER

Oak Hill and Elmridge

Mr. Savage said on the bus stop at Oak Hill and Elmridge, as far as his department is concerned they can either put up a school bus stop ahead sign or a pedestrian crossing sign, but that a pedestrian crossing would require a crosswalk to be painted on the road and the Commissioners would have to enter in the minutes that they are establishing a crosswalk at that location. The other sign would not require any action by this board. The best thing to do, if possible, would probably be the acceptance of the road.

Commissioner Cox said she contacted the concerned party on this matter today and they are going to contact the developer. She also told them that a petition would have to be taken for the acceptance of Elmridge Drive.

Summer Striping Program

Mr. Savage said they are into their summer striping program and he would like to know if the Commissioners have any input in it as to priorities to be set or changes to be made, and if so, it can be given to him next week.

President Willner said he had a request on Schenk Road.

Commissioner Borries said Heckel Road, which is heavily traveled between Green River Road and Oak Hill Road, he would like to have checked out because all the markings have just about faded off of it.

Mr. Savage said he does not believe that portion has ever been striped before but he would check it out.

RE: GENE KAUTZMAN....COUNTY HIGHWAY

Mt. Pleasant Road

Mr. Kautzman submitted some photographs of the wash-out on Mt. Pleasant Road for the Commissioners viewing.

Weekly Absentee Report

The weekly absentee report on the employees at the County Highway Garage for the week ending Friday, June 12, 1981 was submitted.

Report received and filed.

Weekly Work Report

Mr. Kautzman submitted the weekly work report for the period of 6/8/1981 through 6/12/81.

Report received and filed.

Problem with Steel Gas Tank at Garage

Mr. Kautzman thanked the Commissioners for approving the replacement of the gas tank at the garage. He said they will do all the work they can do on it. The company will have to supply the tank, do the electrical and plumbing work.

Problem with Gas Pump

Mr. Kautzman said they are having problems with one of the gas pumps at the garage, that it is the one they got from the old folks home. It is their non-lead gas pump and it is bleeding out a lot.

Jerry Linzy said he talked to a repair man on the pump just this morning and was told this pump is completely worn out.

President Willner asked Mr. Linzy if this pump has a fire proof motor on it and he replied no, that it is very old.
President Willner said we will check into it this week and see what can be done, that something will have to be done to it.

Problem With Barricades Being Removed

Commissioner Cox said we have had a lot of high water in the past few weeks and there have been a lot of problems trying to keep barricades on roads. We had a person riding a bicycle to almost drown because of this. The barricades were put up by the Highway Department, but someone removed them from Water Works Road and this could be very dangerous, so she is wondering if possibly some sort of a gate or a swinging arm could be installed.

Mr. Kautzman said another reason is the aluminum they are making their signs out of, they are, he supposes, free aluminum for the taking of them. They probably bend it up or cut it up before taking it to a re-cycling place to sell. He has asked the sign department to make him a 6" sign that he can secure it better. He knows this is a serious problem and he would like for us to consider more and better gates. They went to a heavier barricade on Water Works Road because of the problem, but they still manage somehow to remove them.

President Willner said we should give this matter some thought.

Melody Hills

President Willner said he traveled into Melody Hills and looked at the four and one half block cave in where Mr. Kautzman's crew did the repair work on and he would like to say it is as fine a job as he has ever seen.

Mr. John Feigel was present and stated that he has not seen the job but has heard comments that it was well done.

Mr. Kautzman said it cost approximately $5,400.00 to repair it, which was 1640 feet, that they used 360 tons of asphalt.

President Willner said he would appreciate it if Mr. Feigel could go out and take a look at it.

RE: BOB BRENNER....SURVEYOR

Bridge and Guardrail Report

David Guillaum submitted the bridge and guardrail report for the period of 6-8-81 through 6-12-81 and stated that as the report shows they were at numerous points around the county. He said they also had a crew working on a waterway problem out by the Crawford Brandies Ditch, by Complete Lumber Company, which is not on the weekly report. They had to do some repair to the rip-rap out there.

Marx Road Project

Mr. Guillaum submitted a Marx Road cost breakdown report, showing the overall cost as $3,029.78 and checks will be made out to Vanderburgh County for the full amount from the insurance company.

Paving of a Darmstadt Road

Mr. Kautzman said he met with Mr. Roger Steinhuhl and told him the only problems we can see with us doing some paving in Darmstadt, specifically Fleener Road, is that we would be using materials that we are in short supply of and he suggested to Roger that Darmstadt buy their own asphalt and rock it would work out better for both of us and then we could bill them for time, materials and equipment used on the job. Mr. Steinkuhl seem to think this would be a good way to go about doing it also, that they could purchase their asphalt from whomever they choose and have it delivered to us.

Commissioner Cox asked how wide Fleener Road is and Mr. Kautzman replied 17' which is really narrow. They want a 2 inch lay.

President Willner told Mr. Kautzman that whatever he could work out would be fine.

John Feigel said he assumes Vanderburgh County will have a contract with Darmstadt, that he wants them to get all they can but not at the expense of Vanderburgh County, that he wants this done all above board because the State Board of Accounts is going to be wondering what is going on. He said he too appreciates Mr. Kautzman's suggestion but this can get really complicated,that do they know how much material to buy, will they bring it to us and will it get mixed up with ours.

Mr. Kautzman said it will all be handled entirely separate.

Mr. Feigel said he has not been in this business just a few months and he wants to warn Gene of the problems that can arise, that he must be very very careful, because it can get real involved.

Commissioner Cox said if they want a 2" lay, then couldn't we figure it out per tonage how much materials this would take, that this seems like a good way to do it, and Mr. Kautsman said yes, he could figure that out.

President Willner said Mr. Feigel's comments will not be taken lightly, that we are not going to be doing this work this week and we will certainly have further discussions on it. He said the attorneys are in the process of drawing up a contract now.

Vacation Request

Mr. Kautzman asked permission to take two vacation days on June 18 and 19, 1981. Permission was granted.

RE: AL HOLTZ.....ACTING COUNTY HIGHWAY ENGINEER

Mesker Park and Allen Lane

Commissioner Cox asked Mr. Holtz if he had a chance to go out and check the drainage problem on Mesker Park Drive and Allen Road that Mrs. Knott informed us of.

Mr. Holtz said he went out there but that he could not find the location.

Commissioner Cox said it is right on the corner of Mesker Park and Allen Road in a duplex house.

Mr. Holtz said he will try again to find it and report back to the board.

St Joe Avenue Project

Commissioner Cox said last week we discussed the medians on St. Joe being left open or being asphalted. Since our last meeting she has received a proposal from Mr. Jim Ludwick, owner and operator of Parkview Nursing Home, which sets almost across from the K-Mart store. Mr.Ludwick is willing to maintain the median, have Colonial Garden Center to plant them and he will then maintain them from Diamond Avenue to Allen Road and he is willing to give us a five year contract., So she needs to know if the asphalt has been layed in that area yet.

Mr. Holtz said no, it has not.

President Willner instructed Mr. Holtz to have them to hold up on the laying of that asphalt and give us some time to think on it and get something worked out on it.

Commissioner Cox said she would contact Mr.Ludwick and have him appear before this board and discuss the matter.

President Willner said there may be some federal standards that he will have to meet and we want him well aware of all of this.

Commissioner Borries said he would certainly support this change and wonders if we will have to approve a written change order.

Mr. Holtz said yes, there will have to be a change order approved by this board.

RE: SAFETY DEPOSIT BOX AT NATIONAL CITY BANK

President Willner said they need to make a decision on the safety deposit box we now have at National City Bank. He said he has a list of the micro-film, records and files, but it still does not tell us exactly what is in the box.

Commissioner Borries said Mrs. Meeks, the Commissioners secretary went through huge volumes of books and could find nothing telling us what is in that deposit box.

County Auditor said the only thing she knows to do is for us to go to the bank and try all of the unmarked keys we have and if none of them fit, then the bank will drill it for us.

The decision was made that two Commissioners, the County Auditor and one of the County Attorneys will go to the bank Monday, June 22, and find out what is in there and report their findings at the Commissioners meeting that afternoon.

RE: BEQUEST OF $1,000.00 FROM ESTATE OF ELMA BASLER

President Willner said we have two $500.00 checks from the estate of Elma Carla Basler which she willed to the County of Vanderburgh, wherein $500.00 will be used in the restoration of the Coliseum and $500.00 to be used in the restoration of the room used for meetings of the Grand Army of the Republic.
The checks are made out to the Vanderburgh County Commissioners and must be endorsed by all.

Mrs. McBride said since we have no appropaiation for this we must put it into the County General Fund and go before the County Council and have it appropriated in a certain line item.

President Willner said Mr. Benney Gossard has already done the work, that he did it on his own time and we will now have to pay him for his services. He said the American Legion also did some of the work.

Commissioner Borries moved that we receive and endorse the checks. Commissioner Cox seconded the motion. So ordered.

President Willner instructed Mr. Tuley to see that this gets on the Council Call for the July meeting.
President Willner said also he would like to be on the Council Call in July to discuss the matter of the Vanderburgh County Personnal Policy.

RE: CLAIMS

A claim was submitted by Engineer Associates for engineering inspection of Lynch Road from 6-1-81..6-5-81, in the sum of $3,676.35. Claim was signed by Al Holtz, project engineer.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates for engineering inspection of St. Joe Avenue from 6-1-81....5-6-81, in the sum of $2,179.40. Claim was signed by Al Holtz, project engineer.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates for the sum of $7,320.98 for a deficit of 5% fixed fee on Lynch Road Project per letter of May 4, 1981 from Vanderburgh County Auditor.

President Willner said while the Auditor was going through and checking different projects they found that Engineer Associates was not charging what they should have been, per contract and this is the claim for the difference.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Hornbeck Construction Co. for a refund on a building permit in the amount of $72.00. Claim signed by Jesse Crooks.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Evansville Vanderburgh County Building Authority for the fixed rental, in the amount of $333,138.50 and should be made payable to The National City Bank of Evansville, Trustee. Claim signed by Robert Willner for last six months of 1981.

A claim was submitted by the Evansville Vanderburgh County Building Authority additional rent in the sum of $450,049.00, which should be made payable to the Evansville Vanderburgh County Building Authority. Claim signed by Robert Willner and is for the last six months of 1981.

Commissioner Borries moved that both of the above claims be approved. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

BURDETTE PARK

Julie Powless	5816 Ashbrooke Road	Extra Cashier	$3.50 Hr.	Eff: 6-6-81
Ron Bumb	3225 Lamear Lane	Extra Guard	$3.25 Hr.	Eff: 6-9-81
Linda Hartman	5103 Cynthiana Road	Extra Guard	$3.25 Hr.	Eff: 6-7-81
Gregory Topper	1906 Red Bank Road	Extra Guard	$3.25 Hr.	Eff: 5-29-81
Julie Hamilton	6600 Petersburg Road	Extra Guard	$3.25 Hr.	Eff: 6-8-81

KNIGHT TOWNSHIP ASSESSOR

Margorie Keeney	2013 Ridgeway	Deputy	$9,160.00 Yr.	Eff: 6-8-81

COUNTY BOARD OF REVIEW

Martha Scheessele	2169 S.E.Blvd.	Clerk-Typist	$ 30.00 Day	Eff: 6-1-81
Sheryl Graham	1819 N. Meadow	Clerk-Typist	$ 30.00 Day	Eff: 6-1-81

CIRCUIT COURT...PROBATION DEPARTMENT

Robyn E. Conard	31 Spring Haven Dr.	Summer Intern	$140.00 Wk.	Eff: 6-1-81
Debbie L. Moss	209 South Bedford	Summer Intern	$140.00 Wk.	Eff: 6-1-81
Terry W. Russell	1610 Adams Avenue	Summer Intern	$140.00 Wk.	Eff: 6-8-81

SURVEYOR

Tom Goodman	741 Douglas	Instrument Man	$13,805.00 Yr.	Eff: 6-18-81

RE: EMPLOYMENT CHANGES.....RELEASES

SURVEYOR

Tom Goodman	741 Douglas	Instrument Man	$12,592.00 Yr.	Eff: 6-19-81

PIGEON TOWNSHIP ASSESSOR

Joe Ann Hastie	724 E. Powell	Deputy	$ 9,160.00 Yr.	Eff: 6-20-81

SHERIFF

Melvin Stover		Jailer	$10,708.00 Yr.	Eff: 5-28-81
Cynthia Kuehn	Nurse	(Part time)	$ 7,488.00 Yr.	Eff: 5-28-81
Mary Ann Perry	Nurse	(Part time)	$ 7,488.00 Yr.	Eff: 5-28-81

SHERIFF (APPOINTMENTS)

Dale Thene	20128 Hwy.57	Jailer	$10,708.00 Yr.	Eff: 5-28-[redacted]
Mary Perry		Full time Nurse	$14,976.00 Yr.	Eff: 6-4-8[redacted]
Kenneth Killebrew	412 South Harlan	Summer Intern	$82.50 Week	Eff: 5-28-[redacted]

There being no further business the meeting recessed at 10:10 P.M.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard "Rick" Borries Shirley Jean Cox	Alice McBride	David Miller
SECRETARY:	Janice Decker		

Robert D. Willner
Richard J. Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JUNE 22, 1981

The meeting of the County Commissioners was held on Monday, June 22, 1981, at 2:30 p.m. in the Commissioners Hearing Room.

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

RE: CLAUDETTE BRANSON OF OPERATION CITY BEAUTIFUL

Ms. Claudette Branson said she is present here today to ask the Commissioners to change the specifications for the improvement project on St. Joseph Avenue, specifically the median specifications from asphalt to landscaping, from Diamond Avenue to Mill Road. They have concerned persons they feel will contribute their time and work on this program. This will certainly be a savings to Vanderburgh County and the people that will be a part of this program will finance the plantings and at the same time commit themselves to a maintenance program for a particular area. She said she realizes this is a last minute thing, but until last week they had no one expressing any interest in this sort of thing. Mr. Jim Ludwick from the Parkview Nursing Home called her and discussed this matter and committed himself to take the portion of the median from Diamond Avenue to Allen's Lane, finance the plantings himself and commit himself to a five (5) year maintenance on the plantings. Again she would request of the Commissioners to take a look at the plans and reconsider the specifications.

Mr. Randy Freeman was present from Colonial Garden Center and stated that each of the Commissioners have been given a set of plans and at this time he explained to them the major portion of the median starts at the K-Mart store entrance and runs all the way to Allen's Lane. They are proposing that trees only will be planted in the median. The ends of the medians and the smaller areas will have Centurion Columnar Crabapple trees, which is a very narrow tree and the rest of the median will be planted with Columnar Armstrong Maple trees, which will also stay very narrow as they grow and at full maturity will cause no problems as far as overhanging on the curbs and they will cause no visibility problems. He said the maples will be on 50' centers and the crabapples will be on 25' centers. He said if anyone has any questions pertaining to the details on the plans he would be happy to answer them.
He said the contractors, at this time, have prepared the grade inside the curbs for asphalt and they are leaving them approximately four (4) inches below the curb top, so this will require a backfill and grading of about another six (6) inches if we are allowed to do this. There would be a slight crown at the center of the island to drain to the outside edges, so he would like for the specifications to be changed so they could backfill it, seed it and plant the trees.

President Willner asked Mr. Al Holtz, Acting Highway Engineer, if he knows when the decision on this would have to be made and he replied it certainly should be done today, infact, today may be too late, that had this been done earlier in the program it may have resulted in a reduction of monies.

Mr. John Feigel said can you make a decision without the knowledge that it might take six (6) weeks to get a change order through from the State and also the Federal is involved in this project.

President Willner said the decision the commissioners will have to make is whether to attempt to get a change order through in time. We can talk to the contractor and ask him to do the asphalting last and secondly we can go ahead today and get the application to the state and federal offices.

Commissioner Cox moved the Commissioners support the recommendation that the medians on St. Joe Avenue, from Highway 66 to Mill Road, be not asphalted and the request be approved to landscape the medians as proposed here today.
Commissioner Borries seconded the motion. So ordered with three affirmative votes.

President Willner instructed Mr. Holtz to get the change order submitted immediately and also ask him to contact the contractor and advise him of the Commissioner's decision on the medians, and ask him to hold up on the asphalt as long as he can to see if the change order goes through.

Commissioner Borries said he feels this is a very worthwhile proposal and thanked Ms.Branson and Mr. Freeman for being here and giving us a fine presentation.

President Willner asked about entering into a contract with someone for the maintenance of the medians and wondered for what period of time they can contract for.

David Jones, County Attorney said he does not believe there would be a required period of time.

President Willner told Ms. Branson before she tells anyone this, there would certainly have to be a final clarification from Mr. Jones.

Mr. Jones said he would like to see the proposals in writing.

Ms. Branson said they have two attorneys on their staff who would draft the contracts and let Mr. Jones look it over for final approval.

RE: MARK TULEY....SUPERINTENDENT OF COUNTY BUILDINGS

Problem with Gas Pump at Garage

Mr. Tuley said that it was mentioned to the Commissioners that there is a faulty gas pump at the garage and Mr. Kautzman and Mr. Linzy checked around and got some prices to replace it and at this time he would like for them to give the Commissioners those figures.

Mr. Kautzman said he received a price from AC on a new pump which would run $1,084.50, which would be a single meter pump. They also have a used double meter pump, which they would sell to us with a 120 day warrenty, for $660.00 and he would recommend we purchase the used double meter pump, which we would use for two Regular Gas pumps. This would give us one No-Lead pump, two Regular pumps and one Diesel pump.

President Willner asked where the money to purchase this will be coming from and Mr. Tuley said it will be coming from his budget, if the state will allow him to take it from there.

County Auditor, Alice McBride said she was not able to contact the state on this matter, but she will try again to contact someone this week on which budget they will allow the money to be taken from.

President Willner asked Mr. Kautzman that if the money has to come from the Highway's budget does he have the funds to pay for it and Mr. Kautzman said if it has to come from his budget then he will have to find it somewhere.
Mr. Willner said we are going to have to be very careful with the County Garage's budget, because it is very tight.

Problem with Steel Gas Tank, Underground, at the County Garage

Mr. Tuley said it was discussed last week about the 5,000 gallon steel gas storage tank that is underground at the garage, that it is very deteriorated and has to be replaced, well perhaps we should put a hold on this until Mrs. McBride hears something from the State about where the funds can come from.

Mr. Linzy said if a decision can be made today it would save us money because AC is coming out Wednesday and if they can do it all at one time it will be cheaper, then if they do half of it now and half of it later on.

Commissioner Borries said this is needed, so we should go ahead and make a decision today and work the accounts out later, therefore he would move that the funds be taken from whatever account that is legal, that the money be used to purchase the used double meter gas pump for the county garage.

Commissioner Cox seconded the motion. So ordered.

RE: CONRAD COOPER....AUDITORIUM

Resolution

Mr. Cooper said the resolution regarding rehearsal dates and policies at the Auditorium is not yet ready to be submitted, that it will be ready at a later date.

Request for Reduced Rent of the Auditorium

Mr. Cooper said he was approached last week by the James Robinson Association out of Texas

RE: JESSE CROOKS....BUILDING COMMISSION

Monthly Report

Mr. Crooks submitted his monthly report of permits issued for the month of May, 1981.

Report received and filed.

Weed Problems

Mr. Crooks said they have a weed problem on Boonville-New Harmony Road on property owned by James Biggerstaff, that there are a number of lots that need to be mowed in the sub-division. He contacted Mr. Biggerstaff about ten (10) days ago and as of now, we have no results on it. He would like advise from the Commissioners as to what he should do from this point and time.

Commissioner Borries said he was in this area Friday morning to inspect another complaint on drainage on Bohannon and he seen the weed problem that Mr. Crooks is talking about and the weeds are really high on the private lots, that apparenty have not been sold yet. Since this was not on county right-of-way, he really did not have a good answer to the gentleman he talked with out there.

Mr. David Jones, County Attorney said Mrs. Cox brought up this same question some time ago and he has researched it some and found there is a state statute that puts weeds in the domain of the townships, making them the responsibilities of the Township Trustee's or their Advisory Boards, and they can take action and inforce it. He went through numerous Ordinance books and found the county has two ordinances concerning weeds and it is his opinion that both ordinances are invalid, the reason being that the law has changed since they were adopted, that they tried to invoke a jail sentence which is not allowed in terms of the Home Rule Bill, that the county can only invoke a fine, but not put a person in jail. He said for immediate relief he would attempt to get the Trustee's to do what they heretofore have not done, that maybe they do not even know the statute is in the book.

Commissioner Borries said are you saying that we could write an ordinance concerning weeds as long as it invoked a fine instead of a jail sentence, that it would be valid.

Mr. Jones said yes, that he feels it should be written to speak to obstruction of view and not try to define what is weeds and what is not weeds. Anything that obstructs views and presents a safety hazard should be removed, regardless of what it is, trees, shrubs, plants, artificial devises, etc., then we can eliminate the constitutional problems we could get into on this matter.

Mr. Crooks said since we are not certain on the powers we have and until it can be worked out he will contact Mr. Biggerstaff and see if he can get him to remove the weeds.

Commissioner Borries asked Mr. Jones if he could draft an Ordinance on Weeds and he replied yes, but for now lets use the State Statute.

RE: REQUEST TO TRAVEL....COUNTY CLERK

The following request was submitted by the County Clerk's office:

RE: Attendance State Election Board
and Indiana State University
Meeting, July 22 and 23, 1981

Dear Commissioners,

Please find attached a copy of the letter from the State Election Board and Indiana State University concerning a meeting to all Clerks and Election Officials of Indiana, to be held at Indianapolis, July 22 and 23, 1981.

I respectfully request your permission and approval for myself and a Deputy to attend said meeting.

Thank you.

Sincerely,
Helen L. Kuebler, Clerk
of Circuit and Superior Courts

which is an Evangelistic Organization, that they would like to book Friday, August 7, 1981 at the Auditorium for evangelistic services. This particular date is open and he quoted them a price and told them he did not have the authority to adjust rates. They asked him to appear before the Commissioners with an offer of $500.00 for that evening's rental. The normal rate for the evening would be $600.00, that this is supposedly a non-profit organization, eventhough they have not yet presented him with their tax exempt number.
He said it is his recommendation at this time to not consider the reduction, because there are a thousand and one evangelistic groups traveling the nation holding these type services, and he does not want this to sound harsh and he is not one to judge the intention of these people, but he simply does not think this is a good precedent to set, that he feels the $600.00 rate, if they come up with an exemption number, is still a very attractive rate, so he would recommend we hold it at $600.00.

The $600.00 fee was agreed upon by all three of the Commissioners.

Request for Reduced Rate

Mr. Cooper said the Sweet Adelines, a barbershop group of women have also approached him with a request for a reduced rate for the rental of the entire facility to hold their regional convention in 1983 and 1984. They are going to use only the auditorium but they do not want anyone in the Gold Room to disturb them, therefore they are willing to rent the entire facility. He feels if we can offer them some sort of a reduction for the whole building, it would be good for everyone concerned, that they are a good group and they draw a lot of individuals and business people from Vanderburgh County and surrounding counties. Normally the rental rate on the entire building is $950.00 per day and he would like to offer them March 25, 26 and 27th (Three Days) for the toal sum of $2,500.00 and only for the year of 1983. This would be about $125.00 per day savings.

Commissioner Cox said do we have anything in writing, because once you do something like this it opens the door for other people and how do you judge who is worthy and who is not. If we would have it stipulated in our contract to give a reduced rate for the rental of the whole facility and do the same for everyone wanting to rent it, then she would feel comfortable.

Mr. Cooper said we get very few calls for rental of the entire building and rarely ever do we get a request for the entire building for three days at a time, that this would be money in the bank for us.

Commissioner Borries said he understands Mr. Cooper's position and he also has fears about where we will have to draw the line. He is wondering if we have enough time for one of the County Attorneys to look into it and perhaps prepare an addendum to the contract to include something like this. Because he would hate also to see us lose the convention.

All of the Commissioners agreed they would be more comfortable if the County Attorney would prepare an addendum to the Auditorium contract to fit this situation.

Mr. Cooper said this would be great with him, but that he would like to get a letter out to them this week letting them know an answer on it.

Data Process Terminal

Mr. Cooper said the people from Data Processing have delivered the computer terminal and they are in the process of getting it installed today.

New Office Space at the Auditorium

Commissioner Borries said he went to the Auditorium and looked at the new office spaces they have acquired there and a fine job was done on it. He said Mr. Cooper is in the process of providing some rest rooms for the handicapped and elderly citizens on the first floor, if this is possible.

Mr. Cooper said he is doing a little research in this area and it seems at this point, that we might want to consider the installation of an elevator, that there may possibly be some federal funds available to help us if we do this kind of thing and it may be cheaper then trying to install rest rooms on the main floor, that we also have limited space for rest rooms. He said to give him more time on this and he will continue to research it and if he can come up with something feasible he will at that time present it to the Commissioners.

Mrs. Kuebler said they will be traveling together in one car and also the money must come from the Commissioner's budget, that she does not have the money available in her budget.

Commissioner Cox moved the travel request be granted. Commissioner Borries seconded the motion. So ordered.

RE: DAVID SAVAGE....TRAFFIC ENGINEER

President Willner said Mr. Ray Wolf, Manager at Burdette Park has a proposal he would like to discuss with Mr. Savage concerning some striping at the park.

Mr. Savage said he has discussed this matter with Mr. Wolf prior to this meeting.

Mr. Wolf said he would like for the Commissioners to give them permission to have all the roads at Burdette lined by the Traffic Department.

Mr. Savage said if this is on the gas tax roll, he would see no problems with them doing it.

Commissioner Borries moved the Traffic Engineer be authorized to stripe the roads at Burdette Park. Commissioner Cox seconded the motion. So ordered.

RE: GENE KAUTZMAN.....COUNTY HIGHWAY

Weekly Absentee Report

Mr. Kautzman submitted the weekly absentee report on the employees at the County Highway Garage for the week of 6/15/81 thru 6/19/81.

Report received and filed.

Weekly Work Report

Mr. Kautzman submitted the weekly work report for the period of 6/15/81 thru 6/19/81.

Report received and filed.

Problem on Holly Hill

Commissioner Cox said she received several calls from concerned persons on Holly Hill saying they were concerned about the road sealer being carried into their drives on the cars and then carried into the house and she would like to know if this problem has been corrected.

Mr. Kautzman said he did receive calls from out there also, that he has sent a crew back out there to do some patching. There were several kids digging out the patching with their bicycles and they really made a mess, but it is under control now.

Neubling Road and St. Joe Avenue

President Willner said on his way in this morning he noticed a sink hole at the corner of Nuebling Road and St. Joe Avenue, and he would like for someone to go out there immediately and take a look at it.

Mr. Kautzman said he would get someone out there right away.

RE: BOB BRENNER....COUNTY SURVEYOR

Bridge and Guardrail Report

Mr. David Guillaum submitted the bridge and guardrail report for the period of 6/15/81 thru 6/19/81. He said the repair crew has been doing some work on the structure on Nesbit Station Road. They also did some work on Baseline Road, headwalls primarily.

Claim

Mr. Guillaum said a claim came to him that probably should go to David Savage from Sieco Inc. for the striping and marking procedure on our Hazardous Marking Program.

President Willner said the claim is for construction engineering services provided in conjunction with the Pavement Marking Demonstration Program as per attached invoice. The claim is in the amount of $1,766.43 as per agreement from 2-1-81 thru 5-31-81. Project N. PMS-000S (125)

Mr. Savage said he does not believe his office is involved with this, that it is a job the

Urban Transportation study lined up for the county and the city, that it is 100% federal money. The county pays Sieco, Inc. the money and then it is reimbursed to the county by the federal government.

Commissioner Borries said this should probably go to Mr. Al Holtz for his review and recommendation and then come back to us to be finalized for payment.

President Willner gave the claim to Mr. Holtz for further research.

Marx Road

Mr. Guillaum said last week he presented to the Commissioners a cost breakdown report on Marx Road. He has talked to Mr. Kautzman and he intends to try to get this paved this week and if and when he does, he has notified the insurance carrier that this will not be the total and we would give them the balance due as soon as we get the blacktop on it.

RE: AL HOLTZ.... ACTING COUNTY HIGHWAY ENGINEER

Replacement of drive-way and payment of tree at 3001 Lynch Road

President Willner said last week Mr. Adolph Hurm was at our meeting and complained the county was not going to replace the same type of drive-way that they tore out for the improvements of Lynch Road and also they took another tree from his property that they still owe him $350.00 for.

Mr. Holtz said he checked into this and Mr. Hurm originally had a 12' wide concrete drive and his neighbor had an 18' wide blacktop drive. Now Mr. Hurm wants the county to replace his with an 18' concrete drive, but we will replace only what Mr. Hurm originally had.

Mr. Holtz said that Mrs.Hurm told him her husband cut the tree down himself, that it is all piled up out there, but the county did not cut it down.
He said he talked to Mr. Hartman at the Deig Brother's office and gave him a copy of the easement and he assured us it will be taken care of properly, that Mr. Hurm will get what he originally had.

RE: COUNTY ATTORNEY

Law Suit...Phyllis Short vs. James DeGroote, Sheriff

Mr. David Jones said on the law suit Phyllis Short vs. James DeGroote, Sheriff he would like to submit a complete statement of time spent on the case and there are copies of blue claims attached for services rendered in connection with the suit, some of which have been paid and some of which are still being processed.
He has two copies of this report and he would advise the Commissioners to send one copy to the insurance company that provided the coverage when the suit took place and have them pay it, that they were suppose to have defended the case, that they did not do so, that they did not have an attorney enter an appearance until the case was almost over, therefore rightfully all of the money for attorneys fees paid for by the county should have been covered by the policy in force and effective.

All three of the Commissioners agreed with Mr. Jones.

Mr. Jones said he thinks it would be proper to send a letter from the Commissioners to the Insurance Company making claim and submiting the report as proof of claim asking them to reimburse the county for the expenditures made. The money would then revert back to the County General Fund and the County Council should be made aware of where the money came from.

Commissioner Borries moved the commissioners submit this report along with a letter from the commissioners requesting the money be reimbursed that was expended for attorney fees in the suit of Phyllis Short vs. James DeGroote, Sheriff.
Commissioner Cox seconded the motion. So ordered.

President Willner gave one of the reports to the Auditor to be filed and gave the other report to Mrs. Meeks, the Commissioners Secretary to see that a letter was drafted and sent to the Insurance Company, requesting reimbursement.

Personnel Policy

Mr. Jones said he has compiled a list with respect to the Personnel Policy Ordinance of all the suggestions and recommendations made during the meeting with the officeholders and departmentheads, that they have been put in memorandum form and delivered to everyone last week, to be studied and discussed to try to come up with something final.

Codifying of County Ordinances

Mr. Jones said he noticed in the amendments to the Home Rule, that came out of the legislature this year that there is a particular provision that took effect June 1,1981 in which this county is not in compliance, and that is the legislature simply struck the word may and inserted the word shall which changed it to read, "The legislative body of the unit of government, which in this case is the County Commissioners, shall codify, revise, rearrange and compile the ordinances in the unit into a complete and simplified code, excluding the formal parts of the ordinances".
Mr. Jones said from at least 1970 the county has put all ordinances in books such as the one he has with him today. (He showed the Commissioners a book obtained from the County Auditor's Office) These ordinance are inserted as they are approved, on a yearly basis, there is an index in the front of the book and when you want to find a particular ordinance, you must have the approximate year it was adopted and if you do not have the year then a person must go through them one at a time and search for the needed ordinance. This is not casting any reflection on any Auditor of any political party, that this is just the way it has been done and it has been done in even a less desirable fashion in smaller counties.
If you can find the ordinance you are searching for then you have no way of knowing if it or a portion of it has been repealed since the original ordinance was adopted. An example is the Weed Ordinance's he had today, that it was simply a hit and miss thing, that he simply sat down in the Auditor's office and went literally through all the books and came upon them. He for one is glad that the Legislature changed the statute. He said the city signed a contract April 6, 1981 to re-codify because apparently, they were more up on this then what we were and saw this mess coming. He understands the city has a contract with the only company in the country that puts these things on computers, that they have an office here locally and have a technical staff that will go through and compile all the ordinances that we have. They have a fifteen (15) person legal staff that screens them, organize them, weed out the statutes that are obsolete and have been declared unconstitutional, that have been amended, repealed, altered and they then come back to us and advise us what things should be taken off of the books and put everything on computers. He said inforcement of an invalid ordinance or not having a particular ordinance could result in a law suit.
He said the statute does not say you have to hire a professional codification firm, but it would be ludicrous for us to attempt to codify our ordinances without professional help. He said the City's contract is approximately $15,000.00 and he had asked Ms. Hoefener, with this particular firm to come down and meet with us, which she did do, along with Mrs. McBride and hopefully this week sometime she will be able to give us a detailed estimate of what it would cost for them to codify our county ordinances and since we do not have as many ordinances as the city, it should be less expensive. At this time he would urge the Commissioners to include in their 1982 budget requests an allowance to have this codification done for the county. He said for $250.00 per year they also can provide an up-date service, and he feels so strongly about this being done that he would be willing for it to come from the County Attorney's salary, to keep the up-date service.

Commissioner Borries said he would certainly agree with Mr. Jones on this codification, but would not go along with the up-date service fee to be taken from Mr. Jones' salary.

President Willner said he too feels this is very necessary, that he knows of some ordinances we have that he thinks are not legal, particularly one on strip mining.

Commissioner Cox said she also feels these ordinances should be organized.

President Willner said since all three commissioners agree on this matter, it will be requested in their 1982 budget requests.

RE: SAFETY DEPOSIT BOX

President Willner said he, Shirley Cox and Alice McBride went to National City Bank today and they seen the actual files, that they are locked file drawers, they are our file drawers and they are in the vault but not in the safety deposit vault. We tried all of the keys that we had with us and none of them fit, so they brought one drawer that was empty and not locked

back with us to the Civic Center and Mrs. McBride tried several more keys and none of them fit, therefore we have come to the conclusion that we do not have a key that will open them so he thinks we should have all the file drawers brought to the Civic Center to the County Auditor's office and forced open with a screw driver. This can be done at our leisure time and we can take full inventory and make the decision if we should return them to the bank and pay the $160.00 per year fee or if we can keep them in the Civic Center.
He said this year's fee has not yet been paid and we will have to pay up until the time we remove them from the bank.

It was decided they would go to the bank and remove them on Monday, June 29, at 11:00 a.m.

RE: SUMMONS...COMPLAINT TO FORECLOSE LIENS

President Willner said we have a summons on complaint to foreclose liens, Day Construction Company vs Vanderburgh County.

Commissioner Cox moved the summons be referred to County Attorney, David Jones. COmmissioner Borries seconded the motion. So ordered.

RE: LETTER FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE

President Willner said the commissioners have received a letter from the United States Department of Agriculture, which read as follows:

Dear Commissioners,

On June 16, 1981 the United States Department of Agriculture held a meeting for the purpose of assessing damage to farm crops due to the Ohio River overflowing its banks during the period of 6-9-81 to 6-16-81. Enclosed you will find a copy of the national disaster damage assessment report that has been submitted to the Indiana USDA emergency board. Farmers Home Administration disaster loans may be made available to local farmers who have been affected by the excessive rainfall and the flooding of the Ohio River. Authorization for the emergency loan requires that the State Governor requests the Secretary of Agriculture to designate the county as an emergency loan area. We have been informed by the State Emergency Board that due to the flooding on many of the State's rivers and the excessive rainfall during the planting season, they are in the process of having the State designated as emergency loan area. Because of the flooding of the Ohio River and the excessive rainfall that has prevented the planting of 50% of the crop land in Vanderburgh County we feel the county should be designated as an emergency loan area. This would enable farmers that have suffered a loss and will suffer a loss due to reduced crop yields to qualify for the loan. The Vanderburgh County USDA emergency board recommends that the Vanderburgh County Board of Commissioners ask the Governor to request the Secretary of Agriculture to designate the county as an emergency loan area. Emergency loan will be administrated by Mr. Don Huff, Farmers Home Administration, FHA, 1120 Pelzer Road, Boonville, Indiana.

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President Willner said we have done this in the past and we should probably do it again, that it seemed to work very well for the farmers that have suffered crop damage and loss.

Commissioner Borries moved that a letter from the Commissioners be sent to the Governor to request the Secretary of Agriculture designate Vanderburgh County as an emergency loan area.
Commissioner Cox seconded the motion. So ordered with three affirmative votes.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted by Citizens for Deckard for a country and western concert (2 performances) on June 21, 1981 at the Audtiorium. Excludes riot, civil commotion, assult and battery.

Certificate received and filed.

RE: PUBLIC EMPLOYEES IOSHA SEMINAR

The following letter was received from the State of Indiana, Division of Labor:

Dear Commissioners

We would like to invite you or your Representative (s) to attend the Public Employees IOSHA Seminar to be held on the date and at the location listed below. We hope this seminar will clarify any questions you may have concerning the IOSHA Program.

If you or your Representativ(s) plan to attend, will you please return the attached registration blank so that we will be able to have the proper amount of instructional material available for those that attend.

Sincerely,
Jack N. Cooper, Coordinator
Public Employee Program...IOSHA

TIME: 10:00 a.m. to 3:00 p.m.
DATE: June 25, 1981
LOCATION: IVY Tech--Evansville

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President Willner said Commissioner Borries and Margie Meeks plan on attending the meeting and the regsitration was mailed 6/18/81.

Commissioner Cox moved permission be granted. Commissioner Borries seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by the Evansville Vanderburgh County Building Authority for labor and material to install on (1) telephone floor outlet in room 223, Center Township Assessor, per authority Robert L. Willner letter dated 6-8-81., in the amount of $60.00.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates, Inc. for engineering inspection of Lynch Road for the period of 6-8-81...6-12-81, in the amount of $3,838.82. Claim signed by Al Holtz.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates, Inc. for engineering inspection of St. Joe Avenue for the period of 6-8-81--6-12-81, in the amount of $3,672.41. Claim signed by Al Holtz.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

RE: EMPLOYEE CHANGES....APPOINTMENTS

AREA PLAN COMMISSION

Nancy Hill	1643 C John Street	Intern	$55.00 Wk.	Eff:6-15-81
Keith Martin	1001 Edgar Street	Chief Draft.	$11,000.00 Yr.	Eff:6-29-81

COUNTY RECORDER

Betty Jo Radcliff	511 E. Gum Street	Part time Dep.	$30.00 Day	Eff:6-10-81

CLERK OF CIRCUIT AND SUPERIOR COURTS

Vicki Dean	949 Varsity Dr.	Deputy Clerk	$350.95 Pay	Eff:6-19-81

VANDERBURGH SUPERIOR COURT

Paul V. Partington	13300 Wookland Ln.	Bailiff	$6,704.00 Yr.	Eff:6-19-81

RE: EMPLOYMENT CHANGES.....RELEASES

VANDERBURGH SUPERIOR COURT

Donald R. Scott	Bailiff	$6,704.00 Yr.	Eff: 6-18-81

CLERK OF CIRCUIT AND SUPERIOR COURTS

Beatrice Phillips 1132 Lohoff	Deputy Clerk	$350.95 Pay	Eff: 6-19-81

RECORDER

Betty Jo Radcliff 511 E. Gum St.	Part time Deputy	$25.00 Day	Eff:6-10-81

RE: BARRY HEATHCOTTE...CHIEF DEPUTY AUDITOR

Submitted by Mr. Barry Heathcotte, Chief Deputy Auditor was a claim in the amount of $30.40 with the following letter of explanation:

Dear Mr. Willner,

On Friday, June 12, we experienced a computer problem in the Auditor's office that required additional disc space to resolve. Due to the cost of disc packs ($1400.00) and the time required to order and receive them, I chose to drive to Harrisburg, Ill. where we were able to dump the contents of one of our disc packs onto tape.

I sought and received the preliminary permission of Mark Tuley to make the trip and now appear to request the official approval of the County Commissioners. Concurrently I submit to you a blue claim in the amount of $30.40 for reimbursement of my milage costs.

Thank You,

Barry Heathcotte
Deputy Auditor

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Mrs. McBride said Bob Fortune let us use one of his tapes to put this information on, and that it is tax billing. This saved us a good little bit of money.

Commissioner Cox moved the claim for $30.40 be approved. Commissioner Borries seconded the motion. So ordered.

RE: DECALS FOR COUNTY GARAGE TRUCKS

Commissioner Borries showed one of the large decals that came in this week, that will be put on all the county trucks at the garage, so that they can be easily identified and there will also be numbers added to each one.

RE: GRIEVANCE

Commissioner Borries said he would like to bring up the matter that we have a report mailed to us this week from Mr. Allan J. Harrison, Arbitrator, regarding a grievance that had been filed by the Teamsters Union, Local 215. regarding violation seniority rights and non-bargaining unit provisions. He said a hearing was held on June 10, 1981 and the grievance was denied, that it was decided in favor of the Commissioners.

Commissioner Cox asked if we have to pay anything on this and Commissioner Borries said yes, we we have to pay half of the $1330.00 charges.

Report received and filed.

RE: JOHN FEIGEL....FEIGEL CONSTRUCTION(CORRECTION OF MINUTES OF JUNE 15,1981)

Mr. Feigel said he would just like to say that he is very pleased with the presentation made by Mr. Jones, the County Attorney. You have two (2) new Commissioners on this board and they need advise and guidance.

Mr. Feigel said he thinks the Commissioners should not be told the county put down 360 tons of asphalt for $5,400.00, because that is not true because it cannot be done and he thinks the commissioners should have someone check this because you are getting some bad information. The material alone would cost you more than the $5,400.00 and then you've got labor, trucks, gas, oil, etc.

Commissioner Cox said that figured out to $15.00 per ton.

Mr. Feigel said where is the labor, trucks, gas and oil figured in.

President Willner said no those other things have not been figured into the $5,400.00 figure and it states it is an approximate price.

Mr. Feigel said asphalt per ton is about $18.00 so is $15.00 per ton an approximate figure to $17.00 or $18.00.

President Willner said the county highway is going by the assumption that the salaries, trucks and equipment is already paid for, therefore we are not figuring them in to the price of laying the asphalt. He would agree that in order to get a true price, all these other things should be figured in.

Mr. Feigel said it is just important that bad information is not given.

President Willner said the point is that we buy rock by the truck load and they weigh it and it is X number of tons, we take it out and stock pile it and then we would have to run it back through the scales again and that would be ridiculous and it would cost the county money to do it that way.

Mr. Feigel said that is not true.

President Willner said of course it true, we don't have truck scales at the garage.

Mr. Feigel said then what are you going to do when you sell to Darmstadt.

President Willner said that will be a different story.

Commissioner Borries said maybe someone at the garage can give us a better figure or at least a clearer explanation.

Commissioner Cox moved that the minutes of June 15, 1981 be amended on page twelve to read the $5,400.00 figure that was quoted for asphalting in Melody Hills is only an approximate figure of material only used on the job, that it does not include labor, trucks, oil and gas and equipment used.

Commissioner Borries seconded the motion. So ordered.

President Willner said he really appreciated Mr. Feigel's comments, that the Commissioner's are always ready to listen and improve.

Mr. Feigel said he is only trying to help.

There being no further business the meeting recessed at 4:30 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard "Rick" Borries Shirley Jean Cox	Alice McBride	David Jones
SECRETARY:	Janice Decker		

Robert J. Willner
Richard J. Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JUNE 29, 1981

The meeting of the County Commissioners was held on Monday, June 29, 1981, at 2:30 p.m. in the Commissioners Hearing Room

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

RE: ANIMAL CONTROL ORDINANCE

Ms. Charlene Wooldridge was present and stated Ms. Schmadel was in court and could not be here today, and that she would try to answer any questions any of the Commissioners might have concerning the ordinance. Ms. Wooldridge said she is a private citizen with the Vanderburgh County Humane Society and at this time she presented each of the Commissioners with a copy of the new Animal Ordinance which has been approved for adoption by the Evansville City Council and also by Mayor Vandeveer and they would like very much to see this Ordinance adopted by the County Commissioners for Vanderburgh County. She said their board would be happy to meet with the Commissioners and would be open for any changes, but they would like for it to be adopted in it's entirety.
Ms. Wooldridge said the ordinance is quite lengthy and knows it cannot be gone over today, that she would like to leave it with the Commissioners for approval at a later meeting, but as soon as possible.

Commissioner Borries moved the Animal Control Ordinance be referred to the County Attorney for his recommendation to the Commissioners at a later meeting. Commissioner Cox seconded the motion. So ordered.

RE: LAW LIBRARY....SHIRLEY ROLL

Ms. Shirley Roll said she is present to inform the Commissioners of the desperate financial situation of the Law Library. She said they currently have about $5,000.00 worth of overdue bills. She submitted a list of the bills due along with suggestions for possible reductions of the current billing. She said the Law Library, she believes, is a real asset to Vanderburgh County and it represents quite a substantial investment, that it has taken about ten (10) years to get about eleven and one half thousand books in the library that simply have to be worth approximately $300,000.00 to $500,000.00. She said we have spent about $5,000.00 so far this year in the Law Library and we need about $10,000.00 more to keep it where it is. She said on her summary sheet she has underlined in red some of the things they can possibly do without. She needs $2721.00 immediately to meet the bills due, but she would urge the Commissioners to try to find $10,000.00 for the remainder of the year.

Commissioner Cox said she feels Ms. Roll is to be commended for getting a complete inventory completed and working with David Jones to put a value on these books to get some idea of what our costs are going to be. She understands that there has always been $15,000.00 funded for the Law Library up until this year and then the County Council cut the appropriation to only $5,000.00 for 1981.

Ms. Roll said the cut for the full year of 1981 to only $5,000.00 was quite a shock to them, to say the least. She said the nature of the Law Library is that you must keep supplementing all the works that are already in there, or it will deteriorate, you simply must keep updating it with all the current laws.

President Willner said on the books we owe for right now, is it correct we did not order some of them, they just sent them to us.

Ms. Roll said this is true, but when you purchase a certain set of law books, the company assumes you do want to keep them up-dated, but no, she did not order them and she does not know who, if anyone did. She said all of the things are nice, but there are certain things we can do without.

County Attorney Miller said the Vanderburgh County Law Library is the only library that is even close to complete anywhere in the southern part of Indiana, save Bloomington and if this library with its services is allowed to deteriorate by the termination of supplemental services for many sets, then first of all the county will simply be throwing away thousands of dollars that have already been invested, and in his opinion, it is an asset that this county cannot do without.

Commissioner Cox said we have been working with the Evansville Bar Association Library Committee to try to get some in-put from them as far as the books they feel may be unnecessary for us to keep and also to see if there are any duplicates. She certainly does not have the knowledge to make the judgement as to what we need and what we do not need, but she feels what we are doing is the right place to start, that we should depend upon the Bar Association. In the beginning this thing was going really good but is now bogged down somewhat.

Ms. Roll asked the Commissioners if they can find the $5,000.00 to meet the immediate bills and are they going to ask for $10,000.00 to meet the needs for the remainder of the year, that she is getting notices from the publishing houses and all of her money has been gone since the first of April.

Commissioner Borries said he and Mrs. Cox has worked with this for some time now and it is a service that he too would hate to see the county have to set aside because the eleven and one half thousand volumes we now have is a considerable investment in itself. He thinks the Commissioners are committed to go before the County Council in August and request the additional funds needed, or at least for the amount to meet the immediate bills due. Then rather then having to go back to the council again later in the year for additional money, we might just as well ask for the full $10,000.00 in August.

Commissioner Cox moved the Commissioners be placed on the August County Council agenda with a request for $10,000.00 for the Law Library, with the understanding we may be able to adjust that amount down when more information gets to us. Commissioner Borries seconded the motion. So ordered. President Willner told Ms. Roll to be at the County Council meeting.

RE: MARK TULEY....SUPERINTENDENT OF COUNTY BUILDINGS

Work to Start at Hillcrest-Washington Home

Mr. Tuley said they finished up last week over at the Auditorium and his people are moving out to the Hillcrest-Washington Home this afternoon and start sealing the roofs out there, and they hope to have that completed with seven to ten days. They also have some painting of rest rooms to do out there, so they will be out there the biggest part of the month of July.

Tank and Pump at County Garage

Mr. Tuley said he wants the Commissioners to know the tank and the gas pump at the county garage are installed and ready to go. Mr. Linzy said they are using up the excess gas in the old tank right now.

RE: CONRAD COOPER....AUDITORIUM

Computer Terminal

Mr. Cooper said he would like to inform the Commissioners that the computer scope that they are going to share with the Convention and Visitor's Bureau is installed and they have received very good co-operation from the data processing personnel with regard to putting our programs in and showing them how to operate it.

Change in Work Schedule

Mr. Cooper said he would like to get the Commissioners approval to change his work schedule of persons at the Auditorium in August. He intends to take three of his hourly personnel and put them on Wednesday through Sunday shifts, from five in the morning till one in the afternoon, that he believes this will cover most of the present time they are expending on overtime under the regular hourly rate. We expect at that time to have the parking lot mechanism working and he wants to get preliminary approval from the Commissioners now so that when the parking lot is completed he can go ahead with the scheduled work change. In the process of doing this he would like to change the classification of one of his employees to Maintenance Man II. He has agreed to continue at his present rate of pay for the remainder of the year, and they have checked with the union officials, and then next year he would like to increase this person's salary, a little bit, to cover the new classification. He said he is going to have to make some additional adjustments in his budget this year, but this change of schedule will certainly help the matter.

Commissioner Cox said since these are union personnel and if this does not violate our contract with the union then she would have no objections at all.

He said he was concerned about changing this persons classification without a raise in pay, but the individual had no objections and neither did the union but the individual will object after the first of the year, that he has consented to stay at the same salary only for the remainder of this year.

President Willner said also make this individual aware that the change must be approved by the County Council, but he sees nothing wrong with it personally.

RE: DAVID SAVAGE.....TRAFFIC ENGINEER

President Willner said he took a trip out Old Princeton Road and seen that it was striped in the past week or so, and he is wondering in the future if we shouldn't work closer, because there is a possibility we may re-surface that particular road.

Mr. Savage said he and Mr. Kautzman are getting together this week to work on some matters and at that time they will try to work out a better plan on the striping also.

RE: GENE KAUTZMAN.....COUNTY HIGHWAY

Weekly Absentee Report

Mr. Kautzman submitted the weekly absentee report on the employees at the County Garage for the week of 6-22-81 thru 6-26-81.

Report received and filed.

Weekly Work Report

Mr. Kautzman submitted the weekly work report for the period of 6-22-81 thru 6-26-81 for the employees at the county garage.

Report ordered received and filed.

Gas Pump and Tank at the Garage

Mr. Kautzman said they do have their new gas pump installed and the new tank underground, and that they are using the gas from the old tank first, but the new tank is already full and ready to go when we need it, which will probably be sometime next week.

Security at the Garage

Mr. Kautzman said they have had some problems at the garage with the security system installed by Jamison and they were informed that if the problems were not corrected soon then we would take stronger action, because it has been a continuous problem. Jamison told us that he would be willing to go in there and re-wire the whole thing if that is what it is going to take, that they will get it corrected.

Commissioner Borries said he spent considerable time at the garage this past week and met several of the personnel there and he would say there seems to be a good working relationship. He and Mr. Kautzman traveled many roads where work is to be done or has recently had work done to it and they did encounter some very angry folks in some of the sub-divisions, but he would still have to say it was a very enjoyable visit for him and he looks forward to when it can happen again throughout the summer.

Mr. Kautzman said they enjoyed having him with them.

RE: BOB BRENNER.....COUNTY SURVEYOR

Bridge and Guardrail Report

Mr. David Guillaum submitted the bridge and guardrail report for the period of 6-22-81 through 6-26-81 and stated that primarily they concentrated on Nesbit Station and they do have that structure almost completed with the exception of the blacktop. They picked up about ten feet in width on it and it looks like a real good job. He invited the Commissioners to go out and take a look at it.

Advertise for Bids for Guardrail

Mr. Guillaum said he has some specifications that they modified and put together on their

guardrail and he would like the Commissioners approval to have Purchasing to advertise for bids.

Commissioner Cox said she understood we have plenty of guardrail.

President Willner said the specifications that were advertised prior to this did not meet the needs of Vanderburgh County, therefore they needed to change the specifications on them.

Mr. Guillaum said the old specs had a lot of different types of rail in there that we do not use, the posts were too long and the new end sections have been up-graded and are a lot better then the old ones and there is also a better price on them.

Commissioner Cox asked if the existing guardrails will have to be replaced and Mr. Guillaum said no they will not have to replace any of them.

Commissioner Borries moved that Mr. Guilliam be permitted to advertise for guardrail needed for Vanderburgh County.
Commissioner Cox seconded the motion. So ordered.

Problem with Mr. Whitherspoon Property on Syls Drive

Mr. Guillaum said a couple of weeks ago they had a problem that concerned a Mr. Williams and and Mr. Whitherspoon and upon sending a crew out and looking at the problem, they concluded the area in question definitely is in the county right-of-way. However, Mr. Williams, before he ever began the project took some photo's of the basement and the flooding situation that Mr. Whitherspoon had before he put the road in, because he anticipated the problem would arise.
Dave said we feel like the problem was brought on primarily due to the fact that Whitherspoon dug his basement out and left a depressed area where he dug it out. We also feel like that even if this road were removed or a pipe cut through it that there will be no guarentee that Mr. Whitherspoon will no longer have problems. We recommend a drain tile and a drop box, directly out from Mr. Whitherspoon's property be put in, running west and that this cost be borne by Mr. Whitherspoon, as it will be on private property. He said we tried to be as fair about it as we could in trying to determine what caused the problem and what solution we could come up with. In all honesty he would have to say that perhaps the road aggravates the problem but it did not cause it.

Commissioner Cox said this should be explained by Mr. Guillaum because she is not sure that she understands all about it. She would like to see something in writing and she would be happy to sign it and send it to Mr. Whitherspoon.

Mr. Guillaum said he will draft a letter describing the problem and giving his recommendation and it can be sent out.

RE: LEWIS F. VOLPE...REQUEST TO DECLARE MACHINES SURPLUS

Mr. Volpe said he has two peices of equipment in the Treasurer's office that he would like to have declared surplus. He said the old type bill had to first be folded before stuffed in envelopes and he has two machines, one to fold and one to stuff, that he no longer needs with the new type bill. Both machines are in good working order and he does not know just how old they are.

President Willner asked Mr. Volpe if he would know of any other county that might be able to use these machines and he replied no, he does not, that most other counties have the same size bill we presently have.

Commissioner Cox asked Mr. Volpe if the folding machine can be adjusted to fold different sizes and he replied yes. Mrs. Cox then suggested the courts may be interested in it and she would recommend we send a notice around to all the officeholders making them aware of the machines and then if no one wants them we can declare them surplus.

All the Commissioners agreed to this.

RE: AL HOLTZ....ACTING HIGHWAY ENGINEER

Resignation of Mr. Holtz

President Willner said Mr. Holtz will be leaving us at the end of this week, that he has

accepted a position in Posey County as their County Highway Engineer. We would like to wish Mr. Holtz lots of luck and thank him for coming in here and taking over Vanderburgh County for the few months that he did, that we appreciate it very much and asked him to stop back by and see us from time to time.

St. Joe Avenue Project

Mr. Holtz said the following letter, if approved by the Commissioners will be sent to the Indiana State Highway Department.

RE: St. Joseph Avenue Project

Dear Mr. Epp,

At the Vanderburgh County Commissioner's meeting of Monday, June 22, 1981, a request to change the surface of the several median strips from a 5" bituminous application as specified to 4" of top soil covered with 1" of sodding, was presented by the Director of the "Evansville City Beautiful" Program. Trees will also be planted along the center of the strip.

The Commissioner's vote was taken on this request and the vote was unanimous.

Mr. Holtz, County Highway Engineer, was told to start paper work such as estimates, sketches and completion of Form I.C. 626, "Recommended Changes in Plans, Materials or Quantities".

The change of materials will result in a savings.

This request for change is perhaps at a late hour because the project is nearing completion, but it is apparently desired as an attrictive and economical change most beneficial to the area.

We, the Commissioner's hope that you will blend your knind efforts to aid us with a speedy approval of this request.

Sincerely,
Board of Commissioners of the County
of Vanderburgh

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The above letter was signed by all three County Commissioners, so that it could be forwarded on to Mr. Epp at the State Highway Department.

RE: COUNTY ATTORNEY

Claim

Mr. David Miller submitted a statment attached to a blue claim form for the first six months of the year for work he has done on extraordinary litigation and contested matters for the county. He requested the Commissioners look the report over and if there are any questions, he would be happy to answer them. If there are no questions he would ask this matter be placed on the County Council agenda in August asking for the appropriation to be made, since the money is not presently available.

Notice of Complaint

Mr. Miller said he has a copy of a complaint on behalf of Charles R. and Nola Hille against one Michael Linville, a private citizen and also five (5) deputy sheriff's of Vanderburgh County. He said the county itself is not a named defendant in this case, but these five individuals are named as deputy sheriff's and the actions that are alleged they took were actions taken in their capacity as sheriff's and he feels the county owes them a defense and he has prepared a letter to be sent to Hartford Accident and Indemnity Company, which is as follows:

Dear Sirs:

The undersigned is attorney for your insured, Vanderburgh County, Indiana, a political subdivision of the State of Indiana.

Suit has been filed in the Vanderburgh Circuit County by Charles and Nola Hille wherein five deputy sheriff's of Vanderburgh County were named as defendants. The suit alleges that Plaintiff was enlisted to assist the deputies in the apprehension of an alleged thief of a stolen motor vehicle.
We enclose a copy of the complaint for your examination. We believe the county is responsible for providing a defense to the county empolyees named in this case, and that the acts alleged in the complaint, if proven, would be covered by the referenced policy carried with your company.
The undersigned will enter an appearance on behalf of the county employees pending response from your company.

Very truly yours,
David V. Miller, County Attorney

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Mr. Miller said this complaint was filed on June 23, 1981 in Circuit Court of Vanderburgh County.

Ambulance Service for Vanderburgh County

Mr. Miller said there have been inquiries made of him regarding the ambulance service for Vanderburgh County residents, outside the corporate limits of the city. He said he has provided the three members of the Commission with a memo concerning what he finds to be the statutory situation, that is, the county is not under a legal obligation to provide ambulance service, but the county may provide such a service and he understands it is the consensus of the commissioners that ambulance service should be provided to our citizens. He said the statutes are fairly clear into the effect that in the event a contract is to be entered into with an ambulance service provider, that ambulance service must meet certain state specifications, certain certification have to be in place and that the matter must be placed for bids, in the same form with any other standard contract with the county. There is reference in the ambulance statutes to the specific bidding statute that must be complied with, however, he thinks that Vanderburgh County and the City of Evansville have a City-County Purchasing Committee that is impowered to seek and take bids for this kind of thing. He thinks it is appropriate for the Commissioners to discuss which specifications should be included in any invitations for bids.

President Willner asked Mr. Miller if he has a copy of the specifications.

Mr. Miller said no, but he has some notes based on the statutes and he would suggest that the specs include a requirement that the ambulance service has a certification for advance life support and basic life support. Advance life support would be an ambulance service that has available and in place a paramedic and a basic life support certification would be an E.M.T. person on board. He thinks the specs should include a minimum number of vehicles that should be available at any one time. The specs should include a reference to the available manpower. The specs should relate to the quality of the service and the quality of the equipment and should specify those standards must be maintained and achieved as are required by the emergency medical service commission of the state of Indiana. He said the specs would have to cover the period of the contract and we would have to have from any bidder, a cost forecast of some kind.
He said the county is permitted to, and in his opionion should, attempt to recoop all or a part of the cost of the use of emergency medical vehicles, by setting up a system to send bills to the users. He said most medical insurance policies now cover emergency ambulance service, so it would not be a tremendous burden on individual citizens of the county for the county to seek reimbursement from the individual, who could then turn it in to their medical insurance. Even if there was not insurance, he still believes the county, because of the tight money situation it is facing, would be well advised to make attempt to make collection of some charge that would assist in off-setting the cost of the county.

Commissioner Cox said could something be worked out that instead of the County taking over the billing, that the provider would bill the individual for the use and the county could some way help the provider, if they were not successful in collecting.

Mr. Miller said absolutly yes, that could be made part of the specifications. It was his understanding the present provider was somewhat hesitant to take on that responsibility in whole, but you could make it a part of the specifications, you could modify it in the best way you see fit.

Commissioner Cox said basically, she thinks this service should be available for our county residents but she questions if we, as a county, should provide it, by funding it, that she would like to see something worked out where the provider would do their own collecting and then if they were un-successful, that we would stand behind them to collect the money owed, but she hates to see us getting into the county ambulance business. It is a business that anyone of us could use but few probably would and another thing, she has been around the medical field for a long time and she has seen a lot of abuses in some areas where if something like this should go on the tax rolls and all citizens feel like they are paying for it, then they may feel like they should use it, if they really need it or not. There are so many things the county needs to avoid along this line.

Mr. Miller said he thinks the nature of the contract will have to be that the county will infact fund the contract, but that the kind of collection Mrs. Cox is talking about be done by the provider and passed through the county, which would make the county a guarantor of the payment and that arangement is perfectly acceptable, except to the extent that the cost per run that is billed and collected is different then the actual cost to the county.

President Willner said all bills from the ambulance service will be billed directly to the individual from the provider and if they are not collectable by the provider then the county attempt to collect, and then only would the county be liable for the portion uncollectable.

Commissioner Cox said she is not sure she wants to provide the service for the citizens, that is there not any other way to make it available without us providing it.

Mr. Miller said you really would be assuring the citizens there would be ambulance service available to the citizens, but in order to do that, it is going to cost the county money.

Commissioner Borries moved that Mr. Miller proceed with the writing of the specifications for the ambulance service as discussed here today. Commissioner Cox seconded the motion. So ordered.

RE: CLOSING OF THE CIVIC CENTER

President Willner said Saturday is the Fourth of July Holiday, therefore all county offices will be closed in the Civic Center on Friday, July 3, 1981.

RE: REQUEST TO TRAVEL...SHERIFF

The following letter was submitted by the Sheriff's Department:

Gentleman:

Please be advised that I would like for the following officer Paul E. Bice to attend a Juvenile Seminar on July 14th. and 15th. The Seminar will be held at the Law Enforcement Academy at Plainfield, Indiana.

We have the money in our budget to cover the expenses for this trip.

Thank you,
Sheriff James DeGroote

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Commissioner Borries moved the above request be allowed. Commissioner Cox seconded the motion. So ordered.

RE: REQUEST FROM SELECTIVE SERVICE SYSTEM

President Willner said a request was received from the Selective Service System, which is as follows:

1. As you probably know from our recent Press release, the Selective Service System is recruiting potential Local Board members who would serve in the event a national emergency occurs. Although there are no plans at this time to restart the draft, having our Local

Board members trained and ready is an important project.

2. Our Selective Service personnel will be conducting interviews of potential Board members in your area for one (1) or two (2) days during the months of July and August 1981. We will be conducting the interviews in all county seats for the convenience of those being interviewed.

3. To conduct these interviews we request the use of a small office or conference room in your courthouse or another available public building. If possible we would request a room on thefirst floor. Due to the limited amount of time we have to conduct these interviews we would need the office after normal working hours for those interviews that cannot be scheduled during the day. If you do not have space available, could you please suggest a building in your area that could accomodate this project?

4. We would appreciate all the help you could give us in finding space we could use. Please use the stamped, self-addressed envelope enclosed to inform us of what space is available and the name of the person we should contact to arrange the specific details.

Sincerely,
Clark S. Ketterman
COL, SS, IN ARNG
State Director of Indiana

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President Willner said the only space he would know of that would be available in the Civic Center would be on the third floor, and the same would probably be true in the Auditorium. He said it is not stated in the letter but he assumes they do not want to pay for space.

Commissioner Cox suggested the Federal Building, because this comes from the Selective Service, which is federal anyway.

Commissioner Borries suggested the Veterans Service office on the first floor of the Civic Center, if they have room available.

President Willner instructed Mrs. Meeks to check with Mr. Moran, the Veterans Service Officer to see if he could accommodate them and if he can, then see a letter is forwarded to the Selective Service System.

RE: COUNTY EMPLOYEES PERSONNEL POLICY

President Willner said we have before us an Ordinance of Vanderburgh County Employees Personnel Policy and the would ask the Commissioner to not approve it in the final form today, that he understands it should first be approved by the County Council and then must be advertised before final approval of this board.

Commissioner Cox moved the County Commissioners tentatively approve the Personnel Policy, that it go before the County Council for their approval on Wednesday, July 1st and then advertised and come back to this board for final approval.

Commissioner Borries seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted by KMD Corporation-etal for the Indiana Restaurant Associations Annual Convention and Trade Show to be held October 2,3,4,5,& 6, 1981 at the Auditorium.

A certificate of insurance was submitted by the Evansville Civic Theatre, Inc. for performances at Vanderburgh Civic Auditorium on July 16,17,18 & 19, 1981 at the Auditorium.

Certificates ordered received and filed.

RE: CLAIMS

A claim was submitted by Engineer Associates, Inc. for engineering inspection of Lynch Road (6-15 - 6-19-81) in the amount of $3,909.75. Claim signed by Al Holtz

Commissioner Cox moved the claim be approved. COmmissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates, Inc. for engineering inspection of St. Joe Avenue (6-15 - 6-19-81) in the amount of $3,825.95. Claim signed by Al Holtz.

Commissioner Cox moved the claim be allowed. Seconded by Commissioner Borries. So ordered.

RE: LETTER FROM COMMISSIONER COX CONCERNING WORK DONE AT THE OLD COLISEUM

Commissioner Cox read the following letter:

Dear Commissioners:

I would like to report that I have inspected the work done by Benny Gossar on the restoration of the room used for meetings of the Grand Army of the Republic which is located in the Coliseum.

The $500.00 for this work to be done was donated by the estate of Elma Carla Basler.

The ceiling has been plastered and the painting has been completed on the ceiling, walls and floor.

Mr. Gossar did a beautiful job in restoring this room and it is one we can be proud of.

It was most gratious of Ms. Basler to bequeath the money to us for the restoration of this room, and I would like to thank Mr. Gossar for a job well done.

Sincerely,
Shirley Jean Cox, Commissioner
Vanderburgh County, Indiana

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Commissioner Cox said now do we have to have this matter placed on the Council agenda for approval.

County Auditor Alice McBride said no, the state man told us to start an account in the County General Fund for this purpose, that it can be used for nothing else, that that is where the money from the estate of Ms. Basler went and we will write checks from that account for the restoration of the building as stated by Ms. Basler.

All of the Commissioners agreed to this being paid from the special account set up by Mrs. McBride.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

DATE PROCESSING

Carrol Thompson	2906 E. Chestnut	Part-time	$4.00 Hr.	Eff: 6-8-81

COOPERATIVE EXTENSION SERVICE

Stephanie Mooney	15775 Old State Rd.	Part-time	$25.00 Day	Eff: 6-15-81

COUNTY COMMISSIONERS

Margaret A. Meeks	4928 Conlin Ave.	Executive Assistant	$14,133.00 Yr.	Eff: 7-2-81
Mark T. Tuley	2805 Washington	Supt.of Co. Bldgs.	$16,318.00 Yr.	Eff: 7-2-81

VANDERBURGH CIRCUIT COURT...BAIL BOND COMMISSION

Joe Adams	3517 Wansford Road	Bail Commissioner	$5,500.00	Eff: 7-1-81
Terry Lynn Golding	1210 South Vann Ave.	Court Reporter	$15,000.00	Eff: 7-3-81
Linda F. Sumner	1235 E. Indiana St.	Court Reporter	$15,000.00	Eff: 7-3-81

EMPLOYMENT CHANGES.....APPOINTMENTS

CIRCUIT COURT

Stephen M. Caine	1470 Audubon Dr.	Summer Intern	$140.00 Wk.	Eff: 6-22-81
Lucille Smith	600 Cullen Ave	Budget Clerk	$10,500.00 Yr.	Eff: 7-3-81

BURDETTE PARK

Karen Buedel	2645 Ravenswood Dr.	Ground Crew	$4.00 Hr.	Eff: 6-19-81
Bradley Volz	841 Wedeking Ave.	Ground Crew	$4.00 Hr.	Eff: 6-22-81
Donald DeWeese	818 Allens Lane	Ground Crew	$4.00 Hr.	Eff: 6-22-81
Patricia Gehlhausen	627-B S.Bennighof	Ground Crew	$4.00 Hr.	Eff: 6-22-81
Darren Blaylock	1413 South Ruston	Ground Crew	$4.00 Hr.	Eff: 6-22-81
Gregory Talley	525 N. Red Bank Road	Ground Crew	$4.00 Hr.	Eff: 6-26-81
Ricky Murray	3915 W. Maryland St.	Extra Guard	$3.25 Hr.	Eff: 6-23-81

RE: EMPLOYMENT CHANGES.....RELEASES

BURDETTE PARK

Robert Hart	1001 CrossGate Dr.	Asst. Manager	$14,231.00 Yr.	Eff: 6-24-81

CIRCUIT COURT

Lucille Smith	600 Cullen Ave	Budget Clerk	$10,000.00 Yr.	Eff: 7-2-81
Daniel J. Tuley	1524 S.St. James	Bailiff Int P/T	$3.35 Hr.	Eff: 6-1-81

COUNTY COMMISSIONERS

Margaret Meeks	4928 Conlin Ave.	Executive Assistant	$12,000.00 Yr.	Eff: 7-1-81
Mark T.Tuley	2805 Washington Ave.	Supt. of Co. Bldgs.	$15,579.00 Yr.	Eff: 7-1-81

VETERANS SERVICE OFFICER

Stacy Phillips	745 Royal Ave.	Clerk/Secretary	$ 9,160.00 Yr.	Eff: 7-10-81

VANDERBURGH COUNTY CIRCUIT COURT...BAIL BOND COMMISSION

Joe Adams	3517 Wansford Rd.	Bail Commissioner	$13,472.05 Yr.	Eff: 7-1-81
Terri Lynn Golding	1210 S. Vann Ave.	Court Reporter	$13,000.00 Yr.	Eff: 7-2-81
Linda F. Sumner	1235 E. Indiana St.	Court Reporter	$13,000.00 Yr.	Eff: 7-2-81

RE: SAFETY DEPOSIT BOX

President Willner said the Commissioners met at 11:00 a.m. today at National City Bank and brought the file drawers to the County Aduitor's office and forced them opened and Mrs. Mc Bride has a list of what was in them.

Mrs. McBride said it was all micro-film and the following is a list of what was found in them.

1. Official Survey of Vanderburgh County by Jacob Fowler in 1806
2. Birth Records
3. Marriage Records
4. Transcript Dockets
5. Judgement Dockets
6. Commissioners Records
7. Superior and Circurt Order Books
8. Will Records
9. A lot of books from the Recorders office with no dates whatsoever on them.

Mrs. McBride said there was one micro-film box that had the name of John Franke on them and in searching the records back she found that Mr. Franke was the County Recorder in the years 1959 and 1960.

President WIllner said we must decide now if these records must be kept any place other then the County Court House.

Commissioner Cox said she does not know what size the micro-film is, and whether or not it can be viewed, that there should be another copy of these records somewhere. The original books may still be available also and if they are in good condition she would recommend we store them according to the statute on micro-filming.

President Willner said we need to know if the statute is still in effect that requires us to store these records off premises, because we may have to take these back to a bank.

Commissioner Cox said she wonders if this film will fit the viewer at the County Recorder's office, because we do need to look at them and if Mrs. Moss is storing her micro-filming records, then perhaps we could store these in the same off-premises area that she is storin her's in, because that way they would all be together.

President Willner wondered if the safe in the Surveyor's office is fire proof.

Commissioner Cox said there is a walk in safe in the main Clerk's office, one in the Misdemeanor and Traffic Department and also in the County Treasurer's office, but she isn't so sure about any of them being fire proof.

Commissioner Cox consented to writing a letter to the State Office of Records to get their in-put in this matter and report her findings back to the board.

There being no further business the meeting adjourned at 3:45 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard "Rick" Borries Shirley Jean Cox	Alice McBride	David Miller
SECRETARY:	Janice Decker		

Robert D. Willner
Richard Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JULY 6, 1981

The meeting of the County Commissioners was held on Monday, July 6, 1981, at 2:30 p.m. in the Commissioners Hearing Room.

This being the first meeting of the month, the meeting was officially opened by Deputy Sheriff Pete Swaim.

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

RE: BID OPENING

Commissioner Borries moved that the County Attorney be authorized to proceed with the opening of the bids on projects on Cypress-Dale Road Bridge and Schmuck Road Bridge. Commissioner Cox seconded the motion. So ordered.

RE: BARBARA CUNNINGHAM....AREA PLAN COMMISSION...PERMIT PROCESS BOOK

Ms. Cunningham, Director of the Area Plan Commission was present and stated she would like to distribute to each of the Commissioners a Permit Process Book, a book which they are very happy to have, that it has been requested by the community to be allowed to cut through the red tape. It shows everyone what meetings they should attend and all the processes they must go through to get property rezoned. They feel this will be used very extensively by the community. She said there will be a $6.00 charge for this book, so that it will cover the cost of printing. They would also like to put some copies in the library so that they will be available to the community when visiting our libraries.

President Willner thanked Ms. Cunningham for appearing before them today and said this is a long time needed process for individuals who do not or cannot hire an attorney when they try for a rezoning.

Ms. Cunningham said she will present this same book to the City Council at their meeting tonight, a copy will also go to the Mayor's Office and they will then determine where all other copies are to go to, where they will be most used.

Commissioner Cox said this is a nice piece of workmanship, that it is simple where people can understand the step by step process, that she feels it will be very helpful.

RE: CONRAD COOPER....AUDITORIUM

Resolution

Mr. Cooper said the Commissioners will find before them a Resolution, which was prepared by County Attorney David Miller, regarding a policy and fee schedule. It contains rehearsal rates and rain date fees at the Auditorium and Convention Center.
He would not ask the Commissioners to act on this today, but rather take it under advisement, study it and come back at a later meeting with an approval.

President Willner said we will study this for a week and next week Mr. Miller will be with us to answer any questions we might have on it.

The other two Commissioner agreed on this.

RE: DAVID SAVAGE...TRAFFIC ENGINEER

President Willner said the residents on Schenk Road would like to thank Mr. Savage for a fine job of striping done to their road, that they appreciated it very much.

RE: GENE KAUTZMAN.....COUNTY HIGHWAY

Weekly Absentee Report

Mr. Kautzman submitted the weekly absentee report on the employees at the County Garage for the week of 6-29-81 through 7-3-81.

Report received and filed.

Weekly Work Report

Mr. Kautzman submitted the weekly work report for the period of 6-29-81 through 7-2-81. (Friday was a Holiday)
Report received and filed.

Problem with 20 amp Radio

Mr. Kautzman said there is a matter that concerns him, concerning a radio they purchased earlier this year and they did not receive what they thought they were getting and what they paid for.
He said Mr. Evans of the City-County Purchasing Department put out the specifications for the radio and the specs called for a 25 amp radio, but what they got was a 20 amp radio. He feels this matter should be turned over to one of the County Attorney's for further action, that personally he thinks the company should refund our money or replace the radio with one that is 25 amp.
Mr. Kautzman gave all of the written data to Mr. Jones, for further correspondence on the matter.

President Willner instructed Mr. Jones to check it out and report back to this board.

Mr. Jones asked Mr. Kautzman if he had sent a written complaint to the radio company and he replied he had not and that he is not certain if Mr. Evans has or not, that Mr. Evans advised him to bring the matter before the Commissioners for further action by the County Attorney and Commissioners.

RE: BOB BRENNER.....COUNTY SURVEYOR

Bridge and Guardrail Report

Mr. David Guillaum submitted the bridge and guardrail report for the period of 6-29-81 through 7-2-81, and stated their crew has been on Woods Road, Pruitt Road. Buente Road and Martin Station Road for miscellaneous repair work.

Problem with Mr. Whitherspoon Property on Syls Drive

Mr. Guillaum said he has drafted a letter regarding the problem on Syls Drive between Mr. Whitherspoon and Mr. Williams, that was discussed last week. His secretary is now typing the letter and essentially it states all the facts on the matter and his secretary should have it down here for the Commissioners before this meeting is over.

Claim

Mr. Guillaum said he has a claim from Morley and Associates, Inc. in the amount of $9,697.58 and asked the Commissioners if they were aware of the bill.

President Willner said this is a revised statement on Burkhardt Road work.

County Auditor, Alice McBride said she is not certain if the money is available, that if it is not, they will hold it until it is.

Mr. Guillaum said he understands that after the last payment, the account ran dry.

Mrs. McBride said she will check it all out and let the Commissioners know the statis on it.

RE: COUNTY ATTORNEY

Law Suit...Charles R. and Nola Hille against Michael Linville and Five Deputy Sheriff's

Mr. David Jones said last week the matter of the Hille vs Five (5) deputy sheriff's suit was discussed somewhat and as far as we know, that is not covered by our insurance.

President Willner said we did discuss the matter but we did not charge an attorney with defending the deputies, which we will have to do.

Commissioner Borries moved the county attorney's be authorized to defend the five (5) deputies named in the Hille suit.
Commissioner Cox seconded the motion. So ordered.

RE: LETTER FROM PROSECUTOR JEFFERY LANTZ

President Willner read the following letter from Mr. Lantz, Prosecutor

RE: Move of IV-D Support Unit

Gentlemen and Mrs. Cox:

I wish to think Mr. Richard Borries and Mr. Mark Tuley for taking the time to inspect the space problems in this office with both the IV-D Support Unit and the Prosecutor, and looking at the proposed space to remedy this problem at 615 Main Street, owned by Mr. Chick Shively.

It is our desire to move the IV-D Support Unit to this space, which encompasses approximately 1800 square feet of space at the rental of $650.00 for the last four months of this year, 1981, and in 1982 the rent would be $700.00 per month. This quotation will include utilities.

It is our desire to be put on your agenda for the meeting of July 6, 1981, at 2:30 p.m. to answer any questions you might still have.

Thank you,
Jeffery Lantz, Prosecutor

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Mr. Lantz was present and stated that as he said in his letter they wish to move the IV-D Support Unit to 615 Main Street to help remedy the space problem they now have in the Prosecutor's office. He said in January 1982 they want to move the Career Criminal Prosecutor's Unit back into the main office, that it is now housed in the old Courts Building.
He said he has the money available to pay for the new facility for this year and he hopes to move into the Main Street building by September 1, 1981.
He said of the $700.00 per month rent starting next year, the state will reimburse the county some $5900.00 per year on it. The request has already been sent to the County Auditor for the rent in their 1982 requests.

President Willner asked about the telephone service to the new building and Nancy Hankins, who is in charge of the IV-D Program said they received some figures only about one half hour ago and they have not had time to study them but it looks like it will be about $700.00 for installation with a $30.00 per month charge, per line.

The Commissioner decided not to take any action on this matter today and asked Mr. Lantz to provide them with a lease contract for the new building.

RE: LETTER FROM SHERIFF DeGROOTE CONCERNING PARAMEDIC SERVICES

President Willner read the following letter from Sheriff DeGroote.

May this letter serve to establish both my professional as well as personal belief relative to continuing the Paramedic Service for those residents of Vanderburgh County living outside the city limits.
The Paramedic Service is a TOP priority, paralleling both Police and Fire Service.
With the availability of Paramedics, supplemented by EMT's from the Sheriff's Dept. and the Suburban Fire Depts., The Emergency Medical Service available to County residents is truly excellent.
Until such time as a dollar value can be placed on a human life, the cost of continuing the proven Paramedic operation should be of little significance to those charged with the responsibility of servicing, and protecting, the public.

Respectfully submitted,
James DeGroote, Sheriff

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Letter received and filed.

Commissioner Borries said he has talked to numerous people concerning this ambulance service discussed last week at our meeting and there are a lot of things to be considered.

He said he also contacted the State Emergency Medical Service regarding their suggestions as to what we should put into any bids before the county that we would consider.

RE: LETTER...HODGINI SCHOOL OF DANCE

President Willner read the following letter that was sent to Mr. Conrad Cooper at the Auditorium.

Dear Conrad,

We have never written a "thank you" to an auditorium manager before, but all of us at Hodgini's want to thank you for the assistance you gave us working our Dance Festival.

Your cooperation and willingness to help throughout rehearsals and the performance made our job easier and the show better. We thank you, commend the job you are doing at the Civic Center, and look forward to working with you again in the years to come.

Sincerely,
The Hodgini's
Al, Marian, Barry and Alicia

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Letter received and filed.

RE: LETTER FROM GOVERNOR ROBERT ORR

President Willner read the following letter received from Governor Robert Orr.

Mr. Willner,

On June 19, 1981, I declared a State of Agricultural Emergency for all 92 counties in the State of Indiana and, on the same date, requested that the U.S. Secretary of Agriculture declare Indiana farmers eligible for disaster-related assistance provided through the U.S. Department of Agriculture.

The Indiana office of the Agricultural Stabilization and Conservation Service made a survey which indicates that Indiana crop losses due to heavy rains or flooding may exceed a half billion dollars. Since the ASCS is still collecting data, farmers have been asked to contact county ASCS offices or Farmers Home Administration offices to report all crop losses and to obtain additional information on federal assistance available to farmers.

Hopefully, the Secretary will act expeditiously on my request, and low-interest emergency loans will be made available to Hoosier farmers.

Your letter advising me of the crop damages suffered in Vanderburgh County is appreciated.

Sincerely,
Robert D. Orr, Governor

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Letter received and filed.

RE: CONTRACT TO BE SIGNED FOR BOVINE BRUCELLOSIS

President Willner read the following letter received by the County Audtior along with the contract to be signed by the County Commissioners.

Dear County Auditor:

Please find enclosed the contracts for Bovine Brucellosis and Tuberculosis Eradication Programs in your county.

The contracts are in the amount of $1,000.00, which includes the Brucellosis and Tuberculosis Programs....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 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,
Dr. H.K. Foster, Director
Brucellosis Eradication Div.

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President Willner said we do this annually, that it comes under the County Commissioner's budget and must be approved by this board.

Commissioner Borries moved the contracts be approved and signed. Commissioner Cox seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted by Ed Lander and Bob Coleman, 1919 Sweetser Avenue, Evansville, Indiana for a dance held July 4-6, 1981, at the Auditorium.

Certificate received and filed.

RE: REQUEST TO TRAVEL....SHERIFF

President Willner read the following request to travel.

Gentlemen,

I do hereby request authorization to send Sgt. John Lancaster to the 1981 World Association of Document Examiners Seminar to be held in Chicage, Illinois, July 26 through August 2, 1981. Sufficient funding is available in the Training Account.

Respectfully submitted,
James DeGroote, Sheriff

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Commissioner Cox moved the request be granted. Commissioner Borries seconded the motion. So ordered.

RE: CHECK FOR RENT OF WEST HEIGHTS SCHOOL

President Willner said we have a check for the rental of West Heights School, in the amount of $1.00, from the School Corporation.

Commissioner Borries moved the check be endorsed by the Commissioners, and that it be given to the County Auditor to be put into the County General Fund. Commissioner Cox seconded the motion. So ordered.

RE: BIDS READ ALOUD BY COUNTY ATTORNEY

County attorney David Jones said the following is a list of bidders and the prices bid on 1. Cypress-Dale Road Bridge located over Cypress-Dale Creek 1.5 miles West of Seminary Road.

2. Schmuck Road Bridge located over Branch of Bayou Creek 0.2 miles South of Lower Mt. Vernon Road.

G.H. ALLEN, INCORPORATED

Cypress Dale.....$30,240.40
Schmuck Road.....$23,546.20

Discount if both are awarded, a total of $53,186.60.

DEIG BROTHERS LUMBER AND CONSTRUCTION CO, INC.

Cypress-Dale.....$22,850.00
Schmuck Road.....$18,647.50

Discount if both are awarded.....$41,300.00

RAY STRADTNER EXCAVATING, INC.

Cypress-Dale.....$27,478.50
Schmuck Road.....$27,985.00

Discount if both are awarded.....$54,000.00

He finds the bid of Ray Stradtner not to be proper because of a business check and not a certified or cashier's check enclosed and the non-collusion affidavit has a defective acknowledgement.

KEY CONSTRUCTION CO. INC.

Cypress-Dale.....$23,740.00
Schmuck Road.....$19,364.50

Discount if both are awarded.....$41,104.50

SOUTHWESTERN ENGINEERING, INC.

Cypress-Dale.....$31,286.50
Schmuck Road.....$25,893.75

Discount if both are awarded.....$57,180.25

Mr. Jones said other than Ray Stradtner's bid, all others are in proper order.

President Willner said if we allow both of them together it looks like Key Construction is low at $41,104.50.

Commissioner Borries moved that all bids be taken under advisement for one week at which time the Surveyor's office will come before us with a recommendation. Commissioner Cox seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Engineer Associates, Inc. for the engineering inspection of St. Joseph Avenue for the period of 6/2--6/26/81, in the amount of $4,385.80. Claim signed by Mr. Al Holtz.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates, Inc. for the engineering inspection of Lynch Road for the period of 6/2/--6/26/81, in the amount of $3,838.82. Claim signed by Mr. Al Holtz.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Benny Gossar for work done at the Coliseum "for the Daughters of Union Veterans", in the amount of $500.00.

President Willner said this money was bequeathed to the county by Elma Carla Basler to pay for the work done by Mr. Gossar.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by County Attorney David Jones for Litigation Expense. The claim covers payment for the month of June, 1981 and includes the following cases:

1. Vanderburgh County Jail Inmates v. DeGroote, et al.

2. Short v. DeGroote

3. Complete Lumber v. Commissioners

4. Henry W. Hunt v. Biederwolf, et al.

16.1 hours at $60.00 per hour.....$966.00

Commissioner Borries said Mr. Miller also presented us with a claim last week for his first six months payment for litigation expenses...which we did have to hold because the funds are not available in the account, that we may have to appear before county council for the money. He said they have already transferred some money, that there is enough to pay this claim but not enough to pay attorney Miller's claim

President Willner said then why don't we go ahead and approve this claim and hold the one belonging to Mr. Miller, that there is no since in holding both of them.

Commissioner Cox moved that Mr. Jones' claim be approved. Commissioner Borries seconded the motion. So ordered.

Attorney Jones said he had the Auditor to check with the Field Men on deposition expenses, that formally, the County Commissioners had a separate line item for depositions, and like litigation expenses, it is not there now. He wants to know if on deposition expenses, can each attorney pay the court reporters and then include that expense in the litigation expense, rather then having to have the court reporter who takes the deposition in a law suit come in and file a claim and wait three months for payment, otherwise he does not think the county attorneys are going to get depositions like all the other attorneys. He said as far as he knows there would be no problem with this, that there would be an attached invoice and all itemized.

Mrs. McBride said the County Council allowed $1,000.00 in the Deposition account for 1981, but it could all be gone by now.

Mr. Jones said he would get with Mrs. McBride and make sure that the money is available and if so, he will have the court reporter submit a claim.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

VANDERBURGH SUPERIOR COURT

Frederick E. Althaus	713 S.E. 2nd. St.	Bailiff	$10,675.00 Yr.	Eff:7-13-81

VETERANS SERVICE

Mary Goodman	2602 Forest Ave.	Clerk Typist	$9,160.00 Yr.	Eff:7-13-81

CLERK OF CIRCUIT AND SUPERIOR COURT

Beatrice Phillips	1132 Lohoff	Deputy Clerk	$350.95 Pay	Eff:7-3-81

RE: EMPLOYMENT CHANGES.....RELEASES

VANDERBURGH SUPERIOR COURT

Joseph C. O'Kane	Bailiff	$5,500.00-½ Yr.	Eff:7-2-81

VETERANS SERVICE

Mary Goodman	2602 Forest Ave.	Summer Emp.	$30.00 Day	Eff:7-10-81

CLERK OF CIRCUIT AND SUPERIOR COURTS

Deborah Mottley	1513 E. Illinois St.	Dep. Clerk	$350.95 Pay	Eff:7-3-81

RE: REQUEST FROM COMMISSIONER BORRIES TO ATTEND SEMINAR

Commissioner Borries said he would like to request mileage expenses to attend the Academy in Public Service seminar, July 9, 1981 at Spring Mill, Indiana. The topic is "Understanding Federal Grant Programs". He has not had the opportunity to attend any of these seminars, therefore he would like to attend this one.

Commissioner Cox moved the request be granted. President Willner seconded the motion. So ordered.

RE: APPOINTMENT OF PARK BOARD MEMBER

Commissioner Borries said he would like to nominate Mr. Richard L. Young for the Vanderburg County Park Board member to be appointed by the County Commissioners, that Mr. Phil Siegel resigned from that board to take a position on the Board of Public Safety.
Mr. Young lives at 2404 Lincoln Ave. in Evansville, Indiana and he is an attorney at law in the law firm of Hayes and Young, in Evansville. He has had extensive experience as a law clerk with the United States Department of Justice, and has been a staff assistant to the Democrat House and Senate Council.

Commissioner Cox moved the recommendation be approved. President Willner seconded the motion. So ordered.

RE: LAW LIBRARY

Commissioner Cox said at our meeting last week Ms. Shirley Roll, from the Law Library appeared before us with a plight for more funds for the Library, and at that meeting we decided to go before County Council with a $10,000.00 request. Since that time she has checked and the County General Fund does not have that much money, so she is asking at this time that we, the Commissioners, transfer $12,000.00 from account 130-595...School Tuition into account 130-371....Law Library Books. She said this will however, still have to be approved by the County Council at their next meeting, therefore, she would like to put this in the form of a motion.

Commissioner Borries said they have met with Ms. Roll and he and Mrs. Cox will soon be meeting with the Bar Association for their recommendations on proposed cuts for 1982, but he feels if our Law Library is to be maintained in the fashion it presently is then additional funds will have to be made available for the remainder of 1981, therefore he would second the motion made by Mrs. Cox for the $12,000.00 transfer. So ordered.

RE: SAFETY DEPOSIT BOX

County Auditor, Alice McBride said she has contacted the Library and they told her they do have a reader, and that any time we want to come over to view our micro-filming we obtained from the file drawers brought from National City Bank, all we have to do is call them ahead of time and tell them when we are coming.

Commissioner Cox said she has not yet written to the State Office of Records because she was a little confused as to what help they can give us, because she knows the Commission has not changed their rule and regulation concerning micr-film, that if you micro-film and destroy records you must keep two copies of the micro-film, therefore she needs to know if the original records that go along with these micro-films are still here.

Mrs. Meeks, the Commissioners secretary said in talking to Mr. Gil Ruston, he assured her these records are presently in the Courts Building.

Commissioner Cox said to let her continue to work on this matter and she has also talked to Helen Kuebler concerning the mailing machine in the Treasurer's office, that maybe she can use it.

There being no further business the meeting recessed at 3:30 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard "Rick" Borries Shirley Jean Cox	Alice McBride	David Jones
SECRETARY:	Janice Decker		

Robert D. Willner
Richard "Rick" Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JULY 13, 1981

The meeting of the County Commissioners was held on Monday, July 13, 1981, at 2:30 P.M. in the Commissioners Hearing Room.

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

RE: MR. BILL SHEARS OF GREEK-SHEARS MORTUARY

Mr. Bill Shears from Greek-Shears Mortuary was present and stated that on June 29th a gentleman by the name of Robert Lee Wright died at a Sunoco Station on Highway 41 North, in Scott Township, or perhaps he should say Mr. Wright underwent a heart attack there, and the Scott Township volunteer fire department was called to the scene, they administered CPR and informed a local Evansville ambulance crew to take him from there to Deaconess Hospital, and he was alive when put into the ambulance and he was pronounced dead on arrival at Deaconess Hospital, in Pigeon Township. This gentleman was a vagrant, he had no money, no family or relatives that they have been able to assertain. It is his understanding the townships make provisions for burial expenses when a situation like this occurs. They, being ordered by the Coroner, took the body from Deaconess to their place to have the embalming and the autopsy performed. They then notified Pigeon Township and were told that it is where the person was last alive, or where he was transported from, which in this case, it was Scott Township, but Scott Township told us that it is where the person died, which was in Pigeon Township, so before running any place else, he needs for the Commissioners or the County Attorney to give him a ruling as to who is liable for the cost of the burial expenses. He said their expenses are in the amount of $600.00, that they held the man for eight days and then cremated him, which was the least expensive way of disposal, that they then transported him to the Owensboro crematory, which is the closest one around here. The gentleman was approximately 55 years of age and he lived in his car. One of their representatives went to Lake View Truck Stop, where the car was towed and it is not worth probably more than $100.00. He said the ambulance transporting the man was from Alexander's and he has no idea what their cost will be. At this time Mr. Shears gave the Commissioners an itemized list of expenses.

President Willner said the county attorney will check the matter out and inform them who is liable for payment.

County Attorney David Miller said the gentleman died in Pigeon Township, therefore they are the ones liable for payment, not Scott Twonship.

RE: POOR RELIEF...CARL BRUNER

Mr. Carl Bruner was present and told the Commissioners he is requesting a non-food order, that he has received one each month since September and they told him they cannot give him another one because he has cable television at his house. He said he is totally disabled with high blood pressure and constant headaches and that he has a letter stating so from Doctor Burg at Welborn Clinic. He lives at 620 E. Michigan Street which he rents for $125.00 per month, that his gas bill usually runs about $75.00 per month and his water about $20.00 per month. He lives with his wife and four children, ages 10 years, 8 years, 3 years and 16 months old, and they do receive ADC on them. His parents are divorced, but both still live in Vanderburgh County. He said he filed for his Social Security in March but it has not gone through yet.

President Willner asked what exactly was Mr. Bruner applying for and he replied a $12.00 per month non-food order.

President Willner asked Mr. Bruner if he would be willing to give up the cable television in order to receive the non-food order and he replied that he does not watch it very much but that his wife and children certainly enjoy it a lot, so he would really hate to have to give it up.

Mrs. Dorothea MacGregor, Pigeon Township Trustee was present and stated that they like all other offices are running out of money and a couple of months ago they ruled that they can no longer give people a non-food order if they have Cable T.V. and HBO, that she feels this is a luxury they can do without, that if they can afford those luxuries then they do not need a non-food order and she can take that money and apply it where it is needed for medical help.

President Willner said he believes Mrs. MacGregor rule is reasonable, and that it also applies to persons with dual phones.

Commissioner Borries moved that Mr. Bruner's request for a non-food order be denied unless he is willing to give up cable T.V.
President Willner seconded the motion. So ordered.

RE: MR. JOHN STASER...CONCERNING MANN ROAD

Attorney John Staser said he is present in behalf of Mr. Harold Hartman, Mr. Ermal Boren and Mr. Cletus Bittner concerning the vacation of Mann Road. All three of these persons were present to remonstrate against the vacation the night of the hearing and since that time they have asked his law firm to review the vacation, the petition and the procedure that was followed at that time, that they are interested in overturning the decision to vacate that portion of Mann Road between Bixler and Montgomery Roads. He would ask that the Commissioners, in order to avoid litigation rescind their previous action, that he feels after reveiwing the petition and the procedure followed that there are certain statutorial defects and procedures that should have been followed, which were not. He said their time limit for filing a court action in July 15th and that is why he is here today. He said to rescind previous action would give people effected a chance to be heard again on this matter, that they did have the opportunity once before but they were not versed on their rights on what they were entitled to when they appeared before this commission.

County Attorney David Miller asked Mr. Staser if it is his position that the statute with respect to the vacation of the public roads were not followed and Mr. Staser said yes, in some respects, that first they feel there was a denial of due process in that the notice that was sent to the people effected by this vacation were not specifically informed of what rights they were entitled to, for example, the notice did not advise them that they were entitled to monetary damages and secondly, when the people appeared before this commission there were remonstrances that were before the commissioners and by statute if there were remonstrances, then this board has a duty to appoint viewers to review those remonstrators, and this was not done. Also, many of the people that were involved in this have informed him that when the original (not the legal petition) petition was drawn up, they were advised the reason for the petition was to prevent the county from acquiring a portion of the petitioners real estate, that they were not advised the petition was for the purpose of vacating a portion of the road. They thought it was for something different and that is why they signed the petition at that time. Also, they feel that if the petition is not set aside, there are going to be other law suits resulting from this because of damage that is going to be done to property owners as a result of diversion water streams, etc., which of course is a private matter.
Mr. Staser said also in reviewing the reports of the viewers, some of the appointed viewers relied upon statements made by the petitioner and his wife in making their findings and he does not think this was proper, that they should have taken other things into consideration.

Mr. Les Shively, attorney for the petitioner, was present and said he would like to thank Commissioner Cox for contacting Mr. Adler and telling him this matter was to be discussed at today's meeting, that if she had not, he would not have known about it either.

Commissioner Cox said she would clarify that, that she did not contact Mr. Adler, that Mr. Adler had contacted her, telling her he thought it was to be discussed today.

Mr. Shively said the statutory provisions were substantially followed in this matter. He said the petition was very clear on it's face...in fact a new petition was re-drafted so that there would be no mis-understanding as to the purpose of this petition. He said this petition was circulated in April,1981 and the hearing was put off until the evening of June 15, 1981, at which time many people attended the meeting and all sorts of things were discussed related and un-related to this subject. There is a seven page transcript of the minutes of that meeting which makes it very clear. The remonstrators were heard and their concerns were brought before this commission. He said his client, Mr. Adler and the other persons that signed that petition merely brought before this legislative body the opportunity to negate the necessity of a $150,000.00 expenditure, a burden on the entire taxpayers of Vanderburgh County for the personal convenience of a select few. Anyone that viewed this road could clearly see it was a road that went nowhere.
He said the law suits that Mr. Staser talked about would be private suits and would not involve the county and as far as the water flow, he is sure Mr. Adler would continue to be a good neighbor and work with everyone before he would do any major construtions.

He feels it would be inappropriate for the petition in this matter to be rescinded, that everyone had ample opportunity to be heard on this matter and he feels there has to be a finality at some point and time.

President Willner asked that under the vacation act, is the petitioner required to notify the adjoining property owners.

Mr. Miller said he is not sure without checking the statutes, but he would say yes, they should be notified.

President Willner asked if Mr. Boren received a notification.

Mr. Staser said without checking further, he cannot say for sure.

Mr. Miller said we have in the Commissioner's files, some 12 or 13 certified mail return receipts from the mailings that were made by Mr. Shively.
It would be his opinion that the statute was followed in all respects, to this point. He would have to agree with Mr. Shively that there was a complete and wide open discussion of all sides of the issue on that evening.

Mr. Staser said these people are not so much interested in damages as they are trying to keep the road open. They do not feel that all twelve people who signed that petition knew what they were signing for, and that is, to vacate the road, and that is why they are requesting a new hearing on it.

Mr. Shively said if the Commissioners should decide to rescind the ordinance and hold another hearing then who will bear the cost of preparing the notices and mailing them out to the property owners, that will those once again be borne by the petitioner.

President Willner said we will discuss that after we see if the motion passes or fails.

Commissioner Cox asked if any sort of a motion has to be made.

Attorney Miller said he does not think it would be harmful to have a motion one way or the other, in light of the matter having been placed on the agenda at the request of Mr. Staser. He said if it is the consensus of the Commissioners that the matter should be left to stand as determined on June 15, 1981, then a simple motion to that effect is not out of order.

Commissioner Cox asked if the motion should be in the positive or the negative.

Mr. Miller said the motion should be that the request by Mr. Staser, on behalf of certain clients to reopen the Mann Road vacation matter, should be denied, if this is the feeling of the Commissioners. The motion was clearly approved on the night of June 15th and he does not think that a negative motion would be harmful or confusing at this time.

Commissioner Cox moved that the request to ask the Commissioners to rescind the previous action taken on the vacation of a portion of Mann Road and to hold a new hearing. be approved.

President Willner seconded the motion which failed with the following roll call vote.

Commissioner Cox.....No
Commissioner Borries.....No
President Willner.....Yes.

RE: AWARDING OF BIDS ON CYPRESS-DALE BRIDGE AND SCHMUCK ROAD BRIDGE

Mr. David Guillaum, representing the County Surveyors was present and said after studying the bids, his office would recommend that both bids be let to the lowest combined bidder who is Key Construction.

Commissioner Borries moved that Key Construction be awarded both of the bids for repair of bridges on Cypress-Dale Road and Schmuck Road, in the total amount of $41,104.50. Commissioner Cox seconded the motion. So ordered.

RE: MARK TULEY.....SUPERINTENDENT OF COUNTY BUILDINGS

Repairs to Hillcrest Home

Mr. Tuley said they should wrap up the ceiling repair at Hillcrest this week and then they have some other painting, etc. to do out there, but they are on schedule and should be done out there by the end of the month.

Electrical Outlets and Phones Moved in the Auditor's Office

Mr. Tuley said in discussing the matter with Mr. Ruston of the Building Authority, we have been trying to do away with the use of extension cords in the various offices, that they have been causing some problems in different areas.
He said in re-arranging the office somewhat, they also need to have two phones moved, to meet their needs.
He said Mrs. McBride does not have the money in her budget to do this, that it would have to come from his budget.

President Willner read the following letter:

Board Members:

In order to comply with the recent request from the Building Authority we are compelled to relocate existing electrical outlets and install additional outlets to eliminate the use of extension cords. At this same time we would like to relocate two telephone outlets. The cost of installing the outlets and preparing for Indiana Bell to relocate the telephone has been estimated at $425.00 by Mr. Gil Ruston ($65.00 X 5 outlets = $325.00 plus $50.00 X 2 phones = $100.00)

We respectfully request your permission to proceed.

Barry Heathcotte,
Deputy Auditor

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Commissioner Cox said we have been receiving so many of these requests and she does not believe it is very good public relations for the Building Authority to come in the middle of a budget year and say these things should be done, that she feels the Auditor should have received some sort of a notice, at budget time. Also she feels that $100.00 to move two telephone outlets is extremely high.

Mr. Tuley said he thinks the concern of the Building Authority was for the electrical outlets, as far as it being a fire hazard, and unfortunately the Auditor's office happens to be one of the worse.

Mr. Miller said since becoming County Attorney he has not seen the lease between the county and the Building Authority, but we could look and see if possibly the Building Authority could be charged with some of that responsibility.

Mr. Tuley said he understands the Building Authority is responsible for only the initial set-up and after that it is the responsibility of the county.

Mrs. McBride said she wants it clear the Building Authority wants the electrical outlets changed but that the phone change request is because she moved a desk in the office which resulted in the changing of two phones.

President Willner said there is to be a move by the Commissioners to revamp our whole telephone system and he asked Mrs. McBride if this request could be held for awhile to see what can be done.

This was agreeable with Mrs. McBride.

RE: AUDITORIUM.....CONRAD COOPER

Resolution Concerning Fee Schedule

President Willner said we have a Resolution before us concerning the Rehearsals and Rain Date fees at the Auditorium, as prepared by the County Attorney, but attached to the Resolution was a Certificate of Executive Secretary that should read Certificate of County Auditor.

Attorney Miller said he sees no reason to defer this Resolution, that the Commissioners can approve it subject to the Certificate being changed and Mrs. Meeks can then correct it and have the Auditor sign it in it's proper place.

Commissioner Borries moved that the Resolution of the Board of Commissioner of the County of Vanderburgh RE: Audtiorium and Convention Center, be approved as amended to read "Certificate of County Auditor" instead of "Certificate of Executive Secretary"

Commissioner Cox seconded the motion which carried with three affirmative votes.

RE: JESSE CROOKS.....BUILDING COMMISSIONER

Annual Report from National Flood Insurance Program

Mr. Crooks presented the Commissioners with a copy of an annual report for 1981 from the National Flood Insurance Program, that we get one of these every year and we have to update it and send it back to them, so he wants the Commissioners to have a copy of it for the records.

Report received and filed.

Problems with Weeds in the County

Mr. Crooks said they are having some weed problems at the following locations:

11706 and 11600 Park Road. These lots are not in a good location, but still, they do have severe weed problems. He said the lady at 11706 requested we give her a month to cut the weeds down and then two months to haul the trash off, so he needs to know if the Commissioners want to accept that time table.

This was agreeable to the Commissioners.

He said the one at 11600 Park Road is not only a weed problem, but also a health problem. The house is all open and not livable. The owner of the house is in the army and they are trying to locate him, but without his social security number they can't find him. He showed the commissioners pictures of the lot and said this was taken about two months ago so the weeds are even higher now. The windows are all out of the building.

President Willner wondered if the taxes are paid on it and where the tax statement is sent to.

Mr. Crooks said the house belongs to J.W. Eaton and the taxes are sent to the 11600 address. He said he would continue to check on this and try to contact the owner, but he needs to know if the Commissioner's want him to go ahead and mow the weeds or not.

President Willner said lets try to get his Social Security number through the Sheriff's Department if he has a driver's license and if we can't then we will make a decision on mowing the weeds.

Bohanan Estates. Mr. Crooks said out of the whole batch out there only one lot has been mowed. He personally talked to Bruce Biggerstaff and between him and his secretary nodding their heads that they would get it done, nothing has been done, to date.

Commissioner Cox asked how long this has been going on and he replied about a month.

Attorney Miller asked if these are in the name of Bruce Biggerstaff?

Mr. Crooks said they are in the name of James H. Biggerstaff, but really, it's Bruce. He said they can send another letter to them and tell them if it is not mowed in one week, then we will do it and they will be billed.

The Commissioners were all agreeable to this.

Rode Road. Mr. Crooks said this one on Rode Road is just off of Oak Hill Road. He had a complaint on this lot, that it looks like this every year.

President Willner asked what we did with it last year and Mr. Crooks replied he does not remember, but it seems to him like we did mow it.

President Willner said to check it out and if we mowed it last year to go ahead and mow it this year.

RE: DAVID SAVAGE.....TRAFFIC ENGINEER

Problem with road at 7206 Darmstadt

Mr. Savage said that Mr. Peerman at 7206 Darmstadt Road called him and another person has run off of the road close to his house, where we earlier discussed putting a white line along the edge. He intended to wait later in the season to see where we stand on the striping and he told Mr. Peerman that if the commissioners want him to, he will go ahead and stripe it now. The only problem he can see in doing that small portion is that people may see it and want it done all the way out, so he is really hesitant to stripe only 500 feet. Mr. Peerman said some of the people involved in the accident ran away but those that stayed were taken to the county jail because they were not in control of themselves, so he does not know if an edge line will change the situation, but he is willing to do it if the commissioners want it done. He said guardrail has also been memtioned by someone.

Commissioner Borries said the sign installed out there certainly did not help, so what would your opinion be on guardrail.

Mr. Savage said the guardrail would help Mr. Peerman but it wouldn't help the driver of the vehicles, so you might would want to get a legal opinion on putting up the guardrail.

President Willner said he would suggest he do some landscaping to side track the vehicles before they get to his house, because guardrail is not the answer, but if we stripe it, lets do the whole road.

Striping of County Roads

Mr. Savage said he and Mr.Kautzman have met and discussed the striping of various roads. He said the Traffic Engineering budget stands as now at approximately $373,000.00 and it may be increased to provide for additional striping and to provide funds for the area wide signaling project, to approximately $404,000.00, but this has not had council approval yet on it. He and Gene have looked at the dollar figure approved in the commissioners budget and as far as expending those dollars it looks like we will come up short somewhat of being able to cover all county roads with paint. He would like to know if the county would like to draw up some sort of list of the roads they want done first or should he and Gene get together and work very closely on it and when they get to the point to where they have only twenty five or thirty miles left to go, to advise the commissioners and work it out from there.

Commissioner Cox asked Mr. Savage if he has any kind of a priority list made up and he replied they have a list they made up of the county roads and their mileage and we can get from that about how much paint it will take and we also have some notes as to their conditions, so we would start in with the worst roads.

President Willner said if possible he would like for Mr. Savage to save enough in his budget for signing for the remainder of this year and then do the striping with the money that is left, so continue working with Mr. Kautzman on it, but be sure and hold back for signing.

Mr. Savage said he understands the county has a road inspector that checks signs.

President Willner said no, not signs, just road conditions.

RE: GENE KAUTZMAN.....COUNTY HIGHWAY

Weekly Absentee Report

Mr. Kautzman submitted the weekly absentee report of the employees at the county garage for the period of 7-6-81 thru 7-10-81.

Report received and filed.

Weekly Work Report

Mr. Kautzman submitted the weekly work report of the employees at the county garage for the period of 7-6-81 thru 7-10-81.

Report received and filed.

Wedeking Road

President Willner asked Mr. Kautzman how the work was coming on Wedeking and he replied it's coming pretty good, that when they started out they were digging about seven feet and now they are down to digging four feet deep, so the project will speed up now that we are through the deepest part.

Burkhardt Closing

Mr. Kautzman said they may close Burkhardt Road next week and if so they will contact the media and let them know we are going to start piping it.

Mowing Equipment

Commissioner Borries asked Mr. Kautzman how the equipment is holding up on the mowing and he replied they have had a lot of problems, that Monday and Tuesday they were not able to do any mowing. Any time you run cycle bars you are going to have damage done to them, but he is pleased with the repair work that was done on them this week.

RE: BOB BRENNER....COUNTY SURVEYOR

Bridge and Guardrail Report

Mr. David Guillaum submitted the bridge and guardrail report for the period of 7-6-81 thru 7-10-81 and stated they spent more time on Bartel Road then any other location and as of today they got Mr. Kautzman's crew out there and got it paved, they extended the pipes out there and for the most part they are finished and they think the people out there are satisfied with the work.

Claim

A claim was submitted for Ray Stradtner Excavating for work done on Seven Hills, that it is estimate #1.....Less 10% retainage, in the amount of $7,037.37. Claim signed by David Guillaum.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

RE: COUNTY ATTORNEY

Law Suit...Charles R. and Nola Hille VS Michael Linville & Five Deputy Sheriffs

Attorney David Miller read the following letter:

Dear Commissioners: July 13, 1981

I recently reported to you that Great Southwest Fire and Casualty Company had consented to assume the defense cost in the case of Hille vs. several Vanderburgh County Deputy Sheriffs. I just received a telephone call from the company withdrawing that commitment because their policy only came into effect April 1, 1981. I am unaware of a previous policy carried by the county. It, therefore, appears that the county must determine whether it will bear the cost of defending these officers who have been sued personally for actions taken in the course of their duties. I believe this matter should be thoroughly discussed by the Commissioners and a decision made quickly since we have initiated a substantial defense program for your case, and further because the deputies should be notified and given the opportunity to obtain individual counsel if you elect not to provide the cost of defense.

Very truly yours.
David V. Miller

****

Mr. Miller said this incident occured in June 1979 and he has conducted an initial investigation into the matter and there is absolutely no question that all of the officers named as defendants were acting in the course of their duties, that there is a good and substantial defense that can be interposed on behalf of the officers based upon his initial investigation. He has been told, but is not personally aware, that there has been previously passed an ordinance or a resolution by the County Commissioners whereby

they agreed that the county should assume the cost of defending county peace officers who are sued for actions taken in the line of duty, but in any event, five deputy sheriffs have been named defendants and why the county was not named a defendant is because the county was not put on notice under the required statute requiring notice within six months of the event. The Commissioners will have to make the decision as to whether or not you want us to proceed, at county expense, to defend the officers, in view of the insurance company's position.

President Willner said the Commissioners did approve a resolution or an ordinance to provide legal services for officers or anyone else doing a job for the county, so he personally feels we should provide that defense, however, he isn't sure about it being retroactive to when the event occured.

Mr. Miller said the event occured June 26 or 27, 1979 and the action itself was filed about three or four days before the statute of limitations ran out.

President Willner said he thinks we have no choice but to defend them.

Commissioner Cox said she agrees and would offer a motion the county attorneys defend the five deputy sheriffs, notwithstanding the absense of the financial support of the insurance company. Commissioner Borries seconded the motion which carried with three affirmative votes.

Animal Control Ordinance

Mr. Miller said a couple of weeks ago we were given a copy of the Animal Control Ordinance and he was asked to give an analysis of the applicability and advisibility to a county setting. He, along with one of his associates, has made a very preliminary analysis and he has a memo he would like to circulate among the Commissioners at this time. He said some of the provisions in a city ordinance may be in-appropriate in a more rural setting. After the Commissioners study the notes the Ordinance can be re-drafted to make it more applicable for rural usage.

President Willner said they will take this under advisement and come back with it at a later date.

RE: REQUEST FOR ORAL ARGUMENT...SOUTHERN R.R.

Attorney Miller said his office requested the oral argument of the Southern Railway vs County Commissioners, and in all likelyhood it will be heard in Indianapolis, that he will keep the Commissioners versed on it.

RE: MAINTENANCE AGREEMENT.....XEROX CORP

President Willner said we have a Maintenance agreement from Xerox Corp for machine #3107 in the amount of $82.00 per month and machine #5600 in the amount of $220.00 per month. Both of these machines are in the County Auditor's office for county use.

Commissioner Borries moved the maintenance agreement be approved. Commissioners Cox seconded the motion. So ordered.

RE: LETTER FROM CLERK OF CIRCUIT AND SUPERIOR COURTS ON BASEMENT STORAGE

President Willner read the following letter:

To Board of County Commissioners: June 25, 1981

On March 23, 1981, we were given a directive not to take any files, boxes, etc., to the basement storage room, until further notice.

As of today, June 25, 1981, we have not heard from you. However, our office in in dire need of many files being sent to the basement.

At our June 9 meeting of Commission on Public Records, the Recorder's office and the County Clerk's office were the only two with requests to destroy records. There are some things in the basement that we could have eliminated. Be that as it may - I still desperately need to clean our office of unused files.

I sincerely request, as public as our office is, that I be allowed to take these unused files to the basement storage.

Thank you,
Helen L. Kuebler, Clerk

Commissioner Cox said about three months ago they asked all of the officeholders to go to the basement and get there own storage area straightened out, but to date nothing has been done and she does not know what the answer is, but you cannot do any reorganization down there until all the trash is hauled out, that does not have to be kept.

Commissioner Cox moved that Mrs. Kuebler be given permission to move her most needed files into the basement. Commissioner Borries seconded the motion. So ordered.

RE: MONTHLY REPORTS

The monthly report of the Clerk of the Circuit Court was submitted for the month of June.

The monthly report of the County Treasurer was submitted for the month of May.

Both reports ordered received and filed.

RE: STATEMENT FROM BOBBS MERRILL CO. ON PAST DUE ACCOUNT

President Willner said we have a statement on a past due account from the Bobbs Merrill Company for books for the Law Library, but on some of them it says the City of Evansville so it could be for the City Attorney. He gave the statement to his secretary, Mrs. Meeks and instructed her to check it out.

RE: CLAIMS

A claim was submitted by Indiana Bell Telephone Company for installation charge for Data Phone Service in Computer Room - 200 B Courts Building....$540.50
and charge for Data Phone Service from 5-21-81 to 5-31-81, as per approval of Commissioners on 1-12-81.....$135.00.

Total amount of claim.....$675.50

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Morley and Associates, Inc. for the Burkhardt Road improvement in the amount of $9,697.58, that the state order hasn't been received on it yet but we can go ahead and approve it and the Auditor will hold it until the money is approved.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

SURVEYOR

Dan G. Hartman	722 College Highway	Hwy. Engineer	$25,194.00 Yr.	Eff: 7-7-81

CLERK OF CIRCUIT COURT AND SUPERIOR COURT

Lee M. Crow	R.R. 6 Box 9	M & T Deputy Clerk	$350.95	Eff: 7-9-81

COUNTY BOARD OF REVIEW

La Tosha Anne Pitt	1119 E. Blackford St.	Clerk-Typist	$30.00 Day	Eff: 7-13-81

AREA PLAN COMMISSION

Nancy Hill	1643 C. John Street	Planner	$11,000.00 Yr.	Eff: 7-13-81

COUNTY ASSESSOR

Monica E. Mendrup	2105 Hercules	Real Estate Deputy	$12,437.00 Yr.	Eff: 7-3-81

EMPLOYMENT CHANGES....CONTINUED

BURDETTE PARK

Amy Oberhausen	6118 Hogue Road	Extra Guard	$3.25 Hour	Eff: 6-25-81
Perry Gostley	R.R. 1 Box 40	Extra Guard	$3.25 Hour	Eff: 6-27-81
Michael Gerard	7601 Hogue Road	Extra Guard	$3.25 Hour	Eff: 7-2-81
Robert Bishop	6121 Lake Shore Dr.	Ground Crew	$4.00 Hour	Eff: 7-6-81
William Roland	645 Madison Ave.	Security	$9.00 Hour	Eff: 7-4-81
Ed Williams	319 B. Chandler Ave.	Security	$9.00 Hour	Eff: 7-4-81
Ova Stanbush	617 Taylor Ave.	Security	$9.00 Hour	Eff: 7-4-81

EMPLOYMENT CHANGES.....RELEASES

COUNTY ASSESSOR

Monica E. Mindrup	2105 Hercules Ave.	Inh. Tax Deputy	$10,282.00 Yr.	Eff: 7-2-81

AREA PLAN COMMISSION

Joseph Storey	1270 Hatfield Dr.	Planner	$12,500.00 Yr.	Eff: 7-13-81
Nancy Hill	1643 C. John St.	Intern	$55.00 Weekly	Eff: 7-13-81

COUNTY BOARD OF REVIEW

Martha Scheessele	2169 S.E. Blvd.	Clerk-Typist	$30.00 Day	Eff: 7-8-81

CLERK OF CIRCUIT AND SUPERIOR COURTS

Paula Buickel	2117 E. Florida	M & T Dep. Clerk	$350.95	Eff: 7-9-81

SURVEYOR

Dan G. Hartman	722 Collage Highway	Bridge Ingineer	$25,194.00 Yr.	Eff: 7-7-81

PROSECUTOR

James Schreiber	5800 Spring Park Dr.	Intern	$6.00 Hour	Eff: 6-30-

RE: APPOINTMENT TO THE AIRPORT AUTHORITY

President Willner said the Commissioners must make an appointment to the Airport Authority Board and he would like to place in nomination the name of Jack H. Kinkle, 221 South Alvord, Evansville, Indiana. Mr. Kinkle is a licensed architect and is licensed to practice in the States of Indiana and Kentucky, is employed at Jack R. Kinkle and Sons Architects at 320 Northwest Seventh Street, Evansville, Indiana. He is married and has three children. University of Evansville, graduated and University of Kentucky, Architectual Department Post Graduate, 2 years. Mr. Kinkle will replace W.C. Bussing on the Board.

Commissioner Borries seconded the nomination. So ordered.

RE: COUNTY ATTORNEY

Attorney David Miller said there has arisen in the past week or so a situation in which Ms. Zerita Hardin, an employee in the County Assessor's office called him and indicated there is an appraisers report that she has filed in an estate that is pending in the probate office and the attorneys for the estate filed exceptions to it and that is an unusual occurance. She contacted him about it and wants the county attorneys to represent the county assessor at that particular hearing, which is the initial hearing to defend the appraiser's report. He said after discussing the matter with county attorney David Jones, he expressed that it has been the policy of the county commissioners to only allow it's attorney's to represent other elected officeholders after notifying the Commissioners and getting specific authority from them. He wants the Commissioners to be aware of this and he will do whatever the Commissioners instruct him to do in the matter.

President Willner said he too talked to Ms. Hardin and eventhough he feels it is not good practice, he thinks we do not have any other choice in this matter, that the other side is going to be represented by counsel, so he thinks we must defend her.

Commissioner Cox asked if Ms. Hardin was made a party to the suit or was the County Assessor.

Mr. Miller said it is not really a suit, that it is a pending estate that is open in the Vanderburgh Superior Court. Ms. Hardin is involved because she has the responsibility for that portion of the County Assessor's day to day operation.

Commissioner Cox asked Mr. Miller if he would do this in line with his salary as County Attorney or would there be an additional fee.

Mr. Miller said initially, he believes it would be a part of his salary as county attorney, unless it should get into a day long hearing, and he would then let the Commissioners know .

Commissioner Borries said he would like to state that he has been very pleased with the quality of legal assistance we have had from both Mr. Miller and Mr. Jones and he feels that such requests as this should come before the Commissioners, so that our county attorneys time will not be burdened down with many things that are unreasonable, therefore he would move that all county departmentholders and departmentheads ask the Commissioners for legal representation from the County Attorneys when needed, and not go directly to the County Attorney. Commissioner Cox seconded the motion. So ordered.

Commissioner Cox moved that the county attorneys be instructed to represent the County Assessor's Deputy, Ms. Zerita Hardin in her hearing. Commissioner Borries seconded the motion. So ordered.

RE: APPOINTMENT TO S.W. MENTAL HEALTH CENTER

President Willner said he would like to nominate Mr. Richard "Rick" Borries to serve on the S.W. Mental Health Board for one year. Commissioner Cox seconded the motion. So ordered.

RE: LYNCH ROAD

President Willner said the Commissioners met at the site of the L & N Railroad crossing on Lynch Road this morning, along with the State of Indiana and the R.R. officials. He said the spur for the Creasey Company is in the far right hand lane, west bound and there is a separation of six inches between track and approaches and the Commissioners are in agreement that if a bicycle or motorcycle or small automobile changing lanes at this particular spot could drop into this and cause an accident and may or may not cause the county some liability, but regardless if the county is or is not liable the Commissioners do not want to see this hazard exist on any road and we have decided to take steps even if we have to ask the state and federal government to participate in adding new track across Lynch Road. We do not think that is a good solution but the railroad said it is the only one. We would like to see the switching to Creasey Company changed so that it would be out of our roadway at a curvature less then 18 degrees, that currently it is 12 percent. This six inch separation is at an angle and it wouldn't be hardly as bad if you hit it head on, but you don't. He said the State representative that was present did agree with the Commissioners that it is undesirable and that they would hasten to put in a change order on Lynch Road to re-arrange the track. We think Lynch Road was there before the railroad so there must be an agreement between the County Commissioners and the Railroad, so we are asking the county attorney to check this agreement out and see if it stipulates in it that if it ever needed to be changed, who would be responsible for the cost. We also need to look at the agreement between the county, the state and government concerning the up-dating of Lynch Road four laning. We have determined that lane will stay closed as long as it is in it's present condition, and be barricaded.

There being no further business the meeting recessed at 4:45 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard "Rick" Borries Shirley J. Cox	Alice McBride	David Miller
SECRETARY:	Janice Decker		

Robert J. Willner
Richard L. Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JULY 20, 1981

The meeting of the County Commissioners was held on Monday, July 20, 1981, at 7:30 p.m. in the Commissioners Hearing Room.

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

RE: WORK RELEASE PROGRAM....MR. ALLAN HENSON

Mr. Allan Henson, Director of the Work Release Program was present and stated the Vanderburgh Circuit Court Bail Bond Program and the Work Release Program are consolidating as of September, 1, 1981 and they are requesting the County Council to consider this consolidation and place all the employees on the county payroll. They are also requesting the Council appropriate $12,000.00 to account #136-129.5 for the time period of September 1, 1981 through December 31, 1981. He said as of that start date, the Bail Bond Account 136-129.9 will contain $20,017.01 and the combined amount from accounts 505.0-136 E and F will be $4,266.99. He said revenue for the four month period will be approximately $17,500.00 to be placed in the County General Fund as it is acquired. An additional $5,000.00 from a Title XX Grant may possibly be available for this time period, that it is being checked on.

President Willner said after the Commissioners and the Auditor met with Mr. Henson, they decided there was no other way to do this but to put it on the Council Call.

Commissioner Borries moved that the amount of $12,000.00 be advertised in the appropriate account as listed above and that it go before the August meeting of the County Council. Commissioner Cox seconded the motion, which carried with three affirmative votes.

RE: PROSECUTOR'S OFFICE.....MS. NANCY HANKINS

Ms. Nancy Hankins was present from the Prosecutor's office and stated that she and Mr. Lantz appeared before the Commissioners on July 6th. at which time she was asked to submit a lease contract for the new building at 615 Main Street in which they intend to move their IV-D Support Unit. She was also asked at that time for some information on their telephones. At this time she presented County Attorney David Jones with a copy of the lease. She said they are going to be on the August Council Call, that they have received bids from two different communications companys, those being Ohio Valley and Southern Indiana Communications for a new kind of a phone system. She said Mr. Lantz is planning on decreasing a line item in his budget by $3,800.00, putting it into a telephone account to purchase this new system, then we would be charged only for the individual phone lines coming into the building and he would be asking for no additional money to purchase the system with. She said the lowest of the two bids received is $3,578.00, which includes $237.00 for Indiana Bell to connect their line to the building and the remainder is for installation by Southern Indiana Communications. She said a letter has already been submitted to the County Auditor to go before the Council in August.

County Attorney David Jones said the only problem he finds with the lease is that paragraph 17 requires the lessee to pay public liability insurance and he needs to know if any provisions have been made for this. He would have questions about the Commissioners entering into an agreement without having had provision made because they would immediately be in the fault, that they could not acquire it without an appropriation being made for it and that has not been approved by anyone. He said he could check and see whether or not the existing liability the county has would cover someone else's building, that he does not know that it would. He said to give him a week and he will check this out with Mr. Hodges and the Hartford Insurance Company and report his findings back to this board.

RE: OPENING OF BIDS ON GUARDRAIL

Commissioner Cox moved the County Attorney be authorized to proceed with the opening of the bids on the guardrail, posts, etc.
Commissioner Borries seconded the motion. So ordered.

RE: REZONING PETITION VC-17-81.....FIRST READING

Petitioner.....Vickery Drilling Co., Inc., 4445 Commerce Street, Evansville, In. 47710
Owner of Record..Same
The commonly known address is 2600 North Burkhardt Road. The above real estate is located on zone district designated as A-Agriculture and the requested change is to M2, General Industrial. The present existing land use is vacant land and the proposed land use is office, equipment repair facility and storage yard.

President Willner said on the staff field report from the Area Plan Commission the zoning recommendation was as follows:

This 2.7 acre tract abutts agriculture to the north and west, and R-4 and agricultural to the east. To the south is a two acre tract rezoned M-2 May, 1980 for the same purpose as this petition. That tract has remained undeveloped to date. The zoning code states industrial development may not be constructed on unplatted land. (9-3-2a) Further to the south along Morgan are other Indurtrial Parks. Burkhardt is a primary thoroughfare and care should be taken to limit the number of immediate access curb cuts. Financial concerns currently force this road to remain a two lane carrier.

Commissioner Cox said she would have some questions on this since it is on Burkhardt, that the Evansville Urban Transportation Study report states that Burkhardt Road is a major collector carrying an estimated 4,000 vehicles per day and that Old Boonville Highway is a minor collector carrying approximately 1,000 vehicles daily. Major traffic volume increases could not be adequately accommodated on Burkhardt.

Commissioner Cox moved that rezoning petition VC-17-81 be referred to Area Plan Commission on First Reading. Commissioner Borries seconded the motion. So ordered with three affirmative votes.

RE: REZONING PETITION.....VC-18-81....FIRST READING

Petitioner.....Evansville Associates of Indiana, 320 North Meridian, Indianapolis, In.
Owners of Record..Maurer and Huber Trust, U/A, P.O.Box 3118, Evansville, Indiana
James and Charlotte Baumgart, 425 N. Green River Road, Evansville, In.
Victor and Helen Baumgart, 425 N. Green River Road, Evansville, In.
Charlotte Baumgart, 425 North Green River Road, Evansville, In.
Gregory G. Kempf, 18 N.W. 4th. St. Evansville, Indiana
Donald and Georgina Baumgart, 425 N. Green River Road, Evansville, In.
Joyce Baumgart Negley, 425 North Green River Road, Evansville, Indiana

The commonly known address is 425 North Green River Road, Evansville, Indiana. The above real estate is located on zone districts designated as (1) Agricultural "A" District, (2) Neighborhood Commercial "C-1" District, and (3) General Commercial "C-4" District. The requested change is to General Commercial "C-4" District. The present existing land use is agricultural and undeveloped real estate and the authority for the existing land use is the current zoning applicable to said real estate which is within the conforming land use. The proposed land use is for a shopping center development.

President Willner said the following report from Evansville Urban Transportation Study states that Green River Road is a major arterial which carries 26,000 vehicles daily. Division Street is also a major arterial which carries approximately 22,000 vehicles per day. Access from carriage onto Green River Road is severly restricted. Major congestion problems also occur at the Green River Road-Division Street intersection. With the opening of Eastland Mall the high volumes and vehicle speeds on Green River Road will make access from unsignalized cuts and intersecting roads a major congestion and safety problem.

Commissioner Borries moved that rezoning petition VC-18-81 be referred to the Area Plan Commission on First Reading. Commissioner Cox seconded the motion which carried with three affirmative votes.

RE: BIDS READ ALOUD ON GUARDRAIL, POSTS, ETC.

County Attorney David Jones said there were five bids received, that they were all in order and were as follows:

JAMES H. DREW, CORP. (INDIANAPOLIS, INDIANA)

Guardrail.....$4.25 per linear ft.
Posts.....$34.00 each
Terminal Sections..$14.00 each
End Sections.....$14.00 each

HOOSIER FENCE COMPANY, INC. (INDIANAPOLIS, INDIANA)

Guardrail.....$40.75 each (12'6" rails)
Posts.....$25.28 each
Terminal Sections..$16.00 each
End Sections.....$18.40 each

BAUER BROTHERS GENERAL CONTRACTORS, INC. (EVANSVILLE, INDIANA)

Guardrail.....$4.23 per linear ft.
Posts.....$20.00 each
Terminal Sections.....$20.95 each
End Sections.....$29.10 each

M & W CONCRETE PIPE AND SUPPLY INC. (EVANSVILLE, INDIANA)

Guardrail.....$4.00 Per linear ft.
Posts.....$25.00 each
Terminal Sections.....$24.00 each
End Sections.....$25.00 each

ALL METAL MANUFACTURING COMPANY, INC. (EVANSVILLE, INDIANA)

Guardrail.....$3.40 per linear ft.
Posts.....$24.50 each
Terminal Sections.....$18.50 each
End Sections.....$18.50 each

Mr. Ben Evans said he would like a week to come up with a recommendation on these prices.

President Willner said the Surveyor's office is in dire need of some guardrail and asked Mr. Evans and Mr. Guillaum could they step into his office and study the prices and try to come up with a recommendation before the end of this meeting.

RE: MR. JOHN VEZZOSO....THUNDER ON THE OHIO

Mr. John Vezzoso was present and stated that as a member of the "Thunder" committee he would like to thank the Commissioners for all their support and help, that they needed help and everyone came through and it was appreciated very much.

RE: WESTSIDE IMPROVEMENT ASSOCIATION

President Willner said he received a letter from the Westside Improvement Association telling us they are against a ball field on the Westside and when their Organization took a vote on the issue it was 25 against it out of 28 votes.

Mrs. Cox said she believes this has been postponed for a month, but that she will keep the Commissioners informed as to how it is coming along.

RE: NANCY HANKINS.....PROSECUTOR'S OFFICE

Ms. Hankins said earlier when she spoke to the Commissioners, Mr. Les Shively could not be present but he has since come in and would like to speak in behalf of the lease contract discussed earlier in the evening.

Mr. Shively said he has no technical authority, but he believes he can speak for his father in saying he would agree to a whole harmless provision, basically what it would mean is that the county would end up self insuring themselves of any liability at this building and they would not be contractually bound to obtain insurance in the amounts indicated in paragraph 17 of the lease contract. It is his understanding that this has sometime been done in leases with governmental agencies and they would certainly be willing to work with Mr. Jones, the Commissioners or whoever and get this resolved so that it will be ready to go before the County Council at their August meeting.

Mr. Jones said he would like one week to contact Mr. John Hodge and see what the possibility is for us to perhaps have this new building connected to our policy, through a rider policy without increasing any premiums and if this cannot be done then the alternative is to come back and consider self insuring them and that is that if there are any accidents, suits, etc. that the county will have to stand good for them, financially.

President Willner instructed Mr. Jones to check the matter out and report back to this board next meeting.

RE: CONRAD COOPER.....AUDITORIUM

Lease Agreement with Susan King Moore

Mr. Cooper said he has given Mr. Jones a copy of a lease agreement that has been worked out

between County Attorney Miller and Susan King Moore, the person wanting to operate the box office, that was officially discussed at a prior meeting of this board. He would ask that the attorney go over this new agreement and render us an opinion at the next meeting, as to whether or not it is in proper form.

Parking Lot Equipment

Mr. Cooper said the parking lot equipment is all installed, it was tested today and it worked fine and they are going to try to install a vehicle counter that they received from the Traffic Engineer, to activiate a "Lot Full" sign.
He would like to publicly thank Mr. Kautzman for loaning him the tools to do the job and all the help received from him on the job. The men at the Auditorium also did a fine job.

Use of the Telephones at the Auditorium

Mr. Cooper said he wants to just mention something to the Commissioners, he wants no action on it, but he will be bringing it back later. He said in recent days, when they have had large conventions in the Auditorium, heretofore, they have been provided access to the telephones (business phones) in the Auditorium, and he does not think it is a good idea. He realizes it is difficult to tell a group of people that have been using them for many years, that suddenly they can no longer use them, so he too, has allowed them the phone service, but he would like the Commissioners permission to talk with the phone company and see if we cannot work out some kind of an agreement with them whereby they might be able to install some kind of phone service to various parts of the building that could be activated on the part of the lessee, in other words, people who are using the building could request this service and it could be activated at their expense.

Purse Stolen at the Auditorium

Mr. Cooper said he would like to report to the Commissioners that one of the ladies who works in the Convention and Visitor's Bureau had her purse stolen and she had some receipts from "Thunder on the Ohio" in there. The person suspected of stealing the purse was a worker assigned to him from the Trustee's office. The police were not able to do anything about it and she did leave her purse on the desk top. He just wanted the Commissioners to be aware of this and it makes him think once again how important a security system would be at the Auditorium.

RE: AWARDING OF BIDS ON GUARDRAIL, POSTS AND SECTIONS

Mr. Evans came back before the Commissioners with the following recommendation on the bids received on the guardrail, posts, etc.
He said All-Metal was the low bidder at $165.50 per unit and Bauer Brother's was second at $192.88 per unit and M&W Concrete was third at $198.00 per unit. He said Hoosier Fence was a little lower, but they are out of Indianapolis so we would have to pay freight charges, therefore his recommendation would be to award the bid to All-Metal Manufacturing Company contingent upon the availability of the guardrail to the Surveyor's office and if it's not immediately available they would then recommend the bid be awarded to Bauer Brother's.

Commissioner Cox moved that the bid be awarded to All Metal Manufacturing Company, subject to availability and if they do not have it then the bid be awarded to Bauer Brother's, who was second lowest bidder.
Commissioner Borries seconded the motion. So ordered.

RE: BOB BRENNER.....COUNTY SURVEYOR

Bridge and Guardrail Report

Pine Gate Road

Mr. David Guillaum said that President Willner received a complaint on Pine Gate Road and the problem has been taken care of.

Hillsdale Road

Mr. Guillaum said there was an emergency problem and they received a $2,000.00 appropriation to take care of it immediately. The pipe has been ordered and they expect it should be there tomorrow.

President Willner said the Surveyor's office attempted to use the old boiler tube at the County Garage for a culvert on Hillsdale Road and when they excavated the opening they found a 12" water line and a 4" high pressure gas line and they needed a different size pipe, so the three commissioners agreed we appropriate $2,000.00 to buy the galvanized pipe with.

Seven Hills

Mr. Guillaum said he discussed the Seven Hills project with Mr. Kautzman and they are ready to get the paving done on it.

Closing of Schmuck Road

Mr. Guillaum said he wants to inform the Commissioners that they will have Schmuck Road closed Wednesday. This will be one half mile west of Bayou Creek Road and it will be closed for approximately thirty (30) days. He wants everyone to know so that Mrs. Meeks can contact the media and the Perry Township Fire Department.

RE: COUNTY ATTORNEY

Micro-film Records

Mr. Jones said it came up a couple of meetings ago the questions with respect to the responsibilities of the County Commissioners on the storage of records. He said the general provision of county records, particularly with respect to micro-filming, that requires preservation of copies in a fire proof vault and this is for all offices. He said there has to be a duplicate copy in a fire proof vault either in the court house, where the office is located, or in a place designated by the County Executive, so as long as it is fire proof, then it's at the option whether it is kept at the Civic Center or you provide for storage at some other location.

Weed Ordinance

Mr. Jones said he located two separate ordinances in the County Auditor's files, both of which contain penalty provisions which call for imprisonment, which is no longer valid. He contacted the company that we have been talking to about codifying our ordinances and ask them if they could provide him with some weed ordinance, and he received a packet of approximately ten (10) different weed ordinances from various places in Indiana. He said since this board has approved codification and hopefully it will be approved all the way through, that at this point and time rather than going into each of these regulartory ordinances, that perhpas all of these things could be done in one shot and if codification is approved we would in effect have an adopting ordinance which would re-inact the entire code, so you would have one starting point when all of these ordinances are in effect and we would also have the benefit of a team of lawyers which function as editors reviewing our ordinances for consistency with other state statutes. He would like to see the city and county have the same ordinance, that he cannot determine why a noise ordinance in the city should be at one level and the county have another level. He feels this is something that should be discussed with the city.

Law Library

Mr. Jones said that he and Attorney Miller had a chance to meet with the county Bar Association officers and discussed the Bar's participation in the law library and possibly resolving a problem. He said Mr. Mike Mitchell, the present president of the Bar called earlier and told him he hoped to attend the meeting tonight, but Mr. Mitchell authorized him to say the Bar has met and determined that they will pay up to $1,125.07 worth of un-paid law books and that this money would be contributed by the Bar which comes from one half of the monies derived from the xerox machine in which the Bar Association owns and operates in the Law Library and that there are continuing meetings among the Bar concerning the Law Library and what the Bar Association can do with respect to the matter. He will let the officer of the Bar Association address this board at another time but he wanted the Commissioners to be aware of this. There has also been a committee appointed which will attempt to screen and review the existing volumes in the Library and make recommendations to this board.

Deposition of Mary Gray

Mr. Jones said he was sent a copy of some correspondence letters pertaining to a deposition and the county may or may not be sued by an unpaid court reporter for a deposition.

He said apparently there was some misunderstanding between the Prosecutor and a Criminal Defense Counsel on who would pay for it. He feels the County Commissioners should take a position because the facts seem to indicate that the Prosecutor's office had paid for a copy of the deposition and Mr.Lantz' correspondence seems to indicate that it was the defense counsel that ordered the deposition and would be responsible for the cost.

Unpaid Attorney Fees Concerning Phyllis Short vs. Sheriff James DeGroote

Mr. Jones said he would like to comment on the unpaid attorney fees by the former insurance carrier for the county for the Law Inforcement Liability Insurance arising out of the law suit Phyllis Short vs. Sheriff DeGroote. He dictated a letter today which advised National Guaranty Insurance Company that they would have ten (10) days to make some communication to the County Attorney regarding payment of those attorney fees or that the county would file an action against the insurance company for their having initially denied defense of that case and causing the county to assume the defense. He said this would be a small claims action since the amount is less than $3,000.00.

Letter from John Cox concerning claim by Ernest Johnson

The following letter was received from John Cox:

RE: DEACONESS HOSPITAL v.ERNEST JOHNSON

Dear County Commissioners,

July 7, 1981

Please be advised that Ernest Johnson was an inmate at the Vanderburgh County jail, and while an inmate he was taken to Deaconess Hospital for hospital treatment.

This incurred an indebtedness of $1,631.85 which is the principal sum. There is a finance charge which is attributable to this indebtedness of an additional $186.12. As you are well familiar, the financial obligation is the County's for having taken an inmate of the County Jail to Deaconess Hospital for Treatment.

In order to exercise good judgment and to avoid litigation, I would strongly suggest that you have the approval for the payment of this outstanding indebtness in the amount of $1,817.97.

If a check is not forthcoming, I shall be forced to file a complaint in one of our local courts, and I trust that the situation would warrant good judgment and payment of the bill forthwith.

Sincerely yours
John C. Cox

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Mr. Jones said he would recommend we contact the Sheriff's Department and get a report from them as to what all was involved in this matter, rather then to simply approve or deny a claim at this time, because he has no idea what happened. There is another factor that could totally change the liability for the situation and that is if that inmate requested his own medical service, that there is an existing policy in the jail that any inmate can seek private medical attention, can ask to go to a hospital, but that individual assumes all of the costs incurred. So again, he would recommend that the Sheriff be contacted.

President Willner gave the letter to Mrs. Meeks and instructed her to contact the Sheriff on the matter.

Notice of Claim.....Mann Road

President Willner said there has been a law suit filed by twenty two (22) people against the County Commissioners on the subject of the Mann Road vacation.

This matter was referred to Attorney David Miller, who has been working on this matter.

Notice of Claim.....Harvey W. and Mary Taylor

President Willner said we have received a notice of claim from Harvey Taylor against the County Commissioners and the Vanderburgh County Park Board, and that there is also a notice of claim from Mary Taylor against the County Commissioners and the Vanderburgh County Park Board. The claim states that Mr. Taylor was descending a hill in Burdette Park and was crossing a step bridge next to the caretaker's house when suddenly, without any warning whatsoever, the step Harvey W. Taylor was standing on broke and gave way, causing him to fall into a drainage ditch.

Mr. Jones said he would refer this to Hartford Insurance immediately, eventhough he would assume it has already been turned in to them.

Commissioner Borries said he is not sure if the Hartford Company and Charlie Bone are aware of this or not, but at the Burdette Park Board meeting it was discussed and Mr. Wolf has received his copy of this notice.

Order to Appear

Submitted was an Order to Appear on Sewell Manufacturing Company vs. William Sandefur d/b/a/ Sandefur Mortuary Service.

Order was given to County Auditor for appropriate procedure.

RE: LETTER FROM INDIANA STATE HIGHWAY CONCERNING LYNCH RD AND R.R. TRACKS

President Willner said he received a letter from the Indiana State Highway Commission concerning the Louisville and Nashville railroad crossing on Lynch Road. He said Attorney David Miller is working on this matter and Engineer Associates has been asked to see if they can get a lesser degree of angle crossing from the switch to the Creasey Company and he is in the process of getting us a detailed drawing. Mr. Miller is doing some research on the contracts between the different ones involved.

Commissioner Borries said the letter verifies the meeting where the three County Commissioners attended and it was decided the lane of traffic would not be open until the matter is settled.

Letter on file in the Auditor's office.

RE: LETTER FROM STATE OF INDIANA CONCERNING DIVISION ST. IMPROVEMENT

Submitted was a letter from the State of Indiana informing us of a public hearing to be held on Thursday, August 20, 1981, at 7:00 p.m., in the Gold Room of the Vanderburgh County Auditorium Convention Center, 715 Locust Street, Evansville, Indiana, to discuss the plans for a porposed improvement and upgrading of SR 66 (Division Street) in the City of Evansville, Indiana.

President Willner said he would like for all three of the Commissioners to attend this meeting.

Letter on file in the Auditor's office.

RE: REQUEST FROM COUNTY COUNCIL ON LEGAL COUNSEL

President Willner said the County Council has asked the Commissioners to now furnish them an attorney in a somewhat limited capacity. He said the Commissioners offered that service before and it was turned down and they now find themselves going through budgets and realize their need for an attorney and they have requested that Mr. David Jones be that attorney. The president of the Council has agreed that Mr. Jones would not have to attend meetings they felt not to be controversial, but would want him available by phone and on the meetings they know they were going to need legal assistance, then they would notify him well in advance.
He told Mr. Jones he could think about it and let him know his decision later.

Mr. Jones said he was thinking about the last council meeting he attended. He would attempt to comply with any request from this body but he would have to give serious consideration as to whether or not as a professional that he could have a professional relationship with the County Council in view of things that have happened, and that is his only hesitation.

President Willner said he understands Mr. Jones position, so he can think about it and give us an answer before the next meeting of the County Council.

RE: LETTER FROM ROBERT L. SIMPKINS

Commissioner Borries read the following letter.

July 14, 1981

RE: Wollenmann et al.
vs.
Louisville and Nashville Railroad Company

Dear Mr. Willner,

On May 20, 1978 two propane tank cars derailed in the Howell Yards resulting in the evacuation of a large number of people. A class action was filed on behalf of all those that suffered damages. Our record indicates that the County of Vanderburgh was named as a member of the class since it incurred damages as a result of the use of sheriffs personnel and other losses. Our office represents the "Class".

The L & N Railroad has indicated a willingness to discuss the possibility of settlement. Therefore, we would like to request a letter from you indicating the approximate amount of damages incurred by Vanderburgh County. Without said correspondence, it is impossible for us to intellegently discuss the possibility of settlement.

We would like to request that you forward said information to our office within two weeks from the date of this correspondence. We would like to thank you in advance for your assistance and look forward to hearing from you concerning the above.

Very truly yours,
Robert L. Simpkins

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Commissioner Borries said a copy of the above letter went to attorney David Joest.

Mr. Jones said that Mr. Joest is a member of his law firm, therefore he would have to disqualify himself because his law firm represents the L&N Railroad, that anything concerning the matter will have to be referred to Mr. Miller.

Commissioner Borries moved the above matter be referred to County Attorney David Miller and also to the County Sheriff's Department.

Commissioner Cox seconded the motion. So ordered.

RE: AGREEMENT TO BE SIGNED ON EICHOFF ROAD

President Willner said we have an agreement to be signed on the Eichoff Road Project for the preliminary engineering, that it is a copy of a proposed agreement between the Indiana Department of Highways and the County providing for cooperation in the preliminary engineering on the subject project.

Commissioner Borries said apparently we have had the funding approved for the preliminary engineering, but the funds for the next step has not been approved yet.

Commissioner Cox said she looked through the agreement & it is standard verbiage. She said she remembers that we approved some of the R&S funds for this preliminary engineering for this year, but she does not remember the exact dollar amount.

President Willner asked if they want to defer this for a week.

Commissioner Borries said he sees no trouble with signing it and giving our support, he just does not know where the rest of the project stands.

Commissioner Borries moved the Commissioners sign the agreement, but that it not be sent back to the State until we check with E.U.T.S. and see if the finances are available. Commissioner Cox seconded the motion. So ordered after receiving three affirmative votes.

RE: ORDINANCE ON COUNTY EMPLOYEES PERSONNEL POLICY

President Willner said all Commissioners have a copy of the Ordinance of the Vanderburgh County Employees Personnel Policy (Revised Draft, June 26, 1981), that it has been approved by the County Council and is now ready to be advertised in the Courier and Press. He said the ordinance was signed by all Council members present, which was six, that Councilman Taylor was not present. He said this must now be advertised before the Commissioners can take final action on it.

Mr. Jones said this Ordinance must be advertised twice (2) for two (2) consecutive weeks.

Commissioner Cox moved that the secretary be instructed to advertise the Ordinance as stated by Mr. Jones. Commissioner Borries seconded the motion. So ordered.

The ordinance is to appear before the Commissioners again on August 3, 1981, for final action.

RE: CERTIFICATES OF INSURANCE

A certificate of insurance was submitted by Green River Productions, Inc for an Imperial Guard Benefit Show on July 26, 1981 at the Auditorium.

A certificate of insurance was submitted by the Indiana Vocational Technical College for graduation ceremonies for 1982 to be held at the Auditorium.

A certificate of insurance was submitted by Paul H. Kuhn, Jr. and Suzanne S. Kuhn for a wedding reception to be held at the mezzanine on July 18, 1981 at the Auditorium.

Certificate of insurance was submitted by U.S. Sheet Metal and Roofing Company, Inc. for roofing, heating, ventilating, air conditioning, building and general construction at the Auditorium.

All certificates received and filed.

RE: CLAIMS

A claim was submitted by Engineer Associates, Inc. for engineering inspection of Lynch Road from 6-29...7-3-81, in the amount of $3,821.82. Claim signed by Robert Willner.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Engineer Associates, Inc. for engineering inspection on St. Joe Avenue from 6-29..7-3-81, in the amount of $3,433.21, signed by Robert Willner.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates, Inc. for engineering inspection of Lynch Road from 7-6 - 7-10-81, in the amount of $4,022.80. Claim signed by Robert Willner.

Commissioner Borries moved the claim be allowed, subject to the availability of funds. Commissioner Cox seconded the motion. So ordered.
A claim was submitted by Engineer Associates, Inc. for engineering inspection on St. Joe Avenue from 7-6---7-10-81, in the amount of $3,550.69, signed by Robert Willner.

Commissioner Borries moved the claim be approved, subject to availability of funds. Commissioner Cox seconded the motion. So ordered.

The following claims were submitted by Helfrich Insurance Company:

For the Highway Department for liability insurance premium for the period of April 1,1981 to October 1, 1981, in the amount of $54,314.00, signed by Gene Kautzman.

For the Highway Department for business auto premium for the period of April 1, 1981 to October 1, 1981, signed by Gene Kautzman, in the amount of $5,524.00.

For the Highway Department for workmen's compensation premium for the period of April 1, 1981 to October 1, 1981, in the amount of $7,453.00, signed by Gene Kautzman.

Commissioner Cox moved the above claims be approved. Commissioner Borries seconded the motion. So ordered.

Commissioner Borreis said that he and Mrs. Cox met with Mr. John Hodge and discussed the liability and auto package insurance, because we were concerned there might not be available funds according to the way the insurance policies carried over into the next year. We suggested they shorten the claim periods to a calendar year, that this would help to solve some budgetary problems.

Mr. Jones said he spoke with Mr. Hodge about some problems in an attempt to try to provide you with some options at budget time, in case what is requested at budget time is not all approved, and we will be short on funds for our various insurances. He and Mr. Hodge are

going to sit down and look at the existing insurance policies, look at the types of coverages and see what adjustments could be made and with what resulting drop in premiums and Mr. Hodge indicated he would contact the insurance copmanies and it was also indicated that because of the good record the county has had there could be a possible reduction next year. Mr. Hodge is to report to the Board of Commissioners on any changes we might be able to make.

President Willner said he believes all of the Commissioners are in agreement that we will be re-bidding the insurances for the coming year.

Claims. President Willner said there is a large stack of claims from the Helfrich Insurance Company for Business Auto Premium, Liability Insurance Premium and Workmen's Compensation Premium for the County of Vanderburgh, to be paid from the County General Fund in the total amount of $115,665.00.

Commissioner Cox moved the claims be approved. Commissioner Borries seconded the motion. So ordered.

Commissioner Borries said these insurance claims take us up to October 1,1981 and at that time he would ask that the County Auditor's office provide the Commissioners with some figures as to how much money we will have and how much more we will have to ask for.

Deputy Auditor, Barry Heathcotte said these figures can be made available.

RE: GENE KAUTZMAN....COUNTY HIGHWAY GARAGE

Weekly Absentee Report

Mr. Kautzman submitted the weekly absentee report of the employees at the county garage for the period of July 13, 1981 thru July 17, 1981.

Report received and filed.

Weekly Work Report

Mr. Kautzman submitted the weekly work report of the employees at the county garage for the period of July 13, 1981 thru July 17, 1981.

Report received and filed.

Bill on Marx Road

President Willner said Mr. Kautzman has submitted a bill on Marx Road, in which the insurance company is going to pay, in the amount of $551.58.

David Guillaum said the Surveyor's office has already turned in their bill for the portion of work their office completed, but that he would be willing to send this one in because the insurance company is waiting for it.

Mr. Kautzman gave the bill to Mr. Guillaum.

Repair Bill on Bartel Road

President Willner said he has a repair bill on Bartel Road in the amount of $243.71 and this bill goes to the Surveyor for the repair of a culvert.

Repair of Garrison Avenue

President Willner said there is some question on which account the Garrison repair money should come out of, that earlier this year the Commissioners approved the Surveyor to install a new pipe out there. The bill for this pipe project is in the amount of $1,543.29 and he believes it should be paid from the ditch fund and he also believes the county should take the road over for maintenance, now that it is in good shape.

Commissioner Borries moved the $1,543.29 be paid from the ditch fund. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Robert L. Hart III	1505 N. Third Avenue	Highway Inspector	$12,824.00 Yr.	Eff:6-25-81

CRIMINAL CAREER...PROSECUTOR

Dennis Raider	1132 Hatfield	Investigator	$12,000.00 Yr.	Eff: 7-27-81

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Homer Ray	247 S. Barker Ave.	Lead Man	$6.48 Hour	Eff: 5-16-[redacted]

PROSECUTOR'S OFFICE

James Schreiber	5800 Spring Park Dr.	Intern	$6.00 Hour	Eff: 8-3-81

KNIGHT TOWNSHIP ASSESSOR

Joan Wills	621 E. Franklin St.	Clerk	$30.00 Day	Eff: 7-20-81

EMPLOYMENT CHANGES.....RELEASES:

PROSECUTOR'S OFFICE

Dennis Raider	1132 Hatfield	Intern	$192.00 Week	Eff: 7-24-81
Vincent Zahnle	3135 Allens Rd.	Intern	$5.00 Hour	Eff: 7-24-81

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Homer Ray	247 S. Barker Ave.	Watchman	$6.18 Hour	Eff: 5-15-81

CAREER CRIMINAL...PROSECUTOR

Timothy France	10045 Fischer Road	Investigator	$12,000.00 Yr.	Eff: 7-24-[redacted]

KNIGHT TOWNSHIP ASSESSOR

Portia Schlachter	906 Ravenswood Dr.	Deputy	$ 9,160.00 Yr.	Eff: 7-6-81

There being no further business the meeting recessed at 9:30 P.M.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard "Rick" Borries Shirley Jean Cox	Barry Heathcotte (Deputy)	David Jones
SECRETARY:	Janice Decker		

Robert O. Willner

Richard J. Borries

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
JULY 27, 1981

The meeting of the County Commissioners was held on Monday, July 27, 1981, at 2:30 p.m. in the Commissioners Hearing Room.

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

RE: LEASE AGREEMENT ON SHIVELY BUILDING

President Willner said before us today is the Lease Agreement between the County Commissioners and Ronald R. Shively for the Shively Building at 615 Main Street for use of the Vanderburgh County Prosecutor's office to house the IV-D Department in. He said there were some questions on the phone that has been answered by Ms. Hankins and there were also some questions on the insurance and our County Attorney checked it out and at this time he would like to read the following letter from David Jones.

RE: Prosecutor's Lease of Office
Space with Ronald R. Shively

Dear Mr. Willner:

I have been advised by the County's insurance consultant, Mr. John Hodge, that the proposed lease of office space by and between the County and Ronald R. Shively for lease of office space in the Shively building at 615 Main Street for use of the Vanderburgh County Prosecutor's Office will be covered by the existing public liability insurance policy of the County and that the company would waive any increase in premiums on this coverage. The coverage has been put into the effect and the Board of Commissioners may now execute the lease agreement.

Very truly yours,
David L. Jones
County Attorney

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Commissioner Cox moved the Office Lease Agreement between the County Commissioners and Ronald R. Shively for the Shively Building at 615 Main Street be approved. Commissioner Borries seconded the motion which carried unanimously in the affirmative.

RE: POOR RELIEF

Applicant...Ronald Walter Township.....Pigeon

President Willner said the applicant, Ronald Walter reportably is in the hospital and therefore could not be here today.

RE: MARK TULEY....SUPERINTENDENT OF COUNTY BUILDINGS

Mr. Tuley said he has nothing to report, that they are still working out at the Hillcrest-Washington Home and everthing is going fine.
Mr. Benny Gossar is on vacation this week.

RE: CONRAD COOPER....AUTITORIUM

Contract with Susan King Moore

Mr. Cooper asked if the Commissioners have had a chance to go over the contract with Susan King Moore on the operation of the Box Office at the Auditorium or whether or not the attorney has returned with a recommendation.

President Willner said he has the contract, but that Mr. Borries has not seen it and Mr. Jones is the Attorney working on it and he is not present right now.

Mr. Cooper said he would suggest we table this until we receive a recommendation from the county attorney.

Parking Lot Equipment

Mr. Cooper said the parking lot equipment is installed and working like a charm. He said this week they have Ruby working one end of the lot and the machine working on the other end just incase we do run into a problem. They will be installing the electronic counter later this week to activate the "Lot Full" sign, and they anticipate no problems whatsoever.

RE: JESSE CROOKS.....BUILDING COMMISSION

Monthly Report of Permits Issued

Mr. Crooks submitted the monthly report of the permits issued which is for the month of June, 1981. Report shows that combined between the City and County they issued 33 permits in the month of June, 1980 and issued 37 permits in June 1981 for the city and county combined.

Report received and filed.

Weed Problems

Park Road. Mr. Crooks said he was by the location on Park Road just today and nothing has been done concerning the high weeds. He said he talked to the brother about a week ago and he said that if he could get a bush hog that he would go out there himself and mow it all down, so therefore he would suggest that we let this one ride for another week and see if they get it mowed.

Bohanan Estates. Mr. Crooks said most of that problems out there have been solved, that most of it has been mowed. He said the only ones that are not mowed are the first two lots on the left as you go in.

Rode Road. Mr. Crooks said the county did mow this area along the road and it looks much better, however, the lot itself is still quite high and ragged looking and in view of the fact that everything else around there is quite nice and well kept he would suggest we request quotations and he will bring it back to this board next week and in turn he will try to contact the owner and inform them that if it is not mowed next week, that we will let a contract to have it mowed.

All Commissioners agreed.

RE: GENE KAUTZMAN....COUNTY HIGHWAY

Weekly Absentee Report

Mr. Jerry Linzy submitted the weekly absentee report of the employees at the County Garage for the period of July 20 thru July 24, 1981.

Report received and filed.

Weekly Work Report

Mr. Linzy submitted the weekly work report of the employees at the County Garage for the period of July 20 thru July 24, 1981.

Report received and filed.

Commissioner Borries said the Mr. Kautzman is to go into the hospital this week so Mr. Linzy will be in charge out at the garage for the remainder of this week.

RE: BOB BRENNER.....SURVEYOR

Bridge and Guardrail Report

David Guillaum submitted the weekly bridge and guardrail report for the period of July 20 thru July 24, 1981 from the Surveyor's office.

Hillsdale Road

Mr. Guillaum said they did complete the Hillsdale Road project, which is the one they had the emergency job on, that it is now open to the public and the only thing left to do is to get some blacktop on it, which he will talk to Mr. Linzy about.

Cleanup of Some of the City Bridges

Mr. Guillaum said they cleaned up some of the debri on some of the city bridges. They hit the Oak Hill Road Bridge over Pigeon Creek and also the Fulton Avenue bridge. They are all looking a lot better as there was quite a bit of debri gathered on them.

Seven Hills

Mr. Guillaum said the Seven Hills project was let out on contract and it was opened back up today.

Cypress Dale and Wimberg

Mr. Guillaum said the Cypress Dale project is still under construction, and Wimberg will be closed to traffic a quarter of a mile west of St. Joe Avenue, starting tomorrow for approximately thirty days.

Tupman Avenue

Mr. Guillaum said they may need a little bit of help from the Commissioners on the Upper Mt. Vernon and Tupman project, that the contractor would have started on this project, instead of the Wimberg project, but we have had a problem trying to get a water line moved off of the bridge. He wrote a letter about a month ago to the Water Department and prior to the letter he had telephone conversations with them, concerning this water line, but so far it hasn't done any good. This is about a 12" main on the bridge and we really need to get the project started by the contractor, but there is nothing that can be done until it is removed.

President Willner said this bridge is under contract, therefore we must do something, so the Commissioners will call the Water Department and try to get some action.

Commissioner Borries said he will call the Water Department.

RE: DAVID GERARD.....E.U.T.S.

Intersection Accident Analysis

Mr. Gerard presented each of the Commissioners with a copy of a 1982-1986 Intersection Accident Analysis which was recently completed by the Evansville Urban Transportation Study. He said the last study was done in 1977. He said the purpose of this report is really two things, one of those being to identify changes in accident patterns at those intersections that have been approved since the 1977 study. He said they have focused in this report on identifying, since the low cost intersection improvements, proving site distance, signage and some police inforcement and the reason for that is that the previous report identified several major costly intersection improvements such as channelization and adding left turn lanes. We did not make those types of recommendations in this report due to the fact they only examined accidents. The previous study looked at the capacity of the intersection and delay of the vehicle through the intersection. The capacity and delay will be changing over the next year due to the fact the city is putting in the new computer signalization program, so we wanted to wait until that system is installed and then we can go back and make some capacity studies and then identify additional improvements as necessary.
He merely wanted to deliver the report today for the Commissioners to review and then if you desire, he can come back at a later date for more discussion.

Commissioner Borries said on page fifteen of the report it specifically talks about Vanderburgh County and states that three intersections met or exceeded the 5.0 criterion, those being S.R. 66 (Division St), St. Joseph Avenue and Lynch Road.

Commissioner Cox said these are intersection accidents only.

Mr. Gerard said correct, and they are accidents solely due to the intersection.

Amendment to the TIP

Mr. Gerard presented each of the Commissioners with an amendment to the TIP. Essentially, it was required they amend this document, for two reasons. In previous years you could say it was over-programmed, in other words, put more programs in the TIP then we felt we had a change of getting funding for and the reason for doing this was in case

additional monies became available or if an urban area dropped some projects for some reason and more money became available, then we would already have the project in the TIP and could go ahead and seek funding. He said on the projects that were not funded this year, the Federal Highway has ask that we now delete those projects. The other projects that we removed from the TIP were projects that have already been funded and we, in the past showed those projects as being obligated and usually under construction and again, the Federal Highway has ask that we only show in the Annual Element, those projects which are going to receive funding.

Eichoff-Koressel Road

Mr. Gerard said last week the Commissioners presented him with a state and local agreement for Eichoff-Koressel Road and in talking with the people in State Aid it appeared that the Rural Secondary money was going to be approved, that the Federal Aid Urban money was not going to be approved. In checking this out, it now appears that the Federal Aid Urban monies will now be available to us, so this agreement can now be fowarded to the State.

Covert Avenue Extension

Mr. Gerard said one of the other major projects that was not funded is the Covert Avenue Extension project. He said the funding for the right-of-way for Warrick County was approved, but not for Vanderburgh County or Evansville's right-of-way. He said simply because this one was turned down this year does not necessarily mean a one year delay because we are still in the environmental stage, so lets assume we can get those completed by the end of this year, we are talking about a seven month delay, assuming it gets funded next year, and it should have a higher priority then.

Signing Project

Mr. Gerard said the Commissioners are all aware of the signing project, that they had asked for several sources of money on this such as some Pavement Marking funds, Rural Secondary funds and also some Federal Aid Urban funds and the only funds approved this year were the Rural Secondary funds and that was for approximately $22,000.00 and he is working with David Savage to see what can be done with this small amount.

Green River Road

Mr. Gerard said on Green River Road, between S.R. 62 and Lynch Road Extension was not approved. We did not think it would be approved, but we thought we would try it anyway.

Widening of Morgan Avenue

Commissioner Borries said he and Mr. John Feigel toured several places in the county last week and they noticed there were some bright red tags along Morgan Avenue, and Mr. Feigel thought the State is going to resurface or repair part of that area and he is wondering if Mr. Gerard was aware of anything going on to this effect.

Mr. Gerard said there was some discussion of the possibility of widening Morgan Avenue as part of the repaving project. He talked to the state highway people Friday and they indicated to him that it probably would not happen for about two (2) years though. If this could be speeded up it would be of a tremendous benefit to us in that area. At this point though, it should be another two years before the widening will take place.

Interchanges on Division Street Project

Commissioner Cox asked Mr. Gerard if he has any input in traffic planning on the I-164 spur that is coming down for recommendations of interchanges, from #64 to Division St.

Mr. Gerard said the original numbers that were generated, in terms of the volumes to be on that spur were developed by E.U.T.S. and he is sure recommendations were made at that time. He said this is under the design phase, that they have identified several options and they will be coming here on August 19 and 20 for a public hearing at which time they will be asking for comments, and the design is not to be finalized until after this hearing.

RE: CUTS IN

David Guillaum presented the Commissioners with applications for a road cut from the Indiana Bell Telephone Company Inc. for Cypress Dale Road and Pleasant Road, and there will be no pavement cut. He sees no reason why they should not be approved, that all the paper work is proper and in order.

Commissioner Borries moved that the request be approved. Commissioner Cox seconded the motion. So ordered.

RE: MR. SIGMUND LABHART

Mr. Sig Labhart was present and stated he represents Mr. and Mrs. Crane, owner of property at 1700 West Louisiana Street and Mr. Crane is in the process of selling the property and ran into a problem while attempting to do so. A problem arose concerning a block building that is on a portion of this piece of property and it appears this block building is in the name of Vanderburgh County, so we have a cloud on the title. He has discussed this with Mr. Miller, County Attorney,and at this time he would just ask that this matter be referred to him, so that he can get with him and work it out and see where everyone stands, so that Mr. Miller can report to this board of Commissioners his findings.

President Willner ask how did the ground get separated from the building.

Mr. Labhart said he understands that General Foods owned the property and in 1952, Mr. and Mrs. Crane purchased it and they also assumed they purchased the little block building on the property. Apparently, prior to Mr. Crane purchasing the property it was either rented, leased, or under contract to a Mr. George Peacock, who apparently put the building on the property in the first place. Mr. Peacock went out of business and he is no longer around and in 1965 or 1966 the property, improvement only, was sold for tax sale. The improvements were not being assessed along with the land, so Mr. Crane was not notified and now they are going in two different directions.

President Willner asked the County Auditor to check this out on the tax sale and give her findings to Mr. Miller.

The matter was referred to Attorney David Miller to work with Mr. Labhart to resolve the matter.

RE: DAVID SAVAGE.....TRAFFIC ENGINEER

President Willner said Mr. Savage is not present today so at this time he would have his secretary, Mrs. Meeks to contact Mr. Savage and see if he could install a road sign at Bickmeier Road, which is not a county accepted road but it is off of Old State Road and he understands there was an emergency out there and the emergency crew could not find the road because of no markings, therefore this needs to be marked.

RE: COUNTY ATTORNEY

Agreement with Susan King Moore

Attorney Miller said concerning the matter of the contract with Ms. Susan King Moore on the operation of the box office at the Auditorium he would say the contract was orginally drafted by his office, at the request of Mr. Cooper. He said there have been some minor modifications made by the lessee's attorney which are satisfactory with him and in his opinion, the contract is acceptable to the county. He understands the ticket office is in place and there will be no construction required nor any improvements. The contract is for a six (6) month term.

Mr. Cooper said some of the conveniences that will be offered at the box office, that heretofore were not, will be Master Charge and Visa Card acceptance, in addition to phone orders. Hopefully down the road, not only will you be able to purchase tickets for functions at the Auditorium but tickets to other events in the city, of which we will receive a profit from, by virtue of the fact they will be sold out of our box office. If this goes as he thinks it will at the end of the six (6) month contract, we may want to look at the $3,000.00 ceiling stated in the contract.

Commissioner Cox asked what hours this will be open and Mr. Cooper replied that Ms. Moore will pretty well set her own hours, depending upon which tickets are on sale at that time, that it would be foolish for her to be sitting over there if there were no sales going on. However this will give her access to the box office without enyone else being there, that she will have a key to the outside door leading into the lobby.

Commissioner Cox said she isn't worried so much about her, but what about the other people going into the building to purchase tickets.

Mr. Cooper said everything is pretty well locked up except for the lobby area, but perhaps this is something they did not give enough study to.
He said security is his main concern and he feels that should be undertaken by the box office. He wouldn't think they would want to work one of their people when everything else is closed except for the box office. He would say probably 80% of the time there would be someone else there or some sort of activity going on.

Attorney Miller said in paragraph 10 of the contract it states the County retains the right to control the hours that the lessee will have access to the box office, that it gives the county all rights, not relinquished, and that would give the county the right to set reasonable hours also.

Commissioner Borries moved the contract between the County Commissioners and Mrs. Susan King Moore be approved for the use of the Box Office at the Auditorium for a six (6) month period. Commissioner Cox seconded the motion. So ordered.

RE: CHECK FROM GUARANTY NATIONAL INSURANCE CO.

President Willner said the Commissioners received a check in the amount of $440.00 from the Guaranty National Insurance Company with the following letter.

July 16, 1981

RE: Our Insured: Vanderburgh County
Claim Number: 901316 JC
Case: Short vs. DeGroote
Date of Loss: 01/17/81

Gentlemen,

I have your letter of 06/23/81 addressed to our Denver office concerning reimbursement for payment of $1,440.00 in legal services for defense of the above case.

Your policy porvides for a $1,000.00 deductible which applies to claims and /or expenses paid on your behalf. As such, our reimbursement draft for $440.00 is enclosed.

Thank you for your attention to this matter.

John Cook
Branch Claims Manager
Guaranty National Insurance Company

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President Willner said he spoke with David Jones concerning this matter and Mr. Jones was not aware that we had a $1,000.00 deductable policy.

Commissioner Cox said once we sign and cash it, then we are committed.

Attorney Miller recommended the Commissioners hold the check until the policy can be checked.

President Willner referred the check to the County Auditor for safe keeping until the policy can be reviewed to see if we do indeed have a $1000.00 deductable policy.

Hille Law Suit

Mr. Miller said he has conducted an investigation into the case filed by a Mr. and Mrs. Hille a couple of weeks ago and at this time he would like to report only that things are going well and progress is being made.

Louisville and Nashville Railroad Crossing at Lynch Road

President Willner said he talked with Mr. Leo Weiss on the problem of the railroad tracks on Lynch Road and he was to get with Mr. Miller and he is wondering if he did.

Mr. Miller said he was out of town all last week and during that time he had his associate doing some background work on the Lynch Road problem that was discussed a couple of weeks ago.

President Willner said that Mr. Weiss says he cannot get a 12 degree crossing into the Creasey warehouse, but that he thought he could get 18...20 degrees, by moving the switch 25' to the north and he thinks the spur that is in there now is also at 18 degrees. President Willner said current federal standards right now is 12 degrees, or at least that is what the railroad tells us.

Mr. Miller said he would think we would have a report on that within the next couple of weeks.

RE: REQUEST FOR PHONE DISCONNECTION....WELFARE DEPT.

President Willner said we have a request for a telephone dis-connection from the Welfare Department, that phone number 5312 is no longer being used and they wish to have it dis-connected.

Commissioner Cox commended the Welfare Department for this action, as did Commissioner Borries and President Willner.

RE: CLAIMS

A claim was submitted by Ms. Helen Kuebler of the Election Office for a conference held in Indianapolis for the following.

Election Conference Registration.....	$25.00
Hotel- Ramada Inn.....	21.80
346 miles @ 20¢ per mile.....	69.20
Food.....	20.00
Total	$136.00

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates for the engineering inspection of Lynch Road 7-13...7-17-81, in the amount of $4,036.66. Claim signed by Robert Willner.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates for the engineering inspection of St. Joe Avenue from 7-13...7-17-81, in the amount of $3,900.00. Claim signed by Robert Willner.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

President Willner said if the money is not avialable, the claims will be held on Engineer Associates until it is, that he has talked to Barry Heathcotte about it.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

SHERIFF:

Paula Jeanne Buickel	2117 E. Florida	Civilian Jailer	$10,708.00	Eff:7-10-81

BURDETTE PARK:

Richard Reed	760 Chateau Drive	Security	$9.00 Hour	Eff:7-19-81
Elizabeth Ledbetter	4013 W.Columbia	Extra Guard	$3.25 Hour	Eff:7-14-81
Michael Gerard	7601 Hogue Road	Extra Guard	$3.25 Hour	Eff: 7-1-81
Richard Young	2404 Lincoln Ave.	Park Board	$300.00 Yr.	Eff:7-20-81
Robert Nunning	104 N.Barker Ave.	Asst. Manager	$14,231.00 Yr.	Eff:7-21-81

CIRCUIT COURT:

Danny Joe Lottes	2809 Jeanette Ave.	Summer Intern	$140.00	Eff:7-20-81
Debbie Latrice Moss	209 S.Bedford Ave.	Pro.Dept.Clerk	$9,641.00 Yr.	Eff:7-27-81
Beverly Corn	3314 B.Wash. Ave.	Adm. Assist	$6.04 Hour	Eff:7-17-81
Mike Bonnell	1409 Jerrett	Bail Bond Officer	$12,474.00 Yr.	Eff:7-17-81

RE: EMPLOYMENT CHANGES.....RELEASES

CIRCUIT COURT:

Debbie L. Moss	209 S. Bedford	Summer Intern	$140.00	Eff:7-24-81
Lisa A. Goffinet	7601 Adams Ave.	Part time Typist	$3.50 Hour	Eff:7-17-81
Danny J. Lottes	2809 Jeanette		$140.00	Eff:7-17-81
Robyn Elizabeth Conard	31 Spring Haven	Summer Intern	$140.00	Eff:7-24-81
Michael K. Peeler	1251 Cross Gate	Summer Intern	$140.00	Eff:7-24-81
Robert Bonnell	1409 Jerrett	W/R Officer	$12,474.00 Yr.	Eff:7-16-81
Beverly K. Corn	3314 Wash. Ave.	Adm. Assist.	$6.04 Hour	Eff:7-16-81
Raymond M. Winters	1660 Dalehaven	Interviewer	$4.86 Hour	Eff:7-16-81
Michael Bonnell	1409 Jerrett	Interviewer	$4.86 Hour	Eff:7-16-81

BURDETTE PARK:

Phil Siegel	18 N.W. Fourth St.	Park Board	$300.00 Yr.	Eff:7-20-81
Robert Nunning	104 N. Barker Avenue	Security	$5.00 Hour	Eff:7-21-81

SHERIFF:

Patricia A. Carter	Civilian Jailer	$10,708.00 Yr.	Eff:7-9-81

RE: DAVID MILLER

County Attorney Miller said he feels the public should be advised of some of the good efforts of the Evansville Bar Association in response to the financial crisis at the Law Library and he thinks it would be wise to have Mr. Mitchell who is present with us today to explain some of the efforts put forth.

Mr. Mike Mitchell, President of the Evansville Bar Association said in response to what Mr.Jones brought up he would say the Circuit Court Judge, Bill Miller; Chief Judge Terry Dietsch; Prosecutor, Jeff Lantz, Paul Arnold, County Attorney, David Jones; Bill Powell, John Clouse and himself met and the eight of them discussed not only the short term financial crisis but also on the long term and discussed what they could do both as a member of the Bar and of the Judiciary and the Prosecutor's office and for the [illegible]ar term the Bar Asscoiated committed to pay $2,000.00 toward the deficit and Mr. Arnold will be at the County Commissioners meeting speaking to them on the transfer of funds. Mr. Lantz is looking at his budget and hopefully he can come up with $1,000.00 to $2,000.00, as will both the Circuit and Superior Courts,if they can. The courts may not know how much they can generate until November. They are also looking for duplications in the Library and re-examining the entire volumes in the Library. He said as for the long term, this can be faced and discussed later in the year, that they will come before the Commissioners with recommendations at a later time.

President Willner said on behalf of all the Commissioners he would like to thank Mr. Mitchell for the $2,000.00 and also for all the help given now and in the future, that it is very much appreciated and he would like this passed on to all others concerned.

There being no further business the meeting recessed at 3: 40 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard "Rick" Borries Shirley Jean Cox	Alice McBride	David Miller
SECRETARY:	Janice Decker		

Robert D. Willner

Richard J. Borries

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
AUGUST 3, 1981

The meeting of the County Commissioners was held on Monday, August 3, 1981, at 2:30 P.M. in the Commissioners Hearing Room.

This being the first meeting of the month, it was officially opened by Deputy Pete Swaim.

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

RE: LETTER FROM SHERIFF'S OFFICE...MONIES FROM CAPITAL IMPROVEMENT FUND

President Willner read the following letter from Sheriff James DeGroote:

Dear Commissioners:

The Vanderburgh County Sheriff's Department requests the following from the Capital Improvement Fund:

Welding expanded metal and braces on each end of Third Floor cells to improve security and to stop contraband from entering cells from the perimeter.....$2,258.54.

Adding smoke alarms to the Second and Third Floors of the jail to prevent deaths and law suits from fires.....$20,000.00.

Purchase a sixteen (16) station exercise machine to comply with State and Federal regulations concerning inmates rights to exercise while incarcerated.....$5,000.00.

Sincerely,
James DeGroote, Sheriff

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Captain James Moers was present and stated that some of the above things were not in effect when the jail was built but are now state and federal laws, therefore we must comply with them.

County Attorney David Jones said he would like to point out that the Indiana Department of Corrections performs annual inspections of the jails, as does the County Grand Jury and all of these inspections in the past several years has called upon the Sheriff's Department to install these smoke detectors and also sited the need for physical exercise. It has been decided we need them and recommended that we install them.

Commissioner Cox said she and Mr. Tuley went to the jail a couple of weeks ago and met with Captain Moers and he explained to us the need for the requested items and she would recommend approval of it, therefore she would move it be approved.

Commissioner Borries seconded the motion. So ordered.

President Willner told Captain Moers to get a letter to the County Auditor to go on the September Council Call for this request.

RE: CONRAD COOPER.....AUTITORIUM

Parking Lot Device

In a letter submitted to the Commissioners it stated that as of this date, installation of the mechanical parking lot devices are 80% complete. All equipment has been operating for approximately one week without incident. Thus far, approximately $1,800.00 has been expended in the installation. At present levels, approximately $1,761.00 is spent annually on benefits for each hourly employee by theCounty. This figure does not reflect the employees annual salary of approximately $12,000.00 or additional expense of part-time help to work the lot in the evenings and weekend. With these figures in mind, I think it is easy to expect the lot mechanism to start paying for itself almost immediately, despite some temporary loss of use by those persons desiring in and out privileges.

Request on Rate Adjustment of Auditorium

Also stated in Mr. Cooper's letter was his recommendation that the rates for the rental of the Gold Room Exhibition Hall be raised to reflect a 33 1/3¢ per square foot cost as of January 1, 1982. (Approximately $425.00 for 8 hours). This compares to a national average of 35¢ per square foot. At the national rate the Gold Room would rent for $455.00 for an eight hour period. However, since some standard exhibition hall features such as an adequate loading door, floor power outlets, water and steam are not available, he doesn't think the full rate can be expected.
He does not feel this should be done right now, but he would like for the Commissioners to think about it in the future and perhaps take some action on it by the end of the year.

Bill from Barber Colman Company

Mr. Cooper said he still has a bill from 1979 for work performed by the Colman Company in 1978. He received a phone call this morning from their attorney concerning payment of the bill. He said we requested a special appropriation for this from the County Council and it was tabled, but he advised their attorney we will re-submit the request in September.

President Willner said the Council will probably ask Mr. Cooper if he can transfer this money from another account to pay the bill.

Mr. Cooper said at this point he finds this very un-likely, that also he understands he cannot pay an old bill with current funds.

County Auditor, Alice McBride said the County Council can give their permission for Mr. Cooper to pay this bill from current funds, but he must get their approval.

Commissioner Cox suggested that Mr. Cooper try to transfer funds to pay this bill and then if he should run short later in the year they could then ask the Council for additional money.

Commissioner Cox moved that Mr. Cooper be allowed to go before County Council requesting funds to pay the Barber Colman Company. Commissioner Borries seconded the motion. So ordered.

RE: BOB FORTUNE....DATA PROCESSING

President Willner said they have received the following letter from the Prosecutor:

July 30, 1981

Re: Set up of Computer System in the
new IV-D Headquarters.

Dear Commissioners:

After members of my office and Mr. Bob Fortune met, Mr. Fortune informed them that there would be no problem in tying the Computer System in their new quarters at 615 Main into the terminals here in the Civic Center Complex.

Mr. Fortune proposes to go through the Indiana Bell Telephone lines. He will take care of all contact with the telephone company and will get back with you in order to keep you informed of all progress.

There will be no charge to Vanderburgh County for this installation and service, as this will be funded by the State of Indiana, which costs Mr. Fortune will also see are properly charged.

If this is a matter necessary to come before the weekly meeting of the Board of County Commissioners, would you please call by secretary, Sandra Millard, 426-5156, in order that we might have someone at the meeting.

If there are any questions we might be able to answer for you in regard to this request, please call.

Sincerely,
Jeffery L. Lantz
Vanderburgh County Prosecutor

President Willner said he did not think it necessary to call the Prosecutor's secretary since Mr. Fortune is present and could answer any questions the Commissioners might have.

Mr. Fortune said the re-imbursement will work just like the VI-D Program, as a whole, that he believes it is paid from the General Fund and then the State re-imburses your General Fund.....100%.

Commissioner Borries moved the request from the Prosecutor's office be approved. Commissioner Cox seconded the motion. So ordered.

RE: JESSE CROOKS....BUILDING COMMISSION

Weed Problem

Mr. Crooks said the weed problem out on Park Road, that as of this week they have not done anything, that perhaps they are still trying to get a bush hog, so he would recommend we give them another week.

Rode Road. Mr. Crooks said he talked to someone about mowing out there & he was informed that everything was such a mess they would not try to mow it until some of the debri, etc. was cleaned up first. Someone was suppose to have started cleaning it up over the week end but as of today, nothing has been done to it, so he would recommend we also give them another week, and he will stay in touch.

RE: GENE KAUTZMAN.....COUNTY HIGHWAY GARAGE

Absentee Report

Mr. Jerry Linzy submitted the weekly absentee report of the employees at the County Garage for the period of July 27 thru July 31, 1981.

Report received and filed.

Weekly Work Report

Mr. Linzy submitted the weekly work report for the employees of the County Garage for the period of July 27, thru July 31, 1981.

Report received and filed.

Monthly Reports

Mr. Linzy submitted the monthly reports for both the months of May and June, 1981.

Both reports received and filed.

RE: BOB BRENNER.....COUNTY SURVEYOR

Bridge and Guardrail Report

Mr. David Guillaum submitted the bridge and guardrail report for the period of July 27 thru July 31, 1981.

Hillsdale Road. Mr. Guillaum said they have completed the Hillsdale Road project and it is open.

Seven Hills. Mr. Guillaum said Seven Hills was opened to traffic last week, and they put the guardrail up, so it is 100% complete.

Cypress Dale. Mr. Guillaum said the contractor has moved in on Cypress Dale and the project is bout 50% complete.

Wimberg. Mr. Guillaum said they are hoping to get started on the Wimberg project this week. Wimberg will be closed for thirty (30) days from St. Joe to Kratzville Road.

Tupman Road. Commissioner Cox said last week we discussed the problem of getting a water line removed from the bridge so the contractor could get started on it, well evidently Commissioner Borries got some action on it when he contacted the water department.

Commissioner Borries said he contacted Mr. Mills and they understood the line had already been taken down and when he found out it had not been, he told us he would get someone on it right away. We understand it has since been removed and ready for the contractor.

RE: INTRODUCTION OF THE NEW COUNTY HIGHWAY ENGINEER

President Willner said at this time he would like to introduce the new County Highway Engineer, Mr. David South. He said Mr. South is from up north and we would like to welcome him aboard, and that he comes to us highly recommended.

Mr. Willner said he and Mr. South did travel out to the Lynch Road Project and inspect it and Mr. South touched base with Engineer Associates on the problem of the Railroad spur to the Creasey Company.

Also in the near future Mr. South would like to travel to Indianapolis to try to settle some matters.

Mr. South had asked earlier if we have any projects going that we require federal money on and yes we do have one, that being the St. Joe and Meyer Road project, so perhaps Mr. South can take a look at that in the near future.

RE: COUNTY ATTORNEY

Check from Guaranty National Insurance Company

President Willner said last week we received a check in the amount of $440.00 for reimbursement concerning the Short vs. the Sheriff and after Mr. Jones checked the matter out, he submitted the following letter to the Commissioners of his findings.

Mr. John Cook
Graranty National Insurance Company
307 West 200 South, Suite 5003
Salt Lake City, Utah 84101

July 28, 1981

Re: Phyllis Short v. James DeGroote, Sheriff
United States District Court, Southern
District of Indiana N. EV 81-15-C

Dear Mr. Cook

Reference is made to your recent communication and acknowledgement made of receipt of your company's check in the sum of $440.00 representing reimbursement of costs and attorneys' fees incurred by the County in the above-captioned matter. I have verified and advised the Board of County Commissioners of Vanderburgh County that your company's former policy carried a $1,000.00 deductible. It is my opinion that this matter has been fully settled and your cooperation is appreciated.

Very truly yours,
David L. Jones
County Attorney

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President Willner said the check is being held by the Auditor. Mrs. McBride presented the check to the Commissioners, they all endorsed it, it was returned to the Auditor to be put into the County General Fund.

RE: AFFIDAVIT OF MAILING...SOUTHERN R.R. vs. COMMISSIONERS

President Willner said we have an affidavit of mailing in the suit the Southern Railway vs. County Commissioners, to let the record show it was received and filed and referred to County Attorney David Miller.

The material was given to Mrs. Meeks, Commissioner's secretary, with the instructions to see that it gets to Mr. Miller.

RE: LETTER FROM D.E. McGILLEM & ASSOC. ON LYNCH ROAD PROJECT

President Willner read the following letter dated July 21, 1981

Re: Project N. M-E 185 (1)
Lynch Road Improvements
Vanderburgh County Indiana

Dear County Commissioners:

Vanderburgh County proposes an extension on new alignment of Lynch Road north and northeast of Evansville, Indiana. Enclosed is a brief description of the project as

well as several maps, photographs and an aerial photograph which will aid in locating the project.

To aid in our early coordination effort, you are asked to study the enclosed material and evaluate this projects impacts on areas under your jurisdiction or expertise. To expedite development of this project, you are asked to return a reply by September 4, 1981. If no reply has been received by that date, it will be assumed that your agency has no comment on the proposal at that time. Your cooperation is greatly appreciated.

Should you have any questions concerning this proposal, please do not hesitate to contact me.

Very truly yours,
Robert E. Hittle, Director
Environmental Services.
D.E. McGillem and Associates, Inc.

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President Willner said he would ask the other two Commissioners that after todays meeting they all get together and check the alignment on the project and get a letter back to Mr. Hittle.

Commissioner Borries said he believes there are three alternatives in this matter and he would also like to see Mr. David South in this meeting, so that he can be briefed on the matter.

Mr. South agreed to attend the meeting.

RE: AGREEMENT FOR ENGINEERING SERVICES....LYNCH ROAD

President Willner said we have the agreement for engineering services to be signed on Lynch Road Project M-E 185 (2). He said this is for the extension of the original engineering services that had expired and we had to renew. He said we have two copies, one being ours and the other copy to go to the Consultant, after signed by the County Commissioners.

Both copies were signed by the three County Commissioners.

RE: LETTER FROM COUNTY ASSESSOR

President Willner read the following letter from the County Assessor, dated July 28,1981

Board of County Commissioners,

This is to inform you that I will not be able to attend the Assessment Ratio Study Workship in Chicago next week. Therefore, I will not need the money that the Commissioners approved for the trip. I will not be able to attend due to the fact that a member of the family is having surgery that day.

Thank you,
James L. Angermeier, Assessor
Vanderburgh County, Indiana

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Letter received and filed.

RE: LETTER FROM TRI-STATE OIL, INC.

President Willner read the following letter from Tri-State Oil, Inc. dated July 1, 1981.

County Commissioners,

Tri-State Oil Salvage Inc., is putting in a request from county commissioners to continue to spray water on Union Townsip gravel roads.

Sincerely,
John Faust, Manager
Tri-State Oil Salvage

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Commissioner Cox said when they drain the water that accumulates on their oil tanks, they take it out and spread it on the dirt roads in Union township. They have done this in the past with the approval of the Commissioners. She received a call about three weeks ago concerning this and at that time she told them to go ahead and spread it, but to get a letter into the Commissioners requesting it, since this is a new administration. She said there is some oil in it, but that most of it is water, but it helps keep down the dust.

President Willner and Commissioner Borries both agreed there is nothing wrong with this being done.
Commissioner Borries moved that Tri-State Oil Salvage be allowed to continue spreading the water on the Union township roads. Commissioner Cox seconded the motion. So ordered.

Commissioner Cox said she would call them and inform them of the decision made.

RE: LETTER & FLOOD INSURANCE RATE MAP

President Willner said we have a letter and also a flood insurance rate map from Federal Emergency Management Agency. He said he understands it is an up-dating of the flood elevation for Schlensker Ditch, between Conrail bridge and a point approximately 4,500 ft. down the stream, in a portion of northern Vanderburgh County.

President Willner gave all the material to Mr. David South and told him that he might also want to have Mr. Jesse Crooks look at it, so that he can change his building requirements in that area.

Commissioner Borries said this should also qualify some additional people in regards to flood insurance and President Willner said yes, this is correct.

RE: PETITION FOR REPAIR OF ROAD AT ELEVENTH AVENUE

President Willner said a petition was submitted for repair of road at Eleventh Avenue off Allen Lane, with twenty five (25) signatures on it and read as follows:

We, the undersigned, hereby request the County of Vanderburgh to make repairs on the road of North Eleventh Avenue, just north of Allen Lane, Evansville, Indiana. The road is dusty and full of pot holes and in general, very poor condition.

******

President Willner gave the petition to Mrs. Meeks and instructed her to contact the County Garage and inform them of the matter, have them to check it out and report their findings to us at the next Commission meeting.

RE: ANNUAL REPORT...HEALTH DEPARTMENT

President Willner said each of the Commissioners have been given a copy of the Annual Report of the Evansville and Vanderburgh County Health Department.

Reports received and filed.

RE: CERTIFICATES OF INSURANCE

A certificate of insurance was submitted by W.W. Siegrist Machinery Company, Inc. for a hardware show to be held at the Auditorium on August 6,7,8 and 9, 1981.

A certificate of insurance was submitted by the Turning Point Programs, Windsor Publications, etal for programs of 11/16/81 and 11/17/81 in the Gold Room at the Auditorium.

A certificate of insurance was submitted by Louis S. Linton DBA Sib's Marineland Sales for a boat building or repair and drivers..coverage under U.S. Act.

A certificate of insurance was submitted for the Prosecutor's office at 615 Main Street, Evansville, Indiana effective 9-1-81 from Torian Agency, Inc.

All certificates received and filed.

RE: ORDINANCE ON VANDERBURGH COUNTY EMPLOYEES PERSONNEL POLICY

President Willner said we have before us again the Ordinance on Vanderburgh County Employees Personnel Policy, which has been approved by the Vanderburgh County Council and has been advertised in the Evansville Courier and Press as legally required.

Commissioner Borries said when the Council approved this he does not know if they set any particular date as to when this should be implemented, because he believes this was our intent to help with budgeting when we drafted the Ordinance. He is wondering if we want this policy to begin in mid-year or should it be effective January 1, 1982.

PResident Willner said he thinks we would like for it to start immediately, but there are some problems with doing that, and it is mainly vacation. He said some employees, after the passage of this policy will find they will have additional vacation time coming to them and the officeholders were not planning on this. He would like to know if we can approve this ordinance subject to the vacation part of the policy taking effect this coming year and the rest of it taking effect immediately.

County Attorney David Jones said it would have to be written into the Ordinance. He said you have more problems then just vacation, when you pick it up in the middle of the year, for instance, personnel personal days, maternity leaves, leave of absence, anything that accrues, you would have to take on a split year basis and it is required in the ordinance that you keep record of that sort of thing and you don't have a pro-rata system for picking it up in mid year, so you would have to add that to it. He would recommend that the full Ordinance take effect January 1, 1982, however, the County Commissioners can go ahead and sign it and accept it today.
He said the effective date the Commissioners vote on takes effect for all of those employees who are hired and fired by the Commissioners. The other offices will go on line when the elected official affirmatively adopts it, whereby they sign onto the Ordinance, by putting their signature on it.

President Willner said he would like to see each officeholder have a copy of this Ordinance.

Commissioner Borries said perhaps at a later date, if our finances will allow it, that each employee would get a copy of the Policy.

Commissioner Borries moved that the Ordinance on Vanderburgh County Employees Personnel Policy (Revised Draft, June 26, 1981) be approved this 3rd. day of August, 1981 and that it be effective beginning January 1, 1982.
Commissioner Cox seconded the motion which carried unanimously in the affirmative.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

KNIGHT TOWNSHIP ASSESSOR

Veronica Geary	2521 N. Burkhardt Rd.	Clerk	$30.00 Day	Eff:7-27-81
Sheila Mills	2521 N. Burkhardt Rd.	Clerk	$30.00 Day	Eff:7-27-81

AREA PLAN COMMISSION

Patricia Keating	351 Park Place Drive	Part time	$3.85 Hour	Eff:8-3-81

COUNTY HIGHWAY DEPARTMENT

David L. South	2843 Wash. Ave.Apt.B	County Hwy Eng.	$25,194.00 Yr.	Eff:8-2-81

CUMULATIVE BRIDGE

Dan Hartman	722 College Highway	Bridge Eng.	$25,194.00 Yr.	Eff:7-30-81

LAW LIBRARY

Sharon Wilson	1667 Bayard Park	Vacation Clerk	$155.00 Week (1 Week Only)	Eff:8-10-81

VANDERBURGH SUPERIOR COURT

Lisa R. Sartore		Court Reporter	$14,617.00 Yr.	Eff:7-30-81

CLERK OF CIRCUIT AND SUPERIOR COURTS

Susie Kirk	8302 Spry Road	Deputy Clerk	$350.95	Eff:7-31-81

PROSECUTOR

William Welborn	112 N.W. Seventh	Deputy Prosecutor	$12,000.00 Yr.	Eff:7-31-81
Carol Hartman	R.R. 1 Box 212	Secretary	$ 9,200.00 Yr.	Eff:7-31-81
Jeanne Bittner	R.R. 1 Outer St.Joe	Secretary	$10,419.00 Yr.	Eff:7-31-81
Michael Langlois	901-D Harriett St.	Deputy Prosecutor	$15,671.00 Yr.	Eff:7-31-81
Robert Carithers	2301 New Harmony Way	Deputy Prosecutor	$19,170.00 Yr.	Eff:7-31-81

EMPLOYMENT CHANGES.....RELEASES

COUNTY RECORDER

April M. Clemmons	609 S. Evans	Part-time Deputy	$30.00 Day	Eff:7-13-81

CUMULATIVE BRIDGE FUND

Dan Hartman	722 College Highway	Hwy. Engineer	$25,194.00 Yr.	Eff:7-30-81

COUNTY TREASURER

Barbara Rae Harrison		Part time	$30.00 Day	Eff:7-17-81

LAW LIBRARY:

Sharon Wilson	1667 Bayard Park	Vacation Clerk	$155.00 Week	Eff:8-17-81

CAREER CRIMINAL UNIT...PROSECUTOR

William Welborn	112 N.W. Seventh	Deputy Pros.	$12,000.00 Yr.	Eff:7-31-81

VANDERBURGH SUPERIOR COURT

Lisa R. Sartore		Court Reporter	$13,000.00 Yr.	Eff:7-30-81

CLERK OF CIRCUIT AND SUPERIOR COURTS

Deborah Hunter	738 E. Powell	Deputy Clerk	$350.95	Eff:7-30-81

PROSECUTOR

Carol Hartman	R.R.1 Box 212	Secretary	$8,600.00 Yr.	Eff:7-31-81
Jeanne Bittner	R.R.1 Outer St.Joe	Secretary	$9,600.00 Yr.	Eff:7-31-81
Michael Langlois	901-D Harriet St.	Deputy Prosecutor	$15,000.00 Yr.	Eff:7-31-81
Robert Carithers	2301 New Harmoney Wy.	Deputy Prosecutor	$18,500.00 Yr.	Eff:7-31-81

There being no further business the meeting recessed at 3:25 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard "Rick" Borries Shirley Jean Cox	Alice McBride	David Jones

Robert Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
AUGUST 10, 1981

The meeting of the County Commissioners was held on Monday, August 10, 1981 at 2:30 p.m. in the Commissioners Hearing Room.

The minutes of the previous meeting were approved as engrossed by the County Auditor and the reading of them dispensed with. Commissioner Borries was on vacation.

RE: SHERIFF...REQUEST TO ADVERTISE FOR VAN

Chief Deputy Mark Mabrey was present and stated that each Commissioner should have a packet containing all available information of the Sheriff's van.
He said that Commissioner Willner has had the opportunity to inspect and drive the van and he believes Mr. Willner's recommendation would be that we purchase a new van.
He said in 1976 when we advertised for bids on the present van we received bids from Key Ford and from Mav-ron, Inc.
In just a recent talk with Mav-ron, Inc., they have been able to locate a new, 1981 model which would meet with the price approved by the County Council and he would recommend, based upon the reputation and service they have received from Mav-ron that they be awarded the bid.

President Willner said he did inspect the van and he did drive it and it is his opinion the vehicle is not suitable for long distance driving and although he personally does not want to take the money out of the CCI Fund, he sees no other alternative, therefore he would recommend the Sheriff be allowed to take bids on it.

Officer Mabrey said there was a typographical error made in the request to the County Council, that they requested $17,500.00 instead of $17,000.00 and it was allowed by the Council. The van from Mav-ron will run approximately $17,800.00.

Commissioner Cox moved the request from the Sheriff's office to advertise for bids for a new prisoner transport van be allowed. President Willner seconded the motion which carried with two votes.

President Willner instructed Officer Mabrey to take the specifications to purchasing, they will advertise for the bids to be opened in two weeks with a final decision following.

RE: LETTER FROM DRUG AND ALCOHOL DEFERRAL...REQUEST TO MOVE

The following letter was submitted by the Drug and Alcohol Deferral Service.

August 10, 1981

RE: Request to move.

Board of County Commissioners,

The Drug and Alcohol Deferral Service, for the past five years, has been located at 123 Northwest Fourth Street in the Court Building, Room #1. During this period of time, we have maintained a non-escalating lease. We are presently paying $3.96 per square foot for 1,805 square feet. We also pay in our present facility for the utilities each month at an average of $100.00 per month. As of September 1, 1981, our lease expires and the new rent will be approximately $8.50 per square foot, which will be prohibitive.

We are requesting permission to move to 111 Northwest Fourth Street (next door) in the basement of the Landmark Building. This new facility will be renovated to meet our needs and provide 1,934 square feet at a cost of $4.38 per square foot, including utilities. This lease is being negotiated with the owner of the building, the Riverside Oil Company, through Shively Realty Company. The monthly rental, being $796.50, will be in effective for three years beginning September 1,1981, and will be non-escalating.

As a part of this move, we will be dropping one of our telephone trunk lines (426-5245) and three telephones.

We believe that this move is a necessity and will accomplish a cost effective measure relative to operations for the next three years and will, in fact, provide us with a more professional environment.

William M. Campbell,Director

Mr. Campbell was present and basically explained what the above letter states. He said they will need no more monies, that their budget will cover all expenses for the remainder of the year.

Commissioner Cox said whe would like to commend Mr. Campbell for the dropping of one of his phones, that the Commissioners appreciate the effort.

Mr. Campbell said their office has never moved, but he does have a safe and considerable other items to be moved.

Commissioner Cox suggested he contact Mr. Mark Tuley, that he can offer some assistance in moving.

President Willner informed Mr. Campbell that he should get the lease agreement to County Attorney David Miller as soon as possible.

Commissioner Cox moved that the request to move from the Drug and Alcohol Deferral Service be approved, subject to the County Attorney's approval of the lease agreement. President Willner seconded the motion which carried with two votes.

RE: POOR RELIEF....KNIGHT TOWNSHIP

Applicant: Jeanette Flowers
Representative from Knight Township Trustee: Mary Ellen Mueller.

Ms. Flowers was present and stated she is asking for $77.25 for medicine, which was denied by the Trustee's office. She said she lives with her mother, who is 73 years old, on Social Security and cannot afford to buy medicine for her. They reside at 1205 Marshall Avenue.

Ms. Veronica Keenan, with the Outreach Ministeries Program, was present and stated the Trustee's office denied the request from Ms. Flowers for $77.25, that they have been trying to help her, that they paid the $77.25 and they are now appealing the Trustee's decision.

President Willner asked Ms. Flowers the nature of her illness and she replied severe headaches, that she takes five different drugs for them, and that she has been hospitalized many times because of them. Her Doctor is Howard Burg, at Welborn Clinic.

President Willner asked Ms. Flowers if she is employeed and she replied not at the present time but that she is capable of working as long as she takes her medicine. Her last place of employment is Medco Nursing Home and she quit working there on her doctor's orders. The last time she was in the hospital, it was at St. Mary's Hospital in Rochester, Mn., and she went through the Mayo Clinic, but she did not receive much help from them, that Doctor Burg has helped her the most.

Ms. Mueller, representative of Knight Township was present and presented the following letter to the Commissioners, concerning information on Ms. Flowers.

To County Commissioners,

Ms. Flowers first made application for assistance to this office in July, 1965. At that time her request was for medication due to headaches and emotional problems. At that time this office provided medications for the applicant. Throughout the ensuing 16 years Mrs. Flowers has returned requesting medicine, utilities, shelter, ets., with the same problems - headaches and emotional problems. During this period she has been employed in various jobs for varied employment time lengths. Her most recent employment being at MEDCO for two years until July, 1980 when she quit.

Her application, of July, 1981, requests medicine for headaches, and was denied due to over-income status in household. Even though Ms. Flowers is unemployed the income in the household from other sources is in excess of $425.00 per month. In addition, Ms. Flowers receives free room and board which is considered by the Trustee's Standards to exceed the maximum allowable income for assistance under non-monetary Trustee Standard Provision, considering that shelter, utilities and food should be worth more than $235.00 per month, hence over-income (The maximum allowab - income for two people under the standard is $297.00).

It is suggest Ms. Flowers file for unemployment from her last job in July, 1980 and use these funds to purchase medicine, etc. in order to allow her to regain her health and seek gainful employment.

E. James Dant
Knight Township Trustee

President Willner asked Ms. Flowers if she had applied for unemployment from her last job and she replied she received it but that it ran out in June of this year. She was drawing $84.00 a week and was purchasing all her medicine out of that.

Ms. Keenan said the issue is that the Trustee's office is taking the applicant's Mother's money into consideration for the daughter and she does not think this is valid and she does not think this should be the reason Ms. Flower's is not getting help. Also the Trustee's regulations say the Trustee's shall provide medicine, not may provide medicine.

Ms. Flower's said in looking over the letter submitted to the Commissioners from Mr. Dant, it looks like she has received a lot of help from them, but she has not. It is true she applied there several times but she received no help on several occasions.

President Willner asked Ms. Flowers if she had ever applied for permanent dissability and she replied no, because she is able to work as long as she takes her medicine.

Ms. Flowers said she is registered with the Indiana Unemployment Service and has an interview for a job tomorrow.

After repeated discussion President Willner said the Commissioners have decided to ask the Trustee to supplement her medicine for this week, for whatever amount of dollars that may be, see how her job interview comes out, also help her file for partial Social Security benefits and report back in two weeks, with a report of the findings.

Ms. Mueller said she would do this.

RE: MARK TULEY....SUPERINTENDENT OF COUNTY BUILDINGS

Roof Repairs at Washingtons Children's Home

Mr. Tuley said he is requesting to spend $301.00 for ten (10) five gallon buckets of roof sealer to put on the building at the Washington Children's Home.
This would bring the total cost of repairs to $903.00. Permission was granted.

Summer Employee

Mr. Tuley said our summer employee will finish up F day of this week. We have plenty of work for him to do but the money has ran out. He said in his own personal account, there is about $400.00 that will be left at the end of the year because he was not paid the full salary when he first took the job and he is wondering if it is possible to transfer that amount into his part time account to pay the summer employee. He would like to get the Commissioner's permission to do this if the Auditor tells him it is permissable.

Commissioner Cox said she thinks Mr. Tuley would have to go before the County Council with this request

Mr. Tuley said he wants the Commissioners to be aware of the fact he has $5,000.00 left in his #252 account and $3,500.00 left in his # 253 account, so we are running pretty close.

Shower Stalls at Washington Home

President Willner said he inspected the shower stalls at the Washington Home and something needs to be done.

Mr. Tuley said the pipes all ran under the floor and they had to tear the tile floor up to repair them, and they now intend to put down some sort of a linoleum down which will run approximately $250.00. Mr. Gossar will do the work for us. The Commissioners agreed.

RE: CONRAD COOPER.....AUDITORIUM

Rate Change for Auditorium

Mr. Cooper said last week we discussed a future rate change for the Gold Room to be effective the first of the year. He has since gone over the entire rate structure and at this time he presented a written proposed rate change to each of the Commissioners. You will see some cases are up and some are down, that what he tried to do was to favor multiple use. He would like for the Commissioners to look over the proposal and he would certainly be open for any suggestions. He would like to remind the Commissioners there has been no adjustments in the rates since January 1978, and he feels it is time we address the issue.

Small Building on Parking Lot

President Willner asked Mr. Cooper if the Highway has approached him about the small building that was on the parking lot of the Auditorium.

Mr. Cooper said he talked with them about it and told them he would be willing to part with the building if the Highway could come up with a gate for that entrance on Walnut Street. It should be a movable gate so that we could open and close it if we need to get a large truck in there. They seemed to think they had some scrap pipe whereby they could weld one up for us.

RE: GENE KAUTZMAN.....COUNTY HIGHWAY GARAGE

Absentee Report

Mr. Jerry Linzy submitted the weekly absentee report of the employees at the County Garage for the period of August 3 through August 7, 1981.

Report received and filed.

Weekly Work Report

Mr. Linzy submitted the weekly work report for the employees of the County Garage for the period of August 3 through August 7, 1981.

Report received and filed.

Petition for Repair of Road at Eleventh Avenue

Mr. Linzy said there was a request made at last week's meeting for repair of road at Eleventh Avenue off Allen Lane. They inspected it and it was full of holes and in need of repair so they started on it Thursday and finished it up Friday, by patching it out. The people would have liked to have it repaved, but we patched it.

Money for Repaving

President Willner said the County Council, at their last meeting approved $100,000.00 for repaving of county roads and he would ask at this time for the Highway to come up with a list of roads that they feel needs to have top priority. He said perhaps one day Mr. Kautzman or Mr. Linzy could take the new Highway Engineer around and get some input from him on it also.

RE: DAVID SOUTH....COUNTY HIGHWAY ENGINEER

Change Order.....Signing Project

Mr. South submitted to the Commissioners a change order for the Signing Project, which has been completed and represents the final quantities as placed in field. It is at an increase cost of $3,535.00.

President Willner said this change is for the Hazardous Warning Signage, for bridges, culverts, etc.

Commissioner Cox moved the change order be approved. President Willner seconded the motion. So ordered.

Claim Vouchers

Mr. South presented the Commissioners with copies of two claim vouchers for us to sign to get more money from the state and is in regards to the Pavement Marking Project - Phase I, II and III. Phase I and II is for $511.23 and Phase III is in the amount of $1,463.31 and these amounts we can collect from the state. Sieco, Inc. made out the vouchers for us to send in. He said this is a IV Phase contract, with Phases I,II & III being now complete.

Commissioner Cox moved the supplemental agreement be approved. President Willner seconded the motion. So ordered.

Permission to Travel to Indianapolis

Mr. South said last week it was mentioned that he would like to travel to Indianapolis and he still does not have a definite time. He is having transmission trouble with the car assigned to him and until that problem is solved he does not want to take it out of the city or state, so he is requesting permission to go and use his own private vehicle and be paid mileage.

Permission granted.

Sign Improvement Up-Grade

Mr. South said when he came on this job they were discussing secondary projects and there is, probably this year, going to be a million dollars in aid laying in Indianapolis for secondary roads and there have been a couple of areas talked about, one of which is up-dating signing on secondary roads. He would like to get with David Savage and see if we would like to do a sign improvement up-grade on secondary roads. He talked to Mr. Brenner, County Surveyor and we have two intersections on St. Joe, one of which is done and the state has approved plans for the intersection improvement, however it is in the urban limits and we have no urban monies right now. The intersection at Schenk Road is in the country, but the plans aren't done. If we can work it out with the Surveyor's Office we would like to start a survey party surveying that, so at this time he would like permission to start the field work on this intersection.

Permission granted by President Willner and Commissioner Cox.

Claims

Mr. South said he understands some claims came directly to the Commissioners on Lynch Road and St. Joe Road, that he has not had a chance to see them, so if the Commissioners want, they can hold up on them for a week to give him a chance to see them.

President Willner referred the following claims to Mr. South.

Engineer Associates, for engineering inspection of St. Joe Avenue for the period of 7-20-81 to 7-24-81.

Engineer Associates, for engineering inspection of St. Joe Avenue for the period of 7-27-81 to 7-31-81.

Engineer Associates, for engineering inspection of Lynch Road for the period of 7-20-81 to 7-24-81.

Ingineer Associates, for engineering inspection of Lynch Road for the period of 7-27-81 to 7-31-81.

Mr. South said some Lynch Road claims are being held in the Auditor's office, because of lack of funding.

RE: BOB BRENNER....COUNTY SURVEYOR

Bridge and Guardrail Report

David Guillaum submitted the bridge and guardrail report for the period of August 3, 1981 thru August 7, 1981 and stated they repaired the problem on Campbell Road that the complaint had been called in on. He said they had a pipe problem on Bridgeview that has been corrected, that they put the finishing touches on today and it is now complete. He said on Wedeking, they met just this morning with the gas people, and as soon as they relocate the gas line we will attempt to get our pipe installed, that there is a line on the east side that they will have to lower. We will have to close Burkhardt Road when we are able to get started, so he will notify everyone when that time comes, that it will be for just a couple of days.

President Willner asked Mr. Guillaum if they were ready for the blacktop on Hillsdale and he replied yes, they are, and he will get with Mr. Kautzman to get it done.

RE: COUNTY ATTORNEY.....DAVID MILLER

Oral Argument on Southern Railway

Mr. Miller said on the oral argument of the Southern Railway vs. Vanderburgh County Board of Commissioners case, in the Indiana Court of Appeals is set for September 15, 1981. He said they want to hear oral argument in addition to reading our briefs, so he will be traveling to Indianapolis for that argument and it is at 10:00 a.m., so he will be going up the night before.

President Willner said this is concerning the abandonment of two overpasses, those being Boonville-New Harmony Road and Bender Road.

Law Suit.....Hille Case

Mr. Miller said we have prepared, and will file, a motion for summary judgement in the Hille case, based on the investigation we have done.

Proposed Settlement from Mr. Ron Lyles

Mr. Miller said he sent a letter to the Commissioners, concerning the Lyles matter, that we have prepared a motion for summary judgement, based upon the County Council minutes. His personal feelings about the case has not changed but he does need some reaction from the Commissioners on the proposal.

President Willner said to clear the record, the Commissioners did receive a letter from County Attorney David Miller stating that the attorney for Mr. Ron Lyles did contact him and proposed a settlement in the amount of $4,000.00. The Commissioners did meet on the matter and they have decided to reject the proposal, at this time.

Commissioner Cox said we decided this because the Commissioners read the progress on the case and seen where Mr. Miller had filed a motion for summary judgement and we felt like this should go on and at least be heard and approved or denied.

Mr. Miller said if this is the Commissioners decision then he will proceed.

Suit...Wollenmann vs.Louisville and Nashville R.R.

Mr. Miller said he received a copy of a letter regarding a incident which occured May 20, 1978 in the Howell Yards. He said the letter was from Robert Simpkins and makes reference to the case of Woolenmann vs.Louisville & Nashville Railroad, that Wollenmann aparently filed a class action . He said the case is being handled by Mr. David Jones' law firm for the defense.

Commissioner Cox said this came up a couple of weeks ago, that the City was also named and they said since the County Deputy's were used, they want to know if any county vehicles were used, for re-imbursement purposes, if we felt like we were entitled to some damages as far as salaries and time. She said really, the Sheriff's Deputies go to all such accidents and it is sometimes a mess to even get involved in something like this, that this is part of the public service.

Mr. Miller said that each time the Sheriff makes a run he does not feel we are entitled to reimbursement.

RE: TELEPHONE REQUEST....IV-D SUPPORT UNIT

President Willner said we have a telephone request from the IV-D Program, concerning their move to 615 Main Street, but the Commissioners approved this request a couple of weeks ago, so this does not have to be re-approved, only the appropriate date inserted on the request.

President Willner and Commissioner Cox both agreed upon the telephone request being approved.

RE: CHECK FROM TREASURER OF CITY OF EVANSVILLE

President Willner said the Commissioners have received a check in the amount of $434.50 from the Purchasing Department for paper purchased in October of 1980 and they owe the County this amount of money.

Commissioner Cox moved the check be accepted and endorsed for depositing in the County General Fund. President Willner seconded the motion. So ordered.

RE: CHECK FROM EVANSVILLE CABLE T.V.

President Willner said the Commissioners received a check from Evansville Cable T.V. in the amount of $4,501.84 for the quarter year payment per agreement of July 28, 1980 for the period of April 1, 1981 to June 30, 1981. Letter of explanation was enclosed.

Commissioner Cox moved the check be accepted and endorsed to be put into the County General Fund. President Willner seconded the motion. So ordered.

RE: MONTHLY REPORT....COUNTY TREASURER

Submitted was the Treasurer's monthly report for the month of June, 1981.

Report received and filed.

RE: CERTIFICATES OF INSURANCE

A certificate of insurance was submitted by James Robinson Evangelistic Assoc. for social gatherings and meeting on premises not owned or operated by the insured on 8-7-81.

A certificate of insurance was submitted by Larry Aiden, DBA Aiken Management for show--Three Dog Night held in the Vanderburgh County Auditorium August 4, 1981.

Certificates received and filed.

RE: CLAIMS

A claim was submitted by Brink's Inc. for services rendered to the Clerk of the Circuit Court for the month of August, 1981, as per contract, in the amount of $234.35, signed by Robert Willner.

Commissioner Cox moved the claim be approved. President Willner seconded the motion. So ordered.

A claim was submitted by County Attorney, David L. Jones for litigation expense for Vanderburgh County, in the amount of $1,372.00. The claim was in connection with the following suits.

1. Vanderburgh County Jail Inmates vs. James DeGroote, et al.
2. Henry W. Hunt vs. Ed Biederwolf, et al.
3. Hille vs. Linville, et al.

A claim was submitted by County Attorney, David Miller for legal services in the amount of $3,366.42.

President Willner said both of the above claims have itemized statements attached, and he has signed both of them.

Commissioner Cox moved the two County Attorney's claims be approved for payment and that a request come from the Commissioners to go before the County Council in September for the appropriation to pay them the amounts due. President Willner seconded the motion. So ordered.

President Willner said they had a request before the Council in August and at that time he asked that it be postponed until September because after talking to the Auditor we find there may be funds to transfer instead of requesting new monies.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

PIGEON TOWNSHIP ASSESSOR

Charles R. Althaus	713 S.E. 2nd. Street	Deputy	$30.00 Day	Eff: 8-4-81

CONVENTION AND VISITORS BUREAU

Mary A. Schoettlen	R.R.1 Box 236	Convention Ser. Man.	$10,250.00 Yr.	Eff: 7-31-81

APPOINTMENTS CONTINUED

VANDERBURGH COUNTY CLERK

Janet E. Badar	330 Tyler	Deputy Clerk	$350.95 Pay	Eff: 7-31-81

CIRCUIT COURT...BAIL BOND

Roy P. Tuley	Frisch Ave.	Interviewer	$10,667.02 Yr.	Eff: 7-31-81

CIRCUIT COURT...PROBATION DEPARTMENT

Scott A. Danks		Summer Intern	$140.00 Week	Eff: 8-10-81

COUNTY COMMISSIONERS (TRASH CONTAINER EMPLOYEE)

John Keown	515 Garfield	Truck Driver	$6.27 Hour	Eff: 7-8-81

SUPERINTENTENT OF COUNTY BUILDING

Ken Palmer		Part time	$4.20 Hour	Eff: 6-8-81

Mr. Tuley said in checking, because we ran out of money in this account, we found we have been paying Mr. Palmer too much money, that there was a specific hourly rate set for that position and we were not aware of it and the Auditor's bookkeeper did not catch it either, so his next pay check will be altered to pay back the difference, that we have been paying him $5.25 per hour.

RE: EMPLOYMENT CHANGES....RELEASES

KNIGHT TOWNSHIP ASSESSOR

Barbara Jeffreys	215 Reis Avenue	Deputy	$30.00 Day	Eff: 8-8-81

SUPERINTENDENT OF COUNTY BUILDINGS

Ken Palmer			$5.25 Hour	Eff: 6-8-81

BURDETTE PARK

Catherine Hamlow	2800 W. Pennsylvania	Extra Guard	$3.25 Hour	Eff: 8-4-81
Darren Blaylock	1413 S. Ruston Ave.	Ground Crew	$4.00 Hour	Eff: 8-4-81
Angela Cook	8010 Petersburg Rd.	Extra Guard	$3.25 Hour	Eff: 8-4-81
Authur Pagett	722 E. Virginia	Security	$4.00 Hour	Eff: 8-10-81

CONVENTION AND VISITORS BUREAU

Mary A. Schoettlin	R.R. 1 Box 236	Office Manager	$9,826.00 Yr.	Eff: 7-30-81

VANDERBURGH COUNTY CLERK:

Susie Kirk	8302 Spry Road	Deputy Clerk	$350.95 Pay	Eff: 7-31-81

CIRCUIT COURT BAIL BOND

Roy P. Tuley	Frisch Avenue	Interviewer	$785.20 Pay	Eff: 7-31-81
Norman G. Hoskinson	Bellemeade Avenue	Interviewer	$789.20 Pay	Eff: 7-31-81

CIRCUIT COURT...PROBATION DEPARTMENT

Terry W. Russell	1610 Adams Avenue	Summer Intern	$140.00 Week	Eff: 8-7-81
Danny J. Lottes	2809 Jeanette Ave.	Summer Intern	$140.00 Week	Eff: 8-7-81

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Albert Holtz	1613 Washington	Engineer	$25,194.00 Yr.	Eff: 7-16-81
John Keown	515 Garfield	Truck Driver	$6.27 Hour	Eff: 7-7-81
Mary Goodman	2602 Forest Ave.	Part time	$30.00 Day	Eff: 7-10-81

There being no further business the meeting recessed at 4:00 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Shirley Jean Cox	Barry Heathcotte (Deputy Auditor)	David Miller

SECRETARY: Janice G. Decker

Robert D. Willner

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
AUGUST 17, 1981

The meeting of the County Commissioners was held on Monday, August 17, 1981, at 7:30 p.m. in the Commissioners Hearing Room.

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

RE: MR. JEFF YATES...PETITION FOR PAVEMENT OF ROAD

Mr. Jeff Yates was present and stated he is before the Commissioners tonight in behalf of himself and several other property owners living on Denzer Road in Vanderburgh County. He personally is a resident of Posey County, but he has a petition he would like to present to the Commissioners at this time signed by eighty nine (89) persons wanting Vanderburgh County to repave the complete 1.4 miles of Denzer Road. Of the eighty nine (89) people that signed the petition only twenty five (25) are Vanderburgh County residents, however, the rest of the people travel Vanderburgh County, shop and buy gas from Vanderburgh County therefore they would also like to see the re-pavement, that they feel the road presents safety hazards and mechanical damage to vehicles traveling the road.

Commissioner Borries asked Mr. Yates if he has any idea how long it has been since Denzer Road has been repaved and he replied the closest he can come to is about five (5) years, and he doesn't know if that was total repaving or patching.

Commissioner Cox asked Mr. Yates if he is going to go to the Posey County Commissioners and ask them to up-grade the rest of the road and he replied yes, he intends to.

President Willner thanked Mr. Yates for appearing and told him the Commissioners would do everything they could to help him out.

RE: REZONING PETITION VC-17-81....THIRD READING

Petitioner...Vickery Drilling Co., Inc., 4445 Commerce Street, Evansville In. 47710.
Owner of Record....Same.

The commonly known address is 2600 North Burkhardt Road. The above real estate is located on zone district designated as A-Agriculture and the requested change is to M-2, General Industrial. The present existing land use is vacant land and the proposed land use is office, equipment repair facility and storage yard.

Attorney Bob Becker was present on behalf of Vickery Drilling, who has filed a petition to rezone property at 2600 North Burkhardt Road. He said this is a three acre tract of land, located on the west side of Burkhardt Road, about 435 ft. south of Old Boonville Highway. He said about one year ago the petitioner was before this board and sought the rezoning of a two acre tract of land that is located immediately south of this property and adjacent to it and after that rezoning was approved the petitioner discovered that the parcel was not quite big enough to permit the development that it wanted and he tried to acquire just a little adjoining property but was unable to do so, so he had to purchase the full three acres.
He said Mr. Leroy Jochum is present and would be happy to answer any specific questions that the Commissioners might have.

Commissioner Cox said there is a 95 ft. set-back off of Burkhardt Road and Mr. Becker said this is correct.

Commissioner Borries asked what sort of things would be stored and Mr. Jochum said it would be tubular items and piping, nothing very large.

Mr. Jochum said when Mr. Becker stated the two acre tract was not large enough, he would say it is because it was so narrow, so he needs to expand it in width.

President Willner said the plans call for two (2) drive-ways and he asked Mr. Jochum if he really needs both of them, because he would like to see only one curb cut.

Mr. Jochum said it would not be absolutely necessary, that one would suffice, provided it was of adequate width.

Commissioner Borries said the Area Plan Staff Field Report says that Burkhardt is a primary thoroughfare and care should be taken to limit the number of immediate access curb cuts.

Commissioner Cox said it was discussed at the Area Plan meeting that the School Corp. owns the property adjoining the north of this proposed rezoning, therefore it was mentioned that perhaps opaque fencing be installed down the north side only.

President Willner asked if a row of trees would serve the same purpose and Mrs. Cox said they did not discuss that.

Mr. Jochum said it was not specified, only that some type of screening be put up. He said they would probably screen a portion, but not all of it at the present time, however he would be willing to do anything that is required of him.

President Willner asked if there were any remonstrators present....there were none.

Commissioner Cox moved that VC-17-81 be approved subject to the screening of the north side of the property and that there be only one drive-way.
Commissioner Borries seconded the motion, which carried unanimously in the affirmative.

RE: REZONING PETITION...VC-18-81....THIRD READING

Petitioner.....Evansville Associates of Indiana, 320 No. Meridian, Indianapolis, In.
Owners of Record...Mauer and Huber Trust, U/A, P.O.Box 3118, Evansville, Indiana
James and Charlotte Baumgart, 425 N. Green River Rd. Evansville, In.
Victor and Helen Baumgart, 425 N. Green River Rd. Evansville, Indiana
Charlotte Baumgart, 425 N. Green River Road, Evansville, Indiana
Gregory G. Kempf, 18 N.W. 4th. St. Evansville, Indiana
Donald and Georgina Baumgart, 425 N. Green River Road, Evansville, In.
Joyce Baumgart Negley, 425 N. Green River Road, Evansville, Indiana

The commonly known address is 425 North Green River Road, Evansville, Indiana. The above real estate is located on zone districts designated as (1) Agricultural "A" District. (2) Neighborhood Commercial "C-1" District, and (3) General Commercial "C-4" District. The requested change is to General Commercial "C-4" District. The present existing land use is agricultural and undeveloped real estate and the authority for the existing land use is the current zoning applicable to said real estate which is within the conforming land use. The proposed land use is for a shopping center development.

Mr. Mike Mitchell was present to represent the petitioner, Evansville Associates, an Indiana General Partnership, consisting of Robert N. Skinner and George P. Broadbent. He said Mr. Broadbent is present with him tonight and would be happy to answer any questions the Commissioners might have after he finishes his presentation. He said The Skinner and Broadbent Company is a concern that develops shopping centers and at this time he distributed several large photographs of shopping centers developed by this firm. He said they are considered quality developers of shopping centers throughout the state of Indiana, having developed some fifteen (15) to seventeen (17) shopping centers. He said this involves some forty (40) acres and the owners of this property is listed above. He said the property is bounded on the north by Carriage Drive, on the south by proposed Virginia Street, on the west by Green River Road and to the east there are the Carriage House Apartment and Normandy Arms Apartments. The Commissioners were all given a copy of the plat plan of the development, as proposed. He said the four or five places shown down close to Green River Road are proposed eating establishments. The center will consist of retail space and also a tall office building and the parking spaces will exceed the Area Plan requirements.
He said Mr. Sam Biggerstaff is the consulting engineer and he is present here tonight and would be happy to answer any questions on the drainage.
He said all utilities are available at the site in accordance with the staff field report. Traffic, he knows, is a consideration that has been reviewed and the frontage road is approximately 31 ft. across the entire north/south portion of the property is committed by the developer and they will stipulate to a site development plan according to the ordinance or any other means that the county attorney advises, to insure that the frontage roads remains where it is. The frontage road is included in the leases for maintaining proper traffic flow. He said Virginia (proposed) is not dedicated onto Green River Road, that it is about 200 ft. short of coming onto Green River Road and his clients own the property on either side of where Virginia Street extended should be and they are willing to dedicate the necessary right-of-way to extend Virginia into Green River Road. He said there is only one curb cut onto Green River Road and that eliminates twelve (12) to thirteen (13) individual curb cuts which could have been the case should the individual owners decided to develop the property on their own.

He said another concern is the Harper Ditch situation, that when we had our drainage board meeting, there was a letter submitted to the Commissioners from the County Surveyor's office indicating the plan that Mr. Biggerstaff has drawn is acceptable with some variations to be worked out in a minor situation. The concept is for a completely enclosed 106 X 68 in. storm sewer running under the property and his clients are committed to the maintenance of that, whether by vacating that strip underneath their property or by maintenance agreement, however legally, this can be worked out.
He said the Sub-division review committee has met and Mr. Biggerstaff has that map with him tonight concerning the run-off and drainage and he believes this is adequately satisfied. They will work with the staff as to screening the rear, so that the apartment dwellers will be satisfied with the situation.
He said it was also brought up and decided that the Drainage Board wants a grate at the eastern entrance to the property and that will be installed according to specifications, and will be maintained also by the owners of the project.
He said in using the same formula as used in Noblesville for one of their shopping centers, they project four hundred and thirty three (433) permanent employees and this does not include the office building, because that will exceed the formula, since there are more employees per square foot in an office complex than in a retail store.
He said approximately 40% of the project has been letters of intent, that the project will consist of a department store, super market, drug store, altogether there will be about thirty (30) to forty (40) stores.

Mr. Sam Biggerstaff presented the Commissioners with the final drainage plans and the traffic plans. He pointed out where the turn lanes will be constructed, where the traffic lights will be and also where the storm sewers will run. He said Mr. Brenner requested some extra man holes be installed and this will be done, but other than that he thinks Mr. Brenner approves of it.

President Willner asked Mr. Brenner if he supported this plan and he replied he does want some extra man holes installed, which they have agreed to do and the owners must also maintain them, as he sees no reason for us to take over another pipe for maintenance. He said he has talked to the City Engineer and the pipe size is adequate.

President Willner asked if there were any remonstrators present...there were none.

Commissioner Borries moved that VC-18-81 be approved subject to the site development plan and the drainage plan being approved by the Vanderburgh County Drainage Board. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

RE: SPECIAL USE PERMIT 11-81-APC...GERALD R. WEBB

Mrs. Barbara Cunningham was present and stated this petition was denied by the Area Plan with nine (9) negative votes. She said the application is for a Special Use #24 for a private recreational use, for a ball diamond with concession, scorekeeper and restroom building. The West Side Improvement Society, who was against this petition, found Mr. Webb another site and she believes Mr. Webb has now dropped the request but did not notify the Area Plan Commission.
Mr. Jones said this is like other rezonings, that no action has to be taken on it.
The petitioner did not present himself tonight therefore there was no action whatsoever taken on the request.

RE: GENE KAUTZMAN....COUNTY HIGHWAY

Absentee Report

Mr. Kautzman submitted the weekly absentee report of the employees at the County Garage for the period of August 10, 1981 thru August 14, 1981.
Report received and filed.

Weekly Work Report

Mr. Kautzman submitted the weekly work report of the employees at the County Garage for the period of August 10, 1981 thru August 14, 1981 and stated he has changed the forms for the weekly work report to show the worker, the location and the project and also the foreman's name..it is a much more detailed form and he believes the Commissioners will like it much better with all the additional information.

List of Roads Recommended for Pavement

Mr. Kautzman submitted a list of roads that he recommends be repaved and asked the Commissioners for their final decision. After looking the list over it was decided by the Commissioners that they should start on Staser Road and then go on to Old State Road.

President Willner asked Mr. Kautzman to also go out and take a look at Denzer Road and report back on it.

Mr. Kautzman said on the 11th Avenue request, they are going to have to do quite a bit of work on it before they can repave it.

It was decided that Mr. Kautzman would start repaving Staser, then Old State Road and then Old Princeton Road and then report back and the Commissioners will then inform him which ones to go to next.

RE: DAVID SOUTH...COUNTY HIGHWAY ENGINEER

Change Orders...Lynch Road

Mr. South said he has change orders Numbers 14, 15, 16, 17 and 20, to be signed by the Commissioners on both Lynch Road and St. Joe Avenue. He said some of them he can comment on but some of them he does not know the history on. He distributed them to the Commissioners and stated they are miscellaneous catch up on the projects. He said the best one is a decrease of $142,000.00. He said Mr. Leo Weiss, project engineer, is present tonight to answer any questions from the Commissioners.

President Willner asked if these change orders are already done and Mr. South replied yes, everything has been done on them.

Mr. South said he does not know where change orders #18 and #19 are at, that some are still being worked on.

President Willner said how come we are getting the change orders after the changes have already been made. He asked if the projects are complete.

Mr. South said no they are not completely finished that there are some final touches yet to be done like some blacktopping, signs, etc, but they have slowed down work and we have picked up on the paper work. He said most of these have been approved on a verbal statis with the Highway Commission.

President Willner said it is really ridiculous to ask us to sign a change order that is already done, that he wants to get the change order first.

Mr. South said some of these are change orders that finish up at the end of the project, which are impossible to do earlier, especially the decreases, but he would agree on the increases, that the Commissioners should be aware of them before the work is done.
He said change order #14 is a decrease of $850.00. Change order #15 is decreased by $410.00. Change order #16 is increased by $933.56. Change order #17 is decreased by $142,043.94 and Change order #20 is increased by $549.01.
Mr. South explained the practice on some of the documents that we sign with the Highway Commission give them the jurisdiction to run this project like they would their own.

Commissioner Cox moved that change orders # 14, 15, 16, 17 & 20 be approved.
Commissioner Borries seconded the motion. So ordered.

Claim

President Willner said he has a claim before him today from Adolph Hurm, on the Lynch Road widening project for the repair of his driveway.

Mr. Weiss said Mr. Hurm had a concrete drive and when they replaced it they replaced it with concrete, so he does not know what the claim is for.
Mr. Weiss took the blue claim and said he would check it out and get back to Mr. South with an explanation.

Change Order and Extra Work Agreement....St. Joe Avenue

Mr. South submitted a change order for an increase in the amount of $3,117.17 for the temporary pavement marking which also has already been done and it was originally underestimated in the plans, and it is the markings that go down each time you lay a layer of asphalt, so that traffic can tell where the lanes are until you lay the final layer.

Mr. South said the extra work agreement in the amount of $450.00 is for three (3) type "C" Monuments at $150.00 each, that they were not set up on contract, but needed due to sod in center median in place of bituminous material. He said the Surveyor's office has agreed to locate these for us and the contractor will set them up.

Commissioner Borries moved the above change order and the extra work agreement be approved. Commissioner Cox seconded the motion. So ordered.

Additional Appropriations from Local Roads and Streets Account

Mr. South distributed to each Commissioners a list of proposed recommendations for additional appropriations that we should go before the County Council and request, with the reason being that we have signed contracts for more money then what we presently have left in appropriations to pay for, with the exceptions of what amount is underlined in Lynch and St. Joe. He said he would take the requests one at a time and would be happy to answer any questions. He said he rounded all of the requests off to even dollars.

(1) 216-000.0-3741 Eichoff Road

Signed Contract for Maximum Amount of	$75,229.46	
Unencumbered Balance as of July 31, 1981	61,629.34	$13,600.12
Additional Required		$14,000.00

Mr. South said the above is self explanatory, that the maximum amount of the contract signed with the consultant doing Eichoff Road does not necessarily mean that we will be spending that much, that it is the maximum we have committed, depending upon what type of environmental report is required on a project, it could finish somewhat under that. He recommends we ask for $14,000.00 and if we do not use all of it we will transfer it to the next project as we work our way through the list.

Commissioner Cox moved that Mr. South be permitted to request $14,000.00 from the County Council at their September meeting. Commissioner Borries seconded the motion. So ordered.

(2) 216.0-000.0-3775 St. Joe Avenue

Remaining Cost:		
Engineer Associates (On Contract)	$ 9,306.52	
Engineer Associates (Possible Overrun)	10,000.00	
Indiana Department of Transportation (IDOT)		
Construction Cost	80,794.00	
IDOT Inspection and Testing Fees	64,635.04	
Sub Total	$164,735.56	
Unencumbered Balance as of July 31, 1981	-73,756.00	
Additional Required		$ 90,979.56
Ask For		$ 91,000.00

Mr. South said he has a correction to make on the figures of St. Joe, that just recently he was handed a projection by the consultant and based on estimated time frame that the area engineer of the Highway Commissioner thinks they will be done, that instead of the overrun reading $10,000.00, we had better make that figure $27,500.00, so that will up the request from Council to $108,500.00. He said this is projected through October 16th. The Surveyor's office will be doing final cross sections in the near future which will hopefully speed time up, and the project should be completed by the last of September, paper work and all, that the construction is almost finished right now.

Commissioner Borries asked Mr. Weiss what causes the overrun on the St. Joe and Lynch Road Projects and he replied it is the fact that the contractor has four (4) months of "free time" during the winter months. He said on both projects, the contractor was required to finish construction within a specified number of working days, but that work

done from December through March was not charged against the number of working days allowed in the contract. He said his company had to send inspectors to the two sites almost every day during the winter, because the contractor did not notify him they were not going to work on certain days. He said when they were not out there working his inspectors would often work on paperwork related to the projects. He said this is the way the State Highway has it set-up, on the "free time".
He said on the St. Joe project, we are about four (4) months ahead of schedule.

Commissioner Cox asked Mr. Weiss what was the total cost of the St. Joe project and he replied about $3.1 million, and the contractor will be within the amount he bid.

Mr. Robert Brenner, County Surveyor said he did agree to do their cross sections for them because he thought this was into where the county was paying 100% of the bill instead of 70% of it. He said if the Feds are paying 70% to them, then he does not want to do the job, that he would be out there for a month or better and if it is federally funded like the rest of the job, then they should go ahead and do it, that he is sure they know how much it would cost them. Of course the Commissioners will decide if he should do the cross sections or not do them.

Mr. South said with the extra some $20,000.00 put on this, we will be very close to the magic 10%, that we never know where that line is until all final figures are in. He said federal guideline stipulate that engineering inspection services can account for only 10% of the construction cost, that any amount above that must be paid entirely by the County, so the lower the construction cost the greater the odds are that engineering inspection expenses will exceed the 10% limit.
He said if we keep track of our time from the Surveyor's office then we are entitled to 75% of their expenses while they are out there working, so if there is still 75% money left, we can collect it back for Mr. Brenner's crew, if we are not over the magic ten.

Mr. Brenner said that doesn't make him feel much better because no one knows if they are going to fund us or not.

Commissioner Cox said we are just now to 95% on St. Joe Avenue.

President Willner asked Mr. Jones, County Attorney, if he had any comments.

Mr. Jones said these are not contract, they are sieves, that the tax money is just pouring out, that there are just no control on the overruns and he would recommend the Commissioners don't sign them. He said there is a secretary in there that you are paying 100% of her time and he knows she is not sitting out there on the job site on Lynch Road, but there is more to it then just that.

President Willner said on both Lynch Road and St. Joe Avenue, if we refuse to sign the extra work agreements, then the contractor would quit and we would then be liable for some damages from that end.

Mr. Jones said yes, if the county is to fault, but he doesn't know if there has been enough documentation come through here for these overruns, to establish the validity of them and if that is the case then the contractor is at fault. He thinks this should be established and there should be better documentation to support them and there should have been all along.

President Willner said the contractor will be done with St. Joe within the frame of the original contract, but the engineering inspection is not going to be finished within it's time period of the contract.

Mr. South said as point of interest, the statewide average for engineering inspection services on all urban road projects over $1 million is 7.2 percent for inspection, and on the Lynch Road project, engineering inspection costs will amount to well over the 10% limit. He said there is a chance the county will stay below the 10% on the St. Joe Avenue project.

President Willner asked Mr. South what our options are and he replied we can tell them to stop working and us move in and try to finish it, but at this late stage in the game he thinks it would cost us more to try to determine what has been done. He said he is capable of moving in and taking over and using people within our organization, if he can get them, but the time and salaries would more then exceed what we will have to pay the way we are going.

402.

He thinks all in all that everyone is trying to finish up and get the paper work all completed and get out of there.

Commissioner Cox said then what we are really talking about here is unexpected expenses in the amount of $27,500.00.

Mr. South said basically, yes.

Commissioner Borries said he is really concerned about this, that it is really alarming to him when he thinks about the tremendous amount of money we have budgeted improperly and appropriated improperly, that the total amount of monies to be requested before the Council are monstrous bucks, big bucks. He does not know what steps can be taken but we simply cannot keep doing this, that some guidelines are going to have to be set up. He asked couldn't the county engineer and county attorney work together to develop some sort of guidelines to at least study how this county signs the contracts, so that in the future we can avoid these kinds of overruns.

Mr. South said between himself and the Audtior's office, now that we have a hand on the situation, he thinks he can say this type of situation will not happen again, however, he thinks Mr. Jones point is well taken.

President Willner asked Mr. Brenner if he would still agree to do the cross section on St. Joe Avenue and he replied that he would.

Mr. South said we can set up procedures to try to get our money re-imbursed on Mr. Brenner's work.

Commissioner Cox moved that Mr. South be allowed to request $108,500.00 for the St. Joe Avenue project from the County Council at their September meeting.
Commissioner Borries seconded the motion. So ordered.

(3) 216.0-000.0-3776 Lynch Road

Remaining Cost:		
Engineer Associates (supplemental contract)	$ 65,898.00	
IDOT Construction	70,955.23	
IDOT Construction Engineering Cost & Testing	56,764.18	
Sub Total	$193,617.41	
Unencumbered Balance as of July 31, 1981	-44,240.63	
Additional Required		$149,376.78
Asking for		$150,000.00

Commissioner Cox asked if the $142,000.00 decrease that we approved earlier in this meeting shows up in these figures.

Mr. South said no, but there were also several increases that went in, so until the final figures are in we will not know exactly where we stand, but it has no effect on these numbers except that it lowers our 10% limit. We previously have paid Engineer Associates some monies.....and that figure also does not show on the list, so the above is in addition to that amount already paid to them.

President Willner asked if the $65,898.00 figure listed above is 100% money and Mr. South said no, it is more like fifty-fifty, but until we know where the line is, we really do not know for sure.

Mr. South asked Mr. Weiss if he has started doing th cross sections on this project and he said no.

Commissioner Cox asked if the cross section costs is included in the $65,898.00 and Mr. Weiss said not according to the way the contract was written.

President Willner asked Mr. Weiss why the runover on Lynch Road and he replied because of the "free time", as was on St. Joe Avenue.

Commissioner Cox said the construction will run under and the inspection will run over.

Mr. South said the Indiana Department of Transportation allows thirty five (35) to forty (40) percent for overhead on the inspection fees it charges. On the St. Joe Avenue and the Lynch Road projects the profit margin and overhead allowed Engineer Associates for inspection services is more than 200 percent. Example: For an $8.00 per hour man on the project, by the time we pay it, we are paying $24.00 per hour.

Commissioner Cox asked Mr. Weiss if he keeps his paper work current and he replied as current as possible, until you get down to the finals.

Commissioner Cox moved that Mr. South be allowed to request the sum of $150,000.00 for the Lynch Road project from the County Council at their September meeting. Commissioner Borries seconded the motion. So ordered.

Mr. South said he needs to know who is going to do the cross sections on Lynch Road.

Mr. Weiss said they can put in the cross sections, however, their contract does not cover the cost of doing it, and he would just as soon someone else do it.

Mr. Brenner agreed to do the cross sections.

Commissioner Borries moved that Mr. Brenner do the cross sections on the Lynch Road project. Commissioner Cox seconded the motion. So ordered.

Railroad Spur on Lynch Road

President Willner said for the record, on Lynch Road, the Commissioners did have a discussion with the County Attorney, David Miller, and we instructed Mr. Miller to contact the attorney for the L&N R.R. and discuss what avenue we should pursue from this day forward. We are of the opinion that the railroad is not in any mood to compensate or make any changes as far as the switch in the north lane of the west bound traffic and Mr. Miller, after meeting with them, is to report his findings back to this board and we will then let Mr. Weiss know where things stand. He said the Commissioners are still committed to keeping that lane closed to traffic so when Mr. Weiss is finished out there and is no longer connected with the job, he would appreciate the Commissioners being made aware of it, so that we can put our barricades out there and attend them nightly.

Mr. Weiss said presently his barricades are attended nightly and he will personally let the Commissioners know when he will no longer be out there.

(3) 216.0-000.03780 Baseline Road, L & N Railroad

10% of Cost	$3,749.18	
Unencumbered Balance as of July 31, 1981	300.00	
Additional Required		$3,449.18
Asking		$3,500.00

President Willner said this is a duel crossing at Baseline and Highway 41, where the railroad installed an extra set of tracks and that is the reason for signalization and he understands our cost is 10%, which is $3,749.18.

Commissioner Borries moved that Mr. South be allowed to go before the County Council at the September meeting for the sum of $3,500.00 for the Baseline-L&N R.R. project. Commissioner Cox seconded the motion. So ordered.

Time Keeping for the County

Mr. South said he wants it known that they will keep time of any work done on Lynch Road and St. Joe Avenue projects by the county, in hopes that we stay under the 10% so that we can get our share back.

(4) 216.0-000.0-3781 Hogue Road-L&N R.R.

10% of Construction	$3,240.80	
Unencumbered Balance as of July 31, 1981	300.00	
Additional Required		$2,940.80
Asking		$3,000.00

Commissioner Borries moved that Mr. South be allowed to go before the County Council at their September meeting with a request for $3,000.00 for the Hogue Rd.--L&N R.R. project. Commissioner Cox seconded the motion. So ordered.

Mr. South said that completes his additional appropriation proposals and he understands that with these monies, this will allow us to pay all outstanding obligations that he is aware of. He said in order to make the State Board of Accounts happy and for the records, perhaps the Commissioners should appoint him the administrator of the Local Roads and Streets accounts and he can keep the records straight in the Auditor's office and then perhaps a system can be set up so that this will not happen again.

Encumbered Accounts in R&S Funds

President Willner explained that for two years funds were encumbered in the R&S Account, but the State tells us without a signed contract this cannot be done, so this needs to be put back into the R&S General Fund.

Commissioner Cox moved that the County Auditor be instructed to put the encumbered funds back into the R&S Fund. Commissioner Borries seconded the motion. So ordered.

Speed Limit on St. Joe Avenue and Lynch Road

Mr. South said we presently have a 45 MPH speed limit set up for Lynch Road and in the absence of an ordinance we will post St. Joe at 45 MPH also. He said before the construction work it was a narrow road and posted 35 MPH and he talked to the Sheriff's Deputies and they feel that now 35 is too slow. Since it is now a four lane highway he personally would recommend nothing lower than 40 MPH, and since the county speed limit is 45 MPH, he would recommend that.

President Willner told Mr. South that there has been other Commission action since it was 35 MPH, that he is sure we increased it to 45 MPH.

The Commissioners agreed on 45 MPH for both Lynch Road and St. Joe Avenue.

Mr. South said he would check the books and if an ordinance has to be changed he will get it to the Commissioners next week.

Secondary Road Signing

Mr. South said there is a possibility that we can be paid in house to do secondary road signing, that there have been some estimates of about $120.00 per mile if we choose to have a consultant to come in and tell us what signs we are supposed to have. He and Mr. David Savage are both capable of doing this signage, at county expense, because it takes too long to get an agreement approved, and it would be a share cost only in construction and materials, that the traffic department would be reimbursed for 75% of that cost.

President Willner said he discussed this with Mr. Savage and he recommended a meeting be set up between himself, the County Engineer, the County Commissioners and perhaps the City Engineer to discuss this matter.

Off Site Drainage

Mr. South asked what control do we have on off site drainage coming on to our highways from new subdivisions and new development type projects.

President Willner said we have a Subdivision Drainage Ordinance, but he is not fully aware of how it reads. It does state that we will not approve any street before 50% of the buildings were completed in the subdivision. He believes that HUD required that the County Commissioners accept the streets before the building can start, so therefore part of that ordinance has been deleted, so he is not sure what the remaining ordinance states, but that it should be checked out thoroughly. He feels when we get the codification of all our ordinances done, it will be a tremendous help.

Commissioner Cox said she serves on the Subdivision Review Committee for Area Plan and subdivisions do not come before the Commissioners for final approval, but they, in the past have come down very hard on the drainage problems that Mr. South is talking about, that they have gone as far as before a permit is issued the engineer on that project has to make some type of a certification that the drainage plan will work and then when it is completed, they have to certify that the project was completed according to the plans that were submitted.

Mr. South said he inquired about it because we have a potential drainage problem with an already approved subdivision.

RE: DAVID GERARD.....E.U.T.S.

Bridges in TIP Program

President Willner asked Mr. Gerard if our bridges are in our TIPS Program and if there is some way we could get them if they are not.

Mr. Gerard said the two main bridge projects would be First Avenue widening. He said they are still in the environmental stages and when that is approved they can begin purchasing right-of-way and then next year we will talk about construction.

Mr. Gerard said the other one is the Fulton Avenue Extension, which will connect it with 5th. and there will be a new bridge included there. He said the original plans under the previous Commissioners were to pay 100% for the First Avenue project out of the Cummulative Bridge Account and the Fulton Avenue Extension was to be 75%-25%, using Federal Aid Urban money, so that is around $365,000.00 and that is probably two or three years down the road.
He said Lynch Road Extension also has some bridge work in it, but that is four or five years down the road, and that is a mixture of R&S money and Bridge money, but he does not know what the break-down is on it.

Project on St.Joe and Meier Road

President Willner said in regards to the project at St. Joe and Meier, is it Urban.

Mr. Gerard said they talked about this in the early spring and the local match that would be involved and at that time it was decided to put it back for a year.

President Willner said he now understands that there may be some money available if we change that to Rural Secondary and he is wondering if this is possible.

Mr. Gerard said there is Rural Secondary money available, but he would have to talk to the people in Indianapolis, that they must make the decision, but he will check into it.

First Avenue Project

Mr. Brenner, County Surveyor said he remembers when First Avenue came before the Commissioners and the decision was made to attempt to put it with the City project, and now almost a year later it is still with the Cumulative Bridge.

Commissioner Cox said upon the Surveyors recommendation we took it out.

Mr. Brenner said it should be out because the Commissioners decided to go from local funding to federal funding.

Commissioner Cox said it was to revert back if it was not used by the end of the year and Mr. Brenner said it did revert back.

Mr. Brenner said when he submitted his budget requests he put in for Nurrenbern, First Avenue, Petersburgh Road and Red Bank Road, and that way he will not have to go back and re-appropriate for them.

Mr. Gerard said the Urban money for the widening of First Avenue is not included as part of the total cost of the bridge widening, but it is possible to get it included, but it will have to come out of some other urban road fund in the area.

Mr. Brenner said if you are not going to use federal funds then he would say to use the bridge that is already there and put one next to it, because you cannot afford to build two bridges with total county funds, and that is why we got out of it.

President Willner said we don't have to make a decision tonight but we do need to think about it and make a decision as to which way we want to go, all local or with federal funds.

RE: LEASE AGREEMENT...REVERSIDE OIL AND DRUG AND ALCOHOL DEFERRAL

Mr. William Campbell, Director of the Alcohol and Deferral Service was present and stated he has the lease agreement discussed last week for the moving of the Service to a new location at 111 Northwest Fourth Street, in the basement of the Landmark Building.

The move was approved last week subject to the County Attorney David Miller approving the lease agreement, which he did do.

Commissioner Borries moved the lease agreement between Riverside Oil, Inc., and the Vanderburgh County Superior Court Drug and Alcohol Deferral Service be approved, and signed. Commissioner Cox seconded the motion. So ordered.

Commissioner Cox said to see that the Auditor gets an original agreement, after it is signed by all parties.

RE: BOB BRENNER....COUNTY SURVEYOR

Bridge and Guardrail Report

Mr. David Guillaum submitted the bridge and guardrail report for the period of 8/10/81 thru 8/14/81 and stated they had a crew on Burkhardt Road and they completed the remainder of the work out there on the pipe today. They also wrapped up the small job they had on Hillview. They do have Burkhardt Road open to traffic now.

Claim

Mr. Guillaum submitted a claim from Ray Stradtner Excavation for the final payment of Seven Hills Bridge #45 project, in the amount of $17,417.50, which is signed by Mr. Guillaum. He said the original bid price on the contract was $26,215.00 and we wound up with a final on it for $24,567.37, so we were $1,647.63 under the contract.

Commissioner Cox moved the claim for $17,417.50 be approved. Commissioner Borries seconded the motion. So ordered.

Syls Drive

Mr. Guillaum said a few weeks ago Mr. Whitherspoon was present at a meeting and expressed his point of view concerning a flooding problem at his home on Syls Drive.
Mr. Guillaum said they went out and extensively examined the area and there was one area in which we felt like an improvement could be made that would help the drainage problem he is having, that being water coming into his basement off of the road. He said about 50% of this area is beyond the 60' of right-of-way that the county has and Mr. Whitherspoon understands we cannot get into that. He said within the road right-of-way, there is a pipe, that was originally agreed to by the Commissioners and according to the plans by Engineer Associates it called for a 15" pipe and when we measure it now, we get about a 13" pipe. We could come in with a crew, in the 60' right-of-way and replace this pipe with a larger one and it would relieve his problem somewhat, but not totally get rid of the problem. If we do decide to do this he would recommend we install a 24" pipe and we will try to salvage the one that is in there now.

Commissioner Cox said someone didn't live up to their committment, did they.

Mr. Guillaum said the plans show a 15" pipe was agreed to, and our measurement came up to about a 13" pipe, so yes, it would appear that the pipe installed was not the pipe that was agreed upon.

Commissioner Cox said she wants to get Mr. Whitherspoon's problem resolved, but she does not think it is right when the Commissioners direct someone to do something in a certain way and they do not live up to the agreement and she feels like the contractor that put the pipe in is certainly liable for a portion of this correction. We could probably make the contractor pull the pipe out and put a 15" pipe in, but that will not solve the problem.

Mr. Guillaum said if we can, we want to come up with something that will be an answer to the problem.

Commissioner Borries said if the specs called for a 15" pipe, then they should not have put in a 13" pipe and asked who the contractor was.

Mr. Guillaum said he does not know who the contractor was. He has told Mr. Whitherspoon that they do not have any power to do anything beyond the right-of-way, that anything beyond that he will have to take up himself with a law suit if he chooses to do so.

Commissioner Borries moved that the Surveyor's office be allowed to install the 24" pipe needed to correct the proplem on Syls Drive. Commissioner Cox seconded the motion. So ordered.

Advertise for Bids on Buente Road and Sensmeier Road

Mr. Guillaum said he would like permission to advertise for bids on two small projects on Buente Road and Sensmeier Road. They would like to have this advertised on the 27th. with bid opening on the 31st.

Commissioner Borries moved that Mr. Guillaum be allowed to advertised for bids for structural work on Buente Road and Sensmeier Road. Commissioner Cox seconded the motion. So ordered.

Wimberg Road

Mr. Guillaum said we have the Wimberg project under contract now and are having no problems with it and they are widening it on the one side, that they had a little problem with the property owner on the north side. The road is closed at the present time and they hope to have it opened in about three weeks.

RE: COUNTY ATTORNEY.....DAVID JONES

Mr. Jones said by the time we have the next Commissioners meeting that he will be in attendance at, the Home Rule Legislation will have taken effect, that as of September 1, 1981, there are a number of county statutes that have been repealed and one of those involves the County Park Board and another involves both statutes on Data Processing. The scheme of Home Rule is such that they are repealed as of 9/1/81, but you may continue to stay under those statutes as though they were county ordinances. If nothing is done by September 1, 1983 the whole section terminates. He said there are a number of these and he has tried to go through these statutes that have been repealed by the legislator, and he will try to do a more thorough review, but he needed to advise this board before September 1, 1981, that the County Park Board will terminate and the Date Processing Agency. This body must decided between September 1981 and September 1983 whether or not you want to adopt the statute as an ordinance, change it, or get rid of it alltogether.

Commissioner Cox said under Home Rule, can we adopt our own policy for establishing a Data Processing Board and Mr. Jones replied yes, you are free to do that and you can do the same with the Park Board.

RE: CHECK...REIMBURSEMENT TO LOCAL ROADS AND STREETS

President Willner said we have a check from the City of Evansville in the amount of $27,698.41, which is for reimbursement to the Local Roads and Streets account for the Covert Avenue Extension from Green River Road to Vanderburgh-Warrick County Line.

Commissioner Cox moved the check be endorsed and deposited in the R&S Account. Commissioner Borries seconded the motion. So ordered.

RE: TRAVEL REQUEST....SHERIFF

The following letter was submitted by the Sheriff:

August 12, 1981

Dear Commissioners:

I do hereby request authorization to send Officer Tom Wallis and Officer John Englebrecht to the Indiana Vehicle Theft Investigators Association to be held in Indianapolis, Indiana on October 21, 22 and 23rd.
Sufficient funding is available in the Training and Travel Account

Respectfully submitted,
James A. DeGroote, Sheriff

****

Commissioner Cox moved the travel request from the Sheriff be approved. Commissioner Borries seconded the motion. So ordered.

RE: MOTHLY REPORT....CLERK OF THE CIRCUIT COURT

The monthly report of the Clerk of the Circuit Court was submitted for the month of July. Report received and filed.

RE: CLAIMS:

President Willner said he has two claims that should be given to Mr. South to check out and sign before the Commissioners approve them, one being the engineer inspection on St. Joe and the other one for engineer inspection on Lynch Road. Referred to Mr. South.

A claim was submitted from Richard Eifler in the amount of $252.77 for the viewing of the vacation of the Mann Road project, between Bixler and Montgomery-$8.05 per mile X 31.4 (round trip)

Commissioner Borries moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY ASSESSOR:

Robert D. McBride	707 Reis Ave.	R.E. Clerk	$30.00 Day	Eff: 8-12-81

PIGEON ASSESSOR:

Betty J. Radcliff	511 Gum St.	Deputy	$7,830.00 YR.	Eff: 8-17-81

RE: EMPLOYMENT CHANGES.....RELEASES

COUNTY RECORDER:

Betty J. Radcliff	511 Gum St.	Prt.time Deputy	$30.00 Day	Eff: 8-14-81

VANDERBURGH SUPERIOR COURT:

Lisa P. Leavitt	Probation Officer	$380.00 bi-wkly.	Eff:8-21-81
Mary Hall	Summer Probation Officer	$280.00 bi-wkly.	Eff:8-13-81

VANDERBURGH COUNTY COOPERATIVE EXTENSION SERVICE:

Gary Wayne Abell	712 Bennighof	Prt.time Office	$30.00 Day	Eff: 8-7-81
Stephanie Mooney	15775 Old State Rd.	Prt. time Office	$25.00 Day	Eff: 8-7-81
Beth Ann Young	4506 Meadowridge Rd.	Prt. time Office	$25.00 Day	Eff: 8-7-81
Roy Alan Marchant	10701 Darmstadt Rd.	Prt. time Office	$30.00 Day	Eff: 8-7-81
Cynthia Anne Stott	R.R.8 Box 141	Prt. time Office	$27.00 Day	Eff: 8-7-81
Bradley E. Foster	9910 Browning Rd.	Prt. time Office	$30.00 Day	Eff: 8-7-81
Dwayne Brazelton	5100 Happe Road	Prt. time Office	$27.00 Day	Eff: 8-7-81

There being no further business the meeting recessed at 10:45 P.M.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard "Rick" Borries Shirley Jean Cox	ALice McBride	David Jones
SECRETARY:	Janice Decker		

Robert D. Willner

Richard J. Borries

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
AUGUST 24, 1981

The meeting of the County Commissioners was held on Monday, August 24, 1981, at 2:30 p.m. in the Commissioners Hearing Room.

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

RE: ROBERT FUCHS....JAIL EXPANSION DISCUSSION

Mr. Robert Fuchs said he is present in an official capacity as a representative of the Public Action Correctional effort, that he has prepared a short text on jail expansion, that he would like to read at this time, which was as follows.

We have come before you today to speak briefly about the County's plan to expand the jail. Various plans to expand the jail have been discussed by the Jail Expansion Committee, behind closed doors, and we feel it is time for this discussion to be brought before the public at large. Sometime in the near future, this committee is going to submit a plan to the Commissioners, for it's approval and we also hope the Jail Expansion Committee will have some public hearings before final plans are presented for approval, but in the event they do not go public, we are here now, before the Commissioners, to let them know that a great deal of individuals in this community are opposed to any expansion which would spend millions of taxpayers dollars to build more maximum security cells in this community. We agree that the jail becomes over crowded at times, but it is our opinion that there are a number of alternatives available which would substantially eleviate the over crowding, at a considerably lower cost to the taxpayer. We would like for the following alternatives to be discussed before any money is appropriated.

Housing the Work Release Program in a building, other then the jail. We know that Judge Miller is personally opposed to this idea, but the fact is, that there are twenty five to thirty individuals on the Work Release Program, who are housed in the jail and these prople do not need to be housed in maximum security, if they are allowed to go in and out of the facility everyday. By moving these individuals to someplace outside of the jail building it would create added space in the jail. Another alternative would be to create a Youth Detention Center in a facility that is separate from the jail. Our organization feels it has always been a questionable issue as whether it is appropriate to house juveniles in an adult correctional facility. He said they also feel that the possiblilty of transferring chronic alcoholics and drug dependents from the jail to more adequately trained centers such as Southwestern Mental Health would be beneficial to the individual who gets the treatment and it would also help the jail staff.
He said there are other alternatives that they would like to discuss in the event of public hearings. He said they have also sought out a few signatures on a petition, which he presently has and will present it to the County Council or the County Commissioners when the time comes to vote on such issues.

President Willner said he would like to assure Mr. Fuchs that before the jail expansion takes a lot of county dollars.....there certainly will be a public hearing.

County attorney, David Jones said the committee that Mr. Fuchs is referring to was not an official committee, that he was a member of that committee when he was Attorney for the County Council and he is not aware of any further meetings of that committee in the past six months.

Commissioner Borries asked Mr. Fuchs if he is aware that a Community Corrections Commission has been formed in the community, according to State Statute, and that the purpose of that commission is to involve persons from a wide aspect of life to try to find alternatives. We have applied to the state for funding and find there is very little available to us, but the move is on.

President Willner thanked Mr. Fuchs for his concern and for appearing here today.

RE: POOR RELIEF

Mary Johnson...Mr. Willner said he has a note telling him this case will have to be post poned or delayed later in the meeting, that the applicant has a doctor's appointment and will try to come in later.

POOR RELIEF....KNIGHT TOWNSHIP

Applicant....Jeanette Flowers.
Case Worker from Knight Township....Mary Mueller.

Ms. Veronica Keenan, representative from Outreach Ministries was present and stated that Ms. Flowers could not report back today, that she has been employed by Sears Roebuck and is presently in a training program with them from 12:00 noon until 5:00 p.m. each day.

President Willner said since Ms. Flowers is presently working, will she now be able to buy her medicines.

Ms. Keenan said no, because she will not draw her first check until September 4, 1981, that after that, she will be able to. She said when she was here a couple of weeks ago, it was not resolved about the $77.00 that Outreach paid for Ms. Flowers medicine.

President Willner asked Ms. Keenan, if she is asking to be re-imbursed for the $77.00 and she replied yes, that was her purpose of being here two weeks ago.

President Willner said he never understood it that way, that we do not reimburse agencies for such action.

Ms. Mueller said there has never been a time when the county reimbursed agencies for their help to any individual. We did buy Ms. Flowers medication, as so instructed by the Commissioners, in the amount of $31.70.

Ms. Keenan said if the reimbursement is not possible, then she is here to see that Ms. Flowers gets her medication until she receives her first pay check.

President Willner explained to Ms. Keenan that if Ms. Flowers wants additional help from the trustee, she must make application for it and she must be denied by the trustee before she can appear before the Commissioners, as she was prior to this.

Commissioner Cox said if Ms. Flowers feels she needs additional help, then Ms. Keenan can direct her to re-apply with the Knight Trustee's office, and hopefully they will understand and be happy that she is employed.

RE: DAVID SAVAGE....TRAFFIC ENGINEER

Stop at Allen Lane and St. Joe

Mr. South said they have received several complaints about the stop situation at Allens Lane and St. Joe Avenue and since that project is under construction, he felt the Commissioners should be aware of the problem and complaints. The citizens are complaining that the four way stop should never have been removed.
Mr. South said he understands the four way stop was put up because of the construction, but it has now been eliminated. He personally spent an hour out at that site between 7:00 a.m. and 8:00 a.m. and saw no problems. He also asked Mr. Savage to look in on the situation and perhaps he could tell us at this time what he found.

Mr. Savage said that Mr. Gerard of the Urban Transportation Study had his people take a traffic count at that particular intersection and there were some mechanical problems with the St. Joe count so we don't have those figures yet, but the approach count on Allen indicates the minimum vehicular volume of traffic to warrent a stop sign, was not there, and this is going according to the manual on uniform traffic control devises. At this time he would recommend we get the rest of the data and evaluate it accordingly. Since he has been with the City, when they remove a four way stop, they received violent reaction from the community for a period of time, and during that time they continued to monitor the accidents and keep them in file.

The Commissioners agreed for Mr. Savage to go on with the traffic count and report back the findings at a later meeting.

Mr. Savage said regarding the manner in which we are handling the traffic complaints from the county. They received a number of complaints that have been out at the county garage for some time now (about three months) so the low amount of money they have been spending in the county for the past three months, he guesses this is the reason for it. He said if they go in and continue as they did for the first quarter, then he is afraid that at the end of the year we are going to come up over the 14% of their budget that the County Commissioner's provide, so he is going to try to resolve the situation, that perhaps he could meet with the Commissioners and see which direction to go.

President Willner instructed Mr. Savage to work with Mr. South and see if they could come up with a workable solution and the Commissioners would also be happy to work with them.

Mr. South said this morning he talked to Mr. Dale Lukas, the area engineer with the State and he agreed we need stop signs on both sides of the road at Allens Lane, because there are two lanes stopping, so we will be adding stop signs on the left side of the road and also repainting the edge stripe on the road, instead of on the shoulder where it is presently painted.

RE: CONRAD COOPER....AUDITORIUM

Problem with Control on Air Conditioner

Mr. Cooper said they have had a minor problem with one of their old controls on the air conditioning system and they are in the process of repairing that. They are going to have to replace some parts and he does not have a price on that yet, but it looks like it will run between $800.00 and $1,100.00, that this would be a part of the overall repair they have been involved in.

Elevator at the Auditorium

Mr. Cooper said he spoke to the Commissioners some time ago about having the rest room facilities a little more accessible to the elderly and handicapped persons, that the two major rest rooms are on the second floor lobby and it is impossible for persons in wheel chairs to get to them and the only facility availble to those persons is clear around at the Walnut Street lobby.

President Willner asked Mr. Cooper was his thinking toward a rest room on the main floor or an elevator to the second floor.

Mr. Coomer said because of the structure of the building he does not think there is space available on the first floor for a rest room, however, he has not had an engineer or an architect to tell him this, that it is his thinking. He would think the most practical and least expensive way would be some type of an elevator.

The Commissioners instructed Mr. Cooper to get some advice from perhaps Jesse Crooks and Mr. David South and in a joint effort try to determine which way would be most feasible.

Commissioner Borries said perhaps Mr. Cooper could also contact some agencies that deal with elderly and handicapped persons for their in-put also.

RE: BOB BRENNER....SURVEYOR

Gridge and Guardrail Report

Mr. David Guillaum submitted the bridge and guardrail report for the period of 8/17/81 through 8/21/81.
Report received and filed.

He said primarily they have been working on Syl's Drive, that everyone is aware of the situation out there with the Whitherspoon property. We have completed everything that we can do, on the county right-of-way, that they did install the larger pipe in there.

They also did some work on the Stringtown Bridge, that the guardrail there was not what they wanted, so they repaired it, plus they took care of a few other minor problems on the bridge while they were there.

Revise Telephones in Surveyor's Office

Mr. Guillaum said they would like to do a little changing of phones in the Surveyor's office. They would like to come up with a buzzer system and also, since Mr. David South has joined their office they have experienced some problems because there are too many lines tied together. They have checked into the cost and it would run $13.00 per month additional, plus $38.00 for installation. They presently have five phones, but only three lines. They propose to give Mr. South a separate line.

Mr. Brenner said about two years ago, he had seven separate lines going into his office, he found he did not need all of them, so he cut some out. Since Mr. South moved in, he is on the phone almost constantly and it has just about stopped our office because the phone he now has, also has two extensions on it.

President Willner asked Mr. Brenner if he could hold off for about a month, that the Commissioners are presently trying to do a phone survey in all county offices and trying to come up with a dollar figure and he would like to see the overall picture before making any more decisions.

Mr. Brenner said they would hold off, but that they desperately need to make this change and very soon.

Stringtown Bridge

Mr. Guillaum said on the north end of the Stringtown Bridge they are having an expansion joint problem and they would like to get the engineering together on this project and try to come up with a solution, similar to what they did on Columbia and Delaware, where they put a rubber type joint, in place of the concrete, which in effect is a self cleaning unit.

President Willner said for him to continue to work on it and get an estimate to the board before they proceed with it.

Purchase of Electrical Measuring Devise

Mr. Guillaum said they included in their 1982 requests before the County Council at this time a $12,000.00 request to purchase an Electric Distance Measuring (EDM) devise and the Council asked them to come back before the Commissioners and see if this can be purchased now out of the Cumulative Capital Improvement (CCI) fund. This is an electronic distance measuring unit that will enable them to obtain a much more accurate survey in much less time, that it is done by a laser beam that has a target and reflected material which will bounce back and determine the distance, that it will save a lot of man hours.

Mr. Guillaum said in conjunction with this request they would also like an additional $1,000.00 to purchase monuments for the corner sections, which are throughout the county, and we have to continually locate new ones and re-locate them. They had $1,000.00 requested for 1982 to do this work with.
He said the Council would like to see both of the above requests come from the CCI Fund.

Commisisoner Cox said she sat in on some of the budget session and the Council also asked the Sheriff to take some $32,000.00 from the CCI Fund, so she thinks we better wait and see what all is going to be coming from that fund, before we approve this.

President Willner asked if this unit could be purchased from the Cumulative Bridge Fund account and Mr. Brenner said we already purchase quite a bit from the Bridge Fund.

Commissioner Cox said as long as the Council does not push everything over on CCI, then we should be alright to purchase them from there.

Mr. Brenner said he also wants the Commissioners to know they are hard at it on the St. Joe Avenue project installing the cross sections they were told to do.

Commissioner Borries moved that Mr. Brenner be authorized to request $12,000.00 from the Cumulative Capital Improvement fund to purchase the EDM Unit.
Commissioner Cox seconded the motion. So ordered.

Commissioner Cox moved that Mr. Brenner be allowed to request $1,000.00 for the monuments for the corner sections, and that it be taken from the Cumulative Capital Improvement Fund. Commissioner Borries seconded the motion. So ordered.

RE: GENE KAUTZMAN.....COUNTY HIGHWAY

Absentee Report

Mr. Jerry Linzy submitted the weekly absentee report of the employees at the County Garage for the period of 8/17/81 thru 8/21/81.
Report received and filed.

Weekly Work Report

Mr. Linzy submitted the weekly work report for the employees at the County Garage for the period of 8/17/81 thru 8/21/81.
Report received and filed.

Maasberg Road

Commissioner Cox said she called out at the garage and found out there is no work being done on Maasberg Road, so she checked with the Surveyor's office and was told they finished out there quite some time ago, so she is wondering if some fun loving people moved the barricades over on Maasberg, saying road closed.

Mr. Linzy said this is very possible and he will have it checked out tomorrow.

Oak Hill Road

Commissioner Cox said sometime in February or March a request came in to mow and clean along Oak Hill Road from Pigeon Creek all the way out and she thinks there was some controversy on whether it was city or county, but she finds it is in the county and it certainly does need to be cleaned and mowed.

Mr. Linzy said this will also be checked out and done.

Commissioner Borries asked if they had done any paving last week and Mr. Linzy said he was on vacation last week.

President Willner said it looks like, from the report that they paved a portion of Old Princeton Road to Pond Flat Ditch and they also completed Stacer Road. He asked if they were going to do any paving this week and Mr. Linzy replied he is not sure because he is trying to get some rock and hopefully he can get it by Wednesday.

RE: JESSE CROOKS.....BUILDING COMMISSION

Monthly Report

Mr. Crooks submitted the Building Commission Report of permits issued for the month of July, 1981 stating we are 9% down from last year.
Report received and filed.

Weed Problem

Mr. Crooks said he has not been back out on Rode Road to view the weed problem out there, but the owners have been sent a citation.

Replacing of Personnel

President Willner asked Mr. Crooks if the City has said they are going to replace the personnel in the Building Commissions office and Mr. Crooks replied that he has no idea. President Willner asked Mr. Crooks if he is going to have problems in the county if the city does not fund the extra personnel in his office and he replied if they maintain their present level they probably will be alright, but if they cut back on housing inspection, then that will wipe housing inspection out.
President Willner asked Mr. Crooks to please let the County Commissioners know something as soon as he finds anything out and he said that he would.

RE: DAVID JONES....COUNTY ATTORNEY

Statement of Claim for David M. Bauer

Mr. Jones said there is a statment of claim on a suit filed by David M. Bauer and at this time he would submit the following letter to the Commissioners.

August 18, 1981

RE: David M. Bauer v. Vanderburgh County Sheriff and
Vanderburgh County
Vanderburgh Superior Court, Small Claims Division
No.. 81-CL-4032

Dear Mr. Willner:

Enclosed please find a copy of the Statement of Claim filed in the above-referenced matter. I have entered by appearance on behalf of sheriff DeGroote and Vanderburgh County.

Mr. Bauer previously filed a claim with the County, which claim was denied. The claim is for an amount less than the deductible of the insurance policy and, therefore, I have not notified the insurance carrier.

Very truly yours,
David L. Jones,
County Attorney

******

Mr. Jones said we have a $1,000.00 deductible policy and the claim is for $750.00. He did enter his appearance and he has to go to court this Friday and set it for trial, but he needs to have the approval of the Commissioners to do so.

Commissioner Cox moved that Mr. Jones proceed with the suit.
Commissioner Borries seconded the motion. So ordered.

RE: MARK TULEY....SUPERINTENDENT OF COUNTY BUILDINGS

Transfer of Surplus Property

Mr. Tuley submitted the following letter, addressed to him.

August 17, 1981

Dear Mark,

Allow this letter to permit the transfer of eleven (11) wood dining and one (1) wood picnic tables from surplus property at Burdette Park to use at Vanderburgh Auditorium and Convention Center.

These tables will be refurbished and put into service at this location.

Thank you for your gracious consideration.

Conrad Cooper, Manager
Vanderburgh Auditorium and Convention Center

*****

Mr. Tuley said has not received a letter from Burdette yet, but he believes there are more tables available.

President Willner asked Mr. Tuley if we have enough suplus property available to have an auction and he replied not at the present time but he will re-check and see what can be done toward that matter.

Storage in Basement

Mr. Tuley said he has discussed this matter with Mrs. Cox, that the Building Authority is again talking to us about the terrible shape the basement storage area is in. The Commissioners issued a letter to all officeholders that nothing else be taken to the basement at this time, but to date there has been nothing cleaned up and it is really a fire hazard, so the Building Authority is wanting the Commissioners to give another push to the officeholders to see if something can't be done about it.

RE: LETTER FROM MENTAL HEALTH ASSOCIATION

President Willner said before Mr. Tuley leaves he wants him to be aware of the following letter, dated August 17, 1981.

Dear Mr. Willner,

The Mental Health Association present the following list of members that have agreed to represent the county "at large" membership in the Corporation of Southwestern Indiana Mental Health Center, Inc.

John Harl
Richard Merrick
Margorie Soyugenc

Thomas Trimble
Jan Wyatt
* Phyllis Cooling - No

Each have agreed to serve "at large" representative for a term of three years, September 1981-1984.

Sincerely,
Katherine Baird
Executive Director

****

President Willner instructed Mr. Tuley to check the appointment schedule, that they will have to come up with one name for this board. He asked the other two Commissioners if they have any problems with the remaining five that said they will remain on the board. There being no objections, President Willner gave the letter to Mr. Tuley to check out and report back next week.

RE: LETTER FROM LINDA BESING ON SPEEDING PROBLEM

President Willner said the Commissioners received a letter from Ms. Linda Besing on a speeding problem in Melody Hills and at this time it was read by Commissioner Cox. Letter dated August 19, 1981.

Dear Commissioners,

I'm writing this letter requesting the board check into a speeding problem on Dusseldorf Drive, in Melody Hills. Dusseldorf is the main street for traffic from Ward to Twickingham. Two year ago three signs were placed at these following intersections:

Two Way Stop at Dusseldorf and O'Hara
Three Way Stop at Dusseldorf and Twickingham
Three Way Stop at Twickingham and Ridgecrest

Why Dusseldorf and Hamilton was overlooked, I cannot understand. It is the very worse intersection for obstruction of view natural, and otherwise. The right-of-way is always a questionable for both streets and I recommend a four way stop for these reasons...Dusseldorf stop is needed to slow traffic down from O'Hara to Twickingham, plus, you can't see until you stop anyway. Hamilton needs a two way stop because view is blocked until you are in the intersection. Many times the county sheriff has been called to this neighborhood for speeding and wreckless driving. If stop signs cannot slow them down, speed bumps will. By the way, I have never called the sheriff or said anything to anyone. This is the first time I have given recognition toward this problem and I would appreciate any response to this cause.

Sincerely,
Linda Besing

*****

President Willner said to let the record show the above letter was referred to the Traffic Department for their study and report on it.

RE: PUBLIC OFFICIAL BONDS

President Willner said they have received, for signatures, the following public official bonds:

William Sandefur.....Deputy Coroner
Mary Frances Westfall...Deputy Coroner and Clerk
Allen Byers.....Deputy Coroner
Albert J. Venables, M.D.....Deputy Coroner

All bonds were signed by the Commissioners and referred to the County Auditor to be properly recorded in the County Recorder's Office.

RE: CLAIMS

A claim was submitted for court costs for the Board of Commission of Vanderburgh County vs. Anna Joeckel, in the amount of $63.34.
President Willner said this is concerning the suit of the pecan trees, which they are all aware of.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by the Xerox Corporation for the maintenance agreement for the period of 7-17-81 thru 7-23-81, in the amount of $252.86.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Torian Agency, Inc. for the public official bonds with Continental Insurance Company for William Sandefur, Allen Byers, Albert J. Vanables, M.D. and Mary Frances Westfall, in the total amount of $120.00.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

CONVENTION AND VISITORS BUREAU

Evelyn Jeanette Lane	3219 S. Weinbach	Secretary	$8,750.00 Yr.	Eff: 8-17-81

LEGAL AID SOCIETY

Marsha E. Williams	2714 Austin Ave.	Intern	$165.00 Weekly	Eff: 8-21-81

KNIGHT TOWNSHIP ASSESSOR

Patricia Devault	2013 Chickasaw	First Deputy	$9,160.00 Yr.	Eff: 8-24-81

DATA PROCESSING

Carole Thompson		Programmer	$10,440.00 Yr.	Eff: 8-13-81

SHERIFF

Timothy Woodruff	1666 Henning	Hospital Guard	$8.00 Hour	Eff: 8-1-81
Charles Houghton	5400 N. Fares	Hospital Guard	$8.00 Hour	Eff: 8-1-81

COUNTY HIGHWAY DEPARTMENT

Andrew Wade		Truck Driver	$6.27 Hour	Eff: 9-1-81
Thomas Schmitz		Laborer	$6.18 Hour	Eff: 9-1-81
Delbert Deig		Truck Driver	$6.23 Hour	Eff: 8-24-81

RE: EMPLOYMENT CHANGES.....RELEASES

KNIGHT TOWNSHIP ASSESSOR

Patricia DeVault	2013 Chickasaw	Part time	$30.00 Day	Eff: 8-21-81

LEGAL AID SOCIETY

Kathleen K. Houston	223 W. Jennings	Intern	$5.00 Hour	Eff: 8-21-81

CIRCUIT COURT

Beverly K. Corn	3314 Washington Ave.	Admn. Assist.	$6.04 Hour	Eff: 8-27-81
Stephen M. Caine	1470 Audubon Dr.	Summer Intern	$140.00 Wk.	Eff: 8-21-81
Jeffrey Knight	New Harmony Rd.	P/T Bailiff	$3.35 Hour	Eff: 7-31-81

COUNTY HIGHWAY DEPARTMENT

Delbert Deig	Maintenance	$6.23 Hour	Eff: 9-1-81
Thomas Schmitz	Tool Crib Clerk	$6.18 Hour	Eff: 9-1-81
Andrew Wade	Gas Man	$6.27 Hour	Eff: 9-1-81

DATA PROCESSING

Carole Thompson	Student Intern	$4.00 Hour	Eff: 8-12-81

RE: BONDING OF COUNTY ENGINEER

Mr. Jones, county attorney said he wants to remind the Commissioners that Mr. David South, the new County Engineer needs to be bonded.

Commissioner Cox said can we not transfer the bond we presently have on the previous engineer and just change the name, because we have probably paid the premium for the full year.

President Willner instructed Mr. South to check and see if the bond can be transferred to him from the previous county engineer and he said that he would.

RE: POOR RELIEF.....PIGEON TOWNSHIP TRUSTEE

Applicant.....Hollis Johnson
Case Worker...Cova Harris

Mr. Johnson was present and stated he is requesting medication for a ruptured disc in his neck.

Commissioner Borries said Mr. Johnson appeared before the Commissioners on the 26th day of May, 1981.

President Willner asked Mr. Johnson what is the cost of his medicine per month and he replied he does not know.
President Willner asked Mr. Johnson if he is requesting a dollar amount and he replied no, just medicine.

Commissioner Borries asked Mr. Johnson if he still lives at 651 Sweetser and he said yes.

Ms. Harris said Mr. Johnson is getting medicine from three different doctors and we agreed to write on only one doctor. She said Mr. Johnson has had surgery and is under the care of Dr. Allen, who performed his surgery. The druggist will not fill anything from any doctor, except Dr. Allen. We had a prescription filled for Mr. Johnson and he in-turn went in and had another prescription filled from another doctor, on that very same day, and we just cannot pay for all these medications from three different doctors, that we think it is just too much medicine.
She said Dr. Allen called the druggist and recommended they fill nothing for Mr. Johnson unless it comes from him and also no re-fills, that Mr. Johnson must see the doctor and get a new prescription.....no refills.

Mr. Johnson said he goes in to see Doctor Allen this Thursday. He said Doctor Newsome is his family doctor.

President Willner said this board can take no action until after Mr. Johnson sees Doctor Allen this Thursday and he prescribes medication for him and at that time Doctor Allen will contact the Trustee's office and tell them what he did and they will handle the case at that time.

Mr. Johnson said he went to see his family doctor, and he wrote him a prescription to be filled.

President Willner said, sorry, we will take care of your medicine needs from Doctor Allen only, but no medicines from any other doctors.

RE: DAVID SOUTH....COUNTY HIGHWAY ENGINEER

Estimated Income Produced By Additional Appropriations

Mr. South said last week he presented a request to go before the County Council for additional appropriations on several projects and at that time he could not answer all questions asked of him, so at this time he would like to submit the following report to help answer any questions and he will also submit this report to the County Council when he appears before them in September.

216.0-000.0-0341 Eichoff Road

Entire Contract is 75/25 (75% FHWA and 25% County)	$10,500.00

418.

216.0-000.0-3775 St. Joe Avenue

In order to estimeate income, one must check the 10% maximum limit for Construction Inspection.
The total consttuction inspection estimated cost is:

Engineer Associates (Original Contract)	$267,765.00
Supplemental Contract (Est.)	27,500.00
IDOT Construction, engineering, testing, etc.	64,635.04
	$359,900.05
Estimated 10% of Construction Cost*	- (323,175.20)
Amount of overrun that county must pay 100%	$ 36,724.84
*The FHWA will only pay 75% of this number.	$242,381.40
Therefore, the estimate income for all CE is:	
However, $258,458.48 (267,765.00 minus 9,306.52) has been paid and 75% (193,843.86) has previously been claimed.	- (193,843.86)
Therefore, the remaining estimate income for CE:	48,537.54
IDOT Construction cost (10% of 25% of Construction cost) (County part only No income	.00
TOTAL ESTIMATED INCOME	$48,537.54

216.0-000.0-3776 Lynch Road

IDOT Construction in County share only, Therefore, no estimated income.
Construction inspection, however, is similar to St. Joe Avenue with a limit of 10% of total construction cost.

Original contract (100% used)	$199,996.00
Supplemental Contract	65,898.00
IDOT Testing and engineering cost	56,764.18
Sub total	$322,658.18
Maximum of 10% estimated construction cost	- (283,820.92)
Count Cost at 100%	$ 38,837.26
FHWA Share of 10% figure (75%)	$212,865.69
Less previously claimed (75% of $199,996.00)	-($149,997.00)
REMAINING ESTIMATED INCOME	$ 62,868.69

216.0-000.0-3780 Baseline Road - L & N Railroad
216-0-000.0-3781 Hogue Road - L & N Railroad

No estimated income
County share only $121,906.23

Commissioner said he thinks one of the things that caused a lot of confusion is that some of the money that is going to be due in a given year, needs to be transferred, at least on paper, so that we have a more accurate handle, and we know how much money we have in our local R&S accounts.

Mr. South said in the past he has found it very useful to use a barograph indicating when you anticipate using the revenue, or when it is going to be committed, because sometimes it is committed a year or so before you are going to use it. A barograph would tell us if we have any loose money to do short term projects and if the Commissioners would like, he would say in the next couple of weeks he could prepare one of the ongoing accounts in the local roads and streets accounts.

Commissioner Borries said he thinks this would be very helpful.

Mr. South said the bottom line on the submitted report is that of the some $279,000.00 requested additional, that $121,906.23 is anticipated being returned to us, at a later date.

Commissioner Cox said she received quite a few calls on the projects we discussed last week and from the media articles, it looked like the Lynch Road project and the St. Joe Project had gone over like $250,000.00 over their budgeted income, as overruns, that you had to read the entire article to get the full picture.

Mrs. Cox said it was not too clear in the minutes that she kept asking the question what was the actual overrun and Mr. South pointed this was on the engineering cost....that is where the overruns are.

Mr. South said he has also been questioned about this, but he thought it was made clear the overrun was in the engineering. He said the article in the press was even more unclear than the one in the Courier.

Mr. South said if everything goes to it's potential limits, the point is that we are over our 10% and the whole operational procedure is that we are not going to let that happen, but it is going to be very close, but we are going to try to stay under, and we are fighting everyway we can to do that, but this is potential, that we can reduce our output and not reduce our income, because we are projected in the 10% limits, so as we reduce our expenditures our income is still going to project to be the same for awhile and we hope to close that gap considerably.
Also on Lynch Road, he understands it was opened last week, that he passed through there and found the barricades down, went into his office and called and found out that they opened it last week.

Commissioner Cox asked who did that.

Mr. South said apparently the State Highway Commission, mainly, the Area Engineer.

Commissioner Borries asked if the barricades were down from around that railroad crossing.

Mr. South said no, he first went to the crossing and they in fact, added protection to the crossing and the lane is still closed.
He said they still had some detour signs out there, but he understands they are to come down today.
He said that he requested they install their speed limit signs out there before they open the road, but he sees they are not up either, so he will check on this tomorrow and report back to this board.

Burkhardt Road Project

Mr. South said he was out on the project on Burkhardt Road, that Morley and Associates is handling and on the south end of that project he sees we have a severe problem with the ditch being right at the edge of the road and he is wondering if there is, in this county,any drainage funds that could possibly help, if we decide it would be worthwhile to line the ditch where it is close to the road, which would only be the south 3/8's of a mile. If we could construe that to be part of the road project, we might get federal assistance.

President Willner said this is a legal drain and there is a ditch assessment on it.
He said it was recently dredged and there was a law suit over it and he is not sure if that has been settled yet. He instructed Mr. South to check this out with Mr. Brenner and come back to the board with a recommendation.

Telephone Request

Mr. South said that Mr. Brenner brought this matter up earlier in the meeting and was denied the request to change some phones in his office.
He said he would like to submit another proposal, that without any increase in monthly cost, can they expend less than $38.00 per service call to get one telephone taken out and the extension changed on another one, in the Surveyor's office. He said this will be no extra monthly cost and it will give him some privacy, that he has two other lines picking up on some of the calls he has been making and it is not a good situation. He said 5210 is the main line that goes into the office. He said they would like to have the extension on 5211 go to 5210 and one phone taken out. He said there are no lights on their phones, giving no indication of when they are being used.

President Willner said if this is agreeable with Mr. Brenner then he would see nothing wrong with doing it now.

Mr. South said it is agreeable with Mr. Brenner because he is the one that told him the other proposal did not pass earlier in the meeting. He said there is no rotating on any of the phones they presently have.

Commissioner Cox said she is confused on what Mr. South is requesting, therefore she would rather not make the motion.

Mr. South said it would allow him more privacy, that the phone in the open room and the one in the drafting room are both on 5211, which is his phone. They are asking that one of those phones go to 5210 and the other one pulled out, which would reduce monthly charges.

Commissioner Borries moved that the request for telephone changes in the Surveyor's office be approved, subject to there being no additional monthly charge. President Willner seconded the motion. So ordered.

Letter on Environmental Services on Lynch Road

Commissioner Borries said Mr. David Gerard drafted the following letter for the County Commissioners, to be signed by the board and sent to Robert Hittle.

August 25, 1981

Mr. Robert E. Hittle, Director
Environmental Services
D.E. McGillem and Associates, Inc.
5726 Professional Circle, Suite 104
Indianapolis, Indiana 46241

Dear Mr. Hittle:

Thank you for your recent letter requesting comment on Project ME 185 (1), Lynch Road Extension. As you are aware this project was jointly initiated by the Vanderburgh and Warrick County Commissioners as an important component of the area's transportation network.

The Vanderburgh County Commissioners continue their strong support of this project. The preferred route will be that corridor which can minimize costs and environmental empacts, while providing the most efficient and direct east-west route.

Although not directly a part of this project, we strongly urge the construction of an interchange with Lynch Road and I-164. This interchange is included in the area's adopted transportation plan, and will be a major benefit to the traveling public

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Mr. South said he did not know if D.E. McGillem and Associates was hired to just extend Lynch Road or if he was to improve the north-east area also.

Commissioner Borries said he was hired just to extend Lynch Road.

Mr. South said whatever we do, he agrees we do need an interchange with I-164, that he thinks that is the key to that part of the city.

Commissioner Borries said he does not think the planning is that far along and he does not think the letter says anything beyond that .

Mr. South said he would like to suggest in the future, that as a matter of business, when one types up a letter, that it is initialed, so that everyone knows where it comes from when it is signed by the Commissioners.

Commissioner Borries said there were three alternate routes and he does not think any of those showed an interchange.

Mr. South said no, the plans they saw did not, but in the TIPS publication, from Urban Transportation, did at one time show an interchange with Lynch Road, in some planning stage.

Commissioner Borries said should we then, as County Commissioners sign this letter and forward it on. He said he will have a E.U.T.S. meeting tomorrow and he can relay a message, if we want the letter to take on a different form.

Mr. South said he thinks we are to the point now where if we go now, we are extending Lynch Road and if there are some questions about whether Lynch Road should be extended then now is the time to pull up and re-analyze, so really, this is the turning point.

Commissioner Borries said he thinks it was the feeling with the hiring of this D.E. McGillem that Lynch Road was going to be extended, that he feels that decision has already been made.

Commissioner Cox said she feels that same way and that this is a part of the overall transportation plan. This is one of the short falls of Vanderburgh County, in that they can't make up their mind, they start something and then change their minds in the middle of things and that is why today, we have four lanes that go nowhere and even deadend. She feels this is a committed project and she personally does not think we need to stop and think, but rather go on in that direction and get the job done.

President Willner said the part of the letter he has problems with is where it states although not directly a part of this project, we strongly urge the construction of an interchange with Lynch Road and I-164. This interchange is included in the area's adopted transportation plan, and will be a major benefit to the traveling public.

President Willner said he does not like "although not directly a part of this project"

Commissioner Cox said we cannot make that decision, that it is the State's decision to make whether or not an interchange is going to be made there.

Mr. South said yes, but that decision is highly influenced by this body...or rather, it can be.

Commissioner Cox said perhaps the wording in the letter is wrong and should be changed somewhat, because the three routes did not show an interchange, and this is definitely what we want.

Mr. South said he thinks that any document we let go out of here should show the interchange on it, whether we have control of it or not, because we can certainly encourage it. Possibly in the next few months we should meet with the Highway Commission because if we cannot have that interchange out there then perhaps there will be some reconsiderations.

County Attorney said for the purpose that it will serve he sees no problem with the letter being signed and forwarded on to Mr. Hittle.

Mr. South said there will be at least one public hearing before the final route is selected.

Commissioner Borries moved that the letter to Mr. Robert E. Hittle regarding the Lynch Road Extension, be approved as written. Commissioner Cox seconded the motion. So ordered.

CIaims on St. Joe Avenue

Mr. South said he has several claims for the engineering inspection of St. Joseph Avenue which are as follows, and he has signed them all.

A claim was submitted by Engineer Associates for engineering inspection on St. Joe Avenue for the period of 7-20 - 7-24-81, in the amount of $3,929.99.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates for engineering inspection on St. Joe Avenue for the period of 7-27--7-31-81, in the amount of $3,199.94.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates for engineering inspection on St. Joe Avenue for the period of 8-10--8-14-81, in the amount of $3,066.80.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Engineer Associates for engineering inspection on St. Joe Avenue for the period of 8-3---8-7-81, in the amount of $3,014.44.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

Request from Engineer Associates

Mr. South said he has had a request from Engineer Associates for us to pay, in full, all unpaid claims that are on file for Lynch Road, that there is $44,000.00 presently in that account, that has not been spent, and they want some payment.
Mr. South said he told them this would be a decision between the Commissioners and the Auditor. There has not been a claim paid on Lynch Road for the engineering inspection since he became Highway Engineer, so there is quite a large amount due.

Mr. Heathcotte, Deputy Auditor said the reason payment was stopped on these claims was that we have reached the maximum dollar amount on the engineering inspection, but he understands there is a supplemental agreement to come on this, and when he receives a copy of that, then the claims can be paid.

Commissioner Cox said the Commissioners have already approved a supplemental agreement on Lynch Road.

Mr. South said he would like to postpone the above matter for a few minutes and continue on with another matter.

Supplemental Agreement on St. Joseph Avenue.

Mr. South said he presently has, dated August 21, 1981, a Supplemental Agreement for St. Joseph Avenue construction....engineering services. He said he received this Agreement about 2:15 this afternoon.

Commissioner Cox said this is the paper work for what Mr. South's estimate was last week for St. Joe, in the amount of $27,500.00.

President Willner said in looking at the agreement, it has been done different than the one for Lynch Road. He asked Mr. South what was his recommendation and he replied that perhaps the county attorney had better speak first.

Mr. Jones, County attorney said that he and Mr. South have been attempting to examine and gather information concerning these additional amounts. He said there is reason to, at this point, question a portion of it, subject to additional information. He thinks that the better course would be to pay the parts that aren't in question and withhold the parts that are.. until it can be validated, the reason being, that if it is paid and found to not proper, it is going to be far more expensive and far more difficult to go back and recover those costs.

Mr. South said Mr. Jones is talking about the claims on Lynch Road, but we are now discussing the Supplemental Agreement on St. Joe, which Mr. Jones has not yet seen.

President Willner said the Supplemental Agreement for St. Joseph Avenue will be deferred for one week and lets ask for a justification for the additional on the overrun.

Mr. South said he will contact Mr. Weiss and find out why the overrun was necessary.

Continue with Request from Engineer Associates on Lynch Claims

President Willner said we need to make a decision on whether we want to pay the claims we are holding on the Lynch Road project, that there is $44,000.00 in the account, but not earmarked for inspection engineering.

Mr. Heathcotte said the $44,000.00 is in the #3776 account for Lynch Road, but not marked for engineering inspection, but there is only one line item for Lynch Road. There are several blue claims in the Auditor's office, already signed and approved by the Commissioners, but we are holding them until we get the signed Supplemental Agreement.

Mr. South said if the Commission wants him to bring them back, he will, but he has no right to do anything with them, unless the Board wants to recind previous approval of them and run them through again.

Commissioner Cox moved that Mr. South review the previously approved claims for Lynch Road engineering inspection, that have not been paid, due to contract dollar limits. President Willner seconded the motion. So ordered.

Commissioner Cox said Mr. South is to bring them back to us next week, that we have paid everything up to the contract limit.

President Willner said we can wait, but they need their money.

Mr. Heathcotte said there is a Supplemental Agreement, that he was not aware of, and he will see the bookkeeper gets a copy of that, and that agreement will now raise the dollar amount of the contract, allowing us to pay the claims.

President Willner said then the Supplemental Agreement allows the Auditor to pay out of the $44,000.00 in the account for Lynch Road. He said the Supplemental Agreement was for $65,000.00.

There being no further business the meeting recessed at 5:00 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard "Rick" Borries Shirley Jean Cox	Barry Heathcotte	David Jones
SECRETARY:	Janice Decker		

Robert Willner
Richard "Rick" Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
AUGUST 31, 1981

The meeting of the County Commissioners was held on Monday, August 31, 1981, at 2:30 p.m. in the Commissioners Hearing Room.

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

RE: OPENING OF BIDS

Commissioner Cox moved that Mr. Tuley proceed with the opening of the bids for the transportation van for the Sheriff's department and for the repair of structures on Buente Road Bridge and Sensmeier Road Bridge.
Commissioner Borries seconded the motion. So ordered.

RE: CONRAD COOPER

Mr. Cooper said he has nothing to report except that Honeywell Corp. has informed us they will be in tomorrow to install the new control on the chiller and it will be operational within twenty four (24) hours.

President Willner asked if the Highway picked up the little building that was on the parking lot and Mr. Cooper replied yes, it is at the Garage and inturn, they are going to install a gate on the Walnut Street side of the lot.

RE: GENE KAUTZMAN....COUNTY HIGHWAY

Absentee Report

Mr. Kautzman submitted the weekly absentee report of the employees at the County Garage for the period of 8-24-81 thru 8-28-81.
Report received and filed.

Weekly Work Report

Mr. Kautzman submitted the weekly work report of the employees at the County Garage for the period of 8-24-81 thru 8-28-81.
Report received and filed.

Monthly Report

Mr. Kautzman submitted the monthly report for the Vanderburgh County Highway Department for the month of July, 1981.
Report received and filed.

Letter of Outstanding Service

Mr. Kautzman submitted the following letter, dated August 31, 1981

Dear Commissioners,

At this time I would like to recommend the following employees at the Vanderburgh County Highway Department for the Outstanding Service Award.

Mr. Harold Steckler, equipment operator; Mr. Thomas Waterman, truck driver; and Mr. Allen Brigham, laborer.

R. Gene Kautzman
Supervisor

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Complaint of Ditch on Reiter Drive

Mr. Kautzman said he understands there has been a complaint to come in concerning a ditch on Reiter Drive, off of Broadway Avenue, that a ditch has been dug and the property owner is not happy about it.

President Willner said he has discussed this matter with Mr. South, that he has some photographs taken of the area, that he will show this board later in the meeting and perhaps have a recommendation for us.

Vacation for Milton Hayden

Mr. Kautzman said one of his employees, Mr. Milton Hayden was employed by the Surveyor's office before coming to the Highway and in doing so he lost out on a week's vacation. He told Mr. Hayden he would present this to the board for a decision and would let him know if he can have the vacation he feels is due him.

President Willner said he thinks it has been the Commissioners policy in the past that if a person works for another county agency, that he would be due his full vacation time.

Both of the other Commissioners agreed that Mr. Hayden should get his other week of vacation and instructed Mr. Kautzman to allow him to take it.

Foremen at the County Garage

Commissioner Cox asked Mr. Kautzman how many foremen he has at the garage and he replied only two (2) that are really classified as foremen, that he sometimes works Bob Hart as a foreman. He works Mr. Hart as a foreman, an inspector, etc. just wherever he needs him. Mr. Linzy is the Assistant Superintendent and he also signs the shop sheets.

Chemicals at Garage

Mr. Mark Mabrey, Chief Deputy Sheriff was present and stated he has written a letter to the Prosecutor's office in reference to the chemical they impounded at the Highway Garage approximately two (2) years ago, during the Seibeking investigation. He would like to say during this public meeting today that he recommends the chemicals be utilized and that the shed be opened. He does not think that anyone is going to come back on the county for non-payment of the materials because they are under indictment now and they would be arrested. He sees no reason why the chemicals cannot be used that they can be used to clean the equipment at the garage, also soaps and detergents are in there.

President Willner said he had the county attorney to check with the Prosecutor this morning and basically, he said the same thing. We do need to get this material out of the shed and use it as we need it.

Mr. Mabrey said he has the key to the shed and he will make arrangements with Mr. Kautzman to go out there and unlock it and we can save the lock. He has a list of everything that is in there and he will see that Mr. Kautzman gets a copy of it.

Mr. Kautzman said some of the materials are in card board barrels so we will need to store them inside somewhere, but the rest of it can probably be stored outside.

Area for the Surveyor's Equipment and Materials

Mr. Kautzman said he has been wanting to discuss a matter with the Commissioners concerning the need for a separate area for the Surveyor's office to house their backhoe and some of their bolts and small items that are at the garage, that they had discussed housing them in the open shed on the side of the main garage, so maybe we will be able to use the shed that the chemicals are presently in, when we get it cleaned out.

Paving on County Roads

President Willner asked where they stand on the paving and Mr. Kautzman replied they are presently on Old Princeton Road, that they did not get to do much last week.

President Willner asked the Auditor if we have received final approval from the State on the $100,000.00 that the County Council approved for the paving of county roads and Mrs. McBride replied no, that it usually takes about six weeks to hear from the state, but she would be happy to call, that if the money is needed, they will sometimes give her the okay on it.

President Willner said he would appreciate it if she would call, explain the situation and see if she can get verbal approval on it and let the Commisisoners know what she finds out.

Request to Appear Before County Council

Mr. Kautzman said he would like approval from the Commissioners to go before the County Council with some transfers within his budget, but he forgot to bring the letter with him today.

President Willner said since it is too late for Mr. Kautzman to go on the Council Call in September, lets hold up on this request until next week, at which time it can come before this board again.

Bridge Wash-out

President Willner said he had a complaint from Mr. Cletus Coley, of R.R. 8 Boonville-New Harmony Road concerning a brige washout about one (1) mile south of the intersection of Boonville-New Harmony and Highway 57. He thinks there will have to have a grade-all taken out there, so he would like for Mr. Kautzman to take a look at it.

RE: MRS. LOU GERHARDT

Mrs. Lou Gerhardt was present and stated she would like to discuss a matter with the Commissioners concerning cars parked along a county road. She said she farms a farm in Vanderburgh, but she lives in Warrick County. She said the cars she is referring to are parked along the Warrick-Vanderburgh County Line Road and at this time she submitted pictures showing what she is talking about. She said once a year they try to mow and spray before they get their crops out and they are unable to do this with all of the cars parked along the road. She said Mr. Spencer runs a used car parts business, that she has nothing against that, that she even buys tires and parts from him and she does not want to cause him any trouble whatsoever, that he is running a legitimate business, that has been properly zoned for it, but she would like for the Commissioners or the County Attorney to please write Mr. Spencer and have him remove the cars from the road. Sometimes there are cars parked on both sides of the road and as many as twenty five to thirty at one time.

President Willner asked Mrs. Gerhardt if it would be alright to have the Deputy Sheriff go out and take care of the problem and she said yes, but she does not want to cause him any problems because they are neighbors and get along real good.

Commissioner Cox asked where this business is located and Mrs. Gerhardt replied it is located in Vanderburgh County. Commissioner Cox said if Mr. Spencer got approval from the Area Plan Commissioner, he would certainly have had to given a site plan showing where he would park these cars and it would not have been approved for him to park them out on a county road right-of-way, so he is in non-compliance with an Area Plan Commission permit.

Commissioner Borries said when the Sheriff finishes making his inspection, he would like for the County Garage to look at the road, that Mrs. Gerhardt has also requested the county rock it, that it needs to be graded badly, that it is presently a rock road and the county has maintained it before.

Mr. Kautzman said he would do this.

RE: DAVID SOUTH....COUNTY HIGHWAY ENGINEER

Claim

Mr. South submitted the following claim to be approved:

Claim to Morley and Associates, Inc for work on the Burkhardt Road Improvements, in the amount of $621.08 and signed by David South.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

Cut Permit

Mr. South said he has a cut permit on Raintree Drive, that he has been busy and has not been to the site, but the permit was submitted by Don Barnett.

President Willner said in looking on the county list, Raintree Drive is a county maintained Drive.

Mr. South said Mr. Barnett was in earlier in the week and he gave him the paper work to be filled out, but he does not have much on it, so he will check into it later this week.

President Willner said the Commissioners should sign the permits before the work is done, except in the case of an emergency, then Mr. South's signature is sufficient.

St. Joe Avenue and Allen Lane

Mr. South said last week it was discussed about the complaints they had when they removed the four way stop signs at Allen Lane and St. Joe Avenue and they presently have the additional stop signs installed and the left turn arrows have been painted on the pavement for Allen Lane, at the intersection.
He said Mr. Savage has informed us that through the traffic count, the intersection does not warrent a traffic signal, according to Mr. Gerard. Hopefully, in a week or so things will calm down at the intersection and we won't receive any more complaints.

President Willner said presently on Allen's Lane, heading west, there is three signs. One portable sign and two permanent signs.

Mr. South said this is correct, that there is a sign setting between the lanes saying the cross traffic does not stop, that there are two "Stop" signs installed with "Cross Traffic Does Not Stop" signs attached to the bottom of them also, so he does not know of anything else we can do.

Commissioner Cox said some people do not understand what "Cross Traffic Does Not Stop" means, that perhaps they think that they are the cross traffic and they do not have to stop, because some people do not understand highway terminology.

Mr. South said it's not that they do not stop, it's that they stop and then pull out in front of oncoming vehicles, according to the accident reports.

Commissioner Cox said would it be better to take down the "Cross Traffic Does Not Stop" signs and leave just the "Stop" signs up.

Mr. South said the reason for the "Cross Traffic Does Not Stop" plates, is he recommended them because it was a four way stop, we changed it to a one way stop and he felt the traffic should be warned, but if it is adding confusion we can take them down, because eventually they will come down anyway, once traffic gets use to stopping.

Commissioner Cox said she is wondering if a red and yellow flasher lights is warrented there, or not.

Commissioner Borries asked what kind of traffic volume justifies a stop light and Mr. Gerard said about a 900 vehicle count per hour for any eight hour period. He said you have a rather unique situation here and also the speed limit is rather high.

Mr. South said he would recommend we monitor the intersection for a few more weeks and see how things go.

Complaint on Ditch on Reiter Drive

Mr. South said that Mr. Kautzman brought up the matter of a ditch on Reiter Drive, off of Broadway, being dug and that the people are not happy with it. At this time he submitted some photographs taken of the site and said he has no recommendations, that he can define the problem, but not always come up with an answer, that this is really one of those situations where there is not a clean cut answer. You can move the problem downstream and that is just about what you will do if you increase the pipe size.

President Willner suggested that Mr. South get with Bob Brenner and discuss the bridge right below there, on Broadway, and see if it is sufficient to handle the problem and then we can better discuss the one upstream.

President Willner said we also had a washout on Reiter Drive and it need some riprap or some cold mix and he instructed Mr. Kautzman to have a crew get on that matter.

Mr. Kautzman said he knows where Mr. Willner is talking about and he will see that it gets done.

RE: REQUEST FROM MORLEY AND ASSOCIATES TO ACCEPT ROADS

The following letter was received from Morley and Associates to accept roads in the Lant Manor Subdivision:

August 21, 1981

Re: Lant Manor Subdivision
Project #-9-235-4

Gentlemen:

In behalf of our client, Mr. W.C. Bussing, Jr., developer of the subdivision, we would like to inform the Commissioners that the construction of all roadway pavement has been completed and constructed to County Standards and request that the roadways be accepted and maintained by Vanderburgh County.

The roadways are Brighton Drive, Cherry Circle, East Chestnut Court and part of Lant Lane. Brighton Drive begins at the intersection with E. Oak Street and ends at Lant Lane having a total length of 1364 feet. Cherry Circle begins at the intersection with Brighton Drive and ends as a cul-de-sac having a total length of 169 feet. East Chestnut Court begins at the intersection with Brighton Drive and ends as a cul-de-sac having a total length of 406 feet. Lant Lane begins at the property line between Lots 65 and 66 and ends at the rear lot line of Lot 99 having a total length of 279 feet. The sections of roadway poured are shown on the reduced size plat of Lant Manor included with this lwtter.

The roadways are concrete, six inches thick and 29 feet wide with roll type curbs. Runoff is handled by area inlets and a storm network which collects the storm runoff and carries it to nearby drainage swales.

Plans for this project were approved by the Board of County Commissioners on July 16, 1979.

Concrete cylinders were made periodically during each days pour by the concrete contractor. Copies of these test report (#76232 and 76001) from Hanson Testing and Engineering are included with this letter.

If you have any questions or require additional information, please call.

Sincerely,
Lee A. McClellan, P.E.

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Mr. South said he has not checked the above streets and talked to someone at Morley and Associates about it and they told him there was no big hurry on it, so he would recommend we hold up a week or so on the request.

The matter was referred to Mr. South and deferred for a week for further information.

RE: READING OF THE BIDS

Mark Tuley read the following bids.

STRADTNER EXCAVATING, INC.

Buente Road Bridge.....$18,485.80 (If awarded both contracts....$37,000.00)
Sensmeier Road Bridge.....$18,837.78

G.H. ALLEN, INC.

Buente Road Bridge.....$19,636.40
Sensmeier Road Bridge.....$19,645.90 (If awarded both contracts....$39,032.30)

MUNICIPAL ENGINEERING AND CONSTRUCTION CORP.

Buente Road Bridge.....$27,709.00
Sensmeier Road Bridge.....$26,168.00 (If awarded both contracts...$55,877.00)

BARNETT BROTHERS, INC:

Buente Road Bridge...$20,387.80
Sensmeier Road Bridge..$20,997.30 (If awarded both contracts...$41,000.00)

SOUTHWEST ENGINEERING, INC.

Buente Road Bridge.....$16,399.00
Sensmeier Road Bridge..$17,100.40 (If awarded both contracts...$33,499.40)

KEY CONSTRUCTION CO., INC.

Buente Road Bridge.....$14,897.50
Sensmeier Road Bridge..$16,035.10 (If awarded both contracts...$29,432.60)

LEGEAY, INC.

Buente Road Bridge.....$22,500.00
Sensmeier Road Bridge..$22,500.00 (If awarded both contracts...$42,000.00)

DEIG BROTHERS LUMBER AND CONSTRUCTION CO., INC.

Buente Road Bridge.....$14,483.00
Sensmeier Road Bridge..$16,472.50 (If awarded both contracts...$30,955.50)

TENNYSON CONSTRUCTION, INC.

Buente Road Bridge.....$15,391.00
Sensmeier Road Bridge..$15,800.50 (If awarded both contracts...$31,191.50)

The above bids were referred to the Surveyor for his recommendation.

RE: READING OF BIDS FOR SHERIFF'S VAN

Mr. Ben Evans of the Purchasing Department was present and stated they received only one bid on the transportation van for the Sheriff's Department, that being from Mav-Ron Inc. and the total bid was for $17,500.00 for a 1981 Chevrelet Van, and the bids meets all specifications. He said they also add to this amount another $250.00 for delivery to Evansville and Chief Mabrey has informed us they can pick up the van and save the county that extra amount. He said it would be the recommendation of the Purchasing Department that this bid be accepted.

Commissioner Cox moved that the bid of Mavron, Inc. be awarded for the transportation van for the Sheriff's department, in the amount of $17,500.00. Commissioner Borries seconded the motion, which carried unanimously in the affirmative.

Specifications for Station Wagon for Burdette Park

Mr. Evans said he would like to present to the Commissioners, specifications for a station wagon for Burdette Park and they will have a used station wagon to trade in on the new one. After the Commissioners approval of the specs the Purchasing Department will then advertise for it and make recommendations.

Old Van in the Sheriff's Department

President Willner asked Mr. Mabrey if they had a recommendation for use of the old transportation van and he replied they would like to keep it for local transportation. President Willner asked the other two Commissioners if they have any problems with this and they did not have.

RE: BOB BRENNER....SURVEYOR

Bridge and Guardrail Reports

Mr. David Guillaum submitted the bridge and grardrail reports for the period of 8-24-81 through 8-28-81 and stated they have spent most of their time on St. Joe Avenue, that they replaced two (2) pipes out there that had caved in. They also worked on North Kentucky Avenue on a bridge repair job.

President Willner said he would like to thank Dave and Mr. Brenner both for doing the culverts on St. Joe Avenue, that we had two that were sinking due to collapsed centers. He asked Dave if they could possibly do these one each day and not close traffic on St. Joe Avenue over night, and they did cooperate and he appreciates their effort. These culverts were located one on each side of Schenk Road, on St. Joe.

RE: DAVID GERARD...E.U.T.S.

St. Joe Avenue

Mr. Gerard said several weeks ago it was discussed to switch St. Joe, by Meier Road from Urban to Secondary, so he spoke with the state and we are going to proceed with that and start the process through, so that the project will be eligible for Secondary money.

Covert Avenue Project

Mr. Gerard said in completing the environmental impact study for Covert Avenue we must have an archaeologic study done by a professional archaeologist and we must get property owner approval, that usually we contact the owners and they sign a release form and allow us on their property. He said this will be strickly a walk through, that there will be no types of digging done. He said he would like to have the assistance of the County Attorney in contacting a couple of the property owners and taking legal action necessary to go on the property, that you do have the right to go on it for survey work as long as there is no digging or destruction to the property during the process.

President Willner said they can do this as long as it is clear.....no digging, and instructed Mr. Gerard to contact Attorney David Miller and work with him on sending out the necessary letters.

RE: L & N RAILROAD AT LYNCH ROAD

President Willner said Attorney David Miller has been in touch with the attorneys for the L&N R.R. and in discussing the matter of the L&N crossing over Lynch Road for the past several weeks they have come up with no solution, so it is now at the point as to whether the Commissioners want to enter into litigation or not, that he is open for suggestions from the other Commissioners. He said we have the option of keeping the northern lane closed at the crossing or opening it and risk being partially liable should there be an accident or we could pay for a new switch to be installed or we can proceed with a law suit.

Commissioner Borries said at this point and time his feelings have not changed on this matter, because he still believes it is a hazard and he is not willing to say lets open the road until the matter is settled.

President Willner said he also discussed the time element with Mr. Miller and he was informed it could take as long as two (2) years before a decision is reached.

Commissioner Cox said this is pitiful, however, her feelings are still the same, that she believes this is certainly a safety hazard for all parties concerned and even the railroad admits to that fact and she does not feel we can open the road to traffic with that safety hazard there. She hates to see the road open with that part barricaded for two (2) years, but if that is what it's going to take to get the problem solve then it will have be that way. If the only way to get the problem solved is through a law suit then that is what we need to do.

President Willner said they discussed the matter of who's fault this is and he understands the county did not approve the plans, but the state and federal government did and they have both indicated it was a slip on their part, by not catching the switch and they both agree it is a safety hazard and they both agree to help fund the problem and he personally sees the only other thing would be for the county to pay for it with the help of the state and feds and leave the railroad out of it. He has no estimates, but it would be big bucks, and we would still need the railroads permission to even do that.

Commissioner Borries moved the county attorney, David Miller, be directed to proceed with a law suit, if necessary, concerning the L&N railroad switch on Lynch Road. Commissioner Cox seconded the motion, which carried unanimously in the affirmative.

RE: THIRD PARTY COMPLAINT

President Willner said the Commissioners received a third party complaint from the Vann Avenue Baptist Church vs the County Commissioners, concerning an injury at a voting place when the church property was used as a polling place, in May of 1979. This matter was referred to County Attorney David Jones.

RE: LETTER...PROSECUTOR, CONCERNING SURPLUS FURNITURE

Commissioner Borries read the following letter, dated August 27, 1981.

Gentlemen and Mrs. Cox:

Ms. Nancy Hankins and Mrs. Sandra Millard looked over the furniture in the storage area of the County Building, owned by the County to see if any of this furniture would be suitable for the purposes of the Prosecutor's Office, IV-D Support Division, to be housed at 615 Main Street. This suggestion was made by the County Council at their budget meeting on the IV-D Support budget on August 25, 1981, in view of the fact no new money is to be allotted for furniture.

The furniture specifically requested are 2 arm chairs and 16 side chairs, wood with padded seats and backs a drab gree-grey in color, previously used in the J.P. office. There are two tables earmarked Circurt Court which we would also request using. A low coffee table which needs some repair would also be of use to us.

If it is possible for us to borrow this furniture, it would certainly be of great benefit to us in serving the public.

Sincerely,
Jeffery L. Lantz
Prosecuting Attorney

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Commissioner Cox moved the request be granted. Commissioner Borries seconded the motion. So ordered.

President Willner instructed Mr. Tuley to contact Mr. Lantz and inform him of the Commissioners decision.

RE: LETTER FROM THE EVANSVILLE PHILHARMONIC ORCHESTRAL CORP.

Commissioner Cox read the following letter, dated August 25, 1981.

Dear Mr. Willner.

This letter is in regard to the Vanderburgh County Commissioners recent approval of a six month trial contract with Ticketeers, Incorporated for the handling of ticket sales for events at Vanderburgh Auditorium. It is our understanding that in the future, all contracts with users of the Auditorium will require that tickets be handled through the facility.

As one of the most frequent users of the Auditorium and as the largest non-profit performing arts organization in Evansville, we respectfully offer our concern over the ticket selling proposal and its effect upon the Philharmonics operations.

The Evansville Philharmonic Orchestra is totally different from other non-profit and commerical performing arts organizations in several important areas:

a) Over 70% of the total tickets to all Philharmonic concerts at Vanderburgh Auditorium are sold in advance on a subscription basis.

b) Many times throughout the season, ticket holders are not able to attend concerts and they contact the Philharmonic to release their tickets as a tax-deductible contribution. These tickets are then resold along with remaining single admissions.

c) Philharmonic subscribers are more than mere ticket holders. These people contribute more than $80,000 annually to the Orchestra's Maintenance Fund.

Prior to a concert date, the Philharmonic sells all tickets through its own office facility in downtown Evansville. On concert days the Philharmonic utilizes the Auditorium Box Office facility from 10:00 a.m. to 3:00 p.m. and 7:00 p.m. to 8:00 p.m. (curtain time). During concert days when the Philharmonic is utilizing the Auditorium Box Office, a myriad of transactions are taking place: the purchase of season tickets, renewal of season tickets, changes in seat location, payment of Maintenance Fund contributions, itc. This type of activity is common to any professional symphony orchestra in the country.

With this in mind, it becomes clear that:

1) There is no other performing arts organization like the Evansville Philharmonic Orchestra using the Auditorium due to highly specialized ticket procedures, and

2) The present proposal to force the Philharmonic to utilize the services of Ticketeers, Inc. is unworkable.

Therefore, the Philharmonic would like to propose the following usage schedule for the Auditorium Box Office facility for the 1981-82 season:

Saturday night concerts	6:00 p.m. - 9:30 p.m.
Sunday afternoon concerts	1:00 p.m. - 4:30 p.m.

This would not interfere with the Monday through Saturday, 12:00 noon to 5:00 p.m. operations of Ticketeers, Inc. and would afford adequate time for the Philharmonic to handle ticket sales in a professional manner.

Please be aware that the Philharmonic is mindful of the Auditorium's need to secure adequate income to successfully operate the facility. However, it should be noted that the Philharmonic receives no financial support in any form from Vanderburgh County or the City of Evansville, an unusual but understandable situation for most symphony orchestras in this country.

It cannot be denied that the presence of our excellent, professional symphony orchestra is a prestigious asset to our city, and accounts for nearly $285,000 in local business. We sincerely hope that you look favorably upon our proposal that will allow the Philharmonic to continue its tradition of excellence.

Respectfully submitted,

Robert E. Hampel
President

Paul Bunker
General Manager

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Mr. Cooper said apparently there has been some misunderstanding between Mr. Hampel, Mr. Bunker and himself. He said he received a copy of the letter and he did not personally respond to it because it was addressed to the Commissioners, however, there has been no direct communications between Mr. Hampel, Mr. Bunker and himself regarding the box office nor have either of them approached Ms. Moore, who operates the box office. He said at no time, did anyone inform Mr. Bunker that use of the box office services were mandatory. We did inform them that we thought professional box office services would be available and that they might want to investigate the use of those services because it might be cheaper and easier, but at no time was he informed that it would be mandatory.

As far as the specialized services, he checked with Ms. Moore and also Mrs. Boehme, his assistant, and at no time was he informed that the box office couldn't handle these specilized services.

With regard to his proposal, on the surface, it looks as though it would work out fine, except for a few minor points, that in the event we have another paid admission event in the box office at the same time we have the Philharmonic ticket sales, there could be a problem. For an example, lets say we have a public dance in the Gold Room plus we have an advance ticket sale on say a closed circuit television fight and the box office is handling that, well he knows, from talking to Ms. Moore that she intends to operate the box office during big public events for advanced public ticket sales to other events, because she is going to have to be in there anyway so she might as well put the other tickets on sale also.

Mr. Cooper said after seeing the letter and discussing it with Ms. Moore and his assistant that based upon what they propose, he has some observations, but he thinks it can be worked out very easily and he feels it would have been worked out if they would have come and talked to him, and he could have brought a proposal to the Commissioners. He said in most other similar buildings such as our Auditorium, the box office is expected to produce a revenue of its own and this has not been the case in the past, at our building, so in consideration of their proposal, he would propose that a reasonable rental fee be placed on the box office for its independent use, that he does not think the box office should be an assumed service of the building, that it does not go with the lease. Secondly, phone service for such use should be provided by the lessee, separate from the existing building lines, because we have noticed in the past that they will transfer their phones to our lines two to four hours before they start selling tickets and that means we are answering their phones all afternoon and we don't have use of our business phones. Thirdly, he would like it stipulated that no more then two (2) persons be allowed in the box office area for independent use, with only one allowed at the ticket window at a time, that they have had as many as eight people back there and we simply do not have enough room for that.

Commissioner Cox said she does not see how we could do this, based on the contract we have with the Ticketeer, Inc., because she brought up the question what hours they would be in the box office and there was no set time, it was just at the time the Auditorium would be open.

Mr. Cooper said there is nothing in that contract that stipulates the ticketeer has to handle ticket sales, it is just a service offered.

Commissioner Cox said according to the contract, Ms. Moore would have the authority to use the box office, to sell whatever tickets she wanted to sell.

Mr. Cooper said this is true, but she is paying us for that privilage.

Commissioner Borries said can the Philharmonic still sell their tickets and not be in any violation of the contract and Mr. Cooper said yes, they can.

Commissioner Cox said since we have a contract with Ticketeer and Ms. Moore, then she does not think we can tell the Philharmonic that they can use it. She would like to have our attorney to study this and see who has what rights to the box office, and what can be worked out on it.

Mr. Cooper said he feels Mrs. Cox is mistaken, that he thinks the contract with Ticketeer, in laymen terms, says that she has access to that area to sell tickets and in return for that access she is to pay us a percentage of her gross receipts. He does not think that, in any way, prevents us from allowing someone else to use that box office simultaneously, providing it is not going to impair her ticket sales.

Commissioner Cox said Mr. Cooper may be right and she certainly hopes that he is.

Mr. Cooper said we had this same problem with the Musician's Club and we worked it out so that they can use the box office on the day of show.

President Willner asked Mr. Cooper to contact Mr. Bunker and Mr. Hampel and set up an appointment with them and try to resolve the problem and he replied that he would be happy to.

RE: LETTER REQUESTING AUDITORIUM BE ALLOWED TO GO BEFORE COUNTY COUNCIL

President Willner said he has a letter from the Auditorium requesting they be allowed to go before the County Council for the purpose of requesting an additional $30,000.00. The letter read as follows:

August 31, 1981

Dear Mrs. McBride,

Please place my name on the next regular Vanderburgh County Council agenda for the purpose of requesting an additional $30,373.25 to meet the payroll through December 31, 1981.

This request was apparently made necessary by inadequate and inaccurate budgeting for the current payroll year.

Tha amount of the request is based on present and expected work loads thru the end of the year.

Respectfully,
Conrad Cooper, Manager
Auditorium and Convention Center

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Commissioner Cox said how in the world can you come up $30,000.00 short in payroll.

Mrs. McBride said she would imagine the council allowed hourly wages at a certain amount in the salary ordinance, but then did not approve enough in the budget line item to cover it.

Mr. Cooper said at budget time the lump sum allowed only covered about $5.05 per hour for his workers and the union wage is about $6.46, so that, plus overtime pay accounts for some of the shortage. He said he should have caught this sooner, but it never dawned on him that there was not enough allowed to cover salaries, for the year. He said the Auditorium use is up a little over last year, but that is not the culprit. He said he was not allowed any money for overtime pay, that it has been paid from his regular salary account, but he was allowed $2,000.00 in his part time help account but he will be needing that for the remainder of this year and he believes he has about $750.00 left in that account.

Commissioner Cox asked Mr. Cooper what his payroll per two week period usually runs and he replied it runs between $2,800.00 and $5,100.00, but that was before he changed the work schedule and he would have to call people in work them all night at overtime pay. Commissioner Cox said she would like for Mr. Cooper to get with Mrs. McBride and try to give us some fuller explanation as to this big of a shortage.

Mr. Cooper said we will make the next payroll and then we will be in trouble.

Mrs. McBride said the Council's September meeting is this Wednesday, so there is no way it can go before October and then we have to wait for the State's approval, so she asked Mr. Cooper if there is somewhere he can transfer from to cover that period.

Mr. Cooper said perhaps he can transfer from his Maintenance account and then ask for additional appropriations to re-imburse that account.

Commissioner Borries moved that Mr. Cooper be allowed to go before the County Council with a transfer from other accounts to cover his payroll for October and then request an additional appropriation in November to carry him through the remainder of the year. Commissioner Cox seconded the motion. So ordered.

RE: BIDS ON BUENTE ROAD AND SENSMEIER ROAD BRIDGES

President Willner asked Mr. Brenner if he has a recommendation on the bids they received today and he replied they would like to calculate the bids and come back with a recommendation next week. He said the bids of Stradtner Excavating and Municipal Engineer do not appear to be in order. He said Key Construction appear to be the low bidder with a total of both contracts being $29,432.60, but he would like a week to study them.

Permission granted.

RE: INTERIM AUDIT OF LYNCH ROAD

President Willner said the Commissioners have requested that an interim audit of the Lynch Road Project be conducted by the Indiana Department of Transportation.

RE: CLAIMS

A claim was submitted by attorney William Belshaw, Arbitrator, for payment of County's share of fees and expenses on Teamsters Arbitration File N. 81E/10173, as per attached, in the amount of $861.77.

Commissioner Borries moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by County attorney David Miller for legal services for the month of August, in the amount of $1,026.14.
President Willner said this needs to be approved, subject to the money being approved by the County Council at their Sept. meeting, whereas the Commissioners ask for a transfer of $20,000, and if that is not approved, then this request should be put on the October Council Call.
Commissioner Borries moved the claim for Mr. Miller be approved subject to the money being approved by the County Council. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYEE CHANGES.....APPOINTMENTS

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Mary Goodman	2602 Forest Avenue	Part time	$30.00 day	Eff: 8-28-81

VANDERBURGH COUNTY CLERK OF CIRCUIT AND SUPERIOR COURTS

Susie Kirk	8302 Spry Road	Deputy Clk.	$350.95 Pay	Eff: 8-28-81

VETERANS SERVICE

Judy Becking	2163 E. Columbia	Clerk Typist	$9,160.00 Yr.	Eff: 8-28-81

PROSECUTORS OFFICE

James Corbett	400 Kings Valley	Dep. Pros.	$12,000.00 Yr.	Eff: 8-28-81
Neil Thomas	2612 Adams Avneue	Dep. Pros.	$20,000.00 Yr.	Eff: 8-28-81
Roy A. Tyler	1151 Harrelton Ct.	Dep. Pros.	$15,000.00 Yr.	Eff: 8-28-81
James Rode	1803 N. Roosevelt	Dep. Pros	$15,097.00 Yr.	Eff: 8-28-81

RE: EMPLOYMENT CHANGES....RELEASES

VETERANS SERVICE

Mary Goodman	2602 Forest Ave.	Clerk-Typist	$ 9,160.00 Yr.	Eff: 8-27-81

CLERK OF CIRCUIT AND SUPERIOR COURTS

Janet E. Badar	330 Tyler	Dep. Clerk	$350.95 Pay	Eff: 8-28-81

COUNTY ASSESSOR:

Robert McBride	707 Reis Avenue	R.E. Clerk	$30.00 Day	Eff: 8-28-81

COUNTY AUDTIOR

Judy Becking	2163 E. Columbia	Part time	$30.00 Day	Eff: 8-27-81

CENTER TOWNSHIP ASSESSOR

Gregory Denton	3223 Elmridge Dr.	Field Dep.	$30.00 Day	Eff: 8-31-81

COUNTY TREASURER:

Annette Schneider		Part time	$30.00 Day	Eff: 8-28-81

PROSECUTOR

James Schreiber	5800 Spring Pk.Dr.	Intern	$6.00 per hr.	Eff: 8--8-81
James Corbett	400 Kings Valley	Dep. Pros.	$15,000.00 Yr.	Eff: 8-28-81
Neil Thomas	2612 Adams Ave.	Dep. Pros.	$18,500.00 Yr.	Eff: 8-28-81
Roy Tyler	1151 Harrelton Ct.	Dep. Pros.	$14,500.00 Yr.	Eff: 8-28-81
James Rode	1803 N. Roosevelt	Dep. Pros.	$14,097.00 Yr.	Eff: 8-28-81

AREA PLAN COMMISSION

Mary Janet Davis	767 S. Elliott St. (90 day leave of absence)	Asst. Zo. Admn.	$ 9,720.00 Yr.	Eff: 7-27-81

Ms. Davis is going to be released from the Area Plan office because there is not enough funds to pay her, she will work for the city for ninety days, and then go back to Area Plan.

Commissioner Cox said what well we do about her insurance.

President Willner said he supposes she will not be covered by the county for those ninety days.

Commissioner Borries said he thinks if she picks up her own share of the insurance that she would be allowed to keep it going.

Commissioner Cox said she agrees with this.

Commissioner Borries moved the request for a 90 day leave of absence for Mary Davis be granted, from the Area Plan Commission office. Commissioner Cox seconded the motion. So ordered.

President Willner told the County Auditor to be sure and see that the insurance end is taken care of properly and she said she would see to it.

RE: MARK TULEY....SUPERINTENDENT OF COUNTY BUILDINGS

Letter from the Southwestern Mental Health

Mr. Tuley said last week we received a letter from the Southwestern Mental Health Association requesting we make an appointment to that board and the letter stated that five "at large" members agreed to serve again, but they want a County Commissioner to serve on that board.

Commissioner Cox moved that Richard Borries be the Commissioners appointment to the Southwest Mental Health Association board. President Willner seconded the motion, which carried with a unanimous vote.

Telephone Request from the Surveyor's Office

Mr. Tuley said he is having a hard time understanding this, but Mrs. Meeks talked to the telephone company and to pull one phone out and have the extensions changed on another one will cost us $102.30 for installation and an additional 95¢ per month, and he just cannot understand this.

Mr. South said we need to get the representative back here, that was here before, because he quoted us a different price.

Mr. Brenner said when the phone man was in his office he told him there was a hold button on the phones and he proceeded to show us how it works....but it didn't, so we have been paying for it for years and it does not work.

President Willner instructed Mr. Brenner to get the representative back to the office and Mr. Tuley can also work with him on the other office requests for phone changes.

Purchasing a Vehicle

Mr. Tuley said in talking to the County Council about purchasing a vehicle he is under the impression this could fall under the Cumulative Capital Improvement fund. The council asked him if he could transfer any funds in the Commissioner's budget and he told them he did not think so.

President Willner asked Mr. Tuley if he had the money to transfer in his budget, for a used vehicle and he replied no, that he has about $5,000.00 but he does not want to spend it for a car.

Mr. Tuley said we will then wait until next year to see about a new vehicle.

President Willner said he will sit down with Mr. Tuley and see what they can come up with in the Commissioners budget.

There being no further business the meeting recessed at 4:30 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR
	Robert Willner Richard "Rick" Borries Shirley Jean Cox	Alice McBride
SECRETARY:	Janice Decker	

Robert J. Willner

Richard J. Borries

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
SEPTEMBER 8, 1981

The meeting of the County Commissioners was held on Monday, September 8, 1981, at 2:30 p.m. in the Commissioners Hearing Room. This being the first meeting of the month it was officially opened by Sheriff Chief Deputy Mark Mabrey.

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

RE: SHERIFF'S DEPARTMENT.....MARK MABREY

Spencer's Lane

The following letter was submitted to the Commissioners concerning cars parked along the roadway on Spencer's Lane, in Vanderburgh County. Mrs. Lou Gerhardt was before the Commissioners last week and requested that the cars be moved and the Sheriff's Department was to follow up on it.

September 2, 1981

Dear Mr. Willner;

At your request, this department has investigated a complaint filed with your office at the regular Commissioner's meeing of August 31, 1981 pertaining to "Spencer's Lane" and County Line Road (East) and the storage of junked cars along the roadway.

Attached please find a supplementary report filed by Sgt. Tucker from our department. As you can see from the report, there has been a zoning change for that area in order to operate the business that Mr. Spencer is engaged in. Further, Vanderburgh County has not accepted responsibility for the lane that the vehicles were parked on; at least at the time of my officer's inspection.

Mr. Spencer has assured this office that he will remove the vehicles as soon as possible and that he will attempt to prevent this situation from occurring again. It is my understanding that this was the action that the complainant hoped for. For that reason, I feel both the Commissioners and the Sheriff's Department have served the complainant well and that she will be completely satisfied.

If there are any future complaints, please feel free to call our department.

Very truly yours,
Mark C. Mabrey, Chief Deputy
Vanderburgh County Sheriff Department

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Mr. Mabrey said Sgt. Tucker was back out there today and about 95% of the cars have been cleared away, so he would say maybe four or five cars are still there. They will continue to monitor the situation and if there should be more problems they should go to the Zoning Board and have them give Mr. Spencer a citation.

President Willner thanked Mr. Mabrey for the assistance he and the Sheriff's Department gave in the matter.

Request To Go Before County Council in October

Mr. Mabrey submitted the following letter to the Commissioners:

September 1, 1981

Dear Mr. Willner,

At the request and direction of the Vanderburgh County Council, and with their future intended approval, I would respectfully request that the Vanderburgh County Commissioners approve our intention to purchase the following items from Account #207, the Cumulative Capital Improvement Fund. These items have been prioritized according to our needs.

1. Motor Vehicle Lease Continuation (10).....$32,568.00
2. Portable Radios (5).....$ 7,210.00
3. Helmets, Bullet Proof Vests (25).....$ 5,000.00

4. Shotguns (10).....$2,000.00
5. Rechargable Flashlights (50)...$2,200.00
6. Vehicle Redlight Bars (10)....$4,800.00

In order to justify this request, I will appear at the next session of the County Commissioners and do hereby request to be placed on the agenda for that purpose.

Thank you very much for your time and consideration.

Very truly yours,

Mark C. Mabrey, Chief Deputy
Vanderburgh County Sheriff Dept.

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Officer Mabrey said they were directed to come before the Commissioners and request that they be allowed to request the above items to come for the Cumulative Capital Improvement fund in 1982. He said most important is the lease of their vehicles, that they presently are leasing them through that fund and also purchased ten (10) more from that fund last year, so this would be a continuation of the lease they now have. They are receiving these vehicles at a reduced rate because most of them are 1979 and 1980 models.
He said he can justify all six items listed in the letter if the Commissioner's so desire or he would be happy to answer any questions on any of them, that he does not want to take a lot of time explaining them.

President Willner said it seems to him the items listed should come from the Sheriff's budget and not from the Cumulative Capital Improvement Fund (CCI). He said he was a member when this fund was set up and it was not to cover items normally covered by the budget of a particular office. Legally, they probably could come from the CCI fund, but he personally feels that they should not, that this is some $54,000.00.

Officer Mabrey said the Ordinance for the CCI Fund specifically mentions for either the lease or purchase of motor vehicles, that the other items are not mentioned in the Ordinance, but he believes it will cover them.

President Willner said he has no problem with it being legal, he just feels it should be a regular budgetary item.

Officer Mabrey said originally it was presented to the Council as a regular budgetary item except they did want to continue to take the vehicles from the CCI Fund. The council suggested they approach the Commissioners with the request for the rest of the things to also be taken from the CCI Fund, that we do need this board's approval before we can take it back to the County Council. He said other then the vehicles, the rest of the items will be a one time thing. He said since this letter was written, he has found out they can purchase five (5) portable radios, through a personal friend, for the sum of $4,800.00, which will be quite a savings to the county, that he is working very diligently toward any savings that can be made.

Commissioner Cox said she was present in the Council meeting when they cut these items from the Sheriff's general fund request and she understands what they were trying to do, that being to get enough money for additional insurance and a decent raise for county employees. But in looking at the items requested, it looks to her like the only things covered under the CCI Ordinance would be the vehicles and the vehicle redlight bars.

Commissioner Borries said after looking over the Ordinance, he would agree with Mrs. Cox on what items it would cover.

Officer Mabrey said he has a copy of the Ordinance, however he is not real familiar with it so he was not sure if there was anything in it that would cover just equipment.

Officer Mabrey said he goes back before the county council this afternoon and he will take this information to them.

Commissioner Cox said you have better tell the council to reinstate items #2,3,4 and 5 in the Sheriff's regular budget requests.

Officer Mabrey said is the Commissioners going to act on items #1 and #6.

President Willner said he thinks Mark should take the whole thing back to the council, that he feels it is a budgetary decision and the council should make that decision.

Commissioner Cox said she feels this should go back to the Council with the Commissioner's decision that items #2,3,4 and 5 should not come from the CCI Fund, but that the vehicles and the vehicle redlight bars can be considered from the CCI Fund.

RE: MARK TULEY...SUPERINTENDENT OF COUNTY BUILDINGS

Request from Ms. Townsend from Weights and Measures

Mr. Tuley submitted the following letter from Ms. Loretta Townsend of the Weights and Measures Department, dated September 8, 1981:

Commissioners,

I am requesting to borrow the Royal Litton Electric Typewriter, Serial #1196316, to be used in the Weights and Measures Department, now located in the Community Center.

Loretta Townsend

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Mr. Tuley said since the Commissioner's no longer have a part time secretary in the office, there is a typewriter available and Ms. Townsend would like to borrow it. He said this is needed to type the reports she must make and he is not certain if she has ever had one or not. We did have this typewriter on loan to the Convention and Visitor's Bureau.

Commissioner Borries moved the request be allowed. Commissioner Cox seconded the motion. So ordered. President Willner instructed Mr. Tuley to make note of this in their files.

Repairs at Hillcrest Home

Mr. Tuley said that Kenny and Benny are at the Hillcrest Home making repairs and they will be there for the next couple of weeks trying to tie up all the loose ends.

RE: CONRAD COOPER.....AUDITORIUM

Budgetary Problems at the Auditorium

Mr. Cooper said pursuant to the request made last week in regards to the budgetary problem in the payroll accounts, in which we requested an emergency transfer from three other accounts and putting it into the payroll accounts, in a total transfer of $5,000.00. He said the necessary paper work has been turned over to the Auditor.

President Willner said did we ever find out what exactly the problem came from.

Mr. Cooper said he has his theory and others have theirs.

Commissioner Cox said she went through the Auditorium's budget and he was allowed an 8% increase over the 1980 budget, so she sees no way this could have happened and how they can be $30,000.00 short.

Mr. Cooper said if you take the union wage times five people, times forty hours, for fifty two weeks, you will come up with a total of a lot more then the $58,000.00 that it shows in the budget book and there is no overtime plugged in there whatsoever. He said he wished he could offer a reasonable explanation for the shortage, but he cannot, that he does not know how they figured it and came up with the total they approved, that there is no way you can pay the union people their wages on the amount approved.

President Willner asked if they had to come back last year and ask for additional monies and Mr. Cooper said he did not know.

Mr. Cooper said one of the big problems is that there was no monies allowed for overtime and he has had to pay quite a bit of overtime this year.

President Willner asked Mr. Cooper if he will go before the County Council in October and he replied yes, he assumes he will, that the paper work was submitted.
President Willner said to keep the Commissioners informed of any changes.

Philharmonic Orchestral Corp

Commissioner Cox asked Mr. Cooper if he got things straightened out with the Philharmonic Orchestral Corp., which was discussed last week about using the box office.

Mr. Cooper said he has written them a letter explaining he sees no problem in working the problems out and advised them to make contact with us.

RE: JESSE CROOKS.....BUILDING COMMISSION

E.A.R.C. Building

Mr. Crooks said he has made contact with Key Construction and they will proceed on the repair work to the E.A.R.C. building, that they had to order some materials.

Weeds

Mr. Crooks said he has not been out to all of the sites, but the problem of weeds on Rode Road, he believes, has been reasonably taken care of.

RE: DAVID SAVAGE....TRAFFIC ENGINEER

Striping

Mr. Savage said they are ready to start on some center line striping, so if the Commissioners have a list, he would be happy to get it.

St. Joe and Allen's Lane

Commissioner Borries said last week it was discussed about the stop sign and the traffic count on St. Joe and Allen's Lane and he would like to know if there have been any further developments on this.

Mr. Savage said he understands they took another traffic count, but he has not seen those figures, so basically, as far as he knows it stands where it was last week.

Striping

President Willner asked howlong after a road is repaved can it be striped and Mr. Savage said if we can wait two weeks it will hold up better, but he likes to go immediately and put a temporary stripe on it and then go back later.

President Willner told Mr. Kautzman to let Mr. Savage know when they get through paving Old Princeton Road.

Commissioner Borries said he earlier mentioned Heckel Road, that the striping was all off of it, between Oak Hill Road and Green River Road.

Mr. Savage said Heckel is a narrow road, but it is straight, so he questions if a road is straight and you can see down it, should it be striped before a curvy one is. Heckel really needs more work then striping, that it is in a condition, that you have to drive on the wrong side of it part of the time regardless if it is striped or not.

RE: GENE KAUTZMAN.....COUNTY HIGHWAY

Absentee Report

Mr. Kautzman submitted the weekly absentee report of the employees at the County Garage for the period of 8-31-81 thru 9-4-81. Report received and filed.

Weekly Work Report

Mr. Kautzman submitted the weekly work report of the employees at the County Garage for the period of 8-31-81 thru 9-4-81. Report received and filed.

Request to go on Council Call

President Willner said the following letter was submitted by Gene Kautzman regarding a request to go before the County Council.

September 3, 1981

Dear Commissioners,

At this time the Vanderburgh County Highway Department is in need of monies from the General Fund, to cover expenses to the end of December 1981, in the following accounts.

201-1360...Office Records	$ 200.00
201-2560...Rental of Equipment	$ 300.00
201-4253...Repairs of Raod Equipment	$28,500.00
201-4321...Gasoline, Oil and Lubricants	$ 5,000.00
201-4322...Tires and Tubes	$ 5,200.00
201-4323...Other Garage and Motor Supplies	$ 1,200.00

Total amount of monies, requested at October Council Call, is $40,400.00

Very truly yours,
R. Gene Kautzman, Superintendent

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Mr. Kautzman said he is requesting the $40,400.00 from the Highway General Fund, that the Auditor tells him is coming in from the State. There is $190,000.00 in the Highway Fund and $100,000.00 is for road paving and after he transfers this $40,000.00 out, there will still be a balance of $50,000.00.

Commissioner Cox asked Mr. Kautzman if in the initial cut of $585,000.00, did he zero any of these accounts out that he now has on the list and he replied he does not remember which accounts the cuts were made in, but some of them probably are.

President Willner instructed Mr. Kautzman to take this back, review his budgets balances again and see if there is somewhere he can transfer some and bring it back next week.

Complaint of Ditch on Reiter Drive

Mr. Kautzman said he went out on Reiter Drive and the gentleman out there has agreed to giving us more time to try to solve the ditch problem he is having, so he will report back

Drainage Problems

Commissioner Cox said until Mr. Kautzman goes out and looks at the problems he isn't for sure if he should handle it or if it is a bridge problem, but she would like to have him check on a problem in University Heights pertaining to a culvert under Crestmont Drive. She would also like for him to check a bridge on Millersburg Road.

Mr. Kautzman said he would check these requests out and if they should go to the Surveyor's office he will pass them on.

RE: DAVID SOUTH.....COUNTY HIGHWAY ENGINEER

Mr. South sent the following letter to Mr. Leo Weiss, President of Engineer Associates, concerning claims on the Lynch and St. Joe Avenue projects. He said that part I and II have already been executed and we are now ready for part III.

September 2, 1981

Mr. Leo Weiss, President
Engineer Associates, Inc.
425 Third Avenue
Evansville, Indiana 47710

Dear Mr. Weiss:

There are a number of claims on file in my office. The following report is an explanation of their current status.

LEO WEISS

PART 1

At the Commission meeting of August 24, 1981, the Commission approved four (4) claims on St. Joe Avenue. Two of these claims were in excess of the maximum contract amount and are being held. Claims for 7/20/81 through 7/24/81 and 7/27/81

through 7/31/81 are being paid. The Auditor says they normally pay claims once a month, but will pay these claims this week. The claims are $3,929.99 and $3,199.96, respectively.

PART 2

The claims on Lynch Road that were held in the Auditor's office because of the contract had been exceeded, can now be released. However, any amounts in question are being held pending the results of the Interim Audit. These claims are listed below

Claim Period	Amount Claimed	Amount Approved	Reason
6/8 -6/12/81	2,127.31*	2,127.32	
6/15 - 6/19/81	3,909.75	3,325.87	M,F
6/22 - 6/26/81	3,838.82	3,249.41	M,F
6/29 - 7/3/81	3,821.82	2,785.21	M,F,V
7/6 - 7/10/81	4,022.80	2,774.29	M,F,H
7/13 - 7/17/81	4,036.66	3,421.44	M,F
	21,757.17	18,683.54	

Reasons

M Mileage records are in question. Adjustments will be made pending interim audit results.
F Fixed fee is part of original contract only.
V Vacation is nnot a direct payroll cost.
H Holiday is not a direct payroll cost.
R Hourly rate of employee is in question.
S Sick pay is not a direct payroll cost.
T Time in question for an employee

* Partial payment was made earlier.

The total fix fee based on the original contract may not be fully paid. If it has not, then a claim for any unpaid amount would be in order.

These claims will be paid, based on the above adjustments, this Friday or early next week.

PART 3

The following claims will be presented at Tresday's, September 8, 1981, Commission meeting for Lynch Road.

Claim Period	Amount Claimed	Amount Approved	Reason
7/20 - 7/24/81	3,821.82	3,041.89	M,F,S
7/27 - 7/31/81	2,817.24	2,375.24	M,F,T
	6,639.09	5,417.51	

* Use codes listed in Part 2.

PART 4

Claims submitted for work done in August will be submitted when claims for 8/17/81 through 8/21/81 and 8/24/81 through 8/28/81 are submitted and a monthly payment will be made.

SUMMARY

Part 1	7,129.93
Part 2	18,683.54
Part 3	5,417.51
Total monies to be paid within next ten (10) days	$31,230.98

All of these funds are subject to audit. I must point out at this time that the overhead factor used on Lynch Road (173.06) is above the actual overhead factor approved for your firm for FY1980. The overhead rate for FY80 was 147.15%. If this rate should also

work out to be close to that for FY1981, this would mean an over-billing of 25.91% on overhead for a good part of this contract.

The adjustment at audit time could then be that the entire project could be over-billed 9.5%. On a $200,000.00 contract, this could be $19,000.00

Please make careful not of this possibility.

If you have any questions about any part of this report or need further information, please contact my office.

Very truly yours,
David L. South
County Highway Engineer

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Mr. South submitted two claims for the engineering inspection on Lynch Road, one for the time period of 7-27-81--7-31-81, which has been reduced to $2,375.62 from $2,817.24. The second claim was for the period of 7-20-81--7-24-81 and was reduced to $3,041.89 from $3,821.82. He said the reasons for the reductions are outlined in the letter, therefore he would recommend approval.
Commissioner Cox moved the claims be approved, upon the County Engineer's recommendation. Commissioner Borries seconded the motion. So ordered.

Mr. South said that Part 2 of the letter concerns the adjusting down of the claims that were previously approved by the Commissioners, and the reasons are so stated.

Mr. South said minutes before this meeting he received two pieces of mail, one of which is an announcement that there will be a pre-final inspection on St. Joseph Avenue on Friday, September 11, 1981 at 9:00 a.m.

Letter From Leo Weiss.....St. Joseph Avenue

Mr. South said he has received a letter from Leo Weiss, President of Engineer Associates, concerning St. Joe Avenue, which he submitted to the Commissioners and Commissioner Cox read it aloud.

September 8, 1981

Mr. David . South
County Highway Engineer
Surveyor's Office
Civic Center Complex
Evansville, Indiana

RE: Supplemental Agreement
St. Joseph Avenue

Dear Mr. South:

I am in receipt of your letter of September 2, 1981 and, in replying to paragraph two of the correspondence, I am of the opinion that all details regarding the work that will be necessary to close out the construction on St. Joseph Avenue have been covered most specifically by you, the County Attorney, members of the County Commission and the news media. The supporting cocuments that you requested are none other than our inspectors being on the job, subject to your scrutiny regarding the work being accomplished and being fully aware that you may remove any or all of them at your discretion. Therefore, I find it superfluous to address the meeting of September 8, 1981 due to the fact that there is no overrun on the referenced project. If you will address the contents of the agreement, it is readily obvious that in a cost plus contract this terminology is not appropo. I further believe that if you will make the necessary inquiries of State and Federal officials, they will bear me out.

In as much as our supplemental agreement has not been approved by you and due to all the controversy that has arisen since you assumed the duties of County Engineer, we feel it necessary to pull our people from the project as of this date, Tuesday, September 8, 1981. It is obvious at this point that we are working without written approval of further funding and have amassed many man hours which may not be paid for in a timely manner. If, at your meeting, it is determined that you wish us to continue the construction inspection, please have your office notify us by memorandum until the necessary contractual

arrangements for the supplementary agreement have been executed.

We do not wish to cause any lengthy delay in closing this project, but our position may be readily understood because of the notariety your office has accorded this work during the past week.

Yours truly,
ENGINEER ASSOCIATES, INC.
Leo V. Weiss, President

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County Attorney David Jones said the contract with Engineer Associates, with respect to St. Joseph Avenue contains a Section, that is Article 11 Section 2, that if at any time the engineer shall abandon or delay the completion of the work beyond the time specified or beyond such further extension or extension of time as agreed upon, then the L.P.A., which in this case is the County, shall give notices that such delay and abandonment, and if the engineer shall not within twenty (20) calendar days thereafter have complied with requirements of this contract, then the LPA shall have the power to terminate this contract by a second written notice, either mailed or personally delivered to the engineer. Upon the mailing or delivery of such second notice, this contract shall cease and terminate. He said it would be his recommendation, that in view of the situation, that the county give notice and treat this as an abandonment, subject to the out come of this audit and he does not think it's reasonable for people at this time could determine whether the St. Joe project has been overrun-underrun or is completly at an end. He thinks that Engineer Associates should recognize that fact, as well. We anticipate the report on the audit to be ready in about three weeks. Again, he would recommend we treat this as an abandonment and that the county assume the necessary functions at St. Joe and at the end of the twenty days if we have not received an audit, then give the second notice. He said there have been things questioned and we have not been given a satisfactory answer to them. He thinks that in respect to records requested, he and Mr. South did go out to the job site, before the audit began, and obtained original copies of daily reports, but under the contract, there are a number of things that may or may not have been created and have not been furnished to the county and the county is the owner of all records under the terms of the contract. He thinks it could possibly be taken as a breach of both contracts, not to comply with our request that they appear and explain these things, under both contracts, not just St. Joe but also Lynch. He is not advising that we declare the other one in default, but he thinks the possibility does exist.

President Willner asked Mr. South if we are prepared to proceed with the engineering inspection, in-house, tomorrow morning and he replied that since he was given the letter only about an hour ago, they will be prepared by morning to take over, whether we want to do it completly in-house or possibly get some state help.

President Willner asked if Mr. South would be using some of the Surveyor's crew.

Mr. South said not knowing for sure what the contractors will be doing tomorrow, he would prefer to go out in the morning and see what we have to do. Since we have to get our final approved by the state anyway, he would like to bring in, if possible, a state Supervisor or Project Engineer that is familiar with all their ways and means of getting things done and beyond that, if we need more bodies to get the work done, then he can come back on the Surveyor's people to help. Right now he has nothing definite planned, that he is prepared to do it, but does not have a detailed plan, but he will not let us default on the project, that he is officially Project Engineer on St. Joe, by the way the contract reads, and he has not threatened to walk off the job yet. He said to some degree it may be cheaper, but without the knowledge it may take us longer to do the final.

Commissioner Borries moved that the County Attorney proceed by serving notice to Engineer Associates, that we consider their decision an abandonment of contract under Article 11 Section 2. and we also direct the County Engineer, Mr. South, to be on the site on September 9, 1981 and be prepared to proceed with the engineering inspection. Commissioner Cox seconded the motion. So ordered.

St. Joe Avenue and Allens Lane

Mr. South said this is on the same project, but on a completly unrelated matter. He said there is a possibility that we can swing the addition of signals on this project, on Allens Lane and he needs permission to proceed with getting all of the information. At this time there is nothing certain, but everything does line up pretty good. If he can get it added we will be paying 25% of the cost.

Commissioner Cox said she really hates to see a signal light go up on St. Joe, because we built that thing to see traffic move.

President Willner said he agrees, but he also would not want to see someone get killed at that intersection. He said could Mr. South check and see if the State and Federal Government will participate and bring it back at a later date.

Mr. South said the problem with that is that the final inspection is going to be made on that this Friday, and we will probably have to know by then if we want to go with a signal or not.

Commissioner Borries said he has received several calls, that to most people that cross over St. Joe at Allens Lane, they say it looks a long way across. He does not want to put a light on an improved streets either, but he is also very concerned about east and west traffic.

Commissioner Cox said the people use Allens Lane to miss the stop light on Diamond Avenue and as a cut through to Kratzville Road and on out. She has many reservations about installing a red-yellow and green light out there, that she feels it will defeat our initial purpose, but yet she knows it is a dangerous intersection.

President Willner said he would be willing to not ask the state to participate and then later if we find it is unbearable, then we will have to make some changes and bear it all ourselves.

Cut Permit on Raintree Drive

Commissioner Cox said last week there was a requeat for a cut permit on Raintree Drive by Don Barnett and she would like to know if this has been taken care of.

Mr. South said he went out to look at it and found it all done.

Request to Accept Roads in Lant Manor Subdivision

Commissioner Cox asked Mr. South if he has had a chance to check the streets that Morley and Associates requested us to accept, last week and he said no he had not.

Commissioner Cox said when this is done will he please give us the total amount of miles included in it.. She said when requests come in for us to take over and maintain certain streets, we need some type of an agreement with the contractor that they are to take it and maintain it for a certain period of time before we will accept it.

Mr. South said he had not gotten very deep into it, but it appears we certainly need something more then what we have, something to run two or three years even after we accept them, that we need to review our procedure and improve it.

Commissioner Cox said we might as well start right now.

Attorney Miller said Warrick County has an Ordinance whereby when a developer puts in a street, that street is not accepted by Warrick County for three (3) years, and not then if work needs to be done to it. He said he will get a copy of the Warrick County Ordinance, because it serves them well and we will see what we can come up with for Vanderburgh County.

Commissioner Borries suggested that Mr. South get with Mr. Miller and see what can be worked out on this, because something needs to be done.

Commissioner Cox said she feels we should delay any action on accepting any streets until this is studied.

Mr. Brenner said prior to Louie Stephen leaving he was to work on revising the specifications and the city also agreed to work with him and revise theirs.

President Willner said this will be studied and brought back at a later date.

RE: BOB BRENNER....SURVEYOR

Bridge and Guardrail Report

David Guillaum submitted the bridge and guardrail report for the period of 8-31-81 thru 9-4-81.

Mr. Guillaum stated their crews have been on Adler Road and also St. Joe Avenue. He said they have St. Joe open and they should have it completed as far as the riprap later today.

Number of Employees

Commissioner Cox said the question was brought up, and she would like to know how many employees there are in the bridge crew and he replied they have either eight (8) or nine (9), that they have a lead man with three (3) laborers and a superintendent with three (3) laborers.....eight (8) employees.

Awarding of bids

Mr. Guillaum said they reviewed the bids received last week on Sensmeier and Buente Road bridge projects and they would recommend the bid be awarded to the low bidder....Key Construction, with a total bid for both projects being $29,432.60, which is a savings of $1,500.00 by awarding both of them to the same contractor.

Commissioner Borries moved the bids be awarded to Key Construction for the Sensmeier Road Bridge and Buente Road Bridge projects. Commissioner Cox seconded the motion, which carried unanimously in the affirmative.

Columbia-Delaware Overpass

Mr. Guillaum said it has been brought to their attention that the Columbia-Delaware Overpass has a small expansion joint problem which they will take care of with their bridge crew.

Pfeiffer Road

Mr. Guillaum said that Mr. Brenner indicated to him this morning, that there is a problem with the deck on the structure which is located on a curve on Pfeiffer Road and they will also take care of that problem with the bridge crew.

RE: NOTICE OF CLAIM

President Willner said the Commissioners have received a notice of claim from Darrell Wayne Frazier, on injury he received while riding his mototcycle on Bergdolt Road. The amount of the suit is $500,000.00.

Commissioner Borries moved this matter be referred to the County Attorney, David Jones. Commissioner Cox seconded the motion. So ordered.

RE: COUNTY ATTORNEY....DAVID MILLER

Mr. Miller said he had a brief conversation with Mr. David Bunner and he asked if the county would be interested in joining with the city in intervening in the litigation that is now pending between Indiana and Kentucky regarding the border of Indiana, inasmuch as this may effect the tax base of Vanderburgh County. He does not, at this point, know anything about this suit other than what he had read in the paper. He understands there is to be a public meeting concerning this matter tonight and on approximately October 20th. there is to be a Commissioner appointed by the United State Supreme Court here, to hear at least the Kentucky evidence as to where Kentucky thinks the low water marks on such and such a date are located. He said the only people representing the city of Evansville and Vanderburgh, at this time are those from the Attorney General's office and the State of Indiana, so the question is, are you satisfied your interests will be protected. He knows it is not a simple matter and he will look into it. The City has done nothing yet, that Mr. Bunner wants the feeling of the county on it.

President Willner asked Mr. Miller if he has a ball park figure as to what this will cost the county and he said he has no idea. Mr. Willner suggested that Mr. Miller do some research on the matter and get back with an estimated figure.

Commissioner Cox said we need to look into the possibility of one attorney representing both the city and county, and we pay a share of the expenses.

Mr. Miller is going to study the matter further and report back to the board.

RE: REQUEST FROM SHERIFF.....ORDINANCE

A letter from the Sheriff's Department was submitted requesting the authority to start charging $3.00 for accident reports and $3.00 for theft reports, but after looking the letter over, President Willner said he did not understand the full intent of it so he gave it to Mrs. Meeks to have it checked more thoroughly and brought back next week.

RE: TRAVEL REQUEST

Commissioner Willner said they have travel requests from the Clerk, Helen Kuebler and the Auditor, Alice McBride.
Mrs. Kuebler is requesting permission to travel to Indianapolis, Indiana to attend the Fall State Board of Accounts conference on September 22 and 23rd.

Mrs. McBride is requesting permission to travel to Nashville, Indiana to attend the State Conference for All Auditor, to be held on September 17 and 18th.

Commissioner Cox moved that the travel requests be approved. Commissioner Borries seconded the motion. So ordered.

RE: CHECK RECEIVED FROM THE STATE

President Willner said the Commissioners have received a check from the Auditor of State of Indiana in the amount of $1,589.79 for the installation of Hazard Markers in Vanderburgh County. He said he believes this should be put into the Local Roads and Streets Account.

Commissioner Cox moved the checked be endorsed and turned over to the County Auditor to be placed in the proper account. Commissioner Borries seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted by Inland Yacht Club Inc. for a social club to be held at the Vanderburgh Audtiorium.

A certificate of insurance was submitted by Welborn Memorial Baptist Hospital, Inc for a thank you dinner at Vanderburgh Auditorium on 10-1-81.

A certificate of insurance was submitted by Welborn Memorial Baptist Hospital, Inc. for a Tony Bennett Benefit Concert at the Auditorium on 12-11-81.

A certificate of insurance was submitted by Orion Broadcasting, Inc. for the Labor Day telecast of the Jerry Lewis Telethon at WFIE, INC., held at the Auditorium.

A certificate of insurance was submitted by Junior League of Evansville, Inc for the Phil Donahue Press Conference and Speech on September 2, 1981, at the Auditorium.

A certificate of insurance was submitted by Sunshine Promotions for the Leonard vs. Hearns fight on Septmeber 16, 1981, at the Auditorium.

All certificates received and filed.

RE: MONEY FROM CUMULATIVE BRIDGE FUND AND CUMULATIVE CAPITAL IMPROVMENT FUND

President Willner said he would like an open discussion on the Cumulative Bridge Fund and the Cumulative Capital Improvement Fund interest monies going into the County General Fund to provide money for employee salary increases for the year of 1982. He has been told by the Treasurer, Lewis Volpe that the combined interest from both accounts would total some $350,000.00 for the coming year, and that if the Commissioners would forego that money to go into those respective accounts, it could be put into the General Fund. He said at this time he is not aware of exactly how much the county council has cut and how much more they need, but he would think this would be a good jesture for us to do this, that it would be for only a period of one year.

Commissioner Cox said she was hoping that Mr. Volpe would be here today, that the new Ordinance adopted by the Commissioners requested that he report to us every three months and update us and we are to direct him on the interest monies, and she thinks he is in violation of the Ordinance by not doing so.

She said she did get some projections on the interests for 1981 and the Capital Improvement should bring in around $70,000.00 and Cumulative Bridge should bring in around $270,000.00, but she questions putting that much into the County General Fund, at this time. Our Capital Improvement Fund keeps really going down fast.

Commissioner Borries said yes,we are hitting it pretty often.

Commissioner Cox said the Capital Improvement fund is used basically to provide some of the services that would normally come out of the County General Fund, because of the way the Ordinance reads.

President Willner said he does not know how much they need but he is certain they could use every penny of the $340,000.00.

Commissioner Cox said it would be one thing different if it is used for salaries, but after we put it into the County General Fund, we have no assurance it will be used for salary increases and additional medical benefits, that if it is to be used for salaries she is for it because she too wants the employees to have a raise.

President Willner said he agrees, that he has no problems with that whatsoever.

Attorney Miller said he does not know if you can transfer monies into the General Fund and say it is to be used only for salaries and medical benefits, but you could try it, that you can tell the Council you will transfer the money only if they agree to use it specifically for salaries and medical benefits and if they will not agree to that then you do not have to transfer it.

President Willner said he understands this would take an Ordinance.

Commissioner Cox said she does not think it will take a new Ordinance, because we have the authority to direct the Treasurer where to put the monies.

Commissioner Borries said he thinks we will be in conformance with the Ordinance if we simply direct Mr. Volpe to move the money wherever we desire.

Commissioner Cox said the Ordinance states in Section 5, that in the absense of more frequent requests, therefore, the County Treasurer is directed to appear before the Board at its first regular meeting of each calendar quarter to report the current statis and disposition of investments and availability of returns and to consider the boards determination of the fiscal needs of Vanderburgh County and any desired changes in the structure of invested money.

Commissioner Borries said in accordance with the Ordinance that the Commissioners direct the County Treasurer to move $340,000.00, which is interest monies from the Cumulative Bridge and Cumulative Capital Improvement accounts, to be used for only salaries or medical benefits for county employees, effective in 1982, and that it be transferred into the County General Fund.

President Willner seconded the motion which carried with two votes. Commissioner Cox voted no with the reason being that she does not want the Capital Improvement interest in it.

RE: DAVID SOUTH...REQUEST FOR A PROJECT SUPERVISOR FROM THE STATE

Mr. South said he needs permission from the Commissioners authorizing him to request assistance from the State Highway Commission, mainly as a supervisor for St. Joe Avenue. He would like for that supervisor to finish the final for St. Joe using our own staff to back him up, where possible.

Commissioner Borries moved that Mr. South be authorized to request a project supervisor from the Indiana Department of Highway. Commissioner Cox seconded the motion. So ordered.

RE: CLAIMS

The following claims were submitted by Torian Insurance Agency:

Highway Dept. Comprehensive General Liability and Workmens Compensation...	$2,127.00
Hillcrest Washington Home for Workmen's Compensation.....	$2,154.00
Welfare Department for Comprehensive General Liability and Workman Comp....	$1,192.00
General Fund Insurance.....	$17,376.00

Commissioner Cox moved the claims from Torian be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted at the last Commissioners, and approved, for David Jones, County Attorney, for legal services, and when the Auditor's office recalculated the figures they found a $200.00 error. The claim was approved for $1,372.00 and should have been $1,572.00.

Commissioner Cox moved the error be corrected, that the claim be allowed in the sum of $1,572.00. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by the Evansville Courier for Notice to Contractors RE: Buente Road Bridge, in the amount of $9.66.
A claim was submitted by the Evansville Press for Notice to Contractors RE: Buente Road Bridge, in the amount of $9.66.

Commissioner Cox moved the claims be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by David L. Jones for Litigation Expenses for the month of August, 1981, in the amount of $580.26.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

RE: REQUEST TO TRAVEL....DAVID MILLER

Mr. Miller said he mentioned several weeks ago that he would be traveling to Indianapolis for the arguement on the Southern Railway suit.

Commissioner Cox said she would think that he would be allowed the regular mileage rate of 22¢ per mile.

All three Commissioners agreed for him to travel to Indianapolis.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

KNIGHT TOWNSHIP ASSESSOR

David McBride	707 Reis Ave	Deputy	$9,160.00 Yr.	Eff: 9-2-81

COUNTY BOARD OF REVIEW

Terry S. Hale	8031 Darmstadt Rd.	Clerk Typist	$30.00 Day	Eff: 9-8-81

DATA PROCESSING

Carole Thompson	Programmer	$360.00 Bi-Wkly.	Eff: 8-28-81
LaDonna Ralph	Part time	$5.00 Hour	Eff: 8-28-81

VANDERBURGH CIRCUIT COURT...BAIL BOND

Henson, Kenneth	Director	$855.72	Eff: 9-1-81
Heathcott, Dennis J.	Transportation Officer	$455.17	Eff: 9-1-81
Howerton, Harris R.	Assistant Director	$596.89	Eff: 9-1-81

RE: EMPLOYMENT CHANGES....RELEASES

COOPERATIVE EXTENSION SERVICE

Joe Alan Milner	4217 Rodenberg	Ext. Agent-Youth	$8,528.00 Yr.	Eff: 9-1-81

VANDERBURGH SUPERIOR COURT

Billie J. Headlee	Probation Officer	$15,578.00 Yr.	Eff: 8-27-81

COUNTY BOARD OF REVIEW

Sheryl Graham	1819 N. Meadow	Clerk Typist	$30.00 Day	Eff: 8-28-81

DATA PROCESSING

Carole Thompson	Programmer	$4.00 Hour	Eff: 8-28-81
LaDonna S. Ralph	Part Time	$4.50 Hour	Eff: 8-28-81

VANDERBURGH COUNTY CIRCUIRT COURT....WORK RELEASE

Henson, Kenneth A.	Director	$855.72	Eff: 8-31-81
Heathoctt, Dennis J.	Transportation Officer	$455.17	EFF: 8-31-81
Howerton, Harris R.	Assistant Director	$596.89	Eff: 8-31-81

There being no further business the meeting recessed at 4: 40 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard Borries Shirley J. Cox	Barry Heathcotte Deputy Auditor	David Miller
SECRETARY:	Janice Decker		

Robert D. Willner

Richard J. Borries

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
SEPTEMBER 14, 1981

The meeting of the County Commissioners was held on Monday, September 14, 1981 at 2:30 p.m. in the Commissioners Hearing Room.

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

RE: SHERIFF

Request to Go Before County Council

Chief Deputy Mark Mabrey said he was before this body last week with a request to ask for several items from the Cumulative Capital Improvement Fund and at that time he was told he could request the Motor Vehicle Lease Continuation and the Vehicle Redlight Bars from the CCI Fund, but to take the rest of the things back to the Council and request they come from their regular budget. He went back to the Council and they did agree to take the portable radios, helmets, bullet proof vests, shotguns and the rechargable flashlights from their regular budget, so what he now needs is permission to go before the Council with the request for the remaining items to be taken from the CCI Fund.

Commissioner Cox moved that the Sheriff's Department be allowed to go before the County Council with a request for a total of $37,368.00, for their motor vehicle lease continuation and vehicle redlight bars, and that it be taken from the Cumulative Captial Improvement Fund, subject to the County Council's approval. Commissioner Borries seconded the motion. So ordered.

Ordinance to Collect Fees

The following letter was submitted to the Commissioners, dated August 28, 1981.

I talked with Cap Hudson, State Board of Accounts Field Representative yesterday pertaining to public law 120 which now allows for police agencies to collect a minimum of $3.00 for a copy of an accident report. Prior to this law, which goes into effect September 1, we collected $2.00.

It also allows us to collect up to $3.00 for copies of theft and other supplemental reports, but we feel it would be proper to collect only $1.00 per page, since most reports are only one page in length.

Mr. Hudson said before we can do this a County Ordinance must be written, and passed by County Council.

Would you please contact Mr. Hudson (426-5801) and get the details....and then draft the ordinance for us.

With kindest regards,
Jim DeGroote, Sheriff

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Officer Mabrey said the above fees do not apply to other governmental units.

Mr. David Jones, County Attorney said the Ordinance he drafted needs to be amended to read that these fees go back into the General Fund, that under the statutes, it allows the fees to be retained in a separate fund but that can be revised.

Officer Mabrey said he would leave that decision up to the Commissioners, that up to this point the money has been put in a #254 Account. They would like to continue putting the money in a separate account and use it to purchase paper and supplies for their xerox machine, if the Commissioners will agree to it.

Mr. Jones said the statute said such fee shall be deposited in a separate account to be known as the "accident report account" and it may be expended at the descretion of the chief administrative officer of the department, for any department purpose reasonably related to the keeping of accident reports and records or the prevention of street and highway accidents. He said it is pretty broad what this money can be used for.

President Willner said he would just as soon this money go back into the General Fund.

Mr. Jones said the Commissioners can make recommendations but the County Council will have to approve the Ordinance.

Commissioner Cox said personally she feels that any funds coming into offices such as this should be put back into the General Fund.

Officer Mabrey said that would be fine with them, that they have been putting it in #254.

Commissioner Cox said are you going to charge two different fees for different reports and Officer Mabrey replied yes, that the Accident Report is pretty well set out by State Statute, but the Supplemental Report can sometimes be ten or fifteen pages long and we want $1.00 per page for those reports.

County Auditor, Alice McBride said she wants the Commissioners to be aware of the fact that account 254 is not a General Fund Account, that it is a Cash Fund Card.

Commissioner Cox asked where the money goes from this account.

Mrs. McBride said it goes nowhere, it continues to build up.

Officer Mabrey said they have never drawn from that account.

Mrs. McBride said in order to get this money out, you must write a check out of the Cash Fund and quietus it into the County General Fund and then set up a number in the General Fund for the fees to be put into.

Commissioner Cox said she cannot see making a difference here, that the Recorder does not get to keep her fees, nor does the Clerk or the Auditor.

Officer Mabrey said they have never drawn from account 254, so it makes them no difference where the money is deposited.

Commissioner Borries moved the Sheriff's Department be allowed to collect $3.00 for a copy of an accident report and be allowed to collect $1.00 per page for copies of theft and other supplemental reports, and that these fees collected go into the County General Fund. Commissioner Cox seconded the motion. So ordered.

Mr. Jones said the Ordinance will be changed and submitted to the County Council.

Szabo Food Hike Request

The following letter was submitted to the Commissioners, dated September 14, 1981

Dear Commissioners,

I'm certain you're aware that the Sheriff's Department has had a contract with Szabo Food Services, Inc. since 1977, whereby, for the agreed upon rate of $0.85 per meal, they assumed the responsibility for feeding our inmates. The contract also provides that all menus meet the nutritional standards established by the American Corrections Association, and, comply with the Recommended Daily Allowance set by the National Agency of Sciences.

Due to the huge increase in the market price since 1977, coupled with runaway inflation, Szabo has requested a minimal increase in their per meal price, up to $0.99 per meal.

Since they have not received an increase since the original contract was signed, I am in complete accord with their request and do hereby formally recommend our present contract be revised to provide the increase, effective January 1, 1982.

In appreciation of your consideration, and awaiting your reply, I remain.

Very truly yours,
James DeGroote, Sheriff

Commissioner Cox asked what this would do to the 1982 budget request in this account and Officer Mabrey replied the 99¢ was figured into that request for 1982, but the Council did cut the food account some $27,000.00 for 1982.

Commissioner Borries moved the price, per meal, for the inmates, be approved at 99¢ each meal, effective January 1, 1982, from Szabo Foods, Inc.
Commissioner Cox seconded the motion. So ordered. A contract will be submitted to the Commissioners.

RE: POOR RELIEF....KNIGHT TOWNSHIP

Applicant...Carolyn Ann Pierce
Township Trustee Representative-Mary Mueller.

Ms. Pierce was present and stated she is requesting medicine and has been denied.

President Willner asked Ms. Pierce the following questions:

Married or Divorced.....Divorced
Children..... One male, 9 years old.
School.....Stockwell
Living at.....5536 Carriage Drive
Size.....Two bedroom, apartment
Employed.....No
Receiving food stamps.....Yes, she pays $8.00 per month for her part

President Willner asked Ms. Pierce if her ex-husband was ordered in the divorce to pay the medical bills and she replied yes, but he will not pay them. He is living in Evansville and is employed.
President Willner asked if she has filed a complaint with the Prosecutor's office and she said no, but she intends to file today.

Commissioner Cox said what is the money amount requested.

Ms. Mueller said she does not have a money amount, only that she wants them to fill her prescriptions, and why she was denied was that her husband was ordered to pay for them, that they have not denied her other help.

A representative from the Legal Aid Services was present and stated that Ms. Pierce has five (5) different prescriptions to be filled, that she must take three (3) of them daily and she simply cannot afford to keep them filled. She said she agrees with the Trustee that the husband was ordered through the court to pay for Ms. Pierce medication but she understands he brings home less than $200.00 per week, that he gives Ms. Pierce $50.00 per week support, that there is no medical insurance on his job, so she assumes he cannot afford to pay for them either. She feels Ms. Pierce is eligible under the Trustee's guidelines, that their limit for two (2) persons is $297.00 per month and Ms. Pierce receives only $200.00 per month.

Ms. Mueller said Ms. Pierce receives $128.00 worth of food stamps, per month and also $8.00 per month on her rent and she is eligible for a $6.00 per month, non-food order if she applies for it.

Commissioner Cox said in looking at the final decree of dissolution of marriage, that it was May 7, 1981, and it states the wife is held harmless from payment of any reasonable and necessary medical, dental, hospital and drug expenses that are not paid by an existing health insurance policy.
She said if the husband felt like he could not meet these expenditures, then he should have objected at the time the court ordered him to do so. She asked Ms. Pierce if her ex-husband has ever paid for any of her medication and she replied no.

President Willner asked Ms. Pierce what her medical problem is and she replied she has a blood disease, that she was just recently released from Welborn Hospital, because they cannot continue to carry her without any insurance, but she is in dire need of medical attention and needs medication every day.

At one time Ms. Pierce was on SSI but when she married it was taken away, so now that is pending, since her divorce.

Commissioner Borries asked how she has been buying her medicine and she replied out of the child support money, or doing without.

President Willner said he does not think that Ms. Pierce should have to go without her medication, while a suit is pending against her ex-husband, but he feels this should have been filed long ago, and not today.

Commissioner Borries moved that the Commissioners instruct the Knight Township Trustee's office to supply Ms. Pierce' medication for a period of two (2) weeks, subject to receiving a receipt where she filed suit through the Prosecutor's Office. Commissioner Cox seconded the motion. So ordered.

RE: TRAVEL REQUEST.....COUNTY RECORDER

The following request was submitted to the Commissioners, dated September 11, 1981

Dear Mr. Willner,

This is a request for mileage and two (2) meals to attend the Southwest District of the Indiana Recorder's Association, to be held on September 24, 1981 in Orleans, Indiana.

I feel that it is important for my chief deputy and me to attend this meeting. The letter attached will explain the reasons.

Sincerely,
Estella Moss, Recorder

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Commissioner Borries moved the travel request be approved, subject to money being available in the Commissioners budget. Commissioner Cox seconded the motion. So ordered.

RE: TRAVEL REQUEST...DRUG AND ALCOHOL DEFERRAL

The following request was submitted to the Commissioners, dated September 14, 1981

County Commissioners,

A National Board Meeting will require me to be in Washington, D.C. on September 18, 1981. In order to facilitate my flight to Washington, D.C., I have to drive to Louisville, Kentucky, to make the necessary flight schedule. This will be a one day meeting of the National Board of Directors for O.A.R. My involvement with the National Board of O.A.R. will pertain to Pre-Trial Diversion programs. I have money in my account to cover these expenses.

Carl Miller, Associate Director

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Commissioner Borries moved the above request be allowed. Commissioner Cox seconded the motion. So ordered.

RE: CONRAD COOPER....AUDITORIUM

Report on Payroll

Mr. Cooper distributed copies of a report he has composed of what he considers to be a pretty accurate breakdown of their payroll, over the past few months. He attempted to justify the request of $30,000.00 to meet their payroll for the remainder of this year. He said included in this report is monies paid to hourly employees, salaried employees and the expected work load over the next few months and if there are any questions on it he will be happy to try to answer them. He said he has a request to go before the Council for a $5,000.00 transfer in October, so that amount can be deducted from the $30,000.00, leaving the amount of $25,000.00 to be requested for an additional appropriation.

Commissioner Cox said she received a note from the Auditor stating that Mr. Dewes appeared before the Council in November of 1980 and requested an additional $10,250.00 in their 100 accounts, and she assumes it was for salaries. Also in 1980 there was $3,750.00 allowed for overtime and Mr. Cooper was not allowed any overtime pay this year, so if you add these two figures together you arrive at $14,000.00 and if you

put an 8% pay increase on that you get another approximately $1100.00, so combined you come up with about $16,000.00 and that is about $14,000.00 short of the $30,000.00 that is needed.

Mr. Cooper said he thinks Ms. Cox will find the $14,000.00 approximately the difference between what was projected as the hourly wages and what was finally approved, according to the union contract.

Commissioner Cox said she just does not understand the huge shortage, so we will let the County Council figure it out.

Commissioner Borries moved that Mr. Cooper be allowed to go on the October Council Call for additional monies totaling $25,000.00. Commissioner Cox seconded the motion. So ordered.

Check From Susan King Moore, Ticketeer, Inc.

Mr. Cooper said he has received our first commission check from the box office operation, in the amount of $100.97 from the Phil Donahue box office sales.

President Willner asked if this $100.97 is over and above what we would have realized from the rent of the Auditorium for the Donahue show, just because we sold tickets at the box office and Mr. Cooper said absolutely yes.

RE: DAVID SAVAGE....TRAFFIC ENGINEER

Old Princeton Road

President Willner informed Mr. Savage that the paving on Old Princeton Road was completed last Friday, so perhaps he can put the permanent striping on it now.

Mr. Savage said the first dry day they will try to get to it.

Commissioner Cox said some striping was done on Middle Mt. Vernon Road and it looks real nice.

RE: GENE KAUTZMAN....COUNTY HIGHWAY

Absentee Report

Mr. Kautzman submitted the Weekly Absentee Report for the employees at the County Garage for the period of September 7 through September 11, 1981...received and filed.

Weekly Work Report

Mr. Kautzman submitted the Weekly Work Report for the employees at the County Garage for the period of September 7 through September 11, 1981....received and filed.

Request to Appear before County Council

Mr. Kautzman said last week he brought a request before this body to allow him to go before the County Council and at that time he was told to wait, look his budget over again and see if he could transfer some monies and after reviewing all of his accounts he finds nothing he can transfer, but after discussing the matter with Mrs. McBride, she recommended we ask for $40,000.00 instead of the $40,400.00 we had originally requested.

President Willner asked Mr. Kautzman to explain the accounts he wants the monies in and he explained the following:

201-1360...Office Records.....$200.00. Mr. Kautzman said in this account they have spent $1,308.28, leaving a balance of $21.72. They spent at a rate of approximately $163.51 per month, so this is what he is basing his $200.00 request on for the remainder of the year.

201-2560...Rental of Equipment....$300.00. Mr. Kautzman said this was an over sight on his part, that they had a welder rented that cost $208.00 and they did not have anything in that account.

201-4253...Repairs of Road Equipment....$28,500.00. Mr. Kautzman said in this account they have expended $27,004.77. He said all their large road equipment is repaired out of this account

201-4321...Gasoline, Oil and Lubricants.....$5,000.00. Mr. Kautzman said they spent $22,951.00 from this account, averaging some $6,564.00 per month.

201-4322...Tires and Tubes....$5,200.00. Mr. Kautzman said they have expended $10,266.00, leaving a balance of $533.00 and he does not have a monthly average on this.

201-4323...Other Garage and Motor Supplies....$1,200.00. Mr. Kautzman said they have expended $10,960.00, with a balance of $379.00 and an average of about $285.00 per month.

Commissioner Borries moved that Mr. Kautzman be allowed to go on the October County Council Call for the amount of $40,000.00. President Willner seconded the motion. So ordered.

Mr. Kautzman submitted a copy of the balances in all of their accounts as of September 1, 1981. Received and filed.

Status on Paving

Mr. Kautzman said at this point he thinks they are going to have to stop on the paving and stockpile the rest of the monies and the asphalt for patching at the end of the year. They have paved 6.3 miles of road and have spent about $95,000.00.

President Willner asked how the new paving is holding up on Melody Hills and Mr. Kautzman replied he thinks it is doing real well, that they did 1.1 mile in there.

RE: JESSE CROOKS....BUILDING COMMISSION

Weed Problem

Mr. Crooks said the weed problem that we have previously discussed on Park Road, after reviewing it recently we find that nothing has been done on it. The owner of the property is in the Military and we will try to contact his brother again, but if nothing is done he would like permission to get a bid to have the weeds mowed, that this has been pending for over two (2) months.

Commissioner Cox moved that Mr. Crooks request to proceed be granted. Commissioner Borries seconded the motion. So ordered.

RE: DAVID SOUTH.....COUNTY HIGHWAY ENGINEER

Relinquish a Portion of S.R.65

Mr. South said we have a request from the State Highway Commissioner on the relinquishment of a portion of S.R. 65..

President Willner said the following letter was received and should be made a part of the minutes concerning this matter. The letter is from the Indiana Department of Highways and is dated September 8, 1981

County Commissioners,

In accordance with Indiana Department of Highways Policies, the Vincennes District is undertaking the relinquishment of a portion of S.R. 65 to Vanderburgh County.

Attached are location sketches identifying the portion to be returned to Vanderburgh County. Would you please inspect this roadway and sign the attached road transfer memorandum form where indicated under local authority. Keep one (1) copy for county records and return the other to the Vincennes District Office, P.O. Box 376, Vincennes, Indiana 47591, Attn: Rex King.

The official notice of relinquishment will then be forwarded to the County upon passing of the resolution by the Highway Department.

Sincerely,
Aden B. Carr, P.E.
District Engineer

Mr. South said he was out at the site Friday on a field inspection and his recommendation on the matter is no, that he thinks the Highway needs to do some work, because we have a pot hole in the bridge deck already and some of the pavement south of the intersection is falling apart and he sees no since in taking over someone else's problems. He also understands they are wanting to abandon 65 to the City and is the City going to take it. He would recommend we have a field check before we say yes to the State.

Commissioner Cox said there are also some ditches along that stretch that needs to be cleaned out.

Mr. South said we would not want to take part of the State Road if the city should vote not to take in the rest of it to the south. He said he understands that the county now has some control as to what the state can dump in our laps.

President Willner said then what are our choices.

Mr. South said you can table it, pending field investigation of whether we want it or not or we can take it as it is or we can turn it down completely.

Commissioner Borries said he would recommend we turn it down completely.

David Jones said if you are given a choice, you can reject it, that he knows of nothing that says you have to take it.

Mr. South said we can table it pending the field check and perhaps he can get on it in the next week or two.

Commissioner Cox said she would agree with that because she certainly would not want to take it over unless it was brought up to the same standards as the rest of St. Joe, which is in the county and we just completed.

Commissioner Borries said once the state relinquishes this then does it lose its designation as a state highway.

Mr. South said yes, once it gets back under the county's control.

President Willner instructed Mr. South to check it and see what shape it is in and bring the board a report and recommendation.

Eichoff Road

Mr. South said on Eichoff Road, he is sitting on a notice to proceed with a location study and he has been for a couple of weeks and he thinks he needs some direction from the Commissioners on whether to send it out of the office or continue to hold it for awhile longer.

President Willner said he would suggest we table it until we receive the audit from the State on Lynch and St Joe Avenue, and we have a chance to study it's contents.

Commissioner Cox said if we delay this will it jeopardize the project.

Mr. Gerard said no, this would not jeopardize that project.

It was agreed that Mr. South would hold up on this until after the audit came in.

RE: CONTRACT FOR COUNTY CODIFICATION OF ORDINANCES

County Attorney David Jones submitted copies of the Codification Agreement to the Commissioners and stated he sent out to each office a compilation of all the ordinances we could find in the County Auditor's office, that he sat down & made a master index. Mr. Crooks just brought him in a large pile of ordinances and if these are not in the master index, then there is not an official record of it.

Commissioner Cox asked if the city is going to codify their Ordinances and Mr. Jones said they are about six months ahead of us, that they already have theirs codified. Mrs. Cox said surely the Ordinances that Mr. Crooks has is covered somewhere.

Mr. Jones said he has discussed this with the city attorney's and what they decided was that since they are six months ahead of us, after we gather all of the county ordinances we can find and get them indexed, we would check them all against the city ordinances and see which ones are duplicated and which ones we could propose to be jointly inacted and then bring that proposal back to this Commission.
He said attached to the back of the Agreement is a format, showing the shape, size and general make-up of the publication of the ordinances, that "Exhibit A" shows it can go all the way across the page or "Exhibit B" shows it can be printed in dual columns, which would be the cheapest and the dual column is the one that he would recommend.

Commissioner Borries moved the Commissioners approve the Codification Agreement for county ordinances and that it be done in the dual columns. Commissioner Cox seconded the motion. So ordered.

RE: TRAVEL REQUEST...COUNTY HIGHWAY ENGINEER

Mr. South asked permission for himself, Gene Kautzman and Jerry Linzy to travel to Vincennes, Indiana, on September 22, to the District County Commissioners Association meeting.

Commissioner Borries moved the request be granted. Commissioner Cox seconded the motion. So ordered.

RE: BOB BRENNER....COUNTY SURVEYOR

Bridge and Guardrail Report

Mr. Guillaum submitted the bridge and guardrail report for the crews for the period of 9-7-81 thru 9-11-81, and stated they are presently doing some repair work on Pfeiffer Road, that they have some problems with the deck. They continued with the pipe work on Burkhardt Road and they still have a small amount of work to do to that.
He said that he checked out the dumping complaint they received on Hillsdale and 41 and he told the property owner and to Pro-wrecking that we do not want any more of this debri put into the ditch and they agreed that they would not do it anymore, but to verify this we will send him a letter today, so it will be in writing, should any other problems arise.

President Willner asked if the cut on Burkhardt will be paved and Mr. Guillaum said yes, that he has talked to Mr. Kautzman about it, that there is a little more work for the crew to do though before it can be paved, that they are going to try to get back out there Wednesday.

Mr. Guillaum said they are riprapping on a culvert on Heinlein at Burch P.K.G. where they had a washout around the west end of the culvert.

Maryland Street Bridge

Mr. Guillaum said on the Maryland Street Bridge, they had reports that it is getting worse, so they went out and looked at it and found not much change in it since 1978. He would say however, that it is probably the worse structure we have in the city, that the connections are terrible, but it is not to the point where we should close it down. He said the structure is not critical but he feels it would be wise for the Commissioners to begin thinking about what they are going to do with it.

President Willner asked the other two Commissioners to take a look at it, because we are going to have to make up our minds to do something eventually,to replace it or not.

Mr. Guillaum said the part to see is underneath. He said of the six or so city bridges it without a doubt will be number one on the list, that they recommended it be replaced in the report on bridges.

Nurrenbern

Mr. Brenner said since the last discussion on this at the Commissioners meeting, there has been no progress, that it is still in Jacksonville, Florida. He talked to the engineer here and was told as soon as it is finished in Jacksonville, we will receive a packet, but until then, we can do nothing.

President Willner said he is wondering if there is anything that the Commissioners can do to speed it up, possibly write a letter.

Mr. Brenner said it probably wouldn't hurt anything to write to them, that he has talked to Mr. Paul Black several times and locally, they want this thing started and completed as bad as we do, but the L&N is now a subsidiary of the Family Lines.

Commissioner Cox asked how long the information has been in Jacksonville and Mr. Brenner replied about three or four weeks.

President Willner said then lets give it another week or so and if we hear nothing then the Commissioners can draft a letter. The other Commissioners agreed.

RE: ORDINANCE TO ABOLISH COUNTY PARK BOARD

President Willner said we will not take any action on the ordinance to abolish the County Park Board today, but he will open the matter for discussion, that something will have to be done before January 1, 1982, either to reorganize the board or to put it under the auspices of the County Commissioners.

Commissioner Cox asked Attorney Jones what the statis of the Park Board is right now.

Mr. Jones said it is kind of a lame duck that sits in the water for two (2) years. He said first of all, Vanderburgh County has its own statute and it is the only County in the State that does have its own Park Board Statute. He said that was repealed by the 1981 House Enrollment 1001. It is rather confusing, but what happens is that if you take no action then it is treated as still in effect for another two (2) years but at that time if no action is taken it is eliminated. He said the county can treat it for the time being as an ordinance and if nothing is done then it becomes null and void in two (2) years or the county is free, if it wants, to repeal it, abolish it, adopt it with changes, adopt it in total, or it can do nothing and let it vanish. He will say there is newer legislation where they speak in terms of the two types of Park and Recreation Boards, that there is another one that can be adopted by the County Council, which basically provides for a consolidated operation between City and County. This particular ordinace simply wipes the slate clean and brings responsibility directly to the Commissioners, and nothing else.

Commissioner Cox said then there is statutory authority for the Vanderburgh County Park Board to legally continue in operation as it now exists, for a two (2) year period.

Mr. Jones said this is true.

President Willner said you have to change the make-up of the board though, don't you, that he understands if we continue like we are that no elected official can serve on that board, past the end of this year.

Mr. Jones said the composition of that board would be under the statute and that simply says it shall consist of six (6) members. One member shall be selected by the County Council, one member selected by the Board of County Commissioners and shall come from its membership and one from the County Agriculture Agent and three citizens members who shall hold no office in the county or township government.

Commissioner Cox said this does not eliminate the Commissioners.

Mr. Jones said no, infact, it is mandatory that a Commissioner serve on it. He said there are things you can do with that board that you can make it an advisory board.

President Willner asked if the number on the board can be changed, that a six (6) member board is not advantageous for anything.

Mr. Jones said you can eliminate the board, or even add to it, that you are given a blank slate, by the State, to do anything you want, as long as it is not specifically provided for by State Statute.

Commissioner Borries said he has some serious questions about a six (6) member board, that he does not feel it is logical and he feels this bears study and discussion and apparently according to the Home Rule Legislation we have some latitude so this will give us a basis to start and in view of the fact that the city is having tremendous

financial problems with their parks and also because he is a city resident and pay for Burdette Park as well as the city parks and he feels these are things we are going to have to consider and if we don't consider them in 1982 then we are going to have to consider them sometime down the road, that he thinks the citizens of Evansville are citizens of Vanderburgh County.

President Willner said his memory goes back a little further then the other two Commissioners who are presently on this board, that there was a time last year when the Board entertained a resolution to buy Hamilton Golf Course, at which time it was not made public, infact, it was hidden from the public and it was even hidden from members of the County Commissioners and it was tried to be put on the County Council Call without Commissioners approval, that is money to purchase it with, and he for one was outraged at what a board can do to the residents of Vanderburgh County. He read in the news paper where Mrs. Cox thinks the board should continue so that the people do have representation, but just the opposite was true, in this case. We are talking about saving some money and the figure of $900.00 was mentioned which is the amount these members are being paid, but he would assure anyone the figure was closer to $900,000.00 that was finally saved by not purchasing Hamilton's. He certainly does not want added responsibility, that he would just as soon see a board operate Burdette Park but certainly not in the manner it has in the past. We still have some of the members that participated in that charade sitting on that board today and he use to agree with Shirley, that a board brings in greater participation from the county but that is really not what's happening, so he is going to look at the Ordinance and the different ways the Commisisoners have and certainly there will be some changes made, that what they will be he does not know at this time but as far as he is concerned this cannot happen in County government again.

RE: REQUEST FROM EMPIRE STEEL FOR BIKE-A-THON

The following letter was submitted to the Commissioners, dated September 9, 1981.

Gentlemen,

I would like you to consider allowing the use of Millersburg Road between Oakhill and Greenriver Road for a Bike-A-Thon for the benefit of St. Jude's Children's Research Hospital.

The time of the event would be Saturday, September 19th between 9:00 a.m. and 2:00 p.m.

We will be using the Christian Fellowship Church as the base for the operation.

The route would be strictly confined to Millersburg Road such that if traffic barriers indicating "LOCAL TRAFFIC ONLY" were at Oakhill and Greenriver Roads intersections with Millersburg it would be a very safe location with minimal interuption to traffic.

I appreciate your consideration for this fine cause.

Sincerely,
Dan Lee

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Commissioner Borries moved the request be granted. Commissioner Cox seconded the motion. So ordered.

RE: LOU GERHARDT

Mrs. Lou Gerhardt was present and stated that she appeared before this board a couple of weeks ago with a request that the Commissioners help to get some cars parked along the roadway on Spencer's Lane, in Vanderburgh County, removed. She would like to report the cars have been removed and she would like to personally thank the Commissioners and the Sheriff's Department for their effort in having this done.

Mrs. Gerhardt said she would like to know if it would be possible to have the ditch cleaned out on the Vanderburgh County side of County Line Road, that it has never been cleaned and it would probably not be more then three truck loads, that they have a place the dirt can be dumped and she would be happy to show them where to dump it if she were contacted the day it is cleaned.

462.

President Willner told her the ditch would be cleaned out and Commissioner Borries said he would follow thru on the request to make sure it would get done.

Mrs. Gerhardt left her telephone number with Mr. Borries and again thanked everyone for helping get the job done.

RE: LETTER FROM DISTRICT CONSERVATIONIST ON MANN ROAD

President Willner said he received the following letter from the District Conservationist concerning Mann Road, dated September 9, 1981, that this is just a copy and the original went to Mr. James R. Goettl, Area Conservationist in Vincennes, Indiana.

I have discussed the Mann Road Critical Area Treatment RC&D Project with Bob Willner, Chairman of the Board of County Commissioners.

Mr. Willner has informed me that the West end of Mann Road has been closed to traffic. This section is below the project area. However, the closed section, does direct flow to a suitable outlet.

As a result of this closing, legal hearings must be held to determine the future of Mann Road. Mr. Willner has advised me, that he would like to temporarily delay further action on the Mann Road Project, pending the outcome of these hearings.

Sincerely,
Elvis O. Douglas,
District Conservationist

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President Willner said just immediately east of the closed road section, we had a very serious drainage problem that was made worse by the Soil Conservation Service in regard to the farmers field immediately south of Mann Road. What they did was divert the water down to the Mann Road ditch and then took it westward and in some places the ditch had to be riprapped by the County to keep it from washing out the complete section of Mann Road. The Soil Conservation Service admitted this was not a good job and we are going back in to help alleviate. He said if some changes aren't made he thinks there will soon be a suit filed. He does not know what to do except wait for the law suit and also tell the Feds to keep it in their program because another section is going to go.

Commissioner Cox asked who gave permission to divert the drainage at the time it was done, did the Conservationist.

President Willner said yes.

Commissioner Cox said then she thinks we should sue them.

President Willner said they are aware of the problem, they admit it was a mistake and they are readily available to correct it. This was done approximately four years ago.

Commissioner Cox asked if this was done without any discussion before the Drainage Board.

President Willner said they did not have to come before the Drainage Board because that board has jurisdiction on only Legal Drains.

Commissioner Cox said it looks to her like those matters should certainly come before the Drainage Board, because we sure have to take the heat when something is wrong with the drainage. We have to maintain the bridges over these areas and also the roadways.

Mr. South said there is a possibility that the Home Rule has opened up some areas concerning drainage, that the Commissioners did not have before with regards to non-highway drainage.

Commissioner Cox said she understands there was a local government study committee working on a complete revision of the Drainage Code and she does not know where that stands right now. She just does not think it is fair for other people to make decision that we have to answer for.

President Willner asked Mrs. Cox if she is contemplating the Commissioners doing anything on private property, like if someone had a field they wanted drained, that we go in and do it.

Commissioner Cox said if a ditch that we have a bridge over and along a road right-of-way is creating problems for someone, then she thinks it should be corrected. She does not think we should go in and drain his property, but if we are creating the problem for him further up the line, then we ought to have jurisdiction over it.

President Willner said we do have that jurisdiction.

Commissioner Borries said should the Conservationist have come before the County Commissioners to get approval to do what they did four years ago.

Commissioner Cox said no, they did not have to but she thinks the Legislation should be changed to where a lot of these things will have to come before us in the future.

RE: LETTER FROM DEPT. OF NATURAL RESOURCES

Commissioner Cox read the following letter sent to Mr. Robert E. Hittle from the Department of Natural Resources, dated September 4, 1981

Dear Mr. Hittle, RE: DNR #1864, Project N. M-E185 (1), Lynch Road Improvements, Vanderburgh County

The above referenced project has been reviewed by the Department of Natural Resources to enable you to assess its effect on the environment, including fish and wildlife resources and recreational, historical, and archaeological sites. Information is provided on the enclosed completed questionnaire.

Formal approval by the Natural Resources Commission will be required for construction in a floodway.

All of the proposed improvement alternates will cause impacts to fish and wildlife resources. If the no build alternate is not a feasible alternate, our Division of Fish and Wildlife requests a meeting to discuss these impacts and mitigative measures to lessen these impacts. Contact Doug Kingsley, (317) 232-4080.

The Natural Heritage Program's data have been checked and to date no vulnerable plant or animal species of either state or federal significance have been reported to occur in the project vicinity.

Stockwell Park in Evansville is adjacent to the proposed construction. Any infringement upon that park during the Lynch Road Improvements must be preceeded by an official notification to the Division of Outdoor Recreation to avoid 6(f) conversion procedures as outlined in the Land and Water Conservation Fund manual. Contact Mr. Jack Lash, (317) 232-4070. If, indeed, an infringement on the park is part of the construction plans, prior approval of the National Park Service is required.

Insufficiant material was submitted to determine if cultural resources will be impacted. In accordance with federal regulations, snapshots, descriptions, and estimated dates of construction for any man-made structure which will be impacted must be submitted to our Division of Historic Preservation for review. The applicant must also submit a letter from a qualified archaeologist discussing the results of a records search and the need for a reconnaissance.

We appreciate this opportunity to be of service. If we can be of further assistance, please do not hesitate to contact me.

Sincerely,
James M. Ridenour, Director
Department of Natural Resources.

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Commissioner Cox moved that this correspondance be referred to David South to be filed with other correspondance concerning Lynch Road, for study and recommendation. Commissioner Borries seconded the motion. So ordered.

RE: LETTER FROM ATTORNEY JONES TO ENGINEER ASSOCIATES CONCERNING ST. JOE AVENUE

Mr. Jones said this is merely a follow-up, that last week he sent a letter to Engineer Associates stating we deemed the contract had been abandoned and another letter was sent the following day when the County Engineer informed him that he did not have all of the records and requested by the second letter that they turn over all records and documents on that project, that the county is owner of all such records. He said he received a reply back from Engineer Associates which he will not read at this time and also we received a turnover of two (2) boxes of records and at this time we are going through them and deciding if what we received are adequate or if we should pursue to get more, but he believes we have recieved a greater portion of the records on the project. He said he had told the County Engineer if he feels there are any other records that we should have and did not receive that we will send another letter requesting the information needed.

Mr. Jones said pertaining to the abandonment, Engineer Associates feel like the contract was neither completed or abandoned, which he does not understand. He really has nothing to respond to on the matter that we should have the audit in a couple more weeks and then we will know who owes what to whom.

Law Suit... Minette vs. County Commissioners

Mr. Jones said the Commissioners received word of a law suit being filed by the party named Minette some weeks ago and he has contacted the insurance office as he was instructed to do by the Commissioners and told them he felt that polling places are considered county buildings for the day and therefore should be covered under our grounds and building policy, so for the time being at least, the insurance company has agreed to accept that and their attorneys will handle the matter, saving work for the County Attorney's.

RE: MONTHLY REPORTS

Submitted was the monthly report from the Treasurer for the month of July.

Submitted was the monthly report from the Clerk of Circuit Court for the month of August.
Reports received and filed.

RE: CERTIFICATES OF INSURANCE

A certificate of insurance was submitted by the Christian Athletes Ministries for concerts held October 3, 1981 and December 12, 1981, in the Auditorium

A certificate of insurance was submitted by the Evansville Women's Bowling Association for a champayne hour, dinner and dance in the Gold Room on 10/9/81.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

SURVEYOR

106-Wayne Pasco	626 Delaware	Chainman	$13,199.00 Yr.	Eff: 9-9-81
203-Kenneth Palmer Jr.	3207 W. Virginia	Laborer	$12,592.00 Yr.	Eff: 9-14-81
106-Mike Wathen	Wortman Road	Draftsman	$12,592.00 Yr.	Eff: 9-14-81

LEGAL AID SOCIETY

Jean Thompson	5007 Carriage Crt.	Legal Sec.	$ 8,818.00 Yr.	Eff: 8-28-81
Marsha Williams	2714 Austin Ave.	Clerical Asst.	$ 1,621.00 Yr.	Eff: 8-28-81
Rebecca Riggs	119 Brentwood Cir.	Intern	$132.50 Week	Eff: 8-28-81

RE: EMPLOYMENT CHANGES.....RELEASES

SUPERINTENDENT OF COUNTY BUILDINGS

Kenneth Palmer Jr.	3207 W. Virginia	Part time	$336.00 Pr.Pay	Eff: 9-9-81

LEGAL AID SOCIETY

Jean Thompson	5007 Carriage Dr.	Cler. Asst.	$1,621.00 Yr.	Eff: 8-29-81
Marsha Williams	2714 Austin	Intern	$132.50 Week	Eff: 8-29-81
Rebecca Riggs	119 Brentwood Cir.	Legal Secretary	$8,818.00 Yr.	Eff: 8-29-81

SURVEYOR -106 / Bridge 203

David Williams(106)	Bell Avenue	Chainman	$13,199.00 Yr.	Eff: 9-8-81
Wayne Pasco(106)	620 E. Delaware	Draftsman	$12,592.00 Yr.	Eff: 9-9-81
Mike Wathen(203)	Wortman Road	Laborer	$12,592.00 Yr.	Eff: 9-14-81

There being no further business the meeting recessed at 5:55 P.M.

PRESENT	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard "Rick" Borries Shirley Jean Cox	Alice McBride	David Jones

SECRETARY: Janice Decker

Robert Willner

Richard J. Borries

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
SEPTEMBER 21, 1981

The meeting of the County Commissioners was held on Monday, September 21, 1981 at 7:30 p.m. in the Commissioners Hearing Room.

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

RE: REZONING PETITION...VC-19-81

President Willner said they had a rezoning petition before them for a first reading. He said the petitioner is William Koester.

President Willner said Mr. Koester is on Highway 41 North and Inglefield Road, he said they are wanting to enlarge their storage lot and also the driveway to the property. He said the land is presently Agricultural and they are requesting to change it to M-2.

Commissioner Borries moved that Ordinance Number VC-19-81 be approved on first reading and referred to Area Plan. The motion was seconded by Commissioner Cox. So ordered.

RE: AUDITORIUM...CONRAD COOPER

Mr. Cooper said he received a letter of appreciation from radio station WFIE which reads as follows:

Mr. Conrad Cooper
Vanderburgh County Auditorium
715 Locust Street
Evansville, Indiana 47708

Dear Conrad:

Just a note to thank you for all the help and support you and your staff provided during the recent Jerry Lewis Telethon. Everyone was very cooperative and helpful and I want you to know that it is appreciated.

Sincerely,
Robert E. West,
Director of Operations

President Willner said to let the record show the letter received and filed.

Mr. Cooper said he has a minor problem and that is they a typewriter that is approximatly eleven (11) years old. He said they have had to have several repair runs on it lately. He said presently they are borrowing a typewriter from Rem K Office Supplies and with the Commissioners permission he would like to do one of two things and that is either rent this typewriter for $75.00 per month or purchase it or one like it for $675.00. He said they will allow them $150.00 on the old electric one that they had.

Mr. Cooper said the second thing is that he is going to have to ask to transfer a few hundred dollars, probably from his Stage and Lighting account into his Garbage Pickup account. He said when they have a large trade they must get a larger dumpster from Browning Ferris and even though they bill the trade show people for that container, it goes back into the general fund, and they are running low in that account.

President Willner asked if they have any typewriters in storage and was told they do not.

Commissioner Cox asked how much does Loretta Townsend use the typewriter they let her borrow a couple of weeks ago.

President Willner asked Mr. Cooper if he would contact Ms. Townsend and see if maybe she could trade typewriters as she does not need the margins for making reports. Mr. Cooper said he would.

Mr. Cooper said he would look through his 200 accounts and see if he can transfer some money in the same series so he will not have to go before the council to take care of the garbage dumpster.

Commissioner Borries said he stopped by the Auditorium and they were selling tickets to three (3) different shows at the same time and it seemed that it was running very smoothly.

President Willner asked Mr. Cooper if the parking lot was working out alright and Mr. Cooper said yes, and they returned the old sensors and installed new ones.

Commissioner Cox asked how the revenue is now that they have the gates and Mr. Cooper said the revenue is up.

RE: DAVID SAVAGE

President Willner said Mr. Savage is in the City Council meeting and that he was in earlier and said the paint machine has been broken down with brake problems and he would paint Old Princeton Road the first day out which could possibly be tomorrow.

President Willner said he also asked Mr. Savage to stripe Stacer Road soon.

RE: GENE KAUTZMAN...COUNTY HIGHWAY

Mr. Kautzman said he has his absentee report along with his weekly work report.

President Willner said to let the record show these reports received and filed

Mr. Kautzman said he opened the building this week that the chemicals are in and he looked them over and he said he needs to get the inventory list from the Sheriff.

Mr. Kautzman said tomorrow Jerry Linzy, David South and himself are going to a meeting in Vincennes and they are going to drive the county car.

Commissioner Cox said she has not gotten all the way through the work report but she said she did notice that theydone some work on Seminary Road and this is the one that the bus driver was so concerned about, she said she has not been down to look at it and asked Mr. Kautzman if it is all done.

Mr. Kautzman said they are still working on it, and they are still working on the holes on Holly Hill Drive also.

President Willner asked Mr. Kautzman if he received the Commissioners bridge crew report on the bridges that need to be paved. He said the one on Burkhardt has not been paved.

Mr. Kautzman said he has the list and it is on top and they hope to get them this week.

Mr. Kautzman said he started showing the men the training films from the state highway office and he is very happy with the success so for. He said he can see improvement in their patching procudures already. He said the first ones they worked on has been out on Spry Road and he thinks they have a road they will not have to go back to this winter for patching.

Commissioner Cox asked Mr. Kautzman if he has had a chance to go out and look at the drainage ditch out on old Highway 65.

Mr. Kautzman said they dug that out last Thursday.

RE: DAVID SOUTH

Mr. South said he is scheduled to go to Indianapolis this Friday so he will be out of town all of Friday.

Mr. South said he has in his office a series of claims that are not being submitted tonight as they are in the process of being checked in his office, he said there is a series of them on Lynch Road from Dated 8/17 to 8/21 for $1,714.82, 8/24 to 8/28 for $2,240.46, 8/31 to 9/4 for $2,785.21, 9/7 to 9/11 for $2,053.41. On St. Joe there are three claims 8/17/ to 8/21 for $1,512.32, 8/24 to 8/28 for $1,479.68 and 8/31 to 9/8 for $1,044.48. Mr. South said in addition to these claims he has claims from Morley Associates, he said none of these are turned in tonight because he is in the process of reading contracts and trying a file set up so they will know just where they are.

Mr. South said he had a letter to read to the Commissioners which is as follows:

Max Hunter
Engineer Construction
1301 State Office Bldg
Indianapolis, Indiana

Dear Sir:

Two weeks ago this Commission authorized a request for one project supervisor engineer. The county highway engineer has discussed this matter with Dale Lucas, the area engineer, Indiana Department of Highways and recommended two man teams.

With the aid of the County Surveyor's office the county is handling the cross sections, calculations for the excavation items. It has been estimated that this team may require ten weeks plus or minus to complete this project, we are referring to St. Joe.

We are interested in getting this project completed as soon as possible within the guidelines of state requirements. The county highway engineer will assist in any way he can, however he is new to the project also.

This letter is our request for the state to complete the construction engineering for this project and they also understand that they must pay our share of the states cost If the total inspection cost runs over 10% of the construction they understand they must also pay any part of what the Federal Highway Administration doesn't pay.

Your cooperation will be greatly apprreciated.

Mr. South said the letter was signed by the Board of County Commissioners.

Mr. South said Max Hunter has written them and said that the personnel has been approved for their use upon submitting a letter signed, which is what that letter is for. He said this is to finish out St. Joe Avenue.

Mr. South said he would like to know if they have any money in either the highway or commissioners budget to send him to a workshop next month on storm water runoff. He said it is on October 16th and 17th and there is a registration fee of $150.00.

Commissioner Cox moved that Mr. South be allowed to attend this workshop on October 16th and 17th. The motion was seconded by Commissioner Borries. So ordered.

RE: COUNTY SURVEYOR

Mr. Dave Guillaum presented his bridge and guard rail report to the Commissioners and President Willner said let the record show it received and filed.

Mr. Guillaum said they have concentrated most of their work on Adler Road and they have also done some work of Pfeiffer Road.

Mr. Guillaum said he made contact today with the L&N people regarding the underpass and has nothing new to report on it, he said they are still studying the plans and they are going to get back with him.

Mr. Guillaum said they have Upper Mt. Vernon and Tupman under construction.

President Willner asked Mr. Guillaum if he would take a look at the bridge on Green River Road just South of 57 and North of New Harmony Road.

Mr. Guillaum said he has already looked at this and said there was some accumulation of silt under there, but there was no log jam or brush as he was expecting. He said it is not going to have much of an effect on the flow through there. He said they will make plans to go ahead and get this cleaned out.

Mr. Guillaum said Ms Angermeiers drainage problem is more deeply seeded that what they have under this bridge, he said they might need some road side ditching and other things.

RE: COUNTY ATTORNEY

David Jones said there was another letter from Hartford Insurance Co. and they feel the Commissioners and the Auditor's Office needs to get a dated received stamp and every claim that comes in should be stamped. He said this is a point well taken and the important part of it is there is a statute that says you have to file a court claim against a governmental agency within 180 days and the first thing the insurance company does is check to see whether it is time to file.

Ms. McBride said the file mark in her office has the date but not the time and Mr. Jones said that is alright, just so it has the date.

Commissioner Cox asked if when it is post marked matters and Mr. Jones said it is the date that the body receives it.

Mr. Jones said there was a minor problem with the reports that had been taken up with the sheriff, but a deputy had put an opinion about the accident on the report.

He said he sent a letter to Sheriff DeGroote about it and he said the deputies are to report the facts and not to put opinions in the reports.

RE: STATEMENT OF CLAIMS

President Willner said he has statements of claims from Lasher Construction Company VS Citizens Bank and Vanderburgh County. Harold and Phyllis Baker VS Vanderburgh County. Anna V Frick, Citizens National Bank VS Alice McBride, Auditor of Vanderburgh County, and Lewis F, Volpe, Treasurer of Vanderburgh County. Tax Deed from Sylvester Brenner, Elfreida Brenner, Alice McBride, Auditor of Vanderburgh County, Lewis F. Volpe Treasurer of Vanderburgh County.

President Willner said the above claims will be referred to the County Attorney.

Mr. Jones said these are more of the same of the suits they had the first of the year.

Ms. McBride said they did everything according to law

Mr. Jones said he is not thrilled with Mr. Volpe, he said he does not like to represent anyone he doesn't get any cooperation from.

President Willner said they have a claim for Haubstadt Bank VS Joseph Schnee.

Commissioner Cox said this is just that routine appearance where they sue the treasurer in case there are delinquent taxes, along with the clerk and the auditor.

Dave Jones asked if he does not get a response from Mr. Volpe this week can he send him a summons and Commissioner Cox said the law says that the county has to provide attorney services for county officials now.

President Willner said he will call Mr. Volpe and talk to him.

Mr. Jones said he will prepare an affidavit and all he will have to do is fill in the blanks.

RE: REQUEST TO TRAVEL...SHERIFF'S DEPARTMENT

President Willner said they received the following letter from Sheriff DeGroote:

Board of County Commissioners
Civic Center Complex
Evansville, Indiana

Gentlemen:

I request permission to send our Juvenile Officer Paul E. Bice to a Juvenile Seminar at the Law Enforcement Academy on September 29th and 30th 1981. The funds are from our account #105-231.

James DeGroote, Sheriff

Commissioner Cox moved the above request be granted, seconded by Commissioner Borries. So ordered.

RE: REQUEST TO TRAVEL...AREA PLAN COMMISSION

President Willner said they received the following letter from Barbara Cunningham:

County Commissioners
Room 307
Civic Center Complex
Evansville, IN. 47708

Commissioners:

I am requesting travel to attend the Indiana Planning Associations Annual meeting in Indianapolis. I will be leaving on September 22 and returning on September 23, 1981. This will be held in conjunction with the Indiana Association of Cities and Towns Annual Convention. I have the money in my account.

Sincerely,
Barbara L. Cunningham
Executive Director

Commissioner Cox moved the request be granted, seconded by Commissioner Borries. So ordered

RE: RENEWAL OF AGREEMENT...SOIL AND WATER CONSERVATION

President Willner said he has a revewal of agreement between the Vanderburgh County Soil and Water Conservation District and the Board of County Commissioners of Vanderburgh County. He said this is an on going agreement between the two parties and it is for the period of January 1, 1982 through December 31, 1982.

Commissioner Borries moved they approve the agreement, seconded by Commissioner Cox. So ordered.

RE: LETTER...PITNEY BOWES

President Willner said they received the following letter from Pitney Bowes:

POSTAGE METER/REGISTER RENTAL RATES

To our valued customers:

Due to rising costs we find it necessary to increase out postage meter and parcel register rental rates. The enclosed insert shows the meters and/or registers currently in your possession as well as the serial number(s) and the amount of the monthly rental increase.

For meters and registers installed less than 12 months, the adjustments will be effective on the annuversary of your contract. For others, the adjustment will be effective January 1, 1982.

We pledge our continued best efforts to serve you well.

Robert L. Lawrence, Jr.
Vice President, Marketing

President Willner said the monthly increase will be $4.00, but it does not say what they are paying now. Ms. Meeks checked and said now they will be paying $90.00 per quarter with the $4.00 increase which is an 8% increase.

Commissioner Cox moved they approve the $4.00 increase, seconded by Commissioner Borrie So ordered.

RE: CLAIM...CIVIL DEFENSE

President Willner asked Ms. McBride just what this claim was for and she said it is the county share of Civil Defense. President Willner said this claim is for $7,636.00. He said this claim is for the year 1981 and was submitted for $9,200.00 but Ms. McBride says there is only $7,636.00 in that account.

Commissioner Cox asked if this money just goes in their operating fund or what.

Ms. McBride says the city gives so much and the county gives so much. She said they have not been able to find a contract for this.

President Willner said since no contract has been found the council did not fund the Civil Defense for 1982.

Mr. Jones said he was trying to find this contract and was talking with Mr. Lowe and told him that before the county paid them any more money they are going to have to prove that they have to pay it.

Ms. McBride said Mr. Lowe told her that on the Economic Development, the contract says the city will get the fees. She said Mr. Lowe had the contract.

Mr. Jones said he cannot find a contract, all he found was an ordinance, the original ordinance of the city but he said he found nothing where the county had entered into it. He said he has asked and nobody has produced anything.

Commissioner Borries suggested they delay this claim until they can get more information on it.

President Willner said he would have Ms. Meeks check with the Comptrollers office to see if them have any additional information.

RE: REVENUE SHARING

President Willner said they have a statement of assurance to the general Revenue Sharing entitlement period 13, October 13, 1981 through September 30, 1982.

He said this is assuring them that they will send the money in regards to the statutes. He said they have to sign this before they will send the money.

Commissioner Cox said the thing is they have no assurance the treasurer is putting the interest money back in that Revenue Sharing account like he should.

Commissioner Borries asked President Willner if he would ask the treasurer to come before this board and give them a quarterly report regarding statis of the interest on investments the county has.

President Willner said he most certainly would. President Willner said this is for $1,116,216.00.

Commissioner Cox moved the assurance agreement be signed, seconded by Commissioner Borries. So ordered.

President Willner said it says it will be $13,904.00 less than the amount estimated for the year.

RE: CLAIM...ENGINEER ASSOCIATES

President Willner said they have a claim from Engineer Associates for Lynch Road Inspection in the amount of $1,911.32.

Commissioner Cox moved they refer this claim to David South, seconded by Commissioner Borries. So ordered.

RE: EMPLOYMENT CHANGES...APPOINTMENTS

CIRCUIT COURT

Michael Peeler	1251 Cross Gate Dr.	Special Intern	3.35 per hr.	8/17/81
Scott A. Danks	2516 Wexford Dr.	Special Intern	80.00 per wk.	8/31/81
Scott A. Danks	2516 Wexford Dr.	P/T Bailiff	80.00 per wk.	8.31.81
Terrell R. Maurer	305 S. Rotherwood	P/T Bailiff	3.35 per hr.	9/8/81

BURDETTE PARK

Eric Evans	1369 E. Chandler	P/T GC	6.16 per hr.	8/28/81
Greg Smith	1313 Grand Avenue	Security	5.00 per hr.	9/3/81
Steve Craig	5120 Md. Mt. Vernon Rd.	Union Employee	6.16 per hr.	9/3/81
Joe Rexing	7600 Marx Road	Extra Guard	3.25 per hr.	8/31/81

RE: EMPLOYMENT CHANGES...RELEASES

LEGAL AID

Kathryn M. Hargraves	1916 A. S.E. Blvd.	Staff Attorney	10,374.00 per yr.	9/10/81
Rebecca Riggs	119 Brentwood Circle	Intern	500.00 per yr.	9/03/81

CIRCUIT COURT

Scott A. Danks	2516 Wexford Dr.	Intern	140.00 per wk.	8/28/81

BURDETTE PARK

Eric Evans	1369 E. Chandler	Union Employee	6.16 per hr.	8/28/81
Greg Smith	1313 Grand Avenue	Union Employee	6.16 per hr.	9/3/81
Steve Craig	5120 Md. Mt. Vernon Rd.	Ground Crew	6.16 per hr.	9/3/81
Bryan Norman	R.R. 2 Box 63	Regular Guard	3.50 per hr.	9/8/81
Sarah Waltz	6710 Hogue Road	Regular Guard	3.50 per hr.	9/8/81
Jennifer Amstutz	3008 N. Red Bank Rd.	Pool Cashier	3.50 per hr.	9/8/81
Jenny Vescovi	3525 Laurel Lane	Extra Guard	3.25 per hr.	9/8/81
Sharon Jankowski	6912 Cliftwood Drive	Regular Guard	3.50 per hr.	9/8/81
John Winiger	2308 N. Heidelbach	Regular Guard	3.50 per hr.	9/8/81
Candy Garnett	1200 April Drive	Regular Guard	3.50 per hr.	9/8/81
Julie Hamilton	6600 Petersburg Road	Extra Guard	3.25 per hr.	9/8/81
Judy Searl	R.R. 8 Box 92	Regular Guard	3.50 per hr.	9/8/81
Rob Bumb	3225 Lemear Lane	Extra Guard	3.25 per hr.	9/8/81
James Stewart	7110 Cherry	Head Guard	35.00 per day.	9/8/81

Jennifer Oberhausen	4218 Tremont Road	Pool Manager	42.00 per day	9/8/81
Judy Oberhausen	4218 Tremont Road	Asst. Head Grd.	3.50 per hr.	9/8/81
Jacquelyn Oberhausen	4218 Tremont Road	Regular Guard	3.50 per hr.	9/8/81
Elizebeth Ledbetter	4013 W. Columbia	Extra Guard	3.25 per hr.	9/8/81
Michael Gerard	7601 Hogue Road	Extra Guard	3.25 per hr.	9/8/81
Amy Oberhausen	6118 Hogue Road	Extra Guard	3.25 per hr.	9/8/81
Ricky Murray	3915 W. Maryland	Extra Guard	3.25 per hr.	9/8/81
Linda Hartman	5103 Cynthiana Rd.	Extra Guard	3.25 per hr.	9/8/81
David Creech	631 College Hwy.	Regular Guard	3.50 per hr.	9/8/81
Cindy Lilly	2601 Magnolia Drive	Regular Guard	3.50 per hr.	9/8/81
Kim Lilly	2601 Magnolia Drive	Head Guard	35.00 per day	9/8/81
Don Lochmueller	1333 Savannah Drive	Extra Guard	3.25 per hr.	9/8/81
Perry Gostley	R.R. 1 Box 40	Extra Guard	3.25 per hr.	9/8/81
kimberly Hankins	2908 Lakeview Blvd.	Extra Guard	3.25 per hr.	9/8/81
Jeff Henry	815 Schutte Road	Ground Crew	4.00 per hr.	9/8/81
Karen Hobson	5032 Stratford Road	Pool Cashier	3.50 per hr.	9/8/81
Jane Hutchison	2026 W. Michigan	Regular Guard	3.50 per hr.	9/8/81
Laura Hutchison	2026 W. Michigan	Regular Guard	3.50 per hr.	9/8/81
Kurt Koehler	415 S. Boeke	Ground Crew	4.00 per hr.	9/8/81
Beth Minton	10515 Olivia Street	Regular Guard	3.50 per hr.	9/8/81
Robert Owens	R.R. 2 Box 176	Regular Guard	3.50 per hr.	9/8/81
Julie Powless	5816 Ashbrooke Rd	Extra Cashier	3.50 per hr.	9/8/81
Michael Powless		Regular Guard	3.50 per hr.	9/8/81
Joyce Price	3925 Jackson	Extra Guard	3.25 per hr.	9/8/81
Joseph Rexing	7600 Marx Road	Extra Guard	3.25 per hr.	9/8/81
Sarah Rexing	7600 Marx Road	Extra Guard	3.25 per hr.	9/8/81
Michael Rippy	2763 West Franklin	Regular Guard	3.50 per hr.	9/8/81
Tim Ruff	6504 Raintree Drive	Extra Guard	3.25 per hr.	9/8/81
Lori Sinclair	613 Walden Lane	Regular Guard	3.50 per hr.	9/8/81
Gregory Talley	525 Red Bank Road	Ground Crew	4.00 per hr.	9/8/81
Gregory Topper	1906 S. Red Bank Rd.	Extra Guard	3.25 per hr.	9/8/81
Jeanne Warren	3317 W. Michigan	Rink Cashier	4.00 per hr.	9/8/81
Bradley Volz	841 Wedeking Ave.	Ground Crew	4.00 per hr.	9/8/81
Karen Buedel	2645 Ravenswood	Ground Crew	4.00 per hr.	9/8/81
Donald DeWeese	818 Allens Lane	Ground Crew	4.00 per hr.	9/8/81
Donna DeWeese	818 Allens Lane	Pool Cashier	3.50 per hr.	9/8/81
Particia Gehlhausen	627 B S. Benninghof	Ground Crew	4.00 per hr.	9/8/81
Steven Kelley	2815 Selzer Road	Rink Guard	4.00 per hr.	9/8/81

RE: EXECUTIVE SESSION

President Willner said he would like to request an Executive Session for Wednesday evening at 7:30 p.m. this week with the county attorney's and David South. He said by statute they have to notify 48 hours ahead of time.

Commissioner Borries moved that the executive session with the county attorney's and David South be held on Wednesday night at 7:30 p.m., seconded by Commissioner Cox. So ordered.

RE: DAVID JONES

Mr. Jones asked about the statis of the suits.

Mr. Jones said what he thinks he will do is refer these claims to the Hartford Ins. Company and take the position that it is similiar to Public Officials Liability and see if they can't get this settled. He said he will get with Hartford.

President Willner said to let the record show that the tax questions were referred to Attorney Jones.

MEETING ADJOURNED AT 8:45 p.m.

MEMBERS PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEYS
Robert Willner	Alice McBride	David Jones
Richard Borries		
Shirley Jean Cox		

SECRETARY: Janice Decker

Robert D. Willner
Richard J. Borries
Shirley Jean Cox
VANDERBURGH COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
SEPTEMBER 28, 1981

The meeting of the County Commissioners was held on Monday, September 28, 1981 at 2:30 p.m. in the Commissioners Hearing Room.

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

RE: DISCUSSION OF EXECUTIVE SESSION

Mr. Willner said the Commissioners held an Executive Session on Wednesday, September 23, 1981 and at this time there will be a short discussion concerning that meeting.

Mr. David South, County Highway Engineer said he would like to turn the meeting over to County Attorney David Jones, for a better explanation of what is going on.

Mr. Jones said at the Executive Session that was held last week, there was no final action taken, that by law there could not be any taken. He said at this time he can report that we have determined some further information with respect to the several contracts involved in Lynch Road and St. Joe projects. The design contract on Lynch Road, that surfaced last week, in discussions with the new Program Manager for State Highway, has been determined that the amounts there were in fact repaid by Engineer Associates, the amounts that were audited and found to have been overpaid or not properly paid that those amounts have been settled with the State and Federal Government. In addition, we have determined that there is no formal appeal or challenge process that Engineer Associates could take, that whatever they do, they do so on their own initiative. Moreover, the things they repaid from the Design Contract are basically the same types of things that we are facing in these two contracts in the interim audit, therefore, Engineer Associates has been down this road before, that they are very much aware of those things. In addition, he does not believe there are any items in that audit that will be successfully overturned. He sent a copy of the Interim Audit Report to the Vanderburgh County Prosecutor for his review, as a matter of course. Although he does not hold himself as practicing criminal law, he did not necessarily see anything that constituted a criminal violation, but he will leave that to the proper authorities on the base of the Audit Report, to make that determination. At this time he would make the following recommendations, first of all concerning the St. Joseph Avenue project, that if the Commissioners recall on September 8, 1981, the first notice of abandonment or delay was issued pursuant to provisions of that contract. He has prepared a proposed notice of termination, breach of the agreement and the demand of repayment, of the sums under that contract. We've proposed that the second notice be issued, and when it is mailed, and the twenty (20) days are up today, we recommend it not be mailed until tomorrow, that it automatically terminates the St. Joe Avenue project and it also constitutes that same notice is notice of breach of the agreement which protects the county's legal position in any later litigation, and thirdly, it demands the repayment of the amounts per the audit be made in that letter and that a definite number of days be given toward a response or arrangements for repayments that are satisfactory to this County Commission. He said you will notice that the sums have been left blank in the proposed draft of notice and demand, the reason being that in the Audit Report the amounts were listed as the amounts billed, but of the amounts billed, some portions had been paid and some had been withheld and he thinks the County Engineer and/or the County Auditor will have to tell us how much has been billed but not paid, and that adjustment made and the final net amount be inserted in the notice, and when that is completed we should have an amount to demand for repayment by Engineer Associates on St. Joseph Avenue.

With respect to the Lynch Road Project, while this is an existing, ongoing project, the amounts that have been audited do not appear susceptible of being overturned and in speaking with official of the State Highway we have not determined that there is any official procedure,so there's no need to go further on this. He would recommend that separate notice be given on the Lynch Road contract, that all sums that have been billed but not paid, that are pending, and all sums to be billed for future work, under this contract, be set off against the amounts found to be due and owed to the county in the audit, that is, that there be no further payments made under this contracts until the amounts in the audit has been recovered.

With respect to the Eichoff-Koressel Project, which has not been released and is awaita notice to proceed, he would recommend that contract be withdrawn, that it be rewritten to include a retainage provision, that the contract needs to be tightened up with language and that notices be mandatory to be mailed to the Board of County Commissioners and it go out for some kind of bidding, eventhough it is services.

Commissioner Borries moved they terminate Engineer Associates on the St. Joseph Avenue project as of September 29, 1981. Commissioner Cox seconded the motion which carried with three affirmative votes.

President Willner asked Mr. South to fill in the blanks in the notice.

Mr. Jones said they will get the letter typed on the County Commissioners letterhead and get it in the mail tomorrow.

President Willner said we need a motion that no more claims we are now holding or receive in the future on both projects, that they shall not be paid until the final audit is in.

Mr. Jones said as far as Lynch Road is concerned, he would propose that any pending claims first be screened by theCounty Engineer and those things that have been disallowed in the audit be disallowed on these claims,that the resulting amounts of pending claims that are allowed be set off against the amounts owed in the audit and that any work proceeding forward....the same procedure, until that amount is used up. He believes with respect to the letter, the Commissioners will also have to make a decision in addition to termination, that you agree with the defaults that are cited and that a demand for the repayment be made and a number of days for them to make some response be set.

President Willner asked if this is subject to the final audit.

Mr. Jones said no, that St. Joe is complete, that in respect to the Lynch Road project, it is not completed and you do not have final dollars and if you, the Commissioners, were to file suit, you would not know how much to ask for.

Commissioner Cox moved that the County Engineer screen any pending claims and those that have been disallowed in the audit be disallowed on these claims, and that the resulting amounts of pending claims that are allowed be set off against the amounts owed in the audit and any work proceeding forward, the same procedure be taken. Commissioner Borries seconded the motion which carried unanimously in the affirmative.

Commissioner Borries moved the Commissioners approve the demand of repayment for the interim audit on St. Joseph Avenue. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

Commissioner Cox asked when we will have to pay the portion back to the federal government, because we certainly want to make the date we give the Engineering firm sometime before we are expected to pay the government.

Mr. Jones said it is his understanding that those amounts would come after the final audit.

Mr. South said the State will wait, pending final audit, before they move for us and it is reasonable to expect the final audit should be complete on St. Joe once we've terminated, within thrity (30) to forty five (45) days, so based on that he would say that sixty (60) days would be a decent waiting period, that is sixty (60) days from today.

Commissioner Cox moved that we allow Engineer Associates sixty (60) days from today to respond to payments owed the county. Commissioner Borries seconded the motion which carried unanimously in the affirmative.

President Willner said on the Eichoff-Koressel project, we did have a signed contract with Engineer Associates to do the preliminary engineering on the project, that this contract has been in the hands of the Commission for about a month awaiting notice to proceed from this board. He believes this is an open end contract.

Mr. Jones said no, it isn't an open end contract, that it has a fixed fee in it, however there are so many contingencies in it that you might say it has a number of open ends.

President Willner said the contract the Commissioners feel they should leave on Eichoff-Koressel, should be considerably different from the one they have already signed. The letter to proceed with the preliminary engineering has not yet been sent, therefore the Commissioners can, on those grounds, back up on the project and re-do the contract.

Commissioner Borries moved the contract for Eichoff-Koressel be rewritten. Commissioner Cox seconded the motion, which carried unanimously in the affirmative.

President Willner instructed the County Engineer to re-design the bids for Eichoff-Koressel and submit them to this board.

Mr. South said he would work with Mr. Jones and get this completed and come back to this board with recommendations as soon as possible.

Commissioner Borries said he would like to publicly thank both Mr. Jones and Mr. South for the professional work they have done in this, that it has been a very difficult situation. He felt like an Executive Session was necessary to at least become aquainted with all the complexities of what was in the audit and again he thinks the work done by both Mr. Jones and Mr. South was very professional.

President Willner said he too would thank both Mr. Jones and Mr. South for their professional expertise in the matter, that the Executive Session, in his thinking, was to at least talk to Engineer Associates and find out their position and why some of these things happened, and he felt confident they would rather not have to discuss this at a public meeting and he felt like the Executive Session did a lot to help clear the air. Again, he would commend Mr. South and the County Attorney's for their work on the matter.

Commissioner Cox said she thinks sometimes you do have to get all parties concerned together, and especially where litigation is possible, that things are better off handled in private.

RE: MARK TULEY.....SUPERINTENDENT OF COUNTY BUILDINGS

Mr. Tuley said that Mr. Kautzman is having some electrical problems at the garage and he would like for him to explain that at this time.

Mr. Kautzman said yes, they are having some electrical work at the garage and he has asked Mr. Tuley to look into them, but personally, until the whole building is re-wired they are going to continue to have problems.

President Willner said he made a trip out there and the wiring is probably 50-60 years old and it certainly is in some dire need of up-dating. He does not mind Mark going out and looking at it but he does not want anything done until a figure is brought before this board.

Mr. Tuley said he has already went out and looked at it and if we are talking about it being done this year then it would have to come from the Cumulative Capital Improvement Fund, because the amount of money it will take would completely wipe his budget out. He talked to Mr. Wortman last week and he agreed to take an afternoon and go to the garage with us and look the situation over and give some recommendations to get the problems solved.

Commissioner Cox said there has been some electrical work done at the garage this year and at that time she suggested we look at the entire system, so how are you going to do it this time.

Mr. Kautzman said this is not a dire emergency but they would like to check into the costs of having the whole system re-wired, and they will get back to the Commissioners at a later date.

RE: CONRAD COOPER....AUDITORIUM

Mr. Cooper said he has nothing new at this point, just would like to remind the Commissioners, if they would to remember the discussion of the proposed rate schedule that he submitted sometime ago, so that some sort of action can be taken on it before the end of the year.

Commissioner Cox said she was going to get some comparisons from other units and she does have some but is expecting more and our rates seem to be quite low, but when she gets them all she will make the Commission and Mr. Cooper aware of those figures.

RE: JESSE CROOKS....BUILDING COMMISSION

Mr. Crooks submitted the monthy report of the permits issued for the month of August and stated on the dollar value we are down but on the number of permits, we are ahead.

Report received and filed.

E.A.R.C. Building

Mr. Crooks said he spoke with Key Construction about the work at the E.A.R.C. Building and they told him the material is in and that they will probably be out there in the month of October to fix the few places that we have talked about.

East Side Industrial Park

Mr. Crooks said out off of Old Boonville Highway there is more construction going in and it is messing up the storage ditch, and he stopped them this morning and informed them this is a ponding area and he is going to go back out there and tell them they are going to have to either increase the size of the ditch or provide another ponding area.

RE: GENE KAUTZMAN.....COUNTY HIGHWAY

Weekly Absentee Report

Mr. Kautzman submitted his weekly absentee report for the period of 9/21/81 through 9/25/81. Report received and filed.

Weekly Work Report

Mr. Kautzman submitted his weekly work report for the period of 9/-1/81 through 9/25/81. Report received and filed.

Cleaning of Ditches

Commissioner Cox said she wanted to convey the message that the clean out of ditch along New Harmoney Road, that the people are very pleased with that work and also the work that is being done in Holly Court and Holly Hill Drive.

Letter of Appreciation

President Willner said they received a note of appreciation from a Mr. Hahn concerning the work done by the County Garage men on Seminary Road, that they were happy with it. He said it is always nice to get a note of thanks from someone.

Mr. Kautzman said they are running towards the end of their monies, that he had mentioned some time ago he would need more and a couple of weeks ago he presented the Commissioners with a request to go before County Council. He is in the process of gathering the billings for the other governmental departments, for example, the Commissioners Bridge crew, on the paving they have done for them on their street cuts and their intersection improvements and he will try to have all of these bills compiled by next week because we hope to have all of their places paved this week. He said concerning the bituminous materials and the aggregate they are using for these jobs he wanted to check with the Commissioners and see if it is appropriate for him to bill the Surveyor for the oil and materials used on the jobs, to replace their stock, rather then to bill them for the work in dollar figures.

President Willner asked Mr. Miller, County Attorney, if it is legal for the Surveyor to purchase, out of the Bridge account, materials and aggregate for the Highway Department to replace the material they used on certain projects concerning bridges.

Mr. Miller said he thinks there should be some way this could be accomplished and is there some way the amounts of materials to be used could be determined in advance, in respect to any particular job.

Mr. Kautzman said this would be a tough thing to do, because every job is different.

Mr. Bob Brenner, County Surveyor submitted a claim in the amount of $3,969.44 and said it is for AE 150, Cold mix for paving, and decided it would be used for the following.

Bartel Road.....$1,770.00
Industrial Blvd.....$1,240.00
Burkhardt Road.....$ 959.44 Total $3,969.44

He said they want to purchase the materials for the Highway Department from the Bridge Fund account to replace the materials used on bridge projects.

Mr. Miller said he sees no problem with the County Highway keeping accurate records of the amounts of materials used in the bridge program, documenting that, and sending a statement to the Surveyor. He questions whether or not the payment can be made directly to the Highway Fund.

Mr. Brenner said they have been doing that for years, but this is something else, that he purchased bituminous materials from the Bridge Funds and Mr. Kautzman uses these materials on bridge related projects and when that material is used up, we purchase more for him.

Mr. Kautzman said this does not include labor or the cost of our equipment on the job.

Commissioner Cox said the Highway is financed through gasoline tax money and we need to know how we can re-coup labor cost, rent of equipment, etc., because in reality, what Mr. Brenner is doing is instead of contracting the work out he is more or less contracting with another governmental agency.

Mr. Miller said he will research this and report back next week.

Mr. Brenner said the Highway Department needed these materials and with him purchasing it for them it kept those men out there working.

President Willner said Mr. Kautzman does not have enough money to stock pile aggregates through the winter months unless he can spend the money that the Bridge Fund repays him.

Mrs. McBride said she thinks the money paid from the Cumulative Bridge Fund will have to be paid into the Highway General Fund and then Mr. Kautzman will have to go before Council and explain the situation to them and they will have to appropriate it out of the Highway General Fund into a line item.

Commissioner Cox said she would rather see it done that way, and she is sure that if accurate records are kept and presented to the County Council that they will understand it and approve of it. She would be happy to appear before the Council and support it.

Mr. Brenner said when you go before Council you are talking about two to three months of waiting.

Mrs. McBride said if you appear before the council and they approve a request such as this that when an emergency arises she can call the state and they will almost always give her approval over the phone and she can run it in the red until the money gets in the account, because we know you are going to get it, however, it is too late to get on the October Call.

Mr. Brenner said that will be too late, and he would like permission from the board to let him purchase one more tank of oil, that they are making a lot of road cuts and they certainly can justify buying it.

Commissioner Cox said how about the sand and gravel, why don't you go ahead and buy that also, if they need it.

Mr. Brenner said they would be happy to but it.

Commissioner Borries moved that Mr. Brenner be allowed to purchase one more tank of asphalt for the Highway Department. Commissioner Cox seconded the motion, with the recommendation he be allowed to also purchase sand and gravel for them. So ordered.

Approval of Claim

Commissioner Borries moved the following claim be allowed:

Bituminous Materials Co., Inc. for 5311 Gal of AE 150 @.7474 G.....$3,969.44.

Commissioner Cox seconded the motion. So ordered.

Claim on Aluminum Pipe

Mr. Brenner said he has a claim for $14,613.12 for the purchase of Aluminim pipe, which is presently at the garage or in the ground.

President Willner said in the past the Highway Department has been buying culverts out of their budget and now we have a stock pile of some $14,613.12 which really should come out of the Bridge Fund, so the blue claim is to the Vanderburgh County Highway Department from the Cumulative Bridge Fund.

Commissioner Borries asked why the change.

Mr. Brenner said in 1978 the Cumulative Bridge Statute was changed, that it use to say bridges and it was amended to say culverts, so the Cumulative Bridge took over the purchase of all culverts but the Highway had already made a large purchase, and we see no reason for them to be on the Highway's inventory.

Mr. Kautzman said he felt like if we billed them at this year's prices, they would be showing a profit on it because for the past two (2) years the pipe people put an 8% increase on them, so he took the price of the materials on hand, less 16% and that puts it back to the 1979 price, which is what they paid for it, and that, he felt, was the fair way to do it. The County Bridge crew will be the ones using this pipe.

Commissioner Borries moved the claim be approved in the amount of $14,613.12. Commissioner Cox seconded the motion. So ordered.

RE: DAVID SOUTH.....COUNTY HIGHWAY ENGINEER

Mr. South said there is to be a meeting in Indianapolis, on Tuesday, October 6th. at 10:00 a.m. and he would like to attend, that the Federal and State Highway people will also be there, and that one of the main goals of the meeting is getting the assurance that we will have an inter-change at I-164 and Lynch Road Extension.

President Willner asked each of the other two Commissioners if they will be able to attend this meeting and Mrs. Cox said she is not sure if she will be available on that date, but if not, she would send a recommendation, in writing.

Mr. South said the date is tentative right now, that he has to call Indianapolis and confirm it.

President Willner said he can attend and if the other two Commissioners can make it, that will be fine.

Commissioner Borries moved that Mr. South have permission to travel to Indianapolis. Commissioner Cox seconded the motion. So ordered.

RE: BOB BRENNER....SURVEYOR

Bridge and Guardrail Report

Mr. Brenner submitted the bridge and guardrail report for the period of 9/21/81 through 9/25/81. He said they got out on Broadway and they had that flooding problem on Reiter and they hauled four (4) truck loads of trash, concrete blocks, etc. that was blocking the bridge. They have some other plans for this but this is a good start.

President Willner said he would like to thank Mr. Brenner for the job on St. Joe Avenue, that we had two (2) culverts to go in there and he understands the road was not closed one night and this is appreciated very much.

RE: COUNTY ATTORNEY....DAVID MILLER

Mr. Miller said he was contacted the middle part of last week by Allen Henson, who is the gentleman in charge of the Work Release Program, operating through the Circuit Court. He said they have lost their Secretary/Bookkeeper, effective August 25, 1981 and they are required to keep certain books and records in order to support their claims for Title XX reimbursement funds, so they were in desperate need of their Bookkeeper and not having the funds in any salary account to replace this person, they settled on the possibility of engaging an independent contractor bookkeeper person, who will simply keep the necessary accounting records and do the bookkeeping chores, for the sum of $100.00 per month. Mr. Henson had to be in court this afternoon so he could not present this request in person, so he asked Mr. Miller to present it to the Commissioners.
He said that Mr. Henson asked him to prepare a contract for them to sign with the Bookkeeper and he told Mr. Henson that he would first have to present this to the Board, that the County Attorney's could not do this without the Commissioners consent.

He said he has tentatively prepared a short contract with the young lady, Carol Norman, and the terms of the contract is that it is terminable on a twenty four (24) hour notice, and that she is to perform all the bookkeeping services according to the generally accepted bookkeeping accounts and principles and that she will be paid $100.00 per month.

Commissioner Cox said she does not understand this at all, because about eight weeks ago Mr. Henson came before this board and told us that the funding for the Work Release Program was being eliminated and they combined the Work Release Program with the Bail Bond Program and about $17,000.00 extra money was appropriated by the County Council to keep both of these programs going, so what is this Title XX money he is talking about.

Mrs. McBride said she does not know exactly how much they get, but she knows they do get Title XX funding.

Mr. Miller said he knows nothing about the funding of the program, but only that Mr. Henson said they need a bookkeeper to keep the records in order to apply for Title XX funds. Other then that, he cannot answer specific questions on the matter.

President Willner said his thinking on this is that if he had lost an employee who was being paid, lets say $9,000.00, and has now opted a $100.00 per month person, he would think he would be saving money by not replacing that person, is this not true.

Mr. Miller said he understands this is true, but he did not have any money in the salary account as of September 1st. to replace that person anyway.

Commissioner Cox said he asked for additional fund, so what was that for.

Mr. Miller said he does not know the answers, but he will contact Mr. Henson and have him to appear before this body next week to explain the request.

RE: MR. ARTHUR KARCH

Mr. Arthur Karch, of 5401 Pollack Avenue, was present and asked to be heard at this time. He said he would like for the Commissioners to be aware of the fact that the county keeps grading Old River Road, that it is on a slant and it keep pushing the rock and the gravel out into his field. He said this was graded last week and instead of setting the grader to grade, they set it to drag, therefore it pushed it into the fields. He said if they would grade the north side of the road where the road bed is, then this problem would not happen. He said he would like to get a grader to grade the rock up in the road bed and then plow a ditch along the side to keep the rock out of his field, if the Commissioners would allow this to be done, he would plow the ditch.

President Willner asked Mr. Karch if he knows what the right-of-way feet are along there and he replied no.

Commissioner Borries asked where this was located and Mr. Karch told him the portion he was talking about and explained where it is.

President Willner instructed Mr. Kautzman to go out to Mr. Karch' property and look it over with him and see if perhaps we could solve the problem for him and Mr. Kautzman agreed to go out there this afternoon.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted by the Vanderburgh County Young Democrats for functions at Civic Center on September 25, 1981 and October 31, 1981.

A liability coverage certificate was submitted for use of the Convention Center, with the lessee being Sterling Men's Club c/o Ivory Williams for a dance on September 26-28, 1981

Certificates received and filed.

RE: TREASURER'S MONTHLY REPORT

Submitted was the Treasurer's monthly report for the month of August, 1981.

Report recieved and filed.

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

Submitted was the following letter for permission to travel:

Commissioners,

I am requesting permission for myself and a member of staff to attend a Indiana Population Working group fall meeting. The subject of this meeting will be census results.

This meeting will be held September 31, 1981, at the Indianapolis State Library. This will be a one day trip.

We have money in our accout to cover travel expenses.

Sincerely,
Barbara Cunningham, Executive Director

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Commissioner Cox moved the travel request be allowed. Commissioner Borries seconded the motion. So ordered.

RE: PETITION AND ORDER TO SELL REAL ESTATE

President Willner said they have a copy of a notice of bankruptcy for Debra Wesley and Carol J. Sharp.

Commissioner Cox asked if these people are employed by the County and President Willner said he does not know.

The notice was referred to Attorney Miller, who said he would contact Mr. Jim Rode and find out what Vanderburgh County's interest in this is, and if any action needs to be taken he will let the Commisioners know.

RE: LETTER FROM DAVID JONES CONCERNING QUIET TITLE

The following letter was read aloud by President Willner, received from David Jones and dated September 23, 1981.

RE: Parahart Corporation v. Sylvester Brenner, Elfrieda Brenner, Auditor and Treasurer of Vanderburgh County Vanderburgh Superior Court No. 81-CIV-2336

Dear Mr. Willner:

The Complaint to Quiet Title served upon the Auditor and Treasurer, respectively, of Vanderburgh County and which was referred to me for defense at the meeting of the Board of Commissioners of September 21, 1981, has been forwarded to the Forum Insurance Company for defense. A policy of insurance naming Vanderburgh County as the insured with The Forum Insurance Company provides for defense costs for this type of litigation and it thus appears that the County will not have to expend any monies for attorneys' fees in defense of this matter. However, should a judgment be rendered against the County, there is a $10,000.00 deductible with respect to payment of any judgment herein. If you have any questions, please contact me at your convenience.

Very truly yours,
David L. Jones, County Attorney

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Commissioner Cox said she wonders if this is a $10,000.00 total or if it is $10,000.00 for each one.

Mr. Miller said he would think it is per incident.

Letter received and filed.

RE: CONTRACTOR'S BOND....KEY CONSTRUCTION CO. INC.

Submitted was a Contractor's Bond for Construction from Key Construction Co., Inc of Evansville, Indiana for the widening and improvements of Buente Road Bridge and Sensmeier Road Bridge, in the sum of $29,432.60. It was reviewed by attorney Miller and is in order.

Commissioner Borries moved the bond be accepted and signed. Commissioner Cox seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Estella Moss for mileage and meals for the Recorders District Meeting that was held September 24, 1981 in Orleans,Indiana.

274 Miles round trip @.20¢ per mile.....$54.80
2 Meals @$6.15 each..... 12.30

TOTAL $67.10

Commissioner Borries moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by David M. Griffith and Associates for County Cost Allocation Plan (based on fiscal year 1980) per contract specifications.....$11,000.00.

Mrs. McBride said so-far we have recieved $28,210.00 from the above consultant firm, and we are to get about $75,000.00 more.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Peggy Powless for attending the County Auditor's and Treasurer's meeting in Nashville,Indiana on September 17 and 18, 1981.

Meals...Two days @$17.00 per day.....$34.00
Mileage..308 miles (round trip)
@ 22¢ per mile.....$67.76

TOTAL $101.76

A claim was submitted by Alice McBride for attending the County Auditor's and Treasurer's Meeting in Nashville, Indiana held Sept. 17 and 18, 1981.

Meals: 2 days @$17.00 per day.....$34.00
Lodging for 1st.Deputy and herself.....$36.40

TOTAL $70.40

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES...APPOINTMENTS

LEGAL AIR SOCIETY

Karen G. Paulin R.R.1 Chandler, In. Clerical Asst. $1,621.00 Eff: 9-26-81

RE: EMPLOYMENT CHANGES....RELEASES

LEGAL AID SOCIETY

Marsha E. Williams 2714 Austin Clerical Asst. $1,621.00 Eff: 9-25-81

Commissioner Cox said on the employment change, the amount of money is probably for a full year, but it is low, because it is probably just the countys' share.

County Auditor Alice McBride said a couple of weeks ago Officer Mark Mabrey appeared before the Commissioners with a request to charge certain fees for copies of accident and supplemental reports and at that time he was told the monies received from that would be put into the County General Fund. After reviewing the law, it says the money shall be put into a separate account, called "Accident Reports".

President Willner said to let the records show that the appropriate account will be set up in the Auditor's office to deposit these funds into, if it does not, or cannot go into the General Fund.

There being no further business the meeting recessed at 4:05 P.M.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard "Rick" Borries Shirley Jean Cox	Alice McBride	David Miller

Robert L. Willner

Richard J. Borries

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
OCTOBER 5, 1981

The meeting of the County Commissioners was held on Monday October 5, 1981, at 2:30 p.m. in the Commissioners Hearing Room. This being the first meeting of the month it was officially opened by Deputy Pete Swaim.

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

RE: ALAN HENSON....WORK RELEASE

Mr. Henson said he could not be present last week when a request came before this board to allow them to contract with a secretary for $100.00 per month and he understands the board was not clear on some of the answers, therefore he is here today to answer those questions. He said they have lost their Administrative Assistant, that she started to law school the last of August and they deleted her salary completely from their budget for 1982, saving the County approximately $12,500.00, not including benefits. He had planned on himself taking over the bookkeeping/accounting duties, but it is more then he had anticipated, so he is asking that they be allowed to contract with a private individual to do these duties, at a cost of $100.00 per month. This person will be in the office twice a month for approximately three (3) hours each time, keeping necessary requirements due to get Title XX money, that they must keep separate accounting records on, besides the Auditor's accounting records.

Mr. Miller, County Attorney, said one or more of the Commissioners questioned the federal funding, and if it has been deleted.

Mr. Henson said they still have $20,000.00 fiscal year from July 1 to July 1, 1982 and they will be required to keep separate books at least till then and if it is dropped at that time then there will be no reason to keep this person they want to contract with. They are hoping that federal funds will continue, but they have no way of knowing at this time. They right now have $20,000.00 coming from the federal government and $10,000.00 coming from Federal Bureau of Prisons, that was not anticipated.

Commissioner Cox said she questioned it because she thought when Mr. Henson came before the Council, that the money for Work Release was being eliminated by the Federal Government, and that they were combining the Work Release with the Bail Bond.

Mr. Henson said it is true they combined the services of the Bail Bond with the Work Release Program, that the funding was cut from $70,000.00 to $20,000.00, that it was not totally eliminated, but that possibility still stands according to the Indiana Public Services, however, they don't want to give up on that. That money is placed directly into the County General Fund.

Commissioner Cox asked who keeps the records for the Bail Bond Program, so you not have a secretary?

Mr. Henson said right now, for the past month, he has been keeping those records himself, but it is getting to be too much for him to continue doing.

Commissioner Cox said when we allowed Mr. Henson to go before County Council with a $17,000.00 request, then it should have been more for the remainder of the year.

Mr. Henson said yes, it would have been more, if that person would have been in there. He said this will not require any additional funds, that the money the council approved and the money they already had in account 136-129.5, which is a combined account, we will have the money to pay this person the $100.00 per month and anything left over at the end of the year will be returned to the County General Fund. He said it was earlier estimated they would return about $17,000.00 to the County General Fund, but it looks like they are going to return more like $25,000.00, because they are having a lot more income generated through Title XX then what they anticipated, plus the Federal Bureau of Prisons contract is being utilized where it hasn't been for the eight to ten months.

Commissioner Borries moved that the Agreement to Perform Services between the County of Vanderburgh and Carol Norman be approved. Commissioner Cox seconded the motion. So ordered, with three affirmative votes.

RE: LEWIS VOLPE....COMPUTER HOOK-UP REQUEST

Mr. Volpe, County Treasurer was present and stated he is requesting two (2) programs on the computer, that the program for ditch billing is completed but the programs for the posting of payments and the posting of corrections are needed. He said he spoke to Mr. Bob Fortune about this and he agreed with it, but thought it wise to appear before the Commissioners so that approval would appear in the records.

President Willner said this will not require a motion but told Mr. Volpe to proceed with obtaining the correct programs he needs from Mr. Fortune of Data Processing.

Investment Funds for Vanderburgh County

Mr. Volpe distributed to each of the Commissioners a run down of the present statis of the investment funds for this year and stated this year he will make at least one and a half million dollars (1.5 million) from his investments and this compares with one million, two hundred and eighty four thousand $1,284,000.00 from last year, which will be about $250,000.00 more in interest this year then we were last year and that is not counting the interest on everything, because some interest was put into reassessment, some was put into the Convention Bureau and some into Congressional School Funds. He said already receipted into the County General Fund this year is $505,784.17, that in the Federal Revenue Sharing Fund there is $21,602.23 and in the Highway Fund there is $12,438.86 and there will be, on funds already invested, another $829,000.00 interest to be made and this will all come in during the last week in December. He said in the last two months of 1980 they made $157,000.00 at a lower interest rate then what they have now, that it was invested at 13¼% and he invested today at 15½%. He said in February some $34,000.00 came due and he put the $21,000.00 in the Revenue Sharing Fund and the remaining $12,000.00 in the Highway Fund.
Mr. Volpe said he would like to meet with the Commissioners about December 30 or 31st because when all of this money comes due, it will be approximately $100,000.00 and he would like some guidance on where to deposit it.

Commissioner Cox said the Commissioners should not have had to ask Mr. Volpe to attend this meeting because an Ordinance was passed by this Board that he was to appear quarterly with a report of the invested funds and their earnings. She said this report he has given us today does not tell us how much money is in Cumulative Bridge or Capital Improvement or Roads and Streets.

Mr. Volpe said what funds not mentioned are automatically zero, that he has not put any into the Cumulative Bridge, etc.

Commissioner Cox said you mean on these funds, they will not come due until the last of the year, that they were invested on a twelve month basis.

Mr. Volpe said yes, Tast December he invested six (6) million dollars for twelve months. He said last month Mr. Willner authorized him to put a sum of money into the County General Fund, in addition to what thay had already put in it.

Commisioner Cox said this was interest from the Cumulative Bridge, that the Commissioners approved of this being put into the County General Fund for the budget, that it was to apply toward salary increases and extra medical benefits.

Commissioner Borries asked Mr. Volpe how he will go about investing the money next year, is it taken from various separate accounts or is this committted on a year long basis.

Mr. Volpe said this year, not knowing how the interest rates would go, that last December, he put $6,000,000.00 in for a full year and it so happened the rates did go up and if he would have put it in for just three months he would made more then he did, but on the same token, it could have gone down and he would have made less, but when you are dealing with other people's money....you must play it conservative. He said on December 30th he should have another $6,000,000.00 to invest.

President Willner asked Mr. Volpe if he could break that $6,000,000.00 down as to the source of income.

Mr. Volpe said he did do this and that he did give these figures to Mr. WIllner, that there is really no difficulty in breaking it down, that it can be broken down on the percentage basis.

President Willner said he sees no problem with having a meeting the end of the year with Mr. Volpe, but he thinks the Commissioners at that time will need a break down of how that money was brought into the county.

Commissioner Cox said she is especially interested in how much we will have in the Cumulative Bridge Fund and the Cumulative Capital Improvement Fund, because before we can make a decision and tell Mr. Volpe where to put those monies, we must know exactly what is in the pot.

Mr. Volpe said he has done nothing that the Commissioners have not authorized him to do.

Commissioner BORRIES said he thinks the interest of the Commissioners is that with the complexities of the county investments and handling large sums of money, that it is the communication we need from Mr. Volpe as to the statis of these things because it makes it very hard to plan and to budget what is really needed without certain informations.

Mrs. McBride said the County Council did not want to take the money from the Cumulative Capital Improvement Fund, so they took $270,000.00 from the Cumulative Bridge Fund and $169,000.00 of that went for insurance, and the remainder went toward raises for employees.

President Willner said we will get with Mr. Volpe at the end of the year and make decisions on the $100,000.00 that we will have.

RE: BOB FORTUNE....DATA PROCESSING

Mr. Fortune said he did agree to do the programming for the ditch payments and corrections that Mr. Volpe discussed with this board and he would know of no additional expenditures.

Mr. Fortune said also he would like the Commissioners to know that Purchasing is requesting to have their terminal put in on the County side, that they already have one from the City and when they get this we hope they will also put in the purchase orders for the county. He said there will be no additional charges for this either, that he has the equipment and money already in his budget for it.

Mrs. McBride said she would like to say that Mr. Fortune has saved us a lot of money that our billing is on NCR and we would have to pay for a program on the NCR, but Mr. Fortune has really helped us out and saved the county numerous dollars.

Mr. Fortune said he cannot guarantee he will hit the deadline that Mrs. McBride and Mr. Volpe has set, but he will try very hard to meet it.

RE: GENE KAUTZMAN....COUNTY HIGHWAY

Weekly Absentee Report

Mr. Kautzman submitted his weekly absentee report for the period of September 28th through October 2, 1981. Report received and filed.

Weekly Work Report

Mr. Kautzman submitted the weekly work report for the period of September 28th through October 2, 1981. Report received and filed.

President Willner said the Commissioners had their monthly meeting at the Garage this morning and he feels it was very enlightening, that they worked out a few minor problems and everthing seems to be running very smoothly.

Mr. Kautzman said one of the things that came from the meeting was that they changed the working hours at the garage, that starting next Monday they will be working from 7:30 a.m. to 3:30 p.m. instead of from 8:00 a.m. to 4:00 p.m.

Problem with the Arthur Karch Property

Mr. Kautzman said last week Mr. Arthur Karch appeared before this board with a problem of road grading and Mr. Brenner has agreed to have a survey crew go out to the area and stake off the right-of-way for Mr. Karch, because he thinks we are encroaching on Mr. Karch a little and we are going to try to get our road back up within it's bounds. He said part of this is on Lynn Becker and part of it on Outer Green River Road.

Electrical Problem at Garage

Mr. Kautzman said Mr. Tuley met with him at the garage this week along with Mr. Ron Jourdan from the Gas Company and Mr. Jourdan agrees the building certainly needs to be re-wired. He still wants to meet with Mr. Curt Wortman and see what his comments are on it before a final decision if reached. He said Mr. Jourdan took them to some other buildings where they installed new lighting and showed them some different systems.

President Willner asked if the new lights were mercury vapor and Mr. Kautzman said they were high pressure sodium lights and they would not recommend the low sodium lights.

President Willner asked why didn't he like the mercury vapor.

Mr. Brenner said the sodium is cheaper and the mercury is outdated and the sodium will pay for itself in about one (1) year.

President Willner said he understands it is cheaper, but it does give off a yellow light and when you are back in the mechanic section of the garage he would not think it would be as good.

President Willner instructed Mr. Kautzman to get a full report on this and then a final decision can be made, that we will probably go with whatever they recommend.

Billing of the Surveyor's Office For Pipe

Mr. Kautzman said he billed the Surveyor this week for several jobs for the labor and manpower, but they would like to hold up on it for one more week so they can talk to the Auditor, Mrs. McBride to see if the figure they included does cover their social security and workers compensation insurance properly.

Mr. Brenner said what they need from Mrs. McBride is an hourly rate of all fringe benefits.

RE: DAVID SOUTH....COUNTY HIGHWAY ENGINEER

Lynch Road Pre-final Inspection

Mr. South said on Wednesday, October 7th. at 1:00 p.m. there will be a pre-final inspection conducted on Lynch Road and invited all the Commissioners to attend, if they wish. He said if this goes like St. Joe did, then within a week we will have to take over maintenance and that maintenance being, blocking off that lane. He said Mr. Savage is to be here later and perhaps we can discuss this again at that time and get a recommendation from him on how to block it off.

Meeting in Indianapolis

Mr. South said as a reminder, there is a meeting in Indianapolis tomorrow at 10:00 a.m. whereby they will be discussing the inter-change at I-164 and Lynch Road Extension. He will be attending as will Commissioner Willner, David Savage and Jim Morley.

Procedures for Selection of Consultants

Mr. South said at this time he would like to distribute to each of the Commissioners a hand out concerning procedures for selection of consultants on contracts involving federal participation. He is not asking for any kind of discussion at this time, only that the Commissioners read it and review it this next week and then on the next Commissioners meeting that Mr. Jones is present, we can discuss any changes that need to be made and then adopt it at that time.

Claims

Mr. South said he has three (3) claims that are not ready to be paid but in talking to Mrs. McBride we are starting to advertise them now and if they aren't approved for advertising this week they will not get paid in November and they will have to wait until December to pay them. He would like for Alice to be able to advertise them and then in the next week or so he will get with Alice and if there are any reductions to be made they can do it at that time. The claims are as follows:

1. Seico, Inc. (PMS 000S 125) which has something to do with the signing and bridge marking project contract, in the amount of $4,027.50.

2. Morley and Associates, for work on the preliminary design on Burkhardt Road, in the amount of $3,754.65.

3. Seebry, Kraig and McKnight, on the Lynch Road Extension in the amount of $3,541.24.

Mr. South said he would like for Alice to advertise these amounts and then within the next week we will set final amounts.

Alice McBride said her bookkeeper sets the final date as the 10th. of the month, but since this is an emergency she is sure she will take it up to the 15th. of the month, but of course she could not allow this to happen all the time, only in an emergency.

Mr. South said if he has another week, then he can make that, so these claims and the advertising was deferred for another week.

RE: BOB BRENNER...COUNTY SURVEYOR

Bridge and Guardrail Report

Mr. David Guillaum submitted the Bridge and Guardrail Report for the period of 9/28/81 through 10/2/81 and stated they spent most of the time on Adler Road with the big pipe and with any kind of luck the project should be completed by tomorrow.
He said there has been another problem brought to their attention on Green River and Kansas Road and they will try to get started on it as soon as possible, that he will check with Gene and see if they have any pipe for it and if we don't we'll have to put an order in for it.
He said the Sensmeier project is scheduled to begin sometime this week, that he will contact Margie and let her know for sure when the contractor is ready for it to be closed so that the news media can be contacted, that it will have to be closed for about thirty (30) days.

Nurrenbern Underpass

Mr. Guillaum said they did receive a letter from the L&N R.R. concerning the underpass on Nurrenbern, which was as follows: Dated September 25, 1981

Dear Mr. Guillaum,

Reference is made to your letter dated August 5, 1981, submitting plans for approval on the proposed railroad underpass at Nurrenbern Road near our South Howell Yards.

I have submitted your plans to our bridge department and on September 18, 1981, I received a letter of reply from Mr. L.F. Currier, copy attached for your review.

If you need additional information concerning the three changes in the design of this underpass, please feel free to call or write Mr. L.F. Currier, Family Lines Railroad System, 500 Water Street, Jacksonville, Florida 32202, or phone 904-359-1951.

Yours truly,
G.H. Moore, Jr. Superintendent

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The following is the letter from Mr. L.F. Currier to Mr. G.H. Moore, Jr. which was dated September 18, 1981.

Mr. G.H. Moore, Jr.

Reference is made to your memorandum of August 15, 1981, regarding plans prepared by the County for the Nurrenbern Road underpass near Howell Yards in Vanderburgh County, In.

The proposed structure has several unacceptable features and should be revised to incorporate the following:

1. A temporary detour track during construction of the underpass will be necessary to eliminate interruption to rail traffic.

2. Sheet pile retaining wall abutments are unacceptable on main line trackage. Approach spans and concrete abutments providing 2:1 side slopes and 5' berns in front of the abutments are required. The interior piers should be reinforced concrete to reduce susceptibility to vehicular damage.

3. The width of the bridge should be increased to provide a minimum of 15' between track centers.

Please advise the County of our availability for further assistance or explanation of the above if such is required.

We have retained the drawings furnished with your memorandum in our files for future use.

L.F. Currier, Engineer of Bridges.

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Mr. Brenner said the letter looks like that what he is talking about has little to do with what we sent him. He said the whole procedure was to avoid having a run-a-round, because if this location has to have a run-a-round then it is completely un-feasible, that it would cost probably $200,000.00 to build one. He said for one of the tracks, a run-a-round already exists, in the yards, and we suppose these people in Florida don't know that.

Commissioner Cox said she understood this would not interfere with the rail traffic.

Mr. Brenner said so was he and he does not understand the letter. He said our abutments are in fact piers that support the bridge, that this was just to keep the dirt from falling out onto the road and the sheet pile carries nothing, that it just keeps the wall up. They also tell us that the interior piers should be reinforced concrete to reduce susceptibility to vehicular damage.....but we did not have any interior piers, that there is nothing in the center, because it is not that far across. He said the existing track is 13' but if they want us to make them 15', that is fine with us.

Commissioner Borries said his suggestion would be for this Mr. Currier to make a trip here and see what we have and what we propose to do.

Mr. Brenner said we are going to end up going down there...thats the way that works.

President Willner said the only thing he knows to do is for Bob and Dave to keep on top of it and keep the Commissioners informed of what is going on.

Problem at Ball Plastics

Mr. Brenner said he was contacted by a Mr. Parker at Ball Plastics and on Bergdolt Road there is approximately a 7' concrete pipe that was installed in the late 60's and the pipe is 18" higher then the bottom of the ditch. This runs along Ball Plastics Industrial Park. He said Fischer Candy Co. Inc. is also out there and the State Inspector is after them because of the water standing in the ditch which draws flies and mosquitos, therefore creating a health hazard. He said to take that pipe out now could run around $5,000.00-$6,000.00, so what he would propose they do is right next to the large pipe, install a smaller pipe, lower down. He said Ball Plastics has agreed to buy the pipe, so our total cost will be labor only.

Commissioner Cox said who put the pipe in in the first place.

Mr. Brenner said the county did, in the 1960's, but they put it in too high. At the time it was installed there were no buildings there so it didn't matter, but it matters now because it is being developed, that in the past few years Ball Plastics and the Candy Company has built out there and they are all sitting there with an open ditch and he feels like we should fix it, and Ball Plastics will keep it maintained.

President Willner said since Ball Plastics will buy the pipe and they will also maintain it he thinks we should go ahead and install it and get the problem solved.

Commissioner Borries moved the bridge crew be allowed to install the pipe under Bergdolt Road, as recommended by Mr. Brenner. Commissioner Cox seconded the motion. So ordered.

RE: DAVID SAVAGE.....TRAFFIC ENGINEER

Road Striping

Mr. Savage said essentially they are finished with all their striping, except that Mr. South gave him a list of eight (8) railroad crossings in the county and they are in the process of getting some special paint for this.

Mr. Savage said that David Gerard wanted him to inform the Commissioners that he too will be traveling to the meeting in Indianapolis tomorrow, that he will go with him.

Lynch Road

He said he has discussed the Lynch Road closure with Mr. South, but he has not had a chance to go out there and look at it, but from the information he has received from Mr. South it sounds like we will need two (2) advanced warning signs and about twelve (12) type 2 saw horse barricades or barrels for a tapor and a Type 3 lane closure barricade. He said the barricades could be put together by the men at the county garage and we could get the reflective sheeting to put on them and this would be the cheapest method, that he and Mr. South talked about a couple of methods and thought this would be the most feasible.

Mr. South said there is an outside chance that we may have to take over maintenance next Monday so do we have the material on hand to get these made up.

Mr. Savage said no, he does not think it can be ready by then, that everything could be done except the reflective sheeting, unless you could get it from a different source, be cause it will take us from four to six weeks to get it, so perhaps you had better think about renting barricades for awhile.
He asked Mr. Kautzman if the barrels could be obtained from the garage and he replied yes.

President Willner said we will have to put sand or gravel in the barrels or someone will steal them as soon as we take them out there and he also would not like to use the saw horses, because someone will take them also.
Mr. Savage said the manual says we can put enough in them to hold them down, but not enough to cause undue damage to a vehicle.

Mr. South said who is going to be responsible for maintaining these barricades.

Commissioner Cox said she would think the County Garage would be responsible.

President Willner said he agrees the Garage should be responsible for maintaining the barricades with the expertise coming from the Traffic Department.

President Willner asked if we are talking about pavement paint and Mr. Savage said no, there has been no indication of that, however, they do have some temporary tape and if we have enough that can be put down, that he will take a look at it this afternoon.

President Willner said we certainly want it to conform with all the specifications be-cause we do not want another law suit on our hands in that area.

Mr. Savage said lights on the barricades have also been discussed and the manual which is used in litigation says that warning lights should be used, but it does not say shall be used, that the State does not use them, and in his opinion it would be added expense and if we keep good sheeting on them they will show up good at night.

President Willner said lets just do anything that is necessary on it. He asked Mr. Miller, County Attorney, if he had anything to add and he replied that he thinks we should rely on our experts in this field and tell them to be extra cautious and if they have to error then error on the side of caution and we will go with whatever is decided.

RE: COUNTY ATTORNEY....DAVID MILLER

Mr. Miller said he turned over to Mr. Savage to pass on to Mr. Gerard the present statis of the two property owners that are holding up the archaeologic study for Covert Avenue Extension, that those two people have been pursuaded to let them do the survey on their property.

Warrick County Sub-division Ordinance

Mr. Miller said he mailed to the Commissioners some excerpts from the Warrick County Sub-division Ordinance, that it is just one of the examples of the kind of approach that can be taken to make sure that the streets are put in place by the original developer before we take them over for maintenance. Perhaps we could draft an ordinance that is somewhat in line with this one from Warrick County since their experiences have been rather good since they adopted that particular ordinance, however, one thing we should keep in mind is that this ordinance was passed at the height of the residential building boom of the late 70's and first of all most of the streets in Warrick County newer sub-divisions went in before this ordinance took effect and the ones that didn't go in, haven't passed the three (3) year test yet. He has the entire Ordinance in his posession and he will leave it for the Commissioners to look at and whatever the board decides he will do.

RE: LETTER FROM DAVID JONES ON PERSONAL INJURY OF MICHAEL E. LEE

President Willner said the following letter was received by County Attorney David Jones, dated September 29, 1981.

RE: Michael E. Lee vs. James DeGroote, et al.
United States District Court, Southern
District of Indiana N. EV 81-189-C

Dear Mr. Willner,

Enclosed please find a copy of Complaint for Personal Injury and Damages filed against Sheriff DeGroote and other members of the Vanderburgh County Sheriff's Department for personal injury and damages alleged by the plaintiff, Michael Lee, while incarcerated in the Vanderburgh County Jail in 1980.

Also enclosed please find a copy of the letter tendering defense of this cause to Guaranty National Insurance Company under the provisions of the Law Enforcement Officers Professional Liability policy carried by Vanderburgh County from April 1, 1980, to April 1, 1981. Because of the forma pauperis petition filed by the defendant, it is necessary to make a response within fifteen (15) days from the date of the notice. I have accordingly entered by appearance to protect the interest of the County until such time as the insurance carrier defends this suit. Any work done hereunder should be considered major litigation within the terms of the County Attorneys' agreement and would request that you authorize same.

Very truly yours,
David L. Jones, County Attorney

Commissioner Borries moved that Mr. Jones be authorized to defend the county until the insurance carrier defends them, as stated in Mr. Jones' letter. Commissioner Cox seconded the motion. So ordered.

RE: DISCUSSION ON BURDETTE PARK

President Willner said he has requested Mr. James A. Peterson, who is the Outdoor Recreation Professor at Indiana University and Purdue University to come to Evansville, which he did do, and he had lunch with him and they discussed the changes in the Burdette Park Board and Mr. Peterson recommended that sometime in the future that he come down for a couple of days and bring with him an Economist and also a Director of a Park and Recreation facility in Indiana that is operating a self sufficient park. Mr. Peterson will come free of charge but the other two persons would need mileage and shelter and meals and he felt like $100.00 per day, per person would be agreeable. These people would go out to the park and take all the finances and do a complete study of all the operations of Burdette and make recommendations to this Board of Commission. They would also recommend how the Park Board should be set up. If we want to get these people down here we can write and request it but if the others Commissioners feel it is not necessary then we will forget it.

Commissioner Borries said he thinks it would be helpful in deciding what direction we need to take in this matter and he would like to meet with him and discuss it, because he thinks anyone with experience in this field could offer some good recommendations.

Commissioner Cox said personally she thinks Burdette Park is very well managed and very well run, but there is always room for improvement in anything, but it bothers her when she realizes our Zoo is losing money, our Auditorium is losing money and our Parks lose money and about the only thing keeping up is the golf course and they keep raising their fees year in and year out. She does not know how some governments do it, that some places you go, they have everything free to their public in the parks. We can make Burdette Park make money if we charge to enter it or turn it over to private enterprise, but she hates to see things go that way. When these people make their study we might be proud of what they find and on that basis she will support it, that she isn't afraid to have it looked at.

President Willner said as a point he would like to say that the Stadium is now running in the black and making money and we are certainly working on the Auditorium to make it self sufficient.

Commissioner Borries moved that Mr. Peterson be asked to conduct the study on Burdette Park and that we pay the $400.00 for the two persons coming with him. Commissioner Cox seconded the motion. So ordered.

President Willner instructed Mr. Tuley to see that Mr. Peterson is contacted and informed of the Commisisoners action.

County Audtior Alice McBride said the $400.00 expenses could come from the Consultant account which is in the Commissioner's budget. The Commissioners agreed to this.

RE: REQUEST FROM LEGAL AID TO MOVE THEIR OFFICE

The following letter was submitted from Legal Aid dated September 30, 1981, directed to Mr. Gil Ruston and signed by both the Mayor of Evansville and Judge Terry Dietsch.

Dear Gil,

This is to inform you of our approval of the move by Legal Aid from Room 201, Courts Building, to Room 205, Administration Building, in the Civic Center Complex.

It is our understanding that Room 201, Courts Building, will be assigned to Superior Courts.

This space will be considered County with the City of Evansville paying the rent through fiscal 1982.

This agreement is to become effective October 1, 1981.

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President Willner said that Judge Dietsch polled all three of the Commissioners last week and received full approval of the move, and today the Judge has submitted the letter for the Commissioners to sign giving final approval.

Request to Transfer Phones to the New Office

President Willner said there is also a request from Legal Aid to have the phones transferred to the new office. They want four (4) phones, with four (4) lines each and hold buttons, that they would accept the cut of #5246, they request the #5173 and #5174 in sequence; #5756 rings only in one (1) office; #5173 and #5174 ring only in outer office and local is nice but not essential. The request form states they probably have sufficient funds in their budget to cover the expenses.

Mr. Tuley said he spoke to Legal Aid about cutting off the lights and buzzers from their phones, that they are very costly to us and they agreed to do this and also cut one of the phones completely out.

Mrs. McBride said they have their own phone account that this can be paid from.

Mr. Tuley said he will contact the Telephone Company, get a cost on this and report back next week.

President Willner said if this will not require any new money from the county then let them go ahead with it. The other two Commissioners agreed.

Commissioner Cox moved that Mr. Tuley work with the Legal Aid Society concerning the installation of the phones to their new office and approve the most conservative system that will serve their needs, and that the costs come from the Legal Aid budget. Commissioner Borries seconded the motion. So ordered.

RE: REQUEST FROM WELBORN BAPTIST HOSPITAL FOR BICYCLE FESTIVAL

President Willner said the following letter was received from Welborn Baptist Hospital, dated September 22, 1981.

TO: Vanderburgh County Commissioners
FROM: Warren Hankins, Bicycle Festival Committee
Request for Approval of County Road Use for Welborn Baptist Hospital - Gilles Bicycle Festival

Welborn Baptist Hospital and Gilles Schwinn Bicycle are sponsoring a "Cycling Festival" at the Vanderburgh County 4-H Center on October 24, 1981. The festival will include various cycling events designed to promote physical fitness and preventive health practices.

Coordination with the Sheriff will be maintained in connection with traffic control at the start of the bicycle routes. The bicycle routes are being planned and will involve county roads in the 4-H Center area as well as other roads in the County. The cyclists are not involved in competition and do not require the traffic control at intersections that is necessary for cyclists.

Medical coverage will be furnished by the Emergency Department of Welborn Baptist Hospital and a liability insurance rider has been approved to include the County Commissioners and the Vanderburgh County 4-H Center for the October 24th. event.

It is hopeful that the County Commissioners will favorably endorse this request. Any further questions or concerns will be promptly addressed.

Thank you for your kind consideration.

WH:ms
Note: This year's route will closely approximate last year's route, of which I've enclosed a map.

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Commissioner Cox moved the request be granted. Commissioner Borries seconded the motion. So ordered.

RE: APPOINTMENT MADE TO THE BUILDING AUTHORITY

President Willner said we have an appointment to the Building Authority that is slightly over due and they would like for this to be made as soon as possible. This appointment is to the Board of Trustees and Mr. Needler is presently the appointment and he has agreed to continue to serve in that capacity, if the Commissioners are willing for him to.

Commissioner Borries moved that Mr. William R. Needler continue to serve on the Board of Trustees of the Building Authority. Commissioner Cox seconded the motion. So ordered.

President Willner instructed Mr. Tuley to contact Mr. Needler of this appointment.

RE: COUNTY AUDITOR DISCUSSION ON UNEMPLOYMENT

Mrs. Alice McBride, County Auditor said she has given each of the Commissioners a copy of an unemployment compensation report. She said our unemployment insurance is going up from 1% to 2.7% and it is up to the Commissioners to decide if you want to pay the 2.7% on everyone up to $6,000.00 or you can pay the claims, as they come in. She said in 1980 the gross amount up to $6,000.00 was a total of $4,589,747.78 and we paid out $45,897.48 at 1% and had it been 2.7% we would have paid out $123,923.19 and the claims were only $20,384.39. She said from January to June of this year it is $3,674,903.98 and so far we have paid $36,749.04 and we won't be paying much more because everyone is almost up to their $6,000.00. Had we paid 2.7% it would have been $99,222.41 so far, and our claims so far are $34,186.66. The claims are running about $12,000.00 per quarter, so that is approximately what we will have to pay before the year ends.

She needs to know if the Commissioners want to stay with the 2.7% or pay the claims as they come in, but it can be taken under advisement, as long as she knows by the first of November. She said if we decide to go with paying the claims as they come in, she wants the Commissioners to know they will have to keep it that way through 1983, that you can change only every three (3) years.

President Willner said in looking at the figures he wouldn't think there is much of a decision to make, that paying the claims as they come in would save us a lot.

Mrs. McBride said this is true and she would recommend we pay them as they come in.

Attorney Miller said it is a gamble either way you go, but in looking at the figures, the odds are in our favor to pay the claims as they come in.

Commissioner Borries moved that we pay the unemployment claims as they come in for the years of 1982 and 1983. Commisisoner Cox seconded the motion, Carried with three votes.

DISPOSING OF ADDRESSOGRAPH MACHINE IN AUDITOR'S OFFICE

Mrs. McBride said she has a very large addressograph machine in her office and since we have gone to computers, we have no use for this machine. There is a gentleman in Owensboro who wants the machine and is willing to give us $50.00 for it and he is the only one we have found interested in it, but it would have to be declared scrap equipment first, because if we declared it surplus, we would have to auction it off.

Commissioner Cox suggested Mrs. McBride contact the Registration Office and see if they would be interested in it and she said that she would and report back next week.

RE: TRANSFER OF FUNDS WITHIN THE COMMISSIONERS BUDGET

President Willner said the Commissioners, in the 1981 budget, are running in the red in several accounts and at this time he would ask Mr. Tuley to explain these accounts that need monies transferred from and into which ones.

Mr. Tuley said in account 130-546...Care of Institutions was have a balance of $18,882.66 but we have outstanding claims in the amount of $41,390.73, so we want to transfer $22,508.07 from the 130-552...Judgement and Refunds account to cover these claims. Also in the legal ad account we have a $2,000.00 balance and we are going to need approximately $4,500.00, to cover some outstanding bills. Also in the Commissioners Law Books account, it is in the red $62.79, so we would like to transfer the total of $4,562.79 for these two accounts from the Judgement and Refund account also, and after all these transfers are made we would still have about $19,000.00 in the Judgement and Refund account.

Commissioner Cox moved that these transfers be made. Commissioner Borries seconded the motion. So ordered.

Complaints on School Buses not Stopping at Carriage House Apartments

Commissioner Borries said he has received complaints that the Evansville-Vanderburgh School Corporation School buses not stopping at the Carriage House Apartments, off of Green River Road to pick up the children. He understands the road is not dedicated to the county and that is why they do not stop, that it is a private road. He has told these people who have called in their complaints that if the Carriage House Apartments did not turn the streets over to the County then there is nothing the Commissioners can do with it, because it is a private street.

Mr. Miller said are we sure the street is private and Commissioner Borries said it definitely is private.
Mr. Miller said he is not aware that it is an absolute requirement that a school bus must only stop at intersections between two public roads, that he thinks he has seen school buses stop while they were on a public right-of-way at a point where there was not an intersecting public street, so as long as the bus stays on Green River Road.....

Commissioner Cox said she hates to see the bus stop on Green River Road and Mr. Miller said it does anyway, it is true, the bus will not turn and go into Carriage House Apartments though, because it is a private street.

Commissioner Borries said he has no solution to the problems but he just wanted to make sure he was telling these people the correct information. He suggested they contact the School Corporation.

RE: LETTER FROM HELFRICH INSURANCE COMPANY

President Willner said they received a letter from Helfrich Insurance Agency stating they enclosed a list of the latest estimate of the insurable value for the highest value properties, belonging to Vanderburgh County. The Indiana Insurance Company Engineering Department feels that the value of the rest of the county's insured properties are adequately covered by the present schedule of coverage. West Height School is listed on the current schedule of values for $568,960.00. This property is insured by the Evansville-Vanderburgh School Corporation and should be removed from the county's policy and the County of Vanderburgh should be added as additional insured for this property on the School Corporation's policy.

Mrs. McBride said we rent this for $1.00 per year and maybe it is in the lease agreement that they pay the insurance.

Mr. Miller said the lease agreement should be studied and see exactly how it reads concerning the insurance.

President Willner said we can have Mr. Tuley to research the agreement and report on it.

Mr. Miller said if Mr. Tuley has any questions on it that he can contact him.

RE: LETTER FROM NATIONAL ASSOCIATION OF COUNTIES

The following letter was submitted from the National Association of Counties, dated September 8, 1981.

Dear Mr. Chairman,

We need you county seal or other symbol. In our new National Association of Counties headquarters building at the U.S. Senate of First Street in Washington D.C. we have reserved a space to commemorate each county in the United States (member or not) in two giant plaques that surround our rotunda entrance.

We are reserving a space about the size of a calling card upon which we will bronze your county's seal or logo.

Won't you please sent us a paper reproduction preferably in black and white. The engraving process is involved and we need these as soon as possible so we would appreciate it if you would send you seal to me at this address today.

Thank you for your prompt response.

Sincerely yours,
Bernard F. Hillenbrand
Executive Director

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President Willner asked the other two Commissioners, if we want to do this and Mrs. Cox asked if we have a seal and Mr. Borries said that is what he is wondering, that he has never seen it if we do have.

County Auditor said we have a county seal and she is almost certain it says only Vanderburgh County, Indiana, that she will check it out and let the board know.

RE: MEETING OF THE ASSOCIATION OF COUNTIES

President Willner said the National Association of Counties is going to have a Southwest District meeting on October 13th, that registration is $7.50 per person and will be held in Knox County at the Holiday Inn.

The Commissioners gave Mr. David South permission to attend the meeting and also any of the Commissioners that desire to attend may do so.

RE: CLAIMS

A claim was submitted by County Attorney David Jones for Litigation Expenses for the month of September, 1981, in the total amount of $396.20.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by James Will Insurance Agency, Inc. for Bond EX 485 449 - $5,000 Public Official Bond for David L. South, Vanderburgh County Highway Engineer, in the amount of $30.00.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

RE: COUNTY ATTORNEY...DAVID MILLER

Mr. Miller said he did have one other thing to report, that being that the Court of Appeals have ruled in favor of the Southern Railway and it has gone to the Public Service Commission for further hearings and since it was remanded for additional hearings, that means that the Court of Appeals is not satisfied. He will see that the Commissioners each receive a copy of this.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

PIGEON TOWNSHIP TRUSTEE

Rebecca Hittner	781 Cardinal Drive	Clerk	$344.25 per pay	Eff: 9-28-81
Mary E. Hart	1501 N. Third Avneue	Investigator	$387.27 per pay	Eff: 9-25-81

CLERK OF CIRCUIT AND SUPERIOR COURTS

Jerry Warner	6917 Arla Jane	Deputy Clerk	$350.95	Eff:10-9-81
Susie Kirk	8302 Spry Road	P.T.Deputy Clerk	$175.47	Eff:10-9-81

DATA PROCESSING

Keith McIntosh		Pro. Analyst	$18,000.00 Yr.	Eff: 9-25-81

RE: EMPLOYMENT CHANGES....RELEASES

CLERK OF CIRCUIT AND SUPERIOR COURTS

Martha Brinker	2700 Capital Blvd.	P.T.Deputy Clerk	$175.47	Eff:10-9-81
Susie Kirk	8302 Spry Road	Deputy Clerk	$350.95	Eff:10-9-81

DATA PROCESSING

Keith McIntosh		Pro. Analyst	$15,000.00 Yr.	Eff: 9-25-81

PIGEON TOWNSHIP TRUSTEE

Rebecca Hittner	781 Cardinal Dr.	Investigator	$387.27 per pay	Eff: 9-28-81
Mary E. Hart	1505 N. Third Ave.	Clerk	$344.25 per pay	Eff: 9-25-81

COUNTY BOARD OF REVIEW

LaTosha Anne Pitt	1119 E. Blackford	Clerk Typist	$30.00 day	Eff: 9-25-81
Terry S. Hall	8031 Darmstadt Rd.	Clerk Typist	$30.00 day	Eff: 9-25-81

SHERIFF

Timothy Klingler	Intern	$87.50 Week	Eff: 9-25-81
Ronald A. Brown	Intern	$87.50 Week	Eff: 9-25-81
Kenneth W. Killebrew	Intern	$87.50 Week	Eff: 9-25-81

VANDERBURGH SUPERIOR COURT

Susan E. Metz (LEAVE OF ABSENSE FOR MATERNITY LEAVE)	Probation Officer	$15,578.00 Yr.	Eff: 9-24-81

Commissioner Cox moved the maternity leave for Susan Metz be granted for a sixty (60) day period. Commissioner Borries seconded the motion. So ordered.

There being no further business the meeting recessed at 4:50 p.m.

496.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard "Rick" Borries Shirley Jean Cox	Alice McBride	David Miller

SECRETARY: Janice Decker

Robert D. Willner

Richard J. Borries

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
OCTOBER 12, 1981

The meeting of the County Commissioners was held on Monday, October 12, 1981, at 2:30 p.m. in the Commissioners Hearing Room with President Willner presiding.

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

RE: SHERIFF...MARK MABREY

Deputy Mabrey said he has had a chance to talk to President Willner and Commissioner Cox concerning his request, and he said he wants to apologize for not having time to talk with Commissioner Borries.

Deputy Mabrey said this is in reference to the $100,000.00 that Mr. Volpe said will be available December 30th. He said this is interest monies that have not been earmarked.

Deputy Mabrey said he is before them now requesting that $60,000.00 of that money be earmarked and request approval to go before the County Council. He said this money is needed to feed the prisoners in the jail. He said at the present time it costs the county $20,000.00 per month to feed the inmates in the county jail. He said they have three (3) months left in this year and they have no money in this account.

Deputy Mabrey said he has indicated to two (2) of the Commissioners that they will be able to pay the last two (2) weeks in December of 1981, in January of 1982 budget. He said this will cut off $10,000.00 of the $60,000.00 leaving $50,000.00 but as the commissioners have indicated that will put them short for next year. He said they are going to be short next year anyway because they base their budget of 185 prisoners and they have housed at least 200 almost every day this year. He said with that and the fact that the council cut their budget for this year and has also cut it for next year.

Commissioner Borries asked if they contract with Zaebo Foods on the bases of the number of meals served per prisoner and Deputy Mabrey that this year they contracted for 85¢ per meal and for 1982 they will be paying 99¢ per meal. He said the only way they can even come close to estimating based of what they have had in the past.

Commissioner Cox asked Deputy Mabrey if they have money anywhere in their budget that they could transfer.

Deputy Mabrey said they have searched their budget for any extra monies, if fact, they went before council last week asking for $60,000.00 for their garage and motor account to keep the cars on the road and the council only had enough money to give them $10,000.00. He said they are going to have to go month to month bases in that account.

Commissioner Cox said a few weeks ago they talked about this fund that they have for copies, and she wonders how much money is in there and can they transfer some of it.

Deputy Mabrey said there is only like $100.00 in that account.

Commissioner Cox said the council sent out a directive this week, requesting that each officeholder and department head look over their budgets and see if they have any extra fund that can be repealed back into the county general fund. She said she thinks they should try to find some money somewhere because she said she is very uncomfortable, the treasurer did report to them that he did have an extra $100,000.00 that he was going to get in interest, but she couldn't find out where the money he invested to garner this extra $100,000.00 actually came from. She said she doesn't see where they can give the sheriff any assurance other than the direction of maybe some other interest money. She said part of the $100,000.00 may have to go back into some specified accounts that by law has to go back there.

Deputy Mabrey said all he knows is that they do not have any money in their food account and in three or four days they will be receiving a bill from Zaebo Foods in the amount of around $10,000.00. He said he thinks they can convince the company to bear with them until next month when they can go back before the council.

President Willner said he has no problems with what they are requesting, the only thing he does want to mention is that this will be the monies that they have requested to go back into other accounts.

Commissioner Borries said he would like to add that maybe Mr. Volpe needs to give the same kind of report or perhaps more detail to the council.

Ms. McBride said the same report was given to the council that was given to the commissioners. He said they should go back and find out where the original money was that was invested, they then can see if they have to put that money back. He said he has no problems with it either.

President Willner said they would have the choice then of saying they want to take the bridge fund interest and give it to the council or they want to take other interest monies and give it to the council. He said this money might well have come from the Cumulative Capital Improvement Fund which they have not even taken before.

County Attorney David Jones said that by the investment law it has to go back into the fund in which the principal that was invested came from and they cannot do it any other way. He said once it goes back in then they can then seek to transfer it out of there.

President Willner suggested that Deputy Mabrey get with Mr. Volpe and Ms. McBride and get this worked out before the next council meeting.

Commissioner Borries moved that the Sheriff be put on the November Council Call, seconded by Commissioner Cox. So ordered.

RE: KEN HOOD...R.E.S.C.U.E.

Mr. Hood said he was there to represent R.E.S.C.U.E. Inc. He said they are a non-profit organization that operates the half-way house and has since 1977. He said the federal funding is down so that they are going to have to try and go before the council and ask for county funds. He said in the past they have been able to operate through the law enforcement agencies, United Way, private industry had contributed a great deal and so have individuals buying memberships. He said today they find they are going to be short by about $30,000.00 to $31,000.00 through October of 1982.

Mr. Hood said what they would like to do is go before the council and ask them if there is a possibility they could fund a $3.00 per diem for each county prisoner that they keep.

Commissioner Cox said she sat on the C.E.T.A. Board and she said she tried very hard to get the funding for them, she said they cut down a lot of people this year. She said she tried to get the point across that to pick out the ones they want to fund and give them the funding.

Mr. Hood said they were cut $60,000.00 out of C.E.T.A. He said they ask for $101,000.00 and received $40,000.00.

Ms. McBride said they could only ask the council for money for the rest of this year, they would have to come back in January and ask for the rest as the council can only approve year at a time.

Dave Jones asked if they were asking per diem for all prisoners and Mr. Hood said just for the ones that are from Vanderburgh County. Mr. Jones asked Mr. Hood if he is submitting this same request from the rest of the counties. Mr. Hood said they may have one or two from Warrick County and the rest are from Vanderburgh.

Commissioner Borries asked if they have enough funds to operate for the rest of the year and Mr. Hood said they did.

Mr. Jones said they should show the council the difference in what it cost to send some one up to the state as to what it cost to keep them here in the half-way house.

Commissioner Cox asked Mr. Hood if he would be willing to speak to the commissioners of other counties and see if they would contribute for their own people.

Mr. Hood said there is going to be a meeting, possibly next year and this is going to be brought up.

Commissioner Borries said he needs to come back before them the first part of December so they can put him on the January Council Call.

RE: TELEPHONE REQUEST...VANDERBURGH SUPERIOR COURT

President Willner said they have a telephone request from Vanderburgh Superior Court and they are asking for one six set phone, three new additional phones and one plain set phones, transferred from room 202 to room 201.

Mr. Joe Lutz was there from Superior Court and said the installation cost is $462.40 and the monthly increase would be $90.00 and they have no money for this.

President Willner said what they are faced with is, the council has cut the commissioners budget in telephones and they will probably be around $30,000.00 short in their own budget this year. He said they are in the process of having some removed and completely

redoing the phone system in the county. He said they are trying to make up for this shortage for the last three months of this year. He said as for as he is concerned there just is no money for telephones. He said if he could search his budget and find the funds they would be more favorable to it.

Commissioner Cox said when she first talked to Judge Dietsch about it, she raised the point at the first of the year they appropriated $1,600.00 for remodeling in Judge Kissinger office and Judge Dietsch assured her there would be no extra expenses, she said she told him they did not have any money and she was under the impression there would be no additional charges for this move.

Mr. Lutz said they just acquired the Legal Aid Office.

Commissioner Cox said she knows what theyjust acquired and they have a request from Legal Aid for $525.00 for a new door, for the office they moved into.

President Willner said probably someone will be in the office to look over the present system and they might be thinking about that to see if they can do some cutting.

RE: CONRAD COOPER...AUDITORIUM

Mr. Cooper said he didn't have anything other than to remind the commissioners that they need to take some action on the rate schedule at the Auditorium. He said he has given them a rate schedule of the Auditorium in Indianapolis and even with the proposed changes that they suggest their building still works to be quite a bargain as compared to some of the others. He said he does not think it wise to raise the rates until the first of the year.

Mr. Cooper said he would like to report that the Auditorium was inspected by the State Fire Marshall's Office last week and he is happy to report thatthey found no major problems. He said he is going to send them a copy of his recommendations. He said it is things like changing the knobs on the fire hoses, updating their fire extinguishers and he also suggested they drop room capacity on meeting on the mezzanine by one person.

President Willner said he would like to set up a meeting over at the Auditorium with Mr. Cooper so they can go over the rate schedules.

Commissioner Cox said she would like to apologize to the commissioners because she forgot to bring those rate schedules with her.

The Commissioners set up a meeting for 7:00 p.m. on Wednesday of this week.

RE: GENE KAUTZMAN...HIGHWAY DEPARTMENT

Mr. Kautzman presented his absentee report for the week of October 5th.

President Willner said let the record show it received and filed.

Mr. Kautzman said they received a bill for $426.72 from Southern Indiana Gas & Electric for damages they say occured of February 22, 1981 while cleaning ditches.

Mr. Kautzman said the damage was supposed to have been along Buente Road.

President Willner said they have a bridge replacement on Buente Road.

Mr. Kautzman said this is not the place.

President Willner asked what has happened to their representative at SIGECO, is he on vacation.

Mr. Kautzman said yes that he is. He said there were two reasons, one was an auto accident and the other cleaning of the ditch. He said this should be referred to the county attorney to be checked out.

Mr. Kautzman said he is going out this week and look at a place on Inglewood and Bergdolt, he said there are real problems with this legal drain system.

Commissioner Cox asked if this is in referrence to the complaint by Ms. Katy McGlophlin and Mr. Kautzman said yes.

He said through her yard the pipes are collasping and there are big holes there.

Commissioner Cox said what she is saying is that there is a very small drainage ditch

on the north side of Bergdolt and whenever they have very heavy rains then that fills up and runs across the road and into her yard.

Mr. Kautzman said that is where it all goes to.

Commissioner Cox said so it is running across the surface of Bergdolt Road.

President Willner said why don't they ask David South to go out there with Mr. Kautzman and look this over and bring them back a report.

Mr. Kautzman said Wednesday, he and David South are going out on Elm off of Hogue Road and look at the drainage problems out there.

Mr. Kautzman said he would like to attend the meeting of the Indiana Association of Counties tomorrow evening if it is alright for him to take the county car.

Commissioner Borries moved the request be allowed, seconded by Commissioner Cox. So ordered.

President Willner said last week he asked Mr. Kautzman about a radio, and Mr. Kautzman said they can get no satisfaction from them and now they say it may be thirty days.

President Willner said for him to stay on top of it and let them know what he finds out.

RE: DAVID SOUTH...HIGHWAY ENGINEER

Mr. South said what they have before them is a series of State reimbursements and two of them have blue claims on them.

He said if it does not have a blue claim, then it has already been paid and they just havn't gotten reimbursed. He said if they just pass them to the Auditor, she will take care of them and send them to the state.

President Willner asked if he should read these for the record and Mr. South said just to read the one that have blue claims because the others have already been read into the record. Mr. South said the whole package is on Burkhardt Road.

Claim for Morley and Associates, Inc.

President Willner said they have a blue claim from Morley and Associates, Inc. Burkhardt Road Improvements in the amount of $3,754.65. He said it is signed by James Morley and David South.

Commissioner Cox moved the claim be allowed, seconded by Commissioner Borries. So ordered.

Claim for Morley and Associates, Inc.

President Willner said this claim is for Burkhardt Road Improvements also and in the amount of $4,827.42. He said this claim is signed by Jim Morley and David South.

Commissioner Borries moved the claim be allowed, seconded by Commissioner Cox. So ordered.

Claim from SIECO, Inc.

President Willner said they have a claim from SIECO, Inc of Columbus, Indiana for Construction Engineering Services provided in conjunction with the pavement marking program as per attached Invoice No. M 012509. He said the claim is in the amount of $4,027.50.

Commissioner Cox moved the claim be approved, seconded by Commissioner Borries. So ordered.

Claim for Sebree, Craig & McKneight

President Willner said this is for Engineering & Enviornmental Service Lynch Road Extension. He said the amount due on this invoice is $3,541.24. He said the claim is signed by James McKneight and David South.

President Willner said part of the Lynch Road Extension project is Warrick County, they do not have a contract with Warrick County and they do not know for sure they are going to their reimbursable account without a contract and David Gerard is there to speak to them.

David Gerard said the total cost of the contract for Lynch Road Extension is two prices.

depending on what type of environmental study they come up with. It has been estimated at $74,250.00 or $81,310.00. He said this is broken into three seperate funds, one is Federal Aid Urban, one is rural secondary and one is Warrick County. He said he talked to the Warrick County Commissioners last Wednesday and what the Warrick County Commissioners would like to do is, they will reimburse Vanderburgh County 100% as each claim comes in.

President Willner asked if this was legal, he said he has no problems with it if it is legal.

Mr. Gerard said this is legal and in fact this is the way the City does.

Mr. Jones said if the Warrick County Commissioners balk on this then they are stuck. He said if they change commissioners and they do not want to go along with them then they are stuck with it. He said he would get it in writing or not at all.

Mr. Gerard said getting a letter from them would be no problem.

Commissioner Borries moved the claim be allowed, seconded by Commissioner Cox. So ordered.

Discussion on First Avenue

President Willner said the reason they are going to discuss this today is because Jim informed him that the Levee in the First Avenue area is in the process of being unable to change after Wednesday or Thursday of this week and that if there are any changes as for as the commissioners are concerned on the bridge it would need to go now.

Mr. Morley said he put three copies from the Corps of Engineers construction drawing on the desk of each commissioner, for the plans for the levee closure at First Avenue. He said the Corps of Engineers are going to construct an opening in the wall that will be 80' wide. The levee wall on both sides of First Avenue will be 9'8" high. He said it is a tall wall, there will be an 80' opening. They are aligning it so there will be 45' opening on the west side of First Avenue and 35' of opening on the east side. He said that will allow visibility from Uhlhorn Street and that is the reason they are off setting it. He said to look at the drawing, if they plan to build a second bridge beside the existing bridge they are on the east side going to run right dead end to the wall that runs along First Avenue and if they plan to build a bridge along the west side they will run into where they plan to put the pump station. He said this was brought up before the commissioners two or three years ago. He said tomorrow is their final meeting with the design people, they are going to be in town tomorrow and they are meeting with the utility companies and putting the rest of their agreements on paper. He said he assumes from the last time he brought it up before the commissioners, if anything is going to be done it will be a new bridge at approximately the same location.

President Willner said the decision they are going to have to make today that if they are going to replace the bridge either with a twin bridge along side it they need to make that decision today. If they are going to tear the old bridge down and build a new one then the decision does not have to be made today.

Commissioner Cox said she was under the impression that their design was complete on the First Avenue Bridge. She said when she checked about three weeks ago she understood the design was complete.

David Guillaum said basically it is, they have put 91' on the new structure and as for as he knows there are no plans for a second bridge.

Mr. Morley said if they want this opening shifted another 5' they should get together here and say so and if they want another 5' they can tell them tomorrow. He said he hopes they finish the revisions in the month and have this job out on the market late this fall, or early winter.

President Willner asked David South if he could live with an 80' opening and Mr. South said he has not seen their plans so he can't answer that question. He said they just started him on this two hours ago.

Mr. South said he would assume that if they go with a new bridge, they are talking federal money and that is highly questionable right now and secondly he understands from technical people right now on the city side, they only intend to go if it is federal money. He said there is no sense in them widening the bridge if the road is not widened.

Commissioner Cox said she understands that the city council passed an ordinance that will take parking off of First Avenue and this ordinance is to go into effect when they widen the bridge. She said by taking parking off fo First Avenue it is like widening First Avenue. She said why can't they get this project started, traffic is paralyzed trying to move north.

She said she agrees that they will get no federal money to re-do First Avenue Bridge.

Mr. South said his question in the City Engineers Office late last week was, are they going to widen First Avenue to four lanes so the new bridge is appropriate and they said they were not going to touch the road until they get federal money.

Mr. David Gerard said there could be four ten foot lanes with left turns at certain intersections. He said federal right-of-way money has been approved for First Avenue.

Commissioner Cox said she has been assured by some of the city council members that there is a city ordinance on the books that will go into effect immediately, not withstanding the right-of-way or the widening, but will go into effect immediately that will eliminate the parking on First Avenue just as soon as they start that bridge. She said she wants to use some of that bridge money for places like First Avenue and not give out interest here and interest there or to feed the prisoners.

David South asked David Gerard what was the cost for the First Avenue Bridge and he said $1,000,000.00.

Commissioner Borries said that was 1980 dollars though.

Commissioner Borries said he would like to see this bridge project move forward, however, he doesn't think the bridge itself will solve all the problems. He said the light at Diamond Avenue and First Avenue is one of the longest lights they will ever see.

David South asked Mr. Gerard with all the red tape they have to go through, when did he think they could finish off the disigns. Within a year maybe.

Mr. Gerard said it is possible they could be buying right-of-way next summer, though there is very little right-of-way to be acquired.

President Willner said their decision now is not to contest the opening of the levee of 80', and when they do build the bridge it will be a four lane bridge.

Commissioner Cox said she would prefer to see one four lane bridge instead of another bridge side by side.

Procedures for Selection of Consultants

Mr. South said last week they passed out the recommended Procedures for Selection of Consultants.

Mr. South said this is a type of document that is required now before counties can retain consultants using federal funds. He said this was put together by himself and Mr. Jones in composit of two other models, one earlier and one later, the second model had an awful lot of detail in it about minority groups, etc., and if this in not there it is restrictions they do not need. He said they may get it back saying they have to put it in. He said once it is decided here it still has to be approved by the state, and then comes back saying yes these are good or no they are not.

President Willner said there is an alternative to this and that is in-house.

Mr. South said this would be a general for everything so they would be ready when and if they ever wanted to have a consultant regardless of what the project might be.

President Willner said what Mr. South is saying is that they should pass this regardless of whether they decide to do any project in-house.

Mr. South said it is a good backup to have and they never know when they are going to get stuck.

Mr. Jones said he approves of this but he would like to say that if they signify their approval here it has the effect of a resolution so that it is the expression of their wil at this point, if it is approved by the feds, he would come back and put it in ordinance form, to make it more permanent. He said in terms of after they get their consultant, the key is still the wording of the contract and what they write into the contract to avoid any of the problems they have experienced in the past. But in terms of how one is selected is really all this speaks to. He said another set of commissioners could come along and repeal this ordinance and go back to the old ways again.

Commissioner Cox said whether they do it in-house or out-of-house they do need to have something in writing because there are certain rules and regulations that their own people have to abide by to be assurance that Vanderburgh County is in compliance with the use and proper handling of funds, so she feels they need to have something like this.

Commissioner Borries said he feels they do also, but he has one question about the aspect of a fixed fee. The aspect under where they would have to look at, Selection of Consultant,

on page three, he said he realizes that they might just eliminate all consultants by specifying a fixed fee but by the same token it sure would make it easier for county officials to know how much to expect to budget and how much to plan for rather than have to go through what they have been through. He said this is his opinion.

Mr. Jones said they do not want to do this here, even in the fixed fee situation, it will still generate claims based upon insertion that the work is outside the scope of contract. He said that is where public contract litigation is being developed all over the country right now regardless of whether it is fixed fee, open end or whatever. They are getting situations where contractors are coming back in and wanting more money and saying it is outside the scope of the contract. He said it all goes back to what they have in that contract, and their only protection is what they sign.

Commissioner Borries said that Mr. Jones is saying that each contract would have to vary according to the scope of the work, the kind of work that is going to be done.

Mr. Jones said there is a basic structure that is required, first thing, if it is a federal contract and even if it is a state contract, the state has certain minimums, and beyond that it is his feeling that they put in some protections if certain things happen.

Mr. South said to expand this some, the feds as well as the state and the professional societies in Washington try to make sure that as professionals they don't get caught in a bidding war where price is the only way, so these guidelines do not set up really any requirement unless they ask for it and that the total bottom line price be discussed in negotiations. He said once they find their firm is qualified and feel they can do the job they want, then they start talking money, but first you make sure you have a qualified firm to talk with. He said it is set up for professionalism because there are ways in this game of engineering that if you want to cut the price in half, you cut the work in half and everybody gets taken.

Commissioners Borries and Cox said they agree with this.

Commissioner Cox moved that the Procedure For Selection of Consultants On Contracts Involving Federal Participation as developed by County Attorney Jones and County Engineer David South be approved and signed and forwarded for approval. The motion was seconded by Commissioner Borries. So ordered. Roll call vote: Ms. Cox, yes; Mr. Borries, yes; Mr. Willner, yes.

Lynch Road

Mr. South said they had a final inspection on Lynch Road last Wednesday and some numerous things came up that have to be corrected like always on a final inspection, he said there are some topics, and some items that are still being checked with the state of what they want to do so until those answers are arrived at, it may be two or three weeks before they start taking over the maintenance of Lynch Road.

Mr. South said in general they got a very weak maybe on an interchange with Lynch Road. He said he does not think it is dead, there is room for negotiations and they might get somewhere.

President Willner said he thinks they made some strong points and the feds recommended that they talk about and they will think about it. The feds commended them for coming up there and giving them a choice, so to speak, certainly they are not going to say yes before they understand any changes along the line would now take approval from Washington to do so.

Commissioner Cox said maybe they should invite them down to drive our county and maybe they won't think some things would be so ridicules, she said they can sit behind a desk and look at something on paper and think you know what you are doing and you have no workable conception of what the problem is.

RE: DAVID GUILLAUM...SURVEYOR'S OFFICE

Mr. Guillaum said he has his Bridge and Guard Rail Report for the week before.

He said they spent the week at St Joe and Adler Road, he said they now have the structure in and it has been completed and opened to traffic.

He said they had plans to start on Green River and Kansas Roads tomorrow, they have a problem there with a pipe and they want to let the news media know that they will have the road closed for about three days. Ms. Meeks said she would take care of it.

Mr. Guillaum said he checked on University Heights and talked to Mr. Buschkill and they will be doing this in about a week.

Blue Claim...Ray Stadtner

President Willner said Mr. Guillaum has a blue claim for Ray Stadtner Excavating which is a total due of $22,716.19. He said this is for Wimburg Road Bridge #69. He said the claim is signed by Ray Stadtner and Robert Brenner.

Commissioner Borries moved the claim be allowed, seconded by Commissioner Cox. So-ordered.

Mr. Guillaum said Upper Mt. Vernon should be opened within a week, hopefully. He said they have just begun pouring the deck and about another week they should have it completed.

Mr. Guillaum said he had another unusual situation come up and he talked to David South, and he doesn't know if he brought it up or not, but, as best as he can determine Mr. Aldolph Herm says his drive way was damaged, and somehow a claim for the repair work was given to Leo Weiss and he has not returned it and Mr. Herm would like to get paid for his damage.

President Willner said Mr. Herm did appear before the commissioners when Louie Stephen was there and he understood that the blue claim went to Engineer Associates for their approval or disapproval and they have not heard back from them.

Ms. Meeks said they replaced a concrete drive with a concrete drive and they couldn't figure out what the claim was for.

Mr. South said he would like to make a suggestion to the commissioners that they have the project engineer for Lynch Road come in in the next week or so because they have three other questions on the books right now for damages that were supposed to have been corrected. He said tomorrow he will call Indianapolis and try to get copies of all the right-of-way information, there appears to have been some dealings made to take care of ditches behind houses and etc. and these things keep croping up and it is time they got a handle on it. He said they might even need the attorney's go through and read some of them on what was promised when they got the right-of-way.

Mr. Guillaum said his last item is a little bit of good news for them, he said on Adler Road they dug up the old pipe, it may have been just a peice of old junk and a lot of contractors would have just thrown it away, but they took it to Dumes Bros. and got a check for $39.60 for it.

Commissioner Borries moved they put this $39.60 back into the bridge fund, seconded by commissioner Cox. So ordered. (The receipt is on file in the Bookkeeping Dept. in the Auditor's office)

RE: DAVID GERARD

Mr. Gerard said he wants to update them on a couple of projects. He said the Burkhardt Road as they are probably aware is under design with Morley and Associates and the Environmental assessment was being prepared on that project. He said the state and federal highway, the comments they have had on some of the early information has been submitted they have been able to determine this project be catagorical exclusion, which is very minimal in terms of environmental impact, the vantage of this is that it can be reviewed at the state and regional level instead of going to Washington, D.C. So they can get a quick approval on the environmental study.

Covert Avenue Extension

He said they did conduct the archaeological survey last week, stemming from Black Laboratories at Indiana University and they are going to be filling out a report and making a recommendation back to them and that is the last peice of information that was necessary for the environmental assessment on Covert Avenue. He said the bulk of it is in Indianapolis now under review so if the study says there is no sights then hopefully they can have the environmental approved quickly and possibly have a design hearing befor the end of the year.

Mr. Gerard said the county has had some projects that have been in the hopper since about 1977 or 1978. He said it is the Allen Lane-L&N & ICG Railroad tracks, there are two sets of tracks there and this is fairly reflective of the long time period that it takes to get the funding and to work out the agreements with the railroad properties. He said there are warning signals there and there have been several accidents there and this project is to install gates at those crossings. He said he has not been able to find contracts for the L&N tracks. He said he has the contracts with ICG with the county with 90% federal and 10% local. He said rather than ask them to sign them today, he assumes they will want the county attorney to look at them.

He said no account has been set up for this and the estimated costs is $20,000.00.

President Willner said to refer this to David Miller.

David Gerard said he will make application for the 10%.

Off System Money

Mr. Gerard said their office sent a copy to him of a letter that the Council of Governments had sent them about off system money. He said it made mention of $100,000.00 of off system money being available for the five counties down here but he said he has spoken with two people at state aid, everyone except Virgil Bell who is head of state aid, and they are not working today and his understanding is that there is no off system money available. He said he does not where Mary Brown got the information because he checked with two staff members and they say there is none. He said he will check again when Mr. Bell gets in. He said he would also check with Ms. Brown and see where she got this information.

RE: COUNTY ATTORNEY...DAVE JONES

Mr. Jones said the suit that he sent over last week has not been formally commenced, because under federal procedures, the complaint has styled Michael Lee VS Sheriff DeGroote and half of the sheriffs department. Michael Lee is a former inmate at the Vanderburgh County Jail and is now at the state farm in Green Castle. He said he is suing for a number of things but the suit has not been commenced as such. He simply applied to the federal for leave to file the suit as an indigent, saying he is without funds. He said it will probable be granted as a matter of routine and there is a procedure where they can respond that the suit is frivolous or that he is not an indigent. He said he has no doubt that Mr. Lee is an indigent as he has no doubt that it is frivolous, but being able to stop the suit for being frivolous is something he doesn't think they can do at this time. He said he first thought this would be covered by the former law enforcement liability carrier in effect from April 1, 1980 to April 1 1981, that company has since called him and denied coverage and in going through it he thinks they are probably correct. He said that particular policy excluded everything, there were only four things that were covered under that policy, thank goodness they have a different company. He said he is still trying to get this covered by another company, at least partically, because there is one sentence in there where Mr. Lee says he grabbed a shower curtain and fell because the shower curtain was to short, he deemed this covered by general comphehensive liability for bldgs. & grounds. He said he has now put Hartford on notice and tendered that case for partial defense for inadequate shower curtains. He said the rest of it they are going to have to defend. He said he just wanted to keep them abreast of what is going on.

Mr. Jones,in reviewing new statutes which came into effect September 1 of this year allows for a county or unit of government to countersue for attorney fees and expenses when a suit is frivolous or filed in bad faith or without justification, so that if the have a solvent person who files a suit for something like this and they defeat the claim, then they can go back and recover the attorney fees. How well they can do that with an indigent, he said he does not know, but he certainly thinks this is frivolous after having investigating it and if Mr. Michael Lee gets paid 10¢ a day for punching out license plates in the state pen then he says they ought to garnishee every dime that that man earns, and he would make the recommendation that the commissioners be agressive on every single one of these things, if for no other reason than to discourage the filing of them.

RE: ALICE McBRIDE...COUNTY AUDITOR

Ms. McBride said she did call the registration office about the addressograph machine and they are not interested, and the Museum has just bought a script-o-matic machine and United Way, she has to talk to a Mr. Delucia and he is supposed to call her in the next day or so. She said she would let them know next week if they would want it.

County Seal

Ms. McBride said the county seal does not have Auditor on it, it just says Vanderburgh County Seal, and she said she will take care of what has to be done.

RE: REPORT ON LEASE AGREEMENT ON WEST HEIGHTS SCHOOL

President Willner said he has a report on the lease agreement for the School Corporation as the fire Insurace coverage on the West Heights School. He said there is a definite dual coverage on that as the county has a policy as does the School Corporation. He said John Hodge had already contacted them in regard to the matter and so the commissioners will be listed as secondary and a certificate will be forwarded directly to the commissioners He said it is time they sent a note to John Hodge telling him to take the county's insurance off of West Heights School.

Commissioner Borries moved they notify John Hodge, the county agent, to remove West Heights School from the county insurance. The motion was seconded by Commissioner Cox. So ordered.

RE: TRAVEL REQUEST...SHERIFF

President Willner said they received the following letter from Sheriff DeGroote:

Board of County Commissioners
Civic Center Complex
Evansville, Indiana 47708

Gentlemen:

I request permission to send our Juvenile Officer Paul Bice to the Governor's Conference on the Delivery of Services to Youth on October 28th thru the 30th in Indianapolis, Indiana. The funds will be from our account 105-231.

Thank You,
James A. DeGroote, Sheriff

Commissioner Borries moved the request be granted, seconded by Commissioner, so ordered.

RE: CETA

Commissioner Borries read the following letter from Roy L. Vanderford, Executive Director:

October 5, 1981

Mr. Robert Willner, President
Board of County Commissioners
Civic Center Complex
Evansville, Indiana 47708

Dear Mr. Willner:

In June of this year this office sent you a letter requesting that you review and sign a letter of certification stating that Vanderburgh County may legally enter into the Consortium Agreement. Let me reiterate that due to its population size, the City of Evansville is the eligible jurisdiction to be a Prime Sponsor for administering Comprehensive Employment and Training Act (CETA) programs.

In 1974, the City provided Dubois, Gibson, Perry, Pike, Posey, Spencer, Vanderburgh and Warrick Counties with the opportunity to enter into an agreement to form a Consortium that would enable these counties to have CETA programs administered locally rather than administered by the Governor's Office through the Indiana Balance of State Program. The resulting organization was the Southwestern Indiana Manpower Consortium (SIMC).

The SIMC is now in the process of revising the consortium agreement signed in 1974 by the Mayor of the City of Evansville and the County Commissioners of all 8 counties. A copy of the revised agreement will be forthcoming. The attached letter requires that Vanderburgh County may legally enter into the Consortium Agreement. Please review and sign the letter. Return this letter to our office as soon as possible so that we can send you the revised Consortium Agreement for your review.

We urge you to expedite this matter since a delay in the completion of the Consortium Agreement mey result in funding delays for your county.

If you have any comments or questions, please contact me.

Thank you for your time and consideration in this matter.

Sincerely,
Roy L. Vanderford
Executive Director

Commissioner Borries moved they sign the letter as they need the money, seconded by Commissioner Cox. So ordered.

RE: MONTHLY REPORT...CLERK OF CIRCUIT COURT

President Willner said they received the monthly report from the Clerks office and to let the record show it received and filed.

RE: CERTIFICATES OF INSURANCE

President Willner said they received the following Certificates of Insurance for use of the Auditorium:

Indiana State Bar Association and Evansville Bar Association for Coctail Party and

Institute Meeting on October 15th. and 16th.

The Tradesmans Club for a Dance on October 10th.

Indiana State University Evansville for Dinner & Dance on November 13th.

President Willner said let the record show these received and filed.

RE: BLUE CLAIMS

President Willner said they had a blue claim from Bunner, John & Heathcotte to the County Commissioners 130-261 account for legal services in the amount of $2,250.00. He said this was in the Wheeler, Gish and Domonick VS Vanderburgh County.

President Willner said he would surmise that this is a suit that was jointly against the city and Vanderburgh County. He said it was for, to prepare and file minutes and appearances, etc.

Commissioner Borries said this is something that they authorized earlier this year on the sale of some property.

Commissioner Cox suggested they check with David Miller on this so they will be sure in their own minds as to what this is really for.

President Willner said they would hold this for one more week.

President Willner said they have a blue claim for David Miller for litigation for a period of 8/27/81 thru 9/21/81 in the amount of $2,174.67. He said he has not went through this himself and asked the other commissioners if they would like to do this before the approve it. He said they will also hold this one until next week.

Brinks Inc.

President Willner said they have a blue claim for Brinks, Inc. for Services rendered to the Clerk of the Circuit Court for October, 1981, in the amount of $234.35.

Commissioner Cox moved the claim be allowed, seconded by Commissioner Borries. So ordered.

RE: EMPLOYMENT CHANGES...APPOINTMENTS

COUNTY SURVEYOR				
Ron Miller	905 Lincoln Apt. B	Inspector	$12,592.00	10/12/81

RE: EMPLOYMENT CHANGES...RELEASES

COUNTY SURVEYOR				
Frank O. Johnson, Jr.	2250 Riverside Dr,	Inspector	$12,592.00	10/9/81
COUNTY RECORDER				
Lillian Young	762 E. Virginia	Mtg. Deputy	$ 9,266.00	10/8/81
Venetta Mitchell	721 E. Riverside	Rls. Deputy	$ 9,160.00	10/8/81

RE: COMMISSIONER COX...DOOR FOR LEGAL AID

Commissioner Cox said she received a letter and that they also receive a copy of it from the Vanderburgh Building Authority to Legal Aid Society and it said they were quoting a price for a door for one of the offices in room 205, administration building. Furnish labor and material to install a 32" inch solid wood door, stained and varnished with wood transom in the amount of $525.00. She said the letter said if they desired for them to proceed with this installation please give them a purchase order or other authority.

Commissioner Cox said the Legal Aid moved from the courts bldg over into the old CETA office, whether they have money in their budget or not she feels this is a big waste of taxpayers money to pay $525.00 for a door when they don't even know how long they are going to be there. She said they have some folding screens in the basement they could use.

RE: COMMISSIONER BORRIES

Commissioner Borries said one thing they have discussed or needs to be discussed is the possibility of talking with the building authority about some kind of podium and the problems with the sound in regards to this room. He said it would be his feeling that if the purchase something where the public can lay their materials somewhere while they are speaking. He said if it is alright with the other commissioners they will get Mark Tuley to check into this for them. He said it is very inconvenient for the public to stand before them and have to lay their stuff so far down.

Commissioner Cox said she agreed with Commissioner Borries that this should be looked into.

Commissioner Cox said as talented as Benny is he may be able to make them one out of some old scrap lumber.

There being no further business the meeting adjourned at 4:35 p.m.

MEMBERS PRESENT

COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
Robert Willner Richard Borries Shirley Jean Cox	Alice McBride	David Jones

SECRETARY: JANICE DECKER
By Jean Wilkey

Robert D. Willner
Richard Borries
Shirley Jean Cox
VANDERBURGH COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
OCTOBER 19, 1981

The meeting of the County Commissioners was held on Monday, October 19, 1981, at 7:30 p.m. in the Commissioners Hearing Room with President Willner presiding.

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

RE: TELEPHONE REQUEST...VANDERBURGH SUPERIOR COURT

President Willner said the board received a telephone request from Superior Court last week which was deferred until this week.

County Auditor Alice McBride said Judge Dietsch called her and said if we would let him know how much this request is going to cost he will repeal it from his own budget.

President Willner said the estimated installation cost is $462.40 and the estimated monthly increase is $90.00 per month. This is for at least the remainder of this year.

County Auditor McBride said she believes Judge Dietsch was talking about only the installation charge, but she will give him these figures and next Monday she will report back to this board what amount the Judge can repeal.

President Willner said the request will be postponed until next week's meeting.

RE: INDIANA DEPARTMENT OF HIGHWAYS - PROPOSAL TO RELINQUISH A PORTION OF ST. JOE AVE.

Mr. David South, County Highway Engineer said he has a representative of the State Highway Department present here tonight and he will explain to us what the State wants to do in regards to the relinquishment of a portion of St. Joseph Avenue.

Mr. Rex King, Development Engineer from the Vincennes District was introduced at this time. Mr. King said inadvertently they omitted a section of St. Joseph Avenue that they thought was entirely in the city limits. They have worked with the city for the past three (3) years getting the road into condition to release to the city and that is now pending. He said there is a small portion in the county that is adjacent to Diamond Avenue, which they would also like to relinquish at this time. He said they will be diverting their traffic, which was State Road #66 to Highway #41. He said they will not be signing any state traffic on St. Joe Avenue, thereby the road becomes either a city or county function, so at this time they are asking that the county take over that small section.

Commissioner Cox said will this be both State Road 65 and 66 and Mr. King replied yes, they will both be diverted onto Diamond Avenue.

Commissioner Cox asked if the state has plans to repair and repave this section like they did the rest of St. Joe, for the city to take.

Mr. King said that section is not in a condition for repaving yet, however, that would not be out of the picture. If they keep it in their highway system, their funding will not permit them to schedule a road in that condition for repaving, that it was constructed at the same time Diamond Avenue was and certainly are not ready to repave Diamond Avenue yet.

Commissioner Cox said it has some rough places in it and along the shoulders there are problems also.

Mr. King said true...there are some maintenance problems that should be taken care of, but the concrete itself will be patched for several years yet to come, if it stays in the State Highway system.

Commissioner Borries said he too has been concerned about some of the spots where the paving had stopped up to Diamond Avenue and wondered what the State would do in that area.

Mr. King said we cannot patch a real small hole and expect it to hold for long. He would say that if the county requires that the portion be resurfaced before accepting it, they would schedule it for resurfacing, but they do not intend to repave it if it has to stay in the State Highway system.

President Willner said in reference to the bridge immediately south of Diamond Avenue, how far would the state's maintenance of Diamond Avenue proceed from that intersection.

Mr. King said they would go only to the south end of that bridge, that the bridge would go into the county system. He said their bridge inspection shows no major bridge deficiencies that would require construction work to it. He said there appears to be a maintenance problem whereby a joint has deteriorated the asphalt that goes in for the expansion material needs cleaning out and replaced, but these are very minor items that will be done before it is turned back to you.

Mr. Willner said on the southern side of Diamond Avenue, heading north, there is presently a dual lane on the north side...is there room to put a turn lane in there for persons turning east on Diamond Avenue, that it seems to him the shoulder could be paved about two (2) more feet and get a turn lane in there.

Mr. King said this is possible, but he does not have the exact dimensions of the paved sections with him today. Also some paint line and people knowing how to line up at that intersection might greatly relieve that problem too. A full depth asphalt could be added to it and a line moved over to make more room.
He said if things are wrong, they want to make the corrections so that this county will take it into the county system.

Commissioner Cox said she believes that stretch of St. Joe probably gets the most beat up kind of traffic a road can get, because Busslers is right there on the corner and you have a lot of heavy truck traffic, but the state did asphalt the east shoulder of St. Joe all the way up to Diamond Avenue and that really helped.

Mr. South said the purpose of this discussion tonight was to help decide if the Commissioners want to accept the road or not, but he felt like the board ought to hear what the state proposes and perhaps you still would like to know just exactly what they plan on doing in the way of maintenance, but we do now know they do not intend to re-surface, unless we insist on it, that they intend to do patching instead and expects the crews to take care of this work within the next three weeks. He said David Gerard has been under the bridge and we find nothing, other than the deck problem, as far as the bridge is concerned. He does not feel that any sort of a recommendation on his part is in order at this time. He would say that after they get done with the maintenance then we can decide if it is acceptable, or we can take the hard stand and tell them they must resurface it before we will take it over. He thinks this decision should be made tonight, but nothing beyond that.

President Willner asked Mr. King if the City is in the process, or have they agreed to take the repaved portion back into the city.

Mr. King said they have worked with the city for the past three or four years and they know what the city wanted in way of maintenance, patching, etc. so they finally scheduled it for resurfacing to take care of all the problems, so it is in the process of being signed right now, but it has not been sent back to him yet, but the state is assuming it will come out signed.

Mr. South said he understands from his correspondance with the city engineer's office, it will come back signed and approved.

President Willner said before making a final decision on this could the Commissioners meet out there with Mr. King, Mr. South and since this is concerning a bridge, perhaps Mr. Guillaum.

It was agreed upon be all concerned they would meet on the site at noon on Wednesday, October 21st.

Discussion of State Road 57

Mr. South said while Mr. King is present if the Commissioners have any questions on State Road 57, now would be the time to ask them, since Mr. King is the Development Engineer for the District.

President Willner said a few of them traveled to Indianapolis to discuss Highway 57 with State and Federal people, however, the feds were not interested with what we do or do not do with it. He thinks the offer was made at that time, in relation to the Airport, that the county assume maintenance of Highway 57, from the county line to the intersection of Highways 41 and 57 and that in the process of doing that we would possibly save the Airport some $600,000.00, from the fact they would not have to install a four (4) lane service road.

He said concerning the interchange at Lynch Road and I-164, he said he isn't sure if we got a yes or a no, that perhaps they got a maybe on it, and that the state would work on it from their end.

Mr. South said his question would be would the state consider keeping Highway 57, allowing the Airport to go in with two (2) lanes, with the understanding that at such time when other things happen, we would take the responsibility of Hwy. 57 off their hands.

Mr. King said he is sure that everone is well aware that access to the Airport is deemed inadequate, by many, and so we know we have a situation there that needs improving, but if you move to a new location and continue an inadequate entrance, you've not solved the problem, so the design of the entrance should be based on the need and volume of traffic. He said as far as the policy of the state highway, their direction is that when they construct a new road, they then like to turn the old road over to the local users.

President Willner said in regards to the saving of the $600,000.00, it is not at the exit and entrance on Highway 41. He said the monies would be to run a two (2) lane Highway 57 underneath a run-way....thats where we would save the costs, instead of running a four (4) lane under it.

Mr. King said he is aware of that proposal also, if you feel two (2) lanes are sufficient to handle the volume of traffic then perhaps that would be better then the four (4) lane.

President Willner said under that plan they would actually have two (2) entrances and two (2) exits to the Airport, and that alone should help the intersection of Highways 41 and 57.

Mr. King said this is true, it helps if you can split your traffic up. He feels at this point that we should let the designers make recommendations locally and to the state.

There being no further questions of Mr. King, President Willner thanked him for appearing at tonight's meeting and for all the help he has given.

RE: REZONING PETITIONS

President Willner said on the agenda it shows two (2) first reading rezoning petitions and both of them are deferred for one month. They are as follows:

VC-20-81 - Roy G. Kemper (A to M-2)
VC-21-81 - Sheldon R. Wilson (A to C-4)

RE: REZONING PETITION VC-19-81...THIRD READING

Petitioner: William L. Koester
Address: R.R. #1 Box 232 Poseyville, Indiana 47633
Owner of Record: Same as above.

The commonly known address of this real estate is 14649 Highway 41 North, Evansville, Indiana. The above real estate is located on zone district designated as Agricultural and the requested change is to M-2. The present existing land use is vacant. The proposed land use is for the parking and storage of heavy earth moving machinery and equipment used by the adjacent business, Koester Contracting Corp. and Koester Equipment, Inc. The owner hereby certifies that he owns 50% or more of the above described real estate.

Mr. Richard G. A'Mour from the law firm of Zoss and Craig was present to represent the petitioner. He said the property is located at the corner of U.S. Highway 41 North and Inglefield Road, on the northeast corner. The reason for the rezoning is that Mr. Koester plans to expand his construction for earth moving business and he would like to store his heavy earth moving equipment on his lot. Mr. Koester proposes to use the east lot (the back lot) to store his equipment and proposes to use the west lot in the future to expand his building and office space. The west lot will not be used to store the equipment on. The west lot is approximately four (4) acres and the east lot is about nine (9) acres. He has photographs of the property and he would be happy to answer any questions anyone might have concerning it. He said as you will notice the present right-of-way is 50' and Mr. Koester proposes to expand that another 50' for a total of 100' and it will be covered with white stone.

Commissioner Borries said in regards to the right-of-way, who's right-of-way is it?

Mr. A'Mour said the right-of-way belongs to Mr. Koester and it will be used for ingress and egress, for the moving of the heavy earth moving equipment, from Inglefield Road.

Commissioner Cox said she would like to comment that the Evansville Urban Transportation Study report recommends the access drive should be 30 foot width, 20 foot radius and the Area Plan Field Report says the EUTS recommendation should be followed concerning access.

Mr. A'Mour said they have more then met that recommendation.

There were no remonstrators present.

Commissioner Borries moved a rezoning petition VC-19-81 be approved. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

RE: SPECIAL USE PERMIT...DOCKET NO. 21-81-APC

President Willner said special use permit #21-81-APC, applicant, Dennis R. Parks is continued until November 16, 1981.

RE: SPECIAL USE PERMIT..DOCKET NO.23-81-APC

Applicant: Gerald Yates. First Church of God.

Property more commonly known as 7825 Oak Hill Road.

Nature of Case: Applicant requests a special use for a church. This petition was approved with ten affirmative votes at the Area Plan Commission meeting.

Mr. Yates was present and stated they would like a special use permit for their church, for their land which is located at the corner of Oak Hill and Millersburg Road, on the southeast corner. They have 11.22 acres at that point and they want to construct a new church building.

Commissioner Borries said there are a couple of homes in that area and isn't the land very low and won't it require a substantial amount of fill dirt.

Mr. Yates said yes this is true that they will be using quite a bit of fill to build it up.

Commissioner Cox said the Evansville Urban Transportation Study Report has under it's recommendations the following:

1. Access drive should be a minimum 24' width and 20' radius.

2. Acceleration/deceleration lanes and a passing blister would mitigate potential flow and safety problems.

She said this is from Millersburg Road and it looks like the site plans show only a 20' width.

Mr. Yates said they have a 30' culvert in there already, so that would be no problem whatsoever.

Commissioner Cox said in terms of the acceleration/deceleration lanes....that is on Oak Hill Road and not on Millersburg Road.

Commissioner Borries asked Mr. Yates if access on Oak Hill Road would be an essential type of thing and he replied yes he believes it would help to have access on both roads.

Commissioner Cox said she wished that Mr. Gerard were here to discuss the acceleration and deceleration lanes.

Mrs. Cunningham, Director of the Area Plan Commissioner suggested the Commissioners approve it subject to Mr. Yates working that problem out with EUTS.

Commissioner Cox said in looking at the plans there appears to be a 24' dimension of one drive-way, but it does not give the dimension of the other drive, but it looks as if they both measure the same.

Mr. Yates said he believes the drives are the same size.

President Willner asked if there were any remonstrators....there were none.

Commissioner Borries moved that Special Use - 23-81-APC - Mr. Gerald Yates, be approved with the stipulation that the drive on Millersburg Road be widened to 24' and that the petitioner work with the Area Plan Commission and the Evansville Urban Transportation Study to provide acceleration/deceleration lane on Oak Hill Road and eliminate the northern entrance on Oak Hill Road.

Commissioner Cox seconded the motion.

President Willner said before taking a roll call vote he would ask Mr. Yates if the stipulations are agreeable with him, and he replied yes.

Motion carried unanimously in the affirmative.

RE: LETTER FROM JAMES A PETERSON, INDIANA UNIVERSITY

President Willner said the following letter was received from Mr. James Peterson concerning the study of Burdette Park, which was discussed two (2) weeks ago. The letter was directed to Mr. Mark Tuley, in care of the County Commissioners, dated October 12th.

Dear Mr. Tuley

Thank you for your letter of October 6, 1981 containing the approval to proceed with an in-depth study of Burdette Park.

I have put together an excellent team of specialists to assist me on the project. They are: Mr. Robert C. Arnold, Director Parks and Recreation, Fort Wayne Park and Recreation Department and Dr. W. Donald Martin, Associate Professor, Department of Recreation and Park Administration, Indiana University. Both men have had extensive experience in the management of parks and recreation systems.

We plan to spend November 3,4 1981 in Evansville gathering information and interviewing key personnel. We would like to visit with you and the Board of Commissioners during our two days in Vanderburgh County either on an individual basis or as a group. Naturally, we want to visit the park and talk with various members of the staff. Would you let them know that we will be in the county on November 3 and 4. We also think it would be advantageous to talk to the current Burdette Park Board for their input. Could you furnish us with a list of their names?

In the mean time if you could furnish me with as much of the following information as you can acquire, it will help us make the best use of our time on November 3 and 4.

1. A copy of the Burdette Park Master Plan.

2. A copy of this year's and next year's park budget plus any financial information from previous years if possible.

3. Copies of promotional materials, flyers, brochures, etc.

We anticipate that our review will include an analysis of current operation plus guidelines for future direction of the park. We are confident that the report will be in your hands by December 15, 1981.

If your have any question, comments or suggestions, please call or write anytime.

Sincerely,
James A. Peterson, Professor
Specialist-Parks and Recreation
Indiana/Purdue Universities.

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President Willner instructed the Commissioners secretary, Ms. Meeks to conform to Mr. Peterson's wishes and get him all the information available. He said he has been in contact with Mr. Ray Wolf at Burdette and he has already been in contact with Mr. Peterson. Ms. Meeks is also to contact the Burdette Park Board members and make them aware of the dates the gentlemen will be here.

514.

RE: CONRAD COOPER.....AUDITORIUM

Schedule of Fixed Rates for the Auditorium

President Willner said the Commissioners did hold an informal meeting at the Vanderburgh Auditorium last Wednesday evening and discussed the rate schedules for 1982 and at this time these rates will be made public by Mr. Cooper.

Mr. Cooper distributed the following schedule of rental rates to each Commissioner and also to the news media.

EFFECTIVE JANUARY 1, 1982

SCHEDULE OF RENTAL RATES
EXHIBITION HALL

Dance, Banquet and Meeting Rooms

Private Dance	$325.00/5 hrs + 20¢ per chair
Public Dance	$425.00 vs. 12½% gross receipts + 20¢ per chair
Banquet (Catered Only)	$125.00--up to 350 persons
Banquet (Catered Only)	N.C. over 350 persons

Set-up fee 20¢ per chair.

* Rental fees are paid by the caterer through a percentage of the food and beverage charges. Only caterers licensed by the appropriate city, county and state authorities are permitted.

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Service Fees

Set-up	20¢ per chair
Catering Room	$40.00
Ice Service	05¢ per person
Riser State (Bandstand)	$25.00 each
Freight Handling and Storage (Band sound, or stage equipment)	$20.00 per day or 12¢ per lb. whichever is greater.
Disco Ball	$25.00
Prepaid Coat Check	20¢ per chair
Regular Coat Check	35¢ per garment
Gold Room Dressing Room	$25.00
Prepaid Parking A.M.	$100.00
Prepaid Parking P.M. (Only if no other event in Building)	$10.00

Security (Police): Two (2) officers for every 250 guests whenever alcoholic beverages are consumed. Security must be cleared through auditorium management 48 hours before event.

SCHEDULE OF RENTAL RATES
AUDITORIUM RENTAL RATES

Non-profit (Schools and public education units only)

1-4 Performances	$690.00
5-15 Performances	$600.00
15+	$500.00

Holidays: Applicable Rate Plus 20%
Matinee: One-half rate (Matinee must be coupled with evening performance otherwise regular rate applies)

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Commercial Rates

House Box Office Handles All Ticket Sales

1-4 Performances	$690.00 vs. 10% Gross Receipts per performance
1-4 Performances	Flat Rate of $1,000.00 per performance
5+ Performances	$600.00 vs. 7% of Gross Receipts per performance.

Matinee: One-Half rate of minimum rent, plus one-half applicable percentage of gross receipts. Matinee rate must be coupled to evening performance to qualify for special rate.

Rehearsals: As per resolution dated July 13, 1981, by the Vanderburgh County Commissioners. The rehearsal rate is as follows: One-half of the full rental rate, if after rehearsal date has been reserved at one-half rate, a full rate reservation is requested by another user, the fee shall be full rate. Otherwise rehearsal date one-half rate must be rescheduled. Rehearsal time restricted to 8:00 a.m. - 5:00 p.m. weekdays $300.00. Weekends or evenings at $40.00 per hour.

SCHEDULE OF RENTAL RATES
EXHIBIT AND CONVENTION ROOM RATES

Exhibit Hall	Base Rate
Trade Shows/Exhibition Flea Markets/ Antique Shows (8:00 a.m. - 5:00 p.m.) (any 8 hour period between 8:00 a.m. - 9:00 p.m.)	$425.00 per day
Exhibition Hall and Balcony Rooms	
(8:00 a.m. - 5:00 p.m.) (any 8 hour period between 8:00 a.m. - 9:00 p.m.)	$575.00 per day
Move-in/Move-out Rate	
Move-in/Move-out rate is one-half base rent if on Monday, Tuesday or Wednesday.	
Early Access or late period fee	$55.00 per hour

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Service Fees	
Table Set-up	$1.00 each
Chair Set-up	$ .20 each
Freight Handling and Storage over 100 lbs must be on skids or crated (Drayage)	$20.00 per day of 12¢ per lb., whichever is greater.
Electrical Connection Fee	$5.00 per booth or Table
Ice Service	$ .05 per person
Catering Room	$40.00
Prepaid Parking a.m.	$100.00
Prepaid Parking p.m. (Only if no other event in building)	$100.00

** Holiday and December Weekends are base rate plus 20%

** All ticket sales to events will be handled by house box office.

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President Willner said Commissioner Cox did contact various other meeting rooms around the area and we did take into consideration what our competition is charging for the same services we provide at the Auditorium..

Mr. Cooper briefly went over all the fees as stated in the schedule of rates and typed into these minutes.

Mr. Cooper said on the set-up fees, they are now 75¢ and we propose $1.00 for 1982 (this is for table set-up). The chair set-up has been 15¢ and we propose 20¢. He said the freight handling and storage has been very underpriced at $10.00 per day, so we now propose $20.00 per day, or 12¢ per lb. whichever is greater.
He said the new fees they propose to add is $5.00 per booth or table for electrical connection fee.
He said concerning the Gold Room, we will find the rental fee is up considerably from $200.00 to $325.00/5 Hrs + 20¢ per chair set-up, that the riser stage (bandstand) is proposed at $25.00 each, the disco ball will be $25.00. The regular coat check has been 25¢ and is now proposed at 35¢ per garment. He said concerning the security, he has added a notation at the bottom of page one, that actually they have been following this policy anyway but it has nothing to do with the new rates.
He said on the Auditorium rental rates we have a special set of rates for non-profit sections which apply to schools and public education units only which is a sliding scale which runs from $690.00 per performance to $500.00 per performance. The holiday rates will be the standard rate plus 20% and for the matinee rate it will be one-half rate (matinee must be coupled with evening performance otherwise regular rate applies). These rates are based on performances per year.
He said concerning the commercial rates, it has been $600.00 vs. 10% and we propose it at $690.00 vs. 10% for 1-4 performances. He said a lot of promoters would rather have a flat rate, so we propose that to be $1,000.00 per performance. He said five or more performances would be $600.00 vs.7% of gross receipts per performance and the reason for this is to favor multiple users.

Commissioner Cox said under the commercial rates for 1-4 performances it is set at $690.00 vs. 10% gross receipts per performance, now does this mean we get $690.00 or 10% of the gross receipts.

Mr. Cooper said yes, whichever is the greater, or they have the option of taking the 1-4 performances for $1,000.00 each.

Commissioner Cox said she needs clarification of the Holiday and December weekends.

Mr. Cooper said while going over the books from recent years they noticed that all December weekends in the past have been considered holidays and he assumed we would want to carry that policy forward, that this is a very high demand period.

President Willner said it states that all ticket sales to events will be handled by house box office. Does this mean totally or what if they want another location.

Mr. Cooper said we can work things out on an individual basis as we did with the Philharmonic, but he thinks we should not take lightly the revenue we can earn from commercial ventures, so it is his recommendation to let the box office handle this.

Commissioner Cox asked if we can pass this as written or does it have to be done in the form of an Ordinance.

County Attorney David Miller said it does not have to be in an Ordinance form and he thinks a Resolution is also un-necessary for this type thing. This board is the county executive and if you, as a body, agree upon it, it can be passed by a motion to accept it.

Commissioner Borries moved the new rate schedules, as typed into these minutes, be adopted, effective January 1, 1982.
Commissioner Cox seconded the motion and carried unanimously in the affirmative.

Proposal Submitted for Remaining #207 Account Funds

Mr. Cooper said he has approximately $19,000.00 left in the #207...Cumulative Capital Improvement Fund and at this time he would like to distribute a sheet to each of the Commissioners with some recommendations of what they could allow him to use the money for, that at the end of the year it will revert back. He is not asking for any kind of action today, only that each one look at it and it can be discussed next week.

President Willner said there are five (5) items listed with some estimated figures, so do you have sufficient money for them, or do you have to go before county council for a transfer.

Mr. Cooper said the council allowed him a certain amount of CCI money and this is the money he has left and these are merely suggestions as to what the remaining funds can be used for, if this Commission agrees.

County Auditor Alice McBride said this money will revert back at the end of this year, that the Council does not want any requests in December, so if the advertisement has not yet been sent we could get him before the Council in November because if the Council allowed the money for certain items, Mr. Cooper needs to go before them to change it.

President Willner said the following five (5) items are listed.

1. Increased Stage Electrical Power
2. Lighting Conversion
3. Storage Racking for Shipping and Receiving Area
4. Lobby Floor Tile
5. Replacement of Lobby Furniture

Commissioner Cox said there is only one thing that she has any reservations about, that being #4 which recommends the badly deteriorating carpet in the first floor and mezzanine lobby be replaced with an attractive slate quarry tile. She sees this as a safety thing, that a lot of women enter the Auditorium with high heeled shoes on and sometimes tile floors are very slick and difficult to walk on and if any type of liquids are dropped on it it could be very dangerous. She realizes carpet is hard to keep clean but for the safety feature perhaps it would be better to think about recarpeting it.

Mr. Cooper asked her if she has had any trouble with the dance floor and she replied no she hasn't but you expect for a dance floor to be slick, that she is concerned about people comimg in for other events.

Mr. Cooper said he feels there is a lot of merit in what Mrs. Cox is saying but if you will look at many other large public buildings, very very few have carpeting on the floor. He thinks that there can be other hard surface floors that can be installed whereby one can have firm footing and are safe. If we installed the most expensive carpet we could find right now, in another three or four years it would have to be replaced again.

Commissioner Cox asked how long the present carpet has been there and Mr. Cooper said he understands it has been down only three years. He said there was a floor professional in and told him that the most we could expect from a carpet used as much as ours is used, is two or three years.

President Willner said if it is agreeable with the other two Commissioners we will allow Mr. Cooper to appear before the Council in November with these requests and we can again discuss the matter of the type of flooring to be installed.

Commissioner Borries moved that Mr. Cooper be allowed to appear before the County Council at their November meeting to discuss the matter of using the Cumulative Capital Improvement money for other items then what it was appropriated for originally. Commissioner Cox seconded the motion. So ordered.

President Willner instructed Mr. Cooper to get a letter to the Auditor concerning this request first thing in the morning.

Commissioner Borries said we might want to look at some long hall runners to put on the floors.

RE: GENE KAUTZMAN....COUNTY HIGHWAY

Weekly Absentee Report.

Mr. Kautzman submitted the weekly absentee report for the period of October 12, 1981 through October 16, 1981. Report received and filed.

Weekly Work Report.

Mr. Kautzman submitted the weekly work report for the period of October 12, 1981 through October 16, 1981. Received and filed.

Barricades and Flashing Lights

Mr. Kautzman said he thinks the county should consider getting barricades and flashing lights or consider a lease agreement whereby we would have them in stock, because a lot of times we need them in the middle of the night and cannot get them. He has discussed this matter with David Guillaum and it is something the Commissioners could take under advisement and let him have a decision.

Replace Radio in Truck #14

Mr. Kautzman said concerning the radio in truck #14, he contacted the people today and they told him they have the replacement radio on order, so we will have to bear with this a little longer and he will keep this board advised.

Mr. Kautzman said next week Mr. Ron Jourdan from Southern Indiana Gas and Electric will be here to discuss the wiring problem at the garage and also to discuss the billing we received on Buente Road for work done about a year ago.

Mud Jacking Equipment

Mr. Kautzman said he contacted the State Highway Department about mud jacking equipment for some of these subdivisions that have concrete streets. We have about $1,000.00 in our concrete account for this but the gentleman told us they do not have any mud jacking equipment, but that he will look into some from their district office and he indicated they would help us.

Specifications for Calcium Chloride and for Electronic Measuring Device

President Willner said we have on the agenda today the need of approval on the specifications for Calcium Chloride for the Highway Department and for Electronic Measuring Device for the Surveyor's Office.

Commissioner Cox said she thought the money was taken from the budget for the calcium chloride....do we have enough money for it?

Mr. Kautzman said yes, that he thinks we have the money to buy it, however, these specifications are for 1982 bids and not for 1981.

Commissioner Borries moved the specifications for the calcium chloride and the electronic measuring device be approved and that they be legally advertised on October 22 and 29, 1981, with bid opening on the 9th of November. Commissioner Cox seconded the motion. So ordered.

RE: PROCLAMATION ON UNITED WAY WEEK

The following proclamation was submitted to the Commissioners for approval.

PROCLAMATION

WHEREAS, the goal of the United Way is "To provide the means by which a cross section of citizens and agencies, governmental and voluntary, may join in a county-wide effort to deliver efficient human service programs effectively related to its current needs"; and

WHEREAS, in Southwestern Indiana these services are provided by 32 United Way agencies in Vanderburgh County; and

WHEREAS, in order to fund these agencies there is an annual campaign led by volunteers from the community; and

WHEREAS, achievement of this years's goal will be a step toward building a better community through narrowing the gap between the present level of services and the community's human needs;

NOW, THEREFORE, be it resolved: The commissioners of Vanderburgh County declare the week of October 19 through October 23 as United Way week in Vanderburgh County.

Be it further resolved: We, the commissioners of Vanderburgh County, recommend that the employees of Vanderburgh County support this community effort;

And, be it finally resolved: The Commissioners of Vanderburgh County have selected Carl Wallace to make the necessary contacts for a successful drive for the year 1981.

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Commissioner Borries moved the above Proclamation be adopted and signed by the Commissioners. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

At this time there was a short recess, so that the Drainage Board could continue with a recessed meeting concerning the Reconstruction of Harper Ditch. Time: 8:58 p.m.

Meeting reconvened at 9:50 p.m.

RE: DAVID SOUTH....COUNTY HIGHWAY ENGINEER

Permission to Travel

Mr. South said on Friday, October 23, he would like permission to travel to Indianapolis on county business.

Commissioner Cox moved the request be granted. Commissioner Borries seconded the motion. So ordered.

Drainage Seminar

Mr. South said Friday and Saturday of last week he attended a Drainage Seminar and it was similar to the last Traffic Seminar he attended, whereby it scares you that you are going to get sued every time you turn around, but we all realize that we do have severe drainage problems not only connected with the road, but in the county, in general. Perhaps in the future we should get into some more positive drainage ordinances of our own to help control water in the county and prevent further law suits.

Commission Borries said what Mr. South has told us is very true and important and he is wondering at this point where our county codification of ordinances stand.

President Willner said he believes we will be well into next year before the codification is completed, but if we are having problems with the safety factor, then lets do what we can do now to resolve what we can.

Mr. South said some of our problems tie in with Area Planning Ordinances and we don't have the answers to all of our problems but we have a lot of area people working on them. Nothing is going to happen over night, but maybe over a period of the next six months we will see some changes, but we will have to work to get them.

Telephone System

Mr. South said he has been working with different offices and the telephone company to try to revamp the system. They have covered five (5) offices, with mixed results. The five (5) offices they have been in are County Auditor, County Treasurer, Knight Township Assessor, County Recorder and Area Plan Commission. The most negative result of those offices was the Area Plan Commission, that we were able to do nothing in that office to save a penny, that they are operating with a very minimal amount of phones and phone lines for the amount of people they have in the office and they almost convinced him what they have is almost not enough.

The best results came from the County Auditor's office where there presently are fifteen in-coming lines, with a monthly bill of $349.15 and we are reducing that office to eight in-coming lines, with five (5) extensions, for a total of thirteen sets and a monthly bill of $194.95 which results in a 44% reduction. He said any installation fee is costing us the first month, but the benefits received yet this year will outweigh that charge and thereafter we will have savings.

He does not have any percentages on the rest of the offices. He hopes to have all the work orders made up by the end of next week and he thinks the actual phone work will be done by the end of the month.

Commissioner Cox said she would like to suggest that when Mr. South gets to the Clerk's office and Misdemeanor that a watts line be considered. She does not know what one would run but she knows the Misdemeanor Division has to call the Bureau of Motor Vehicles very very regularly, so we might want to consider that.

Mr. South said they have already checked into a Watts line and it runs $120.00 per month and you get five hours free and then after that it is a completly timed bill for so much every six (6) minutes. We are looking into it and if it is practical we would give it much consideration.

President Willner instructed Mr. South to continue the work on the phones and to keep the Commissioners aware of what is happening. He would like for Mr. South to briefly cover the billing procedure about which we must do something about at a later date.

Mr. South said the average procedure we are presently using is to take the cost of the equipment and divide it by the number of lines and then average it out and if the other people using the same system in this building does not follow suit and make the same reductions then we aren't going to get a full savings benefit because our savings are going to be broadcast out over the whole system and when it is divided out we are going to lose some of the effectiveness of our reductions. So what we have to do is come up with a billing procedure that truly reflects the costs of the people that we are getting reimbursed from. He understands the 411 number (information) is being used a lot in the Prosecutor's office and also the law inforcement agencies. We get four (4) free information calls for every seven (7) lines out of this building, but it is presently running $20.00 to $30.00 a month from a couple of the offices for this alone.

President Willner thanked him for the work done thus far and told him to continue.

RE: BOB BRENNER....COUNTY SURVEYOR

Bridge and Guardrail Report

David Guillaum submitted the bridge and guardrail report for the period of 10/12/81 through 10/16/81 and stated this week they finished up St. Joe and Adler Road. The biggest thing they did other than that was at North Green River Road and Kansas Road and he understands the Commissioners received a letter regarding a law suit out there involving a traffic accident at the road cut itself. He said they do have the information documented as far as the barricades, the flashing lights, the day they were erected, etc., that the whole thing is in writing and they also have photographs of the area in question (he showed them to the Commissioners at this time) so when this does come up we will have everything we need.

Closing of Sensmeier Road

Mr. Guillaum said it looks like Sensmeier Road will be closed starting tomorrow for a period of approximately thirty (30) days. Hopefully it won't take that long but to be safe with the media we will state that many. This is about one (1) mile west of St. Joseph Avenue.

Bridge at St. Joe and Diamond Avenue

Mr. Guillaum said he went out and looked at the bridge at St. Joe and Diamond Avenue and he would say the only thing to speak of is the expansion joints repair. Mr. King seemed to think there is only one joint in need of repair but he would say that all of them need some work done to them and the deck itself has a couple of places that need to be sawed out and repaired, but he would agree it is minor.

Equipment at Crane

Mr. Guillaum said about a week ago he took a trip to Crane and they had a wrecker that probably would have to have more money put into it then it would be practical for us to do and they also had a low-boy that they would not want to meet the needs we would use it for, so we felt like we should pass on all the equipment this time.

Commissioner Willner asked Mr. Guillaum if he drove the county car and he replied yes.

Problem on Happe Road

Commissioner Cox said Union Township is ditching along Happe Road and they have run into a problem with a culvert under Happe Road, that it is about eighteen (18) inches too high.

Mr. Guillaum said yes this problem is on our list right now and with the present schedule it looks like it will be a week or so before the crew can get to it, but we will take care of it.

RE: COUNTY ATTORNEY....DAVID MILLER ....SOUTHERN RAILWAY OVERPASS

The following letter was received by the commissioners from David Miller, concerning the Southern Railway overpass abandonment matter, dated October 12, 1981.

RE: SOUTHERN RAILWAY vs.
BOARD OF COMMISSIONERS

Dear Commissioners,

I have reviewed the opinion of the Court of Appeals of the State of Indiana in the matter of the Southern Railway overpass abandonment matter.

The Court of Appeals has taken a very strong position that the Public Service Commission of Indiana does not have the power to make a finding of abandonment of a railway line merely because of 15-20 years of continuous non-use.

The Court of Appeals states in its opinion "IC-8-3-1-21-2 is applicable only to situations where a railroad has evidenced an intention to totally discontinue service and thus has abandoned its right-of-way. This court remains unpersuaded to interpret IC-8-3-1-21.2 as giving the authority to remove or restore structures solely on the basis of public and traffic safety. We feel that there are other Indiana statutes which more appropriately deal with the correction of alleged safety hazards. It is for these reasons we reverse the order of the PSC." I would suggest for and on the basis of the above language that you authorize us to engage in the necessary steps to correct the traffic hazard since it appears that the Court of Appeals feels that the County took the incorrect approach to the matter in the beginning.

Please let me know what your thoughts are.

Very truly yours,
David V. Miller, County Attorney

Letter received and filed.

RE: AGREEMENT ON INSTALLATION OF HIGHWAY RAILWAY GRADE DEVICES

President Willner said we have before us an agreement covering the installation of Highway Railway grade crossing warning devices.

Attorney Miller said he have been over this agreement and he advice is...don't sign it. He said if you want to sign an open-end contract without a price then it's okay, but he wants the board to know it is an open-end contract.

Commissioner Cox said she thought this had already been done.

Mr. Miller said he does not know about that, but he received the agreement just this past Friday. It is from the Illinois Central Gulf Railroad Company and it merely says the County is going to pay 10% and the Federal Government is going to pay 90%, that the County has to pay the entire cost incurred by the railroad, less the amount paid by the government, and we do not know how much the railroad is going to spend and having gotten into a mess like this recently, he thinks the county does not want to sign a contract when we do not know how much it is going to cost us. The agreement is dated March 11, 1981, it is signed by the Illinois Central Gulf Railroad and if they performed the services without having a signed contract in their posession, they did it at their peril.

President Willner said he thinks we should take our attorney's advice, therefore he instructed Mr. South to return the agreement to Mr. Gerard with Mr. Miller's recommendation.

Mr. South said it should really go directly back to the state, that that is where it came from.

Mr. Miller said to tell them we want to know exactly how much it is going to cost us before we will sign it. He said it states an estimated cost of $20,189.60 but he sees nowhere in the agreement a guarantee that is the amount it is going to be.

Mr. South said this is standard procedure with the railroad and Mr. Miller said yes, he knows it is, but that doesn't mean we have to like it and it doesn't mean we have to sign it.

Commissioner Cox said what about the arms at those certain places, we don't put them in.

Mr. South said from a conversation last week, he understands there are lights up, but no arms. This is at Allens Lane and St. Joseph Avenue.

Commissioner Cox said are we going to be able to do any better than an estimate.

Mr. South said he does not have a good answer, but he will call and talk to them and try to get some answers. He said before sending this back, if the Commission will agree to it, he will be in Indianapolis Friday, and at that time he will stop by and find out something more definite, if possible.

President Willner said we will give Mr. South a week on this matter.

Commissioner Cox moved the contract not be signed at this time, pending further information. Commissioner Borries seconded the motion. So ordered.

RE: SOUTHERN RAILWAY OVERPASS

Mr. Brenner said on the letter concerning the overpass abandonment that was received from Mr. Miller, was it taken into consideration that they have filled in the track and tore down the bridge that it use to go across, because this information is in our records.

Mr. Miller said there has been a proposal to have a joint meeting with the Southern Railway to try to resolve this and he thinks it is advisable to meet with them.

RE: L & N NURRENBERN UNDERPASS

Mr. Brenner said concerning the L & N Railroad and the Nurrenbern Underpass that has been a topic of discussion in the pass, the local engineering and the district yard master granted us permission to converse directly with the people in Jacksonville, Florida. He said the people here told us they want to see the project approved but they don't want to talk to us about it anymore, that we are to go to Florida, but before going he would like to have permission to have a rather large phone bill to try to get it resolved.

President Willner said for Mr. Brenner to continue working with Jacksonville, keep the commissioners aware of what is happening and stay on top of it.

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

Submitted from the Area Plan Commission was the following request to travel, dated October 15, 1981.

Commissioners:

I am requesting travel for Jayne Rappee to attend a Planning & Zoning seminar. This seminar will be held in Indianapolis on October 30, 1981.

We have sufficient funds in our budget to pay for this trip.

Respectfully,
Barbara L. Cunningham
Executive Director

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Commissioner Borries moved the travel request be granted. Commissioner Cox seconded the motion. So ordered.

RE: TELEPHONE REQUEST...COUNTY AUDITOR

Submitted from the County Auditor was the following request for phone changes and electrical outlet changes, dated October 19, 1981.

Board Members,

At the July 13 meeting of the Board of County Commissioners we presented a request to relocate a number of telephones and electrical outlets. At that time we were asked to hold our request pending a move by the Commissioners to revamp the telephone system. That move is presently underway.

Since our original request in July one set of telephone and electrical outlets was moved when an electrical problem occurred. We now respectfully request your permission

to proceed with moving 2 electrical outlets at $65.00 each and 1 telephone outlet at $50.00 (total $180.00). This request will comply with the Building Authority's request to do away with extension cords and will also eliminate a safety hazard where boxes occur in a traffic aisle.

Sincerely,
Barry Heathcotte
Deputy Auditor, Vanderburgh County

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Commissioner Borries moved the above requested be granted. Commissioner Cox seconded the motion. So ordered.

President Willner instructed Mrs. McBride to check with Mr. Tuley to make sure the funds are available before this work is done and she said that she would.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted by the United Way of Southwestern Indiana, Inc. for the Governor's Task Force Meeting at the Vanderburgh County Civic Auditorium on October 25, 1981.

Certificate received and filed.

RE: CLAIMS

A claim was submitted by David V. Miller, County Atrorney for extraordinary litigation and contested matters for the period of 8/27/81 thru 9/21/81, as per attached statement, in the amount of $2,174.67. President Willner said this claim was held over from last meeting, that they have reviewed it and made one change in the wording of the attached statement.

Commissioner Borries moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by the County Clerk, Helen Kuebler for attending the State Board of Accounts meeting in Indianapolis, Indiana, for payment for the following:

350 miles	@22¢	$77.00		
Meals		17.00		
Lodging		32.70	Total	$126.70

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Bunner, John & Heathcotte on suits of Weller, Wheeler, Gish and Dominique vs. Vanderburgh County, in the amount of $2,250.00. Attached was a note from Mrs. Meeks stating she talked with Mr. Heathcotte in regard to this matter and he said the status on Dominique and Weller is that the suits have been argued on summary judgment before Judge Shepard and he should receive judgment on them soon. The suits of Weller and Gish are pending on judgment but haven't been finally argued as yet. If there are any questions we can contact Mr. Heathcotte.

Commissioner Borries asked if this would come from the Legal Fees account or from Judgements and Refunds and Mrs. McBride said she believes it would come from the Judgment and Refunds account.

President Willner instructed Mrs. McBride to check it first and see that it is paid from the proper account.

Commissioner Borries moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

COUNTY RECORDER:

Joyce Ann Casper	515 Jackson	Deputy Recorder	$9,160.00 Yr.	Eff: 10-12-81

APPOINTMENTS....CONTINUED

SUPERIOR COURT, JUVENILE COURT

Joycelin Brinkmeyer	1418 Akin Dr.	Probation Off.	$15,578.00 Yr.	Eff: 10-12-81

PIGEON TOWNSHIP ASSESSOR

Betty Jo Radcliff	3523 Jackson	Deputy	$ 9,160.00 Yr.	Eff: 10-23-81

CIRCUIT COURT

Jon K. Aarstad	626 S. Norman Ave.	Special Intern	$3.35 Hour	Eff: 10-12-81
Scott Alan Danks	2516 Wexford Dr.	P/T Bailiff	$160.00 Week	Eff: 10-12-81

LEGAL AID SOCIETY OF EVANSVILLE, INC.

Michelle A. Link	4409 Riverside Dr.	Staff Attorney	$15,120.00	Eff: 10-02-81

Mrs. McBride said that in looking at the Salary Ordinance she finds the most that can be paid for this salary is $10,374.00, so if the Commissioners want her to, she will check it out, that perhaps this $15,120.00 is not all the County's portion, since they do have other funding.

President Willner said to let the record show that this salary change will be checked out by the County Auditor and if it is an error, that it be corrected.

RE: EMPLOYMENT CHANGES.....RELEASES

CIRCUIT COURT

Scott A. Danks	2516 Wexford Dr.	P/T Bailiff	$80.00 week	Eff:10-12-81
Scott A. Danks	2516 Wexford Dr.	Special Intern	$80.00 Week	Eff:10-12-81
Jon K. Aarstad	626 S. Norman	P/T Bailiff	$3.35 Hour	Eff: 10-12-81

PIGEON TOWNSHIP ASSESSOR

Betty Jo Radcliff	3523 Jackson	Deputy	$7,830.00 Yr.	Eff:10-22-81

VANDERBURGH SUPERIOR COURT

Mary J. Stucki	(Maternity Leave)	Riding Bailiff	$11,891.00 Yr.	Eff:10-12-81

Commissioner Borries moved the leave of absense for Mary J. Stucki be approved. Commissioner Cox seconded the motion. So ordered.

RE: REQUEST FROM LEGAL AID SOCIETY TO GO BEFORE COUNTY COUNCIL

Commissioner Cox said she would like to go on record that she understands the Legal Aid Society has submitted a request to go before the County Council for $525.00 for a door, and she objects very strongly to this, as she stated before when the letter concerning this came to us from the Building Authority. She thinks this is a very poor use of the taxpayers money. They are not requesting any new money, only a transfer within there own budget, but her personal feeling is that $525.00 for a door is ridiculous.

Mrs. Meeks said when Walt Lowe was in that office he paid to have it remodeled and at that time a door frame, not a door, was installed, and now the Legal Aid Society wants a door put up.

President Willner said we cannot stop Legal Aid from going before the council, but before the Building Authority can do the work, they must get County Commission approval.

Mr. Miller said this is correct, and this Commission can also send a letter to the County Council informing them that this body strongly opposes spending $525.00 for a door, if that is the feeling.

President Willner said that Mrs. Cox suggested a folding door and that perhaps there were some in the storage area in the basement, but after an investigation was made of the area there does not seem to be any down there.

Commissioner Cox said at one time when she was in the basement, there were some folding screens down there. She also feels that Legal Aid could find a building to house their office a lot cheaper then the rent they are paying in this building.

President Willner said the City is the one that decided to put Legal Aid in the new location.

Commissioner Cox said she will go back to the basement and see if she can find the screens that she mentioned earlier, that she does not agree with the request.

There being no further business the meeting recessed at 10:55 p.m.

PRESENT:	COUNTY COMMISSIONER	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard "Rick" Borries Shirley Jean Cox	Alice McBride	David Miller
SECRETARY:	Janice Decker		

Robert D. Willner

Richard J. Borries

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
OCTOBER 26, 1981

The meeting of the County Commissioners was held on Monday, October 26, 1981, at 7:30 p.m. in the Commissioners Hearing Room with President Willner presiding.

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

RE: BIDS ON STATION WAGON FOR BURDETTE PARK

Mr. Ben Evans from the Purchasing Department was present and told the Commissioners there were no bids received on the station wagon for Burdette Park and asked if he should advertise for them again.

President Willner asked Mr. Evans if he thought there was something wrong with the specifications and he replied no, he didn't think so.

President Willner said the way automobile dealers are trying to sell vehicles, he does not understand why no bids came in.

Mr. Evans said he thinks the best way to approach this situation is to re-advertise for bids and also for us to mail the specifications to each of the car dealers.

Commissioner Borries questioned why the color of green was specified in the specifications.

President Willner said usually when you think of the Park Department you think of green and that is why they settled on the color.

Mr. Evans said we advertised for either a 1981 or a 1982 model.

Commissioner Cox said she thinks we should re-advertise, because we do need the vehicle.

Commissioner Borries said he has no objections of re-advertising and perhaps leaving the color out, as long as it had some decals showing it belonged to the county or to Burdette Park.

Mr. Evans said we would have to re-write the specifications, take the color out and bring them back to this board next week for approval to be re-advertised.

Commissione Borries moved we re-advertise for bids for a station wagon for Burdette Park and not specify a color. Commissioner Cox seconded the motion. So ordered.

RE: POOR RELIEF...CAROLYN PIERCE...KNIGHT TOWNSHIP

Applicant....Carolyn Pierce
Case Worker..Jean Whicker

President Willner stated that Ms. Pierce lives at 5536 Carriage Drive and has been denied assistance for medical help because subsidized housing and monetary income makes her over income according to the Trustee's standards.

Ms. Pierce said she appeared hear a few weeks ago and she is back requesting medical assistance, that she has been out of her medicine for over a week, but she has no dollar figure to submit, but when the prescriptions were filled before it was around $50.00 and the Trustee paid for most of it.

Ms. Jean Whicker read the following report from the Knight Township Trustee's office.

On Monday, September 14, 1981, the Knight Township Trustee Representative appeared before the Commissioners regarding a denial of assistance to Carolyn Pierce for medical payments. At that time the Trustee's decision was based upon a court order instructing Mrs. Pierce's ex-husband to obtain a medical policy for coverage of Mrs. Pierce and her dependent for medical purposes. Also at the direction of the court, Mrs. Pierces's ex-husband was to pay $50.00 per week for support of the dependent child and wife. In addition to the assistance being provided at court direction, Mrs. Pierce was also on subsidized rental assistance, paying $8.00 per month for an apartment which normally rents for $321.00 per month. On this basis the Trustee denied assistance at that time.

At time of the appeal the Trustee was requested, by the commissioners, to provide medical assistance for Mrs. Pierce for TWO WEEKS. Mrs. Pierce was instructed to contact the prosecutor and arrange for enforcement of the court order as pertained to providing of an insurance policy for medical coverage. The Legal Aid Representative for Mrs. Pierce agreed to do so and would provide the Trustee with proof of said legal action. No proof was provided until October 16, 1981.

On September 16, 1981, the Knight Township Trustee provided Mrs. Pierce with a medical voucher to obtain 4 prescriptions totaling $24.41. On September 30 the Trustee again provided a medical voucher for prescriptions totaling $12.23. On October 16, even though the two weeks period had expired, the Trustee provided Mrs. Pierce with an additional medical voucher for two prescriptions amounting to $12.23. At that time the Trustee requested from Mrs. Pierce the proof of legal action which she then provided.

At this time (October 16) Mrs. Pierce presented the Trustee with a disconnect notice on her gas and electric, requesting the Trustee to pay same. She was advised the matter would be taken under investigation and she would be advised of the decision of the Trustee.

After a careful study of the court decree it was noted Mrs. Pierce will receive $25.00 per week support payments, however, will be relieved of her portion of the obligation to AVCO Finance. Also, her ex-husband will pay at least $35.00 per week on other indebtedness that he is obligated to pay as a result of their prior marriage. Further, upon termination of the debt to AVCO Finance her child support shall automatically increase to an amount not to exceed $65.00 per week.

Additional investigation determined that Mrs. Pierce is still on the subsidized rental program, paying only $8.00 per month for an apartment renting normally for $321.00 per month. She receives $128.00 per month in food stamp allocation.

Based on the actual monetary income ($25.00 per week = $109.00 average monthly), plus subsidized housing as non-monetary income $321.00 per month as normal rental less payment of $8.00 per month = non-monetary income of $313.00 per month), indicates an actual resource available to Ms. Pierce in both a monetary and non-monetary income of at least $422.00 per month.

The Trustee Standards allow for a family of 2, in monetary and non-monetary income a total resource of, but not exceeding, $297.00 for assistance qualification.

It is the decision of the Trustee that Mrs. Pierce should utilize her support payments to meet her personal bills and obligations. She may also consider reducing her telephone extensions and additional service from $26.00 per month to approximately $16.00 per month by eliminating her additional extensions and any other service she may have through the Bell System. She may also find it advantageous to apply for Aid for Dependent Children to ascertain if benefits will be available to her from that agency.

Based on the facts obtained and information provided herein it is respectfully requested that the Trustee's decision be upheld and the request for further assistance be denied.

E. James Dant
Knight Township Trustee

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County Attorney David Jones said he reads in this report where the trustee recommends that Mrs. Pierce utilize her support payments to meet her personal bills and obligations. He would say the Indiana law is that support money is for just that....support of minor children and not to be used for Mrs. Pierce to pay bills and other obligations she might have. If the court orders maintenance, then that can be used for an adult, but support is for minor children only.
Another thing he sees is that in this modification, the parties have apparently agreed in lieu of getting her health insurance, they are paying off her private bills, so in effect, she has wound up waiving any chance she had to get this ex-husband to pay this medical care, in order to pay off some private bills. which could be discharged in bankruptcy anyway. If this woman is this destitute, she should be in front of a bankruptcy court and keeping the husband paying her health needs.

Ms. Ernestine Howard, representative from Legal Services was present and stated that Ms. Pierce has a rare incurable blood disease. Ms. Pierce has also applied for SSI. We went back to court with a modification of the divorce decree in terms of trying to get her some medical help and the support was lowered in order to get her eligible for ADC, where she could get the medicaid and where she would not have to go back to Welfare. Her ex-husband was then given a $35.00 per month bill plus $25.00 per month support and he was already paying the AVCO bill, otherwise, even with them raising her support, she still would not be able to get her medical insurance to take care of her medical needs. The extra $35.00 per week they put on the ex-husband is to take care of medical bills for Mrs. Pierce. Designated support for the children is $25.00 per week and when this other bill is paid, then the support amount will go up.

Mrs. Pierce said she is not receiving $128.00 per month for food stamps...only $95.00 per month.

Mr. Jones said then the request is for medical help until she is picked up by medicaid.

Ms. Howard said this is correct and that will be next month, that a case worker told her she will receive her check November 14th, and at that time she will be covered under medicaid.

Commissioner Cox said she feels the courts were very lenient with Mr. Pierce because he did not live up to his prior responsibilities to pay for her medical needs and it certainly did not do anything to help her health interests.

Ms. Howard said Mrs. Pierce' doctor released her because the bills were not being paid, so if her ex-husband has to pay some of these back bills then at least maybe she can go back to them for help.

Commissioner Cox said it would be very difficult to get an insurance company to pick up Mrs. Pierce in her existing condition.

Ms. Howard said when in November that Mrs. Pierce goes on Medicaid, they will go back and pick up some of her old medical expenses, that she believes they will go back ninety (90) days. Mrs. Pierce needs her medicine now though, in fact, she has been in the hospital since she last appeared before this board.

Ms. Whicker said if Mrs. Pierce is to be picked up by Medicaid, the trustee can refer her to DPW and hold it until her Medicaid card comes through.

President Willner said this seems like the thing to do if they will hold the bills until Mrs. Pierce' Medicaid is approved, if this is agreeable with everyone concerned.

Ms. Howard said this is agreeable, that the only thing Mrs. Pierce wants is her medication.

Ms. Whicker said there need not be any action from the Commissioners, that if she is going on Medicaid then it can be worked out in the office.

RE: JENNIFER WRIGHT...QUESTION OF ROAD MAINTENANCE

Ms. Jennifer Wright was present and stated that she did not do her bookkeeping very well that perhaps she should have presented a map showing the area she is about to question. This particular road she could not find on many maps but finally she did find it on a very current state map and it is designated merely as road #185, that it runs north and south between Pollack Avenue and Lenn Becker Road and between Green River Road and Lenn Becker Road. Her question regarding this is whether it is a private road or is it a county road, because there is a culvert that needs to be installed where it joins Pollack Avenue, on an extension of Aiken Ditch.

Commissioner Cox asked if this road has a name and Ms. Wright said no, that all she can find is the 185 number for it and even that is not on all maps, that it looks like it was just recently put on a map by the state.

Mr. South said in checking this out, he can not determine why the state put this road on the map, that usually these requests come from the county. He intended to have photographs of this area for the meeting but was unable to do so because of the weather.

Mrs. Meeks said they checked the road maintenance report, but could not find anything because it does not have a name.

Ms. Wright said this road lies between Calf Lane and Lenn Becker Road, off of Pollack Avenue.

Mr. South said the road inventory maps, put out by the State, now the Department of Highways, did not refer by name, that they now have an independent numbering system that means something to them and nothing to anyone else.

Ms. Wright said this road, or path, does go all the way over the levee and the farmers use it as a field access.

Commissioner Cox asked Ms. Wright if she is appearing tonight to find out if the road is accepted or not, or are you concerned about the culvert and she replied both, that if it is a private road they will have to install the culvert and if it is county owned then the county will have to install it, however, she is not concerned about keeping the road up.

Mr. South had the State map brought into the meeting and he, Mrs. Wright and the Commissioners looked at it and tried to determine where this road is situated and he recommended taking it under advisement for a week or so until a complete data package can be obtained and we know what we are being concerned with and what our choices are in the matter.

President Willner said this matter will be deferred for one (1) week and at that time we will try to resolve the questions.

Ms. Wright said she would also like to discuss the matter of the Aiken Ditch, which runs along Pollack Avenue and the culverts in this area are inadequate, that they are approximately 12" culverts and we have a dam at every driveway and people are wondering why they have drainage problems there, and these culverts really need to be replaced.

President Willner told Mrs. Wright to let the Commissioners check into this problem, for her to leave her telephone number and she would soon be contacted and given some answers to her questions.

RE: CONRAD COOPER....AUDITORIUM

Problem with Chiller at Auditorium

Mr. Cooper said in getting the chiller ready for the winter months we have found out we have a defective pump, that it is not a major thing but he wants the Commissioners to know that if we should have a freakish warm spell that we would not have cool air.

Commissioner Cox asked if this is covered under maintenance contract and Mr. Cooper said no it is not, that the only thing actually under contract are the controls.

Commissioner Cox said we have had so many problems with the chiller and the air conditioning so will all the parts soon be replaced by new ones and we can rest easy for awhile.

Mr. Cooper said we would hate to think about having to replace all the parts. He said Simpson, who found the problem told us that it had not been too long that it was replaced, so sometime even new parts don't last too long, but when you realize we have from 60 - 70 pumps in the whole system, anyone of them could shut the system down and in the course of a year we will have to replace or repair some of them. He said this repair will come from the 207 account in which they already have the money appropriated.

RE: JESSE CROOKS....BUILDING COMMISSION

Land Fill on South Kentucky Avenue

Mr. Crooks said that Mr. South gave him a letter he received concerning a proposed land fill on South Kentucky Avenue. This is land owned by Lambert who is the dealer in fork lifts and repairs, etc. and what he is after is wanting to increase his usable lot space and he did have to make application to the state to operate it as a land fill, so he does have a copy of this letter on file.

Land Fill on Wimberg Road

Mr. Crooks said concerning the land fill on Wimberg Road...there is a problem with a lot of mud washing into the ditch on the north side of Wimberg Road and he would recommend that this board require them to put a mud retention wall up to avoid the mud washing from the land fill into the ditch.

President Willner instructed Mrs. Meeks to write a letter to Browning-Ferris and request that this be done.

E.A.R.C. Building

Mr. Crooks said he received a call from Mr. Tom Jones, at the E.A.R.C. Building and he informs us we have another leak and this time on the ramp part of the building. He said he has not been able to get out there nor has he talked to Key Construction, but he will do so as soon a possible and will keep the Commissioners informed.

Problem on Park Road

Mr. Crooks said the piece of property on Park Road that has been discussed prior to now has been sold and the new owner has cleaned up the yard, the building has been secured and it is looking pretty good.

The building on the north side looked just about as bad and they are cleaning it up somewhat, and we did issue them a citation on this one.

RE: GENE KAUTZMAN....COUNTY HIGHWAY

Weekly Absentee Report

Mr. Kautzman submitted the weekly absentee report for the period of October 19, 1981 through October 23, 1981....Report received and filed.

Weekly Work Report

Mr. Kautzman submitted the weekly work report for the period of October 19, 1981 through October 23, 1981.....Report received and filed.

Mr. Kautzman said on Outer Lincoln Avenue they dug up and replaced some pipe and they have temporarily solved the problem however there is some more pipe that needs to come out and be replaced. It was two foot sections of clay tile that was not cemented together and over the years they have eroded and caused a wash out, but there was no quicksand there. He thinks this should be scheduled for additional work before another wash out occurs.

Problem on Elm

Mr. Kautzman said concerning the problem on Elm, after looking the situation over he sees a place on Igleheart that can be opened and give them some relief. He feels like the complaint is actually a personal problem out there and he does not to get involved in it. He talked to a neighbor on the south side and asked them to open up a hole in their storm sewer and let us see the problem better, so when these things are done we will know more about how to solve the problem and he will keep the Commissioners informed.

Purdue University Seminar

President Willner said the Purdue University Engineering Department is having a seminar on Tuesday, November 17 at the Holiday Inn in Jasper,Indiana. It is for the distribution of guide manuals on reports and records for the County Highway Department.

Mr. Kautzman said he received a letter on this also and he would like for his bookkeeper to attend along with himself and Mr. South.

Commissioner Cox moved the three (3) of them be permitted to attend the seminar. Commissioner Borries seconded the motion. So ordered.

Mr. Kautzman said they will drive the county car.

President Willner said perhaps one or more of the Commissioners will also be able to attend this seminar.

RE: DAVID SOUTH....COUNTY HIGHWAY ENGINEER

Telephone Cuts

Mr. South said he thinks he has gone through most of the offices in this building with mixed results and he would say it averaged out about an over-all 15-20% reduction in the monthly phone bill, excluding long distance calls, which vary.

St. Joseph Avenue

Mr. South said he received some correspondance on St. Joe Avenue when he was in Indianapolis last week and he would like to know if the Commissioners want this read into the record and President Willner said he did not think so.

Local Road and Street Account

Mr. South said in the Local Road and Street account, a couple of weeks ago, we got back from the State, a claim for us to re-submit to them of $27,220.16 for monies that were tied up while the State and Feds had a lack of communication, so even though we are happy with the $27,220.16, we are in the process of checking to see if we agree with the amount or not. This is on the design part of Lynch Road.

Re-imbursement for Railroad Signals, Crossings and Gates

Mr. South said last week while he was in Indianapolis he stopped at the Public Service Commission and got some promising facts from them and it appears that all of the railroad crossings, all the railroad signals and gates we have installed in the last few years we qualify for them to pick up our 10% of the cost. If you will recall, we ask the Council for additional monies to cover our share, he said then that there was a possibility of this happening. This would be from about $3,000.00 to $5,000.00 per crossing and he believes there are six (6) of them involved. He thinks most of these were paid for out of the Local Roads and Streets account so that account will be re-imbursed when the money comes in.

Mr. South said last week the Commissioners were presented with contracts for gates at another railroad crossing and it was pointed out, rightly so, by Mr. Miller, this was an open-end contract. He checked with the Utility Section in Indianapolis and the railroads will not do a repair job or add signals for a fixed fee. He said our share is only 10% but if anything goes wrong, we end up holding the bag. He said perhaps the Public Service Commission will also pick up our 10% of this one, like they are going to do the other six (6), so in reality, it shouldn't cost us anything, so it becomes the question if the Commissioners want to go ahead and have the gates put up, or not. If we do want it done, this is the only way to do it.

President Willner said we really do not have a choice.

Commissioner Cox said the choice is not to put the gate up and let an accident happen at an area that has been designated as being warranted gating and let the railroad assume responsibility.

Mr. South said it has been warranted gating and not to do it is also a serious question.

Commissioner Cox said she finds it hard to believe that they cannot give us a cost estimate.

Mr. South said we have, as far as the document is concerned, a cost estimate, but it is not fixed, so if it takes them a year to get this work done and the price of signals go up another 20% then we will see the increase in our cost.

Commissioner Cox said don't we set a time limit for these to be installed when we sign the contract and Mr. South replied no.

County Attorney David Jones said he personally is not convinced that only the railroad can do this work, so have you looked at it from the aspect that you can go out and hire someone else to put the gates in and get a fixed contract and the railroad takes it or leaves it, as long as it meets the specifications for gates, signing and signals.

President Willner said but can we do private work on the railroad's land.

Mr. Jones said if it is a county or state road that crosses that railroad then it is a public way and the railroad shares it with all the world.

Mr. Brenner said we talked about this same thing on Nurrenbern Road and we had union problems that their contract reads they will do all work on their right-of-way.

Mr. Jones said but if it is in the county's right-of-way, it is a public way, and they do not own their right-of-way where it crosses and if the county lets a contract for the county right-of-way, the work will get done, regardless of what the railroad or their union says. So if the Commissioners are willing to lower heads and charge, it can be done.

President Willner instructed Mr. South to postpone this for one week, let the Commissioners decide if they want to sign the contract or not and final action can be taken next week.

Mr. South is to contact the authorities and ask for a legal legitimate reason as to why the county cannot install the gates and report the answer back next week.

RE: BOB BRENNER.....SURVEYOR

Bridge and Guardrail Report

David Guillaum submitted the bridge and guardrail report for the period of October 19, 1981 through October 23, 1981....Report received and filed.

Mr. Guillaum said they did some rail work on Upper Mt.Vernon and Tupman Roads. They also worked quite a bit at Green River and Kansas Roads.

Check from Dumes Brothers

Mr. Guillaum submitted a check from Dumes Bros of Evansville, Inc. in the amount of $15.50 for pipe they purchased from the county. Mr. Guillaum said this pipe was taken from the project at Kansas and Green River Roads. This money will be returned to the Cumulative Bridge Fund.

County Auditor Alice McBride was given the check to be deposited into the Cumulative Bridge Fund account.

Repair Work on Crestmont

Mr. Guillaum said they are in the process of doing repair work on Crestmont, off of Agathon , in University Heights and he wants Mrs. Meeks to know this will be closed for two or three days, so that the media can be notified.

Claim

Mr. Guillaum submitted the following claim:

Ray Stradtner for the repair of Upper Mt. Vernon Road and Tupman bridge, in the amount of $18,164.38.

Mr. Guillaum said this is the final payment for this project with a run-over of $69.39.

Commissioner Borries moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

Change Order

Mr. Guillaum submitted a change order on the Upper Mt. Vernon/Tupman Road bridge repair project in the amount of $69.39 for additional pipe sections needed under Tupman for satisfactory completion of the project.

Commissioner Cox moved the change order be allowed. Commissioner Borries seconded the motion. So ordered.

Kleitz Road Project

Mr. Guillaum said this project was initially started some two years ago, on Kleitz Road where there is a very sharp and dangerous right angle turn and you come to a culvert that can't be more then about 14' wide and it has a number of problems on it and we went into designing a new structure and relocating it in order to improve the curve itself. Everything went very well on this until we got into the area of trying to acquire the right-of-way and Mr. Clero Schmitt was the only property owner out there that we did not make any head way with.
At this time we would like to give Mr. Jones all the data compiled on the project and have him to proceed with condemnation or whatever process necessary to get it done. He said there have been a number of accidents on this road that it is very dangerous and the improvement of it is high on our priority list.

Commissioner Cox asked what Mr. Schmitt's problem with this is and Mr. Guillaum said he knows of nothing other then he does not want to give up the property.

Mr. Brenner said this is one of the projects we received from the German Township Booster Club, and they went out and talked to Mr. Schmitt as did the German Assessor and Trustee and Mr. Schmitt told all of them there is no need for a new bridge, that the only people who have trouble are the drunks.
He does want this board to be aware of the fact this same project was turned over to the prior County Attorney's to pursue condemnation suit and nothing was ever done on it, and in talking to the present county attorney's we find either of them have received any files on it.

Commissioner Cox said she sees where a portion of the ditch is also going to be relocated and she wants to know if this will cause any drainage problems and Mr. Guillaum said it will be a definite improvement of the drainage.

Commissioner Cox said she is aware of the situation and it does need to be corrected therefore she would move that the county attorney proceed with condemnation of this portion of Kleitz Road structure. Commissioner Borries seconded the motion. So ordered.

All data was turned over to Attorney Jones.

Bids on Reconstruction of Harper Ditch

Mr. Guillaum said the bids for the Reconstruction of Harper Ditch have been advertised and the bid opening will be November 9th.

Claims

Mr. Guillaum submitted the following claims:

A claim for the amount of $11,113.24 for the blacktop tonage put on our pipe and bridge project by the County Highway Department on the following roads.This also is for labor. (Attached Statement)

Schlensker Road	Pruitt Road
Hillsdale Road	Adler Road
Nurrenbern Road	St. Joe Avenue
Owensville Road	Green River Road
Heppler Road	Burkhardt Road
Industrial Blvd.	Bartel Road

A claim for the amount of 12,980.56 for pug mill mix for Pruitt Road, Owensville Road, Adler Road, Hepler Road, Hillsdale Road, Nurrenbern Road and St. Joe Avenue. (See attached Statements).

Commissioner Cox moved the claims in the amount of $11,113.24 and $12,980.56 be allowed. Commissioner Borries seconded the motion. So ordered.

President Willner said the total amount of money just approved will be put into the County Highway's Fund.

Discussion of Transferring of Funds

President Willner said there have been some talk of taking the records of the Local Roads and Streets and Cumulative Bridge from the Highway Department and giving them to the County Engineer, Mr. David South, if it is agreeable with the State Board of Accounts and also if it is agreeable to all persons here. He said there is always a lag of information from the Civic Center to the Highway Department. With all the records for the Local Roads and Streets being kept at the County Garage it presents a problem for Mr. South and also no budget is ever prepared for Local Roads and Streets and if we inadvertently miss some monies for certain projects, as we did for Lynch Road and St. Joe Avenue, it presents quite a problem and so he personally feels we should work in this area and try to improve it.

Mr. Brenner said the County Garage has the authority of keeping books on the Cumulative Bridge fund, however, he also keeps a duplicate book. About two years ago he asked the State Board of Accounts to let him do this very thing and they would not allow it.

President Willner said now that we have the Home Rule Bill, perhaps it can be done, but we need to get this approval in writing.

Commissioner Cox said she feels that Mr. South cannot do all of this work he is presently doing and now take over the book work of the Local Roads and Streets and Cumulative Bridge Fund.

Mr. South said there is the office staff in the Surveyor's office to share in the work.

Commissioner Cox said yes but you are now mixing Surveyor's staff with County Highway funds and you cannot do that, that the State Board of Accounts will not allow that to be done. In other words, you cannot have a secretary in the Surveyor's office do bookkeeping for the County Highway Department.

Mr. South said what if we would bring all of the records into the Surveyor's office and also bring a girl from the Highway with them.

President Willner said he does not know if he would go along with that, perhaps he could agree with a girl for a few hours a week.

Mr. South said Commissioner Cox has raised a very good question and he would suggest we all think about it for a week, try to come up with some answers and get the problems resolved.

The matter was deferrred pending additional study and recommendations.

RE: BOB FORTUNE...DATA PROCESSING

The following letter was submitted by Data Processing, dated October 21, 1981.

Dear Commissioners,

For the past two years Vanderburgh County Data Processing has absorbed the costs of a night batch operator out of our part-time account. Each year we have been promised an additional jobslot for this position by the County Council. However this has not come to pass. This brings us to our present delimma.

Mark Allen is V.C.D.P's night batch operator. Our night batch operator has been with us for over a year. Usually after this period of service our full-time employees are entitled to the county offered benefits. Even though Mark works full-time he is paid out of a part-time account, which limits us to offering no benefits to him. To compound the problem the County Council did not approve a jobslot for the 1982 budget. This in turn will bleed our part-time account even more for the coming year.

I have been instructed that you may allow a part-time employee to receive county benefits. So I am requesting that you do so as soon as it is convenient. If there are any questions please feel free to contact Robert Fortune (426-5382) or myself.

Sincerely,
David B. Musgrave
Operations Manager

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Mr. Fortune said he would very much like to see this person be allowed the county benefits for the remainder of this year and also for 1982.

President Willner said if the County Council did not allow the jobslot, then he sees nothing the Commissioner's can do to change it, other then to recommend to the Council that a full-time position be approved, so that this person can reap the benefits.

Commissioner Cox moved that Mr. Fortune be allowed to go before County Council with the request for his part-time night batch operator to be put into a full-time slot so that he may receive county benefits. Commissioner Borries seconded the motion. So ordered.

RE: LETTER FROM DENNIS BRINKMEYER...NOTICE OF SUIT TO VAND. COUNTY

Submitted was the following letter from Dennis Brinkmeyer, Attorney, dated October 15, 1981.

Commissioners,

This letter serves as notice to Vanderburgh County that I have been retained as counsel for Mr. Michael J. Bruder of 2416 Hialeah Drive, Evansville, Indiana regarding a possible claim against Vanderburgh County for injuries sustained by Mr. Bruder when he was driving his automobile and collided with a sign on Greenriver Road near the intersection of Kansas Road and Green River Road in Vanderburgh County.

Mr. Bruder asserts that the County was negligent in posting the apparent hazard of a hole in the road at that intersection, and that as a result of the negligence by the representative of the County in failing to warn motorists of this hazard, wrecked his vehicle and sustained bodily injury to his face, head, arms and leg requiring emergency room treatment as well as surgery. In addition to his bodily injuries, Mr. Bruder has sustained a complete loss of his 1979 Cadillac Fleetwood.

Sincerely,
Dennis Brinkmeyer

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President Willner said perhaps this should be referred to the county attorney. Mr. Guillaum made us all aware of this accident a few weeks ago and presented photos of that area because the bridge crew was doing some repairs at that intersection.

Commissioner Borries asked if our insurance carrier has been informed of this yet.

County Attorney said there really is no need to refer it to any attorney, that it is merely a claim and it should be sent to the insurance company and when a suit is filed their attorney will step in from the beginning.

The letter was given to Mrs. Meeks to be referred to The Hartford Insurance Company.

RE: FORECLOSURE OF MORTGAGE

Submitted to the Commissioners was a Foreclosure of mortgage against Carl D. and Beverly Hauschild, et al by the Union Mortgage and Loan Association.

Commissioner Borries moved the matter be referred to County Attorney David Miller. Commissioner Cox seconded the motion. So ordered.

RE: COUNTY ATTORNEY....DAVID JONES

Long Distance Phone Calls From County Offices

Mr. Jones said he would like to recommend that the Commissioners establish a policy throughout the county offices, that each office keep a long distance phone log of every single long distance phone call that goes out of this building with the number to who that call was made, who made the call and the purpose or authority of that call, and he would do this by an ordinance. Any call that is not authorized should not be paid by the Commissioners, that it should be billed to the employee that made the call and withheld from the paycheck and a second offense should mean dismissal.

Mr. Jones was instructed to draft an Ordinance to this affect and present it to this board next week.

Discussion on Lynch Road and St. Joe Avenue Projects

Mr. Jones said concerning the Lynch Road and St. Joe projects, there was a request made to the consultant that they submit their overhead data so that the final audit could be completed. The ten days have expired on this and there has been no response to us or to the State. We have received this additional correspondance that the final audit request has been now made by the State Highway and he understands that Mr. Faulkenberg, the head of the audit division has said he doesn't know of anything that requires them to submit that information and they cannot process the final audit until the information is submitted and moreover, for the 1982 figures, you'll have to wait until the completion of the fiscal year eventhough this final work actually occurred in this year. He does not believe that that is a fair statement of any law or regulation, that he thinks the overhead rate can be determined and should not be allowed to be based upon nine other months that are outside the scope of the work

actually done. Sitting here and leaving that thing open ended while the overhead rates allow to increase as inflation increases through this year and into next year and then use that inflated figure as an overhead rate, when in fact, the overhead is only actually incurred in those couple of months. The contract itself says "the actual overhead rate" and "actual" takes care of it as far as he is concerned. He thinks this is just the way they have been doing things and not because there is a regulation that requires it. He would recommend that a follow-up letter be sent to the State simply saying that the request was made by the county to get those figures, and that no response has been made and they should initiate the audit based upon the figures they have, because there is no reason we should be tied up on this thing and have to wait another year to close the projects out.

Commissioner Borries asked Mr. South if he could draft this letter to Mr. Faulkenberg.

Mr. Jones said we need to tell the audit division the request has been made to the consultant, that it has had no response and we are directing him to proceed with the final audit either based upon the overhead rate that he has or take the approved rates from the prior months and assume they waived it or otherwise they would have responded.

Mr. South said in talking to the state he found out that in the absense of the consultant submitting anything, they will assume a zero overhead and complete the audit. He said that we should interject a deadline and not let this thing go on and on. He said the books were closed at the end of May and they have had sufficient time to get this data to us or to the State.

Mr. Jones said this money could be invested and drawing us some interest monies.

Commissioner Borries moved that Mr. South draft the letter to the State requesting they proceed with the audit. Commissioner Cox seconded the motion. So ordered.

Inter-Local Governmental Agreements

Mr. Jones said he has been in contact with the City Attorney and the City is preparing new Agreements between the City and County. He understands we will be receiving agreements for the joint operation of the Economic Development Commission and also Civil Defense. His research into this matter reveals we have not have one for Civil Defense since its establishment in 1941, in view of the war, but nothing since that time. He said Mrs. McBride has refused to pay the City until there is some evidence of a contract and he would agree, that if Civil Defense wants to be paid there must be a contract or an agreement.

In researching the Economic Development he could find nothing that indicates the county ever adopted it. Somewhere along the way we would have had to but how it was done he does not know, that there is an ordinance of 1972 whereby the City created the Economic Development Commission and the county pays a certain amount of dollars but gets none of it back from fees, so it would be his recommendation that the bonds located in the county that the fee paid by the applicant for the bond come back to the county and the fees for bonds in the City go back to the City.

He said finally, anytime to give notice of termination or change to the joint agreements should be given on or before November 20th. Most of the agreements are set up so that they are for three (3) year terms and are automatically renewed unless one of the parties give the other one notice, so he is merely advising the Commissioners of that time period.

RE: SPECIFICATION FOR SMOKE DETECTORS FOR JAIL

President Willner said we need to give approval of the specifications for smoke detectors for the County Sheriff's Department, to be advertised on October 29th and November 5, 1981, with bid opening on November 23, 1981.

Commissioner Borries moved the specs be approved. Commissioner Cox seconded the motion. So ordered.

RE: ADDRESSOGRAPH MACHINE IN COUNTY AUDITOR'S OFFICE

Mrs. McBride said she would like to briefly talk about the used addressograph machine that is presently in her office, that she was offered $50.00 for. She informed the gentleman from Addressograph/Multigraph that the Commissioners would not accept the $50.00 figure, so he suggested we make them an offer and see if they will accept it.

She said the machine is very large and out-dated, that anyone who could use it is already on computers, so this is the real problem. The serial number of it is #249240.

Commissioner Cox said since it is so big and heavy we could probably get $50.00 from it as scrap.

Commissioner Borries moved the Addressograph Machine, Serial Number 249240, located in the County Auditor's office be declared surplus property. Commissioner Cox seconded the motion. So ordered.

RE: TELEPHONE REQUEST....SUPERIOR COURT

President Willner said a telephone request from Superior Court was on the agenda last week and Mrs. McBride was to let the Judge know how much it is going to run and he would repeal the same amount from his budget into the County General Fund.

Mrs. McBride said she informed them the total amount is $732.40 and Judge Dietsch said he would see it is repealed. She said this amount cannot be transferred into the Commissioner budget because you cannot transfer monies from someone's budget into some one else's budget, that it will have to be repealed by the Courts and if you, the Commissioners feel like you need it in you telephone account, then you must go before the Council and ask for the appropriation in the telephone account. In reality it is a transfer, but legally it has to be advertised as a new appropriation. She said she will check how much is in the Commissioner's telephone account and let Margie Meeks know and then if the Commissioners feel they need the $732.40 a letter can be sent requesting to go on the Council Call.

Commissioner Borries moved the telephone request in Superior Court be approved, with the understanding the $732.40 is to be repealed from the Court's budget and put into the County General Fund and after checking the balance in the Commissioner's budget if same amount is needed, a letter will go to the Auditor to be put on the Council Call. Commissioner Cox seconded the motion. So ordered.

RE: PROCLAMATION ON "WINTER PREPAREDNESS WEEK"

President Willner said attached to the Proclamation was the following notice of meeting.

There will be a meeting of the Evansville-Vanderburgh County Emergency Management Team on November 3, 1981 in Room 301 at 3 - 4 P.M. at which time the Commissioners and/or their representatives are invited to attend and make a presentation of the Proclamation.

Lillian Tibbals for
William Montrastelle, Director
E'ville-Vand. Civil Defense

President Willner read the following Proclamation:

WHEREAS: Preparing for emergencies and disasters is a function of government, dependent upon leadership of the executive officers and efforts of many dedicated volunteers and professionals; and

WHEREAS: The past few winters in our community have been very severe; and

WHEREAS: Traffic accidents due to snowy or icy conditions cause many traffic injuries and the loss of life; and

WHEREAS: Livestock losses can be higher than normal due to severe winter conditions; and

WHEREAS: The Evansville-Vanderburgh County emergency management team made up of Federal State, Local and private agencies are attempting to form and educate the public on protective measures that should be taken to prepare for the 1981-82 winter season; and

WHEREAS: By taking reasonable precaution the citizens of Evansville-Vanderburgh County can reduce the loss of life and property, plus decrease the adverse effects of winter on our energy resources and economy;

Now, therefore, I Robert L. Willner , President of the Vanderburgh County Commissioners, Evansville, Indiana, do hereby proclaim the week of November 9th through November 15th as

WINTER PREPAREDNESS WEEK

FURTHER, I authorize all agencies of our government to provide citizens with appropriate preparedness and winter survival information for the 1981-82 winter season. I urge all citizens to cooperate wholeheartedly with disaster preparedness agencies and officials in this important work.

IN WITNESS OF, I have hereunto set my hand and have caused the Seal of the County to be affixed this Third day of November in the year of our Lord, one thousand, nine hundred and eighty one.

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Commissioner Cox said where are we going to get this material to distribute to people to inform them of this.

President Willner said he would assume it would come from Civil Defense.

Mrs. Meeks said the City has already adopted this Proclamation.

Commissioner Borries moved the Commissioners adopt the Proclamation, as submitted. President Willner seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted by The Tradesmens Club for convention center activities.....certificate received and filed.

RE:CLAIMS

A claim was submitted by the Insurance Audit and Inspection Company for the yearly contract, beginning 10/21/81, in the amount of $4,800.00.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by David South, County Highway Engineer in the amount of $155.00, for attending a drainage work shop, at the McCormichs Creek State Park.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Meny's Gas and Appliance, Inc for a refund on permit #2665-V from the Building Commission office, in the amount of $15.00.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by the Council of Veterans Organization for expenditures for 1981 Memorial Day Services in the total amount of $1,235.70.

Commissioner Borries moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by the Evansville Courier for legal advertisement for Notice to Bidders for One Station Wagon, in the amount of $18.77.

A claim was submitted by the Evansville Press for legal advertisement for Notice to Bidders for One Station Wagon, in the amount of $18.77.

Commissioner Borries moved the claims be allowed. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

VANDERBURGH COUNTY RECRODERS OFFICE

Brenda Cheatem	211 S. Garvin St.	Deputy Clerk	$9,160.00 Yr.	Eff:10-26-81

PROSECUTOR - CAREER CRIMINAL

Lois Williams	3401 Corbierre Ave.	Secretary	$4.50 Hour	Eff:11-2-81

RE: EMPLOYMENT CHANGES....RELEASES

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Horance Luther	2516 B. Elsas Avenue	Asst. Mechanic	$6.54 Hour	Eff:10-20-81

PROSECUTOR - CAREER CRIMINAL

Deporah Munn	1377 Hatfield	Secretary	$8,400.00 Yr.	Eff:10-28-81

RE: DISCUSSION ON POSTPONED REQUEST FROM COUNTY CORONER

Commissioner Cox said she noticed that item #18 on today's agenda has been deleted and she is wondering if there is a problem with it. She directed the Coroner's office to send correspondance to the County Commissioners. She said they do have an alloted parking slot in the Court Building lot, which they routinely use, except at times when they need to pull in at the loading dock to unload evidence. She said they want permission to pull in to the docks just long enough to unload, that they still want to maintain their slot they have. They have always done this but recently they were given a ticket for parking at the dock, because they have no authority to park there. She told them to first come to the Commissioners and then to the City because she knows this can be worked out with a little communication for all concerned. This is a county vehicle.

President Willner said he had it crossed off because he thought they directed the letter to the County and it should have been sent to the City.

Commissioner Borries said he would have no objections to them doing what they requested.

President Willner said he would not see any problems with working with the city in requesting that Dr. Wilson's office be allowed to un-load at the loading docks when need be.

There being no further business the meeting recessed at 5:45 P.M.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert L. Willner Richard "Rick" Borries Shirley Jean Cox	Alice McBride	David Jones
SECRETARY:	Janice Decker		

Robert L. Willner

Richard J. Borries

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
NOVEMBER 2, 1981

The meeting of the County Commissioners was held on Monday, November 2, 1981, at 2:30 p.m. in the Commissioners Hearing Room with President Willner presiding.

The meeting, being the first one of the month was officially opened by Deputy Sheriff Pete Swaim.

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

RE: POOR RELIEF....PIGEON TOWNSHIP

Applicant.....Mary Ann Roy
Representative from Pigeon Trustee....Mr. Jim Lewis

President Willner said Ms. Roy is requesting the Trustee's office pay her utility bill which was denied because they say there are alternate resources available to her.

Ms. Roy said she feels the lady was unfair and didn't really try to understand her position. She just simply cannot take care of the bills and the children with what money she has coming in. She has two (2) shut off notices from Southern Indiana Gas and Electric for a total of $101.91. She works less than 40 hours a week at the Western Sizzlin Steak House and brings home an average of about $85.00 per week.

President Willner asked if there is any possibility of her getting more than 40 hours a week and she replied no.

Mr. Lewis said Ms. Roy has five (5) children and would be eligible for ADC and should get that before she comes to the Trustee. He checked with the people in the ADC office and a case worker told him Ms.Roy cannot receive ADC because the father of the children visits the house daily, so if this means he is living there he should either help with the support of the children or else put her in the position where she is eligible to get her ADC. Ms. Roy is divorced and the ages of her children are 14,12, 7, 6 and 4 years old, or close to those ages, therefore they would all fall under ADC. He said the Trustee paid an $86.00 utility bill for her in June, 1981.
Commissioner Borries asked Ms. Roy when she was divorced and she replied on October 1973.
Commissioner Borries asked Ms. Roy if her ex-husband pays any support at all and she replied not at the present time. When he has some money he helps out, but he has been in and accident and isn't working at the present time.
Commissioner Borries asked Ms. Roy if her ex-husband lives at the same address that she does and she replied no and she has no idea what his address is and she thinks the only people that does know it is the food stamp people.

President Willner asked Ms. Roy if she has ever approached the Prosecutor to cause action for the husband to pay for the children and she replied no, because when he has money, he helps her. He asked when was the last time her ex-husband help her out and she said about four (4) months ago. She said she does not know where his last place of employment was.

Commissioner Cox asked Ms. Roy if she applied for Aid to Dependent Children and she said yes, but they denied her because they said her ex-husband would either have to move in with her and receive disability or else he would have to stay away except for only two (2) times a week to see the children. She then told her ex-husband he would have to stay away except for two times per week, which he did, and then when she went back to the ADC office and told them he was staying away, they still denied her and told her the only reason she was making him stay away was so she could get ADC for the children and she said of course this is why, because they told her he must stay away.

County Attorney David Miller asked Ms. Roy how often the ex-husband was coming to see the children and she replied every day and he would stay anywhere from thirty (30) minutes to two (2) hours. Mr. Miller asked if he shared meals with the family and Ms. Roy said no, with the exception of once or twice a month, he would have a meal with them. Mr. Miller asked what the ex-husband was ordered to pay by the court and Ms. Roy said the divorce was granted in Florida, where they lived at the time, and he was ordered to pay $45.00 a week for the three children they had at that time. Since the divorce, she has lived with him and they have two additional children.

Mr. Miller said that is one of the problems.

Ms. Roy said she lives at 1206 South Bedford Avenue, that she has to pay, for her part, $48.00 per month rent, that the building use to be two apartments and it is now one apartment, that it has two light meters, one gas meter and one water meter. The bills are in her ex-husbands name because she did not have the money for the deposits. President Willner said this board would recommend that Ms. Roy reapply for ADC for the children and that she contact Legal Services for help in acquiring this and if she has not received help in two (2) weeks, that she come back before this board and we will give a temporary order to turn the electric back on. He said the shut off notice is effective tomorrow, therefore he would ask the Trustee's office to contact the gas and electric company and ask for an extension for Ms. Roy and inform them the Commissioners are working on this.

Mr.Lewis said they go through this every day and he can say right now that the gas and electric company will not extend the shut-off notice.

Commissioner Cox said you mean with five (5) children in the house they will still cut it off and Mr. Lewis said this is true, the children will make no difference.

Commissioner Borries moved that Mr. Lewis contact Southern Indiana Gas and Electric and try to get them to extend the shut-off notice and if they will not do this then the Trustee's office is ordered to pay the bills due in the amount of $101.91. Commissioner Cox seconded the motion. So ordered.

RE: MARK TULEY.....SUPERINTENDENT OF COUNTY BUILDINGS

Electrical Problems at County Garage

Mr. Tuley said a few weeks ago the electrical problems at the County Garage was discussed and since that time he has been out there with Mr. Ron Jourdan from Southern Indiana Gas and Electric and at this time he would like for Mr. Jourdan to explain the situation of the wiring to the Commissioners.

Mr. Jourdan said the lighting is single lamp, open incandescent and hanging from the girders and half of them are not burning and the distribution panels are push-matic types. There are suspended fluorescent fixtures over the work benches. He said the distribution system is not marked and at the feed end of the conductor where it is going to and you can't tell at the load end, where it came from. He does not think the lighting is adequate to do a good job for the people working in there. He said the electrical system needs to be re-worked, in fact, the whole thing needs to be over-hauled. He said the company can help with the lighting requirements, that they can divide the garage up into different work zones and concentrate the lighting in those areas most worked in and light the rest to a minimum level. We can also help by informing you which is the most cost efficient units so that when you are approaching contractors you will have some idea of what you are trying to do.

President Willner said then you are telling us that you would help draw up specifications?

Mr. Jourdan said no they will not draw up any specifications but they will be happy to show the county what is available on the market.

President Willner thanked Mr. Jourdan for his help and time in this matter and he informed Mr. Tuley to continue to follow it through to the point of it being ready for bidding and then bring it back to this board for approval.

RE: CONRAD COOPER.....AUDITORIUM

Fire Marshal Inspection of Auditorium

Mr. Cooper submitted the following letter addressed to him from the Department of Fire Marshal, dated October 19, 1981.

RE: Auditorium
Evansville, Indiana

Dear Sir:

You are hereby notified that an inspection of the above premises has been made on October 6, 1981. Our inspector indicates the following remedial activities are necessary.

1. Install approved fire extinguishers in the receiving area, state area and mechanical rooms on the first and second floors.

2. Remove padlock from the kitchen door in the Gold Room.

3. Install approved variable fog nozzles on all hose connections.

4. Install emergency lighting in the basement in accordance with CH33, UBC, 1976 Ed.

5. Practice better housekeeping in control booth auditorium.

In accordance with the duties of the State Fire Marshal set out in IC. 1971, 22-11-5-11, we are ordering compliance within thirty days of your receipt of this notice.

Once you have complied the remedial activities listed above, contact this office so that final inspection may be made.

Yours truly,
State Fire Marshal Department
Earl F. Ford
Chief Inspector

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Mr. Cooper said the following letter to the Commissioners contain his proposals on what to do to comply with the Fire Marshal's orders. The letter is dated November 2, 1981.

RE: State Fire Marshal Report

Dear Commissioners:

On October 6th of this year, the Vanderburgh Auditorium Convention Center was subjected to a routine inspection by Mr. Horsman of the State Fire Marxhal's office.

On October 19, a letter spelling out what changes would be necessary to comply with the Fire Safety Code was received. The recommendations and proposed actions are as follows:

1. Replacement of all type "A" Fire Extinguisher with Type "A-B-C". Estimates from M & S Fire are $23.25 each with a $3.10 trade-in allowance for the old stainless steel models. * $341.70 total.

2. Remove pad lock hasp from catering door. The hasp was installed several years ago, according to maintenance personnel, when the locking mechanism failed. The door must be unlocked from the inside according to the Fire Marshal's Inspector. But, for security purposes it must also lock from the outside. Therefore, locksmith Lee West, says the best and least expensive way of accomplishing both objectives is to install a "panic or crash" mechanish, similar to the ones on the emergency exit doors. We propose to remove the old panic bar on the heavily used stage door (rear entrance used by building employees) and install it on the catering door. A new panic or crash bar would then be installed on the stage door, with a combination lock from the outside. There would be no outside lock on the catering door. The cost of this is estimated at approximately $400.00.

3. Install emergency lighting system in basement hallways. Estimates from M & S Fire Company indicate the lights would cost approximately $98.50 each, or $199.50 total. These units can be installed by building personnel and maintained as we currently maintain the rest of the emergency lights in the building. We estimate the cost of the installation would be approximately $25.00 for miscellaneous electrical parts. (outlets, fixtures, cable, etc.)

4. Better housekeeping in Auditorium control booth. The inspector visited immediately after a large performance in the Auditorium and the stagehands had not cleaned the booth after every performance and building personnel are physically checking this area before they leave the premises.

* It is my opinion however, that the trade-in price on the old stainless steel pressure water type fire extinguishers is much, much too low. However, the quoted price for the outright purchase of the 5 lb. dry chemical extinguishers is a very attractive one.

Therefore, I recommend, that the old water-type extinguishers be declared surplus and either sold at a fixed price for their "esthetic" value, or put up for auction. It is my feeling that they will bring far more than the trade-in value of $3.10.

With regard to the other prices, I feel they are well within acceptable limits.

I would recommend because of the seriousness of these items that funds for this work be included in the request to the County Council for extended use of the 207 appropriation.

Respectfully,
Conrad Cooper
Manager Vanderburgh Audtiorium
Convention Center

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Mr. Cooper said he feels like the fire inspection was a good one and the recommendations made by them were well taken. He said they presently have thirteen (13) of the old type fire extinguishers and they recommend they all be replaced with the new dry chemical type extinguisher, since any type of fire they are likely to experience would probably be electrical or chemical since we do have such extensive wiring. He brought with him one of the old stainless steel models and showed it to the Commissioners at this time.
He said he omitted in his letter the installation of approved variable fog nozzles on all hose connections, that they currently have direct stream metal nozzles on all of the fire hoses in the building and the Fire Marshal recommends we change these to a variable type nozzle, with a shut-off on it and we can get these for $12.50 each, for a total of about $130.00.

President Willner asked Mr. Cooper if he has the money to do these things and he replied as stated in the last paragraph of his letter, he is asking that council allow him to use money from the 207, Cumulative Capital Improvement fund to cover these costs.

Commissioner Cox moved the request be granted. Commissioner Borries seconded the motion. So ordered.

Mr. Cooper said he brought the old type fire extinguisher to this meeting today to show the Commissioners and to offer a suggestion on selling them. He feels they are worth much more than the $3.10 that M & S Fire have offered us as trade-ins for them. He would like to sell them out right and the money received from them be put back into paying whatever we have to in order to bring the building up to code.

The Commissioners all agreed that Mr. Cooper should get the extinguishers all together and let the board then decide what would be the best way to dispose of them.

Letter from Metropolitan Chamber of Commerce

Mr. Cooper submitted the following letter to the Commissioners, dated October 30, 1981.

Dear Conrad,

Thank you for helping to make our Annual Dinner Meeting enjoyable. I appreciate your follow-up on all the small details it takes to make a dinner function a success.

Looking forward to working with you again in the future.

Sincerely,
Ohm I. Hart, Manager
Organizational Affairs

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Letter received and filed.

RE: JESSE CROOKS.....BUILDING COMMISSION

Mr. Crooks submitted the Building Commission Report of Permits Issued for the month of September.

Report received and filed.

RE: GENE KAUTZMAN...COUNTY HIGHWAY

Weekly Absentee Report

Mr. Kautzman submitted the weekly absentee report of the employees of the county garage for the period of October 26 through October 30, 1981....Report received and filed.

Weekly Work Report

Mr. Kautzman submitted the weekly work report for the employees at the county garage for the period of October 26 through October 30, 1981....Report received and filed.

Mr. Kautzman said he spoke with Mr. Willner last week about Boonville-New Harmony Road that there is quite a bit of ditch work that is going to have to be done out there, so if any of the Commissioners get calls on it just tell them we are on our way to getting the ditches opened.

He said they have both of the grade-alls in running condition so they will be able to push on with the digging program.

Mr. Kautzman said he and Mr. South went out and looked at the problem on Outer Pollack Avenue that Jennifer Wright was before this board discussing last week. He presented photogragh of what is presently know as #185 Road.

Mr. South said the photos show from Pollack Avenue and go back behind the levee. He said the last two pictures are a culvert just over the levee, that appear to be stopped up. He said the pipe on Pollack Avenue that Ms. Wright questioned is pretty well stopped up and so is the ditch along there. He said we can accept the maintenance of the road and continue to get our money from it or we could elect to not maintain it.

Commissioner Cox said what would maintenance consist of, that it is a dirt road and we have a lot of requests to repave or to pave gravel roads, but we do not have the money to do it.

Mr. South said this appears to be a road that we are presently getting money from the state to maintain.

Mr. Kautzman said they believe the only place there is aggregate in the base at all is over the levee itself that other then that it is a dirt and sandy road.

President Willner said since the pipe along Pollack Avenue is ours why don't we clean it out.

Mr. South said Ms. Wright said a pipe needed to be installed but after going out and looking at it he thinks perhaps cleaning the ditch and pipe out may be a solution.

President Willner instructed Mr. Kautzman to see the ditch and pipe is cleaned and if they find the pipe is broken and needs to be replaced, then let the Commissioners know.

Buente Road

Mr. Kautzman said he, Mr. South and Mr. Jourdan took a trip to Buente Road, off of Trapp Road, that this concerns a claim for the amount of $426.72 the county received from Southern Indiana Gas and Electric.

Mr. Jourdan said accoring to their accident report, a farmer, Mr. Martin, called in the office on February 22, 1981 at 10:00 a.m. and reported that a pole had fallen out into Buente Road, so they sent a trouble man out there and he discovered several poles leaning and one completly down, so a line crew was sent out there and they reset the poles deeper and at that time their assessment was that approximately three (3) feet of dirt had been removed from the base of several of these poles and at that point they are only about five (5) in the ground anyway so there was not sufficient dirt to hold the poles up-right. He said it had been reported to them this was caused by the county ditch digging and if the company would have been informed at that time, they could have sent a crew out to reset the poles at no charge, but because they were not notified and they had to send a crew out on overtime on a Sunday morning, they considered it similar to a damage situation and that is why the claims section sent the claim to the county.

President Willner asked if they have easements for those particular poles and Mr. Jourdan said they are on the public right-of-way.

President Willner said he finds it ridiculous that we cannot clean the roadside ditches without notifying SIGECO.

Mr. Jourdan said they have a right to occupy the public right-of-way, but just because they have that right, it is a courtesy to let other users of the road know what they are going to do, and they like this same courtesy.

Commissioner Cox said has it been determined that the Highway Garage did do the ditching along there and Mr. Kautzman said no, it hasn't.

Mr. Jourdan said as far as he is concerned they are still investigating the matter.

Mr. South said it might be interesting to know when the work was done and how much later there was difficulty with the poles.

Mr. Kautzman said in the future SIGECO could be informed of where we will be ditching and they can send one of their men out to look at it and see if they think there will be problems with the poles.

Mr. Jourdan said since he attends these weekly Commissioners meetings, he is not asking that any type of formal procedure be followed, only that Mr. Kautzman tell him where the crews will be and he will run someone by the site to look it over.

Problem at Tanglewood and Bergdolt

Mr. Kautzman said he and Mr. South spent some time at Tanglewood and Bergdolt where there is a drainage problem. He has pulled out the drainage (water-shed) map of the Sonntag-Stevens Legal Drain and also pulled the topo map and discovered that Louis Stephen was in on the problem and had penciled in some notes on the matter. They also pulled the sub-division maps and ran copies for Mr. South. He personally doesn't think there is much he can do on this but there is some SIGECO property involved.

Commissioner Cox asked if Tanglewood is a county accepted road and Mr. Kautzman said no, it isn't.

Mr. South said the drainage problem doesn't appear to be a highway problem, that it is all down stream from the highway. Immediately down stream from the sub-division where this pipe discharges, we suspect we have SIGECO property, but we do not have that confirmed right now. He said once we get through their property, we go back through another sub-division which appears to have a fifteen (15) foot ditch and and six (6) foot easement, going across the back of a sub-division, which is private property and there it enters into a legal drain, so if you start cleaning it out, you are going to have to go all the way and it might even be that the legal drains are so flat that we may have to do some work on the legal drains themselves.

President Willner told Mr. South to keep the board informed whether or not the property belongs to SIGECO and then we will draft a letter to the individual who sent us the original letter of complaint.

Problem on Whetstone Road

Commissioner Borries said he received complaints from some residents in the area of Whetstone Road, that there have been accidents before because water stands on the road. He said this is between Highway 57 and Petersburg Road.

Mr. Kautzman said that Mr. Willner gave him this same problem this morning and he will see that a crew takes a look at it and try to solve the problem.

Problem along Mt. Pleasant Road

Commissioner Cox said there are several residents along Mr. Pleasant Road complaining of the condition out there.

Mr. Kautzman said he talked to a couple of people out there and this problem is on his desk right now and he will see that it is taken care of.

RE: DORATHEA MacGREGOR...PIGEON TOWNSHIP TRUSTEE

Mrs. Dorathea MacGregor was present and stated she would like to discuss a budgetary problem with the board. She said during the last budget hearing, the state cut her down to $613,000.00 and for the remainder of this year she has only $17,000.00 left, therefore according to the Statute 12-2-1-31, it is up to her to appear before the Commissioners and ask them to appear before the County Council with a request for her to be allowed to borrow the needed monies for her to meet her bills for the remainder of this year and then take it out of her next year's allowance. She said her case load has doubled since 1979 and at 3:30 this afternoon she had 227 families that had went though today, so you can see this is quite a case load and she expects to have around 400 families go through tomorrow. The main thing she wants to be able to pay is her Landlords, which usually runs between $12,000.00 and $14,000.00 per month and she has left only $15,000.00 to pay this. If the council cannot see fit to let her borrow the $50,000.00 she was cut at budget time, she would at least like to have $15,000.00 so that she can pay her Landlords and then the rest of the bills can carry over into 1982, eventhough she does not like to do that.

County Auditor Alice McBride read the following from the Auditor's Manual:

"Whenever the balance in any Township Poor Relief Fund is insufficient to pay claims filed with the Auditor for payment it is the duty of the County Auditor to report such conditions to the Board of County Commissioners, which board shall take the necessary steps to provide such funds and the County Council shall promptly pass the necessary Ordinance to enable this to be done".

Mrs. McBride said the last time we did this was in 1975 and at that time they borrowed $73,000.00, that it came from the Commissioners and then the Trustee's repaid it. The Council did not have to appropriate the money, that the account went into the red. In 1975 the money was taken from account 130-255...Loan to Pigeon Trustee. She said if worse comes to worse, Mrs. MacGregor may have to float a bond issue.

County Attorney David Miller said in reading the statute on this matter he understands there has to be an absence of money available to pay claims and there is not yet an absence of money in her Poor Relief. He asked Mrs. MacGregor if there are presently claims on file for more then the $15,000.00 remaining in the budget, and she replied there will be when she takes them to the Auditor's office around the 6th of this month.

Commissioner Cox said a standard question they ask all offices is there any monies in their budgets that can be transferred and Mrs. MacGregor said there is a possibility she could transfer between $5,000.00 and $10,000.00.

Mrs. McBride said an Ordinance does not have to be advertised for the County Council to take action on this, so if the Commissioners desire, they can recommend approval at the next Council meeting, which is this Wednesday.

President Willner said the statute says you must be running in the red, so if you are in the red next Monday (Nov.9) then come back at that time and we will put you on the County Council agenda and this way we will be following the law to the letter.

RE: DAVID SOUTH....COUNTY HIGHWAY ENGINEER

Telephone System

Mr. South said he would be happy to answer any questions on the new phone system.

Commissioner Cox said she went over and looked and Legal Aid has five (5) phones in their office with four (4) lines and the area they moved from has no phones, that being in the old room 201 and this room is going to be used by the two (2) misdemeanor referee judges, the court reporter for the Misdemeanor Division, a receptionist and also a Chief Probation Officer and Bailiff....six (6) persons. She said they are transferring the Chief Probation Officer's phone, which is #5402, and they are requesting five (5) additional phones and our recommendation is that they have only three lines with one extension.

Commissioner Borries moved they approve the three phones with one extension. Commissioner Cox seconded the motion. So ordered.

President Willner said this is for Superior Court.

RE: BOB BRENNER....SURVEYOR

Bridge and Guardrail Report

Mr. David Guillaum submitted the Bridge and Guardrail Report for the period of October 26 through October 30, 1981....Report received and filed.

Mr. Guillaum said they did some work on the bridge on Oak Hill Road over Pigeon Creek, where they had some minor cracking on the approaches.

Mr. Guillaum said the majority of the week was spent with a crew on Crestmont, taking care of the pipe problem brought to their attention by Mrs. Cox and they should have it totally completed tomorrow with the exception of the blacktop and he will talk to Mr. Kautzman and get that done as soon as possible.

Mr. Guillaum said Sensmeier is closed and they hope to get that project all wrapped up within the next couple of weeks.

Letter to L & N Railroad from the Surveyor's Office

Mr. Guillaum said he talked with the L&N people in Jacksonville, Florida and it seems they are a little in the dark about the procedures we were going to follow so he did write Mr. Currier a letter of explanation and at this time he would like to present copies of that letter to the Commissioners. The letter was as follows, dated November 2, 1981.

Dear Mr. Currier:

Please find enclosed our Procedure for use in the proposed Nurrenbern Road underpass near Howell Yard in Vanderburgh County.

PROCEDURE

A) Drive abutment bearing piles to specified bearing and cut off at ground line. This should pose no problem to rail traffic; and driving time should be minimal.

B) Excavate minimum necessary for abutment cap. This area at most would span 3½' earlier conversations with Mr. Thurman indicated a span of 100" beneath the tracks is acceptable and safe.

C) Cut off bearing piles to specified elevation; this should conform to cap elevation.

D) Drive sheet piles (Z-27) and temporarily remove rail minimum for pile clearance. It should be noted the sheet piles will serve only as a retaining wall with no bearing from the cap. The bearing will be provided by the shell piles mentioned above.

E) Place steel and pour cap abutment 1 and 2 with expansion joint material.

F) Stop traffic Line 1, remove tracks, place prestressed beam/track unit. The idea here was to use a pre-made prestressed beam with rail and ties fixed in place; if this is not desirable, the rail could be constructed after the beam is in place.

G) Repeat this procedure for Line 2.

H) Summary. It should be stressed that if performed according to plan, this improvement can be accomplished with very minimal, if any, rail interruption; a run around spur would be very costly and totally unnecessary.

The bearing design should be satisfactory utilizing H 80 loading with shell piles handling the bearing, Z-27 piles used for earth retainage only. A 25-30' span can be accomplished without the use of a center pier; a 36" prestressed box beam will sufficiently handle the indicated load.

Our preliminary survey of the project shows a center line between the existing lines of 13'; we can negotiate this item if necessary with no problems.

I wish to once again stress the public concern for an improvement at this crossing. The residents as well as the County Commissioners can see the potential for catastrophy and ensuing liability on part of the County and rail road by having a situation

which cuts off a large body of people from fire, ambulance and police service. We appreciate your cooperation and await further correspondence from you.

Sincerely,
David Guillaum
Deputy County Surveyor

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Mr. Guillaum said the only thing we can do for now is to await a reply and if we do not hear from him within a couple of weeks he may give him a call.

Maryland Street Bridge

Mr. Guillaum said they have recieved some additional information on the Maryland Street Bridge and he went out and took a look at it and we have a tendency to believe the 18 ton load limit on it is a little high, relative to the overall condition of the bridge, so the Commissioners may want to consider dropping the limit down somewhat.

President Willner told Mr. Guillaum to bring the Commissioners a recommendation.

Mr. Brenner said the Bridge Report recommends that we replace the Maryland Street Bridge and we agree with that report, with an estimated $800,000.00 cost. He said someone needs to look at it, that it carries about 6,000 cars a day. The decision is going to have to be made very very soon if this bridge is going to be replaced, that it is deteriorating very fast and about four (4) years ago we put some $70,000.00 worth of steel in it and even at that time we said it was just a make-do. The Water Works called us today and told us that after seeing the underneath of the bridge, they are going to stop all of their big trucks from going over it.
He would recommend that the Commissioners all go out and take a look at it because we are talking about almost a million dollars.

Commissioner Cox said she cannot see spending that kind of money on that bridge when there are others that need it worse than that.

Mr. Brenner said you can put a four (4) ton limit on it, for cars only.

President Willner said they Commissioners will take a look at it and come to a decision very shortly.

Replacement of Seven Bridges

Mr. Brenner submitted the following list of seven (7) bridges that they would like to have replaced. They are all narrow, have some structural defects and they all carry less then fifty (50) cars per day. The list is as follows:

1.	Ruston #106 (1.5 Miles North of Boonville-New Harmony Road) Replacement $70,000.00	$70,000
2.	St. Joe Avenue #74 (.9 Mile North of Baseline Road) Replacement $80,000.00	80,000
3.	Baseline #10 (.4 Miles West of Trapp) Replacement $75,000.00	75,000
4.	Baseline #11 (1.75 Miles West of St. Joe Avenue) Replacement $100,000.00	100,000
5.	Slate Road #143 (.1 Mile West of St. Joe Road) Replacement $70,000.00	70,000
6.	Hedden Road #108 (.3 Miles North of Millersburg) Replacement $60,000.00	60,000
7.	Kleitz Road (No Number) (.5 Mile West of Kremer Road) Replacement $35,000.00	35,000
	TOTAL	$490,000

President Willner said regarding No.1...Ruston #106, where is this going to be in relation to I-164 and Mr. Brenner said he does not know.

President Willner said he would ask that all of the Commissioners meet sometime soon and take a look at all these structures. He said we have already decided to go ahead with Kleitz Road.

Mr. Brenner said there are no monies appropriated for Kleitz Road and what he proposes to do is go before council and attempt to get all of this money appropriated.

Commissioner Cox said this is almost a half a million dollars and she thinks it is going to be hard to sell the public on these, when they still have to drive out First Avenue and it is not widened. She would like to take a look at these before decisions are made.

Mr. Brenner asked if you are aware of the fact we get almost one million, three hundred thousand.

Commissioner Cox said she is aware of that and she is also aware of how much it is going to cost to do Maryland Avenue, First Avenue, Fulton Avenue and Ohio Street, if we do them all.

Commissioner Borries said there is also Nurrenbern and he too would like to take a look at the ones on the list.

Mr. Brenner said if you are going to look, then you might as well look at Bridge #7 on Bixler Road and it will take about $85,000.00 to replace it. The bridge report recommends it be replaced by 1984.

Problem at West Franklin and Cypress Dale

Mr. Brenner said at the curb of west Franklin and Cypress Dale Road, the Cypress Dale ditch crosses there and the Cypress Dale is under reconstruction right now by the Union Township Ditch Association and a pipe that Mr. Stephen put in, less than a year ago, is two (2) foot higher than the bottom of the ditch. The pipe is probably nine or ten foot in diameter and it's out of his league for the bridge crew to do anything like that. He would say it would run about $5,000.00 to $8,000.00 to have this taken out and put in correctly.

President Willner said they will go out and take a look at this also.

RE: BOB FORTUNE....DATA PROCESSING

President Willner told Mr. Fortune that at some future time we would like to consider putting the telephone billing in the computer and he ask Mr. Fortune if he sees any problems with that being done and he replied no, that the Telephone Company supplies a tape with all that information on it for $105.00 per month and we can take that and give the Commissioners reports anyway you want them. This would include anyone on the centrex system so some of them might help absorb some of the cost of $105.00. The tapes would be in addition to the paper bills, that we would still receive them.

Mr. South explained to the Commissioners a little bit about how this system would work and the benefits we would receive from it. We have it confirmed that we have been paying for some telephones in the Sheriff's office, that in fact, were taken out over a year ago.

President Willner said he wants to know if Mr. Fortune is agreeable to this and there will be no extra charge on his part and Mr. Fortune said he agrees to it and there will be no extra charge on his part only the $105.00 per month to the Telephone Company.

President Willner said he does not think a decision need be reached on this today he only wanted to talk to Mr. Fortune and clarify the costs at this point.

Mr. Fortune suggested the Commissioners contact the Telephone Company and recommend that instead of them charging us $105.00 per month, that we sell them the computer reports they get from us monthly to support the charge of the tape.

RE: COUNTY ATTORNEY....DAVID MILLER

Ron Lyles Law Suit

Mr. Miller said Mr. Ron Lyles has filed an additional suit against the county for what

he refers to as adjusted salary. We think, but we don't know that this suit results from the fact that Mr. Lyles was not paid the full amount that was budgeted for his position during the period of time he was on the payroll. The total amount of the claim is $2,442.00 and we are going to enter an appearance on behalf of the county council and the county commissioners.

Commissioner Cox asked Mr. Miller if he is handling the other law case also and if so, what is the statis of it. (She was referring to Mr. Edwin Smith)

Mr. Miller said summary judgements have been denied, that it is not very difficult to overcome a motion for summary judgement because it has to be shown that there is absolutely no issue of fact for the court or the jury to hear and there seems to be some reason to argue about the clarity of some of the minutes of the county council meeting, because the county council met out of the presence of the Deputy Auditor at one point and the Deputy Auditor then had to reconstruct the meeting, so not because of the fault of anyone in the Auditor's office, there is confusion about the particular minutes of one meeting, so we were not successful on summary judgement, so that suit is pending and is in the discovery stages.

Law Suit...Hirsch vs. Vanderburgh County

Mr. Miller submitted the following letter he received from the law office of Charles L. Martin, dated October 26, 1981.

RE: Hirsch vs. Vanderburgh County
Warrick Circuit Court

Dear David:

In regard to the above matter, which is set for trial in March, 1982, I wish to report the following regarding my most recent offer of settlement.

This case was filed August 2, 1978, and either shortly before the filing or shortly after the filing thereof, the County of Vanderburgh through Mr. Dan Riddle, a real estate appraiser, made an offer to settle in the approximate amount of $15,000.00. My clients have now authorized me to tender an offer to you to settle the case for the total amount of $17,000.00, to be paid by Vanderburgh County, to my clients for damages at which time this case would be dismissed and the prior order of condemnation would be stricken so that no condemnation would have taken place. It is my belief that your client in so settling this matter would avoid additional costs of litigation along with considerable exposure for a judgment well in excess of $17,000.00. Along with the dismissal of this case against Vanderburgh County, there would also be a dismissal of the case against Robert Brenner, County Surveyor and the Drainage Board. Attorney, Bruce Heathcotte once contacted me in regard to Brenner and I am therefore sending a copy of this letter to him.

If this case goes to trial my evidence will essentially show the following: (1) 2.4 acres taken at $5,000.00 per acre equals $12,000.00; (2) crops lost in 1978 and 1979 equals $9,090.000; (3) damage to two bridges at $3,000.00 each equals $6,000.00; (4) damage to tile and tile ends equals $1,500.00; (5) Loss of trees equals $1,000.00; (6) stump removal at $750.00 and (7) cost to cure in preparation for plantings at $1,500.00 and (8) Attorney fees in the amount of $2,500.00. The above totals $33,340.00.

In regard to the above, I would indicate the following:
(1) We have comparable sales which would easily justify $5,000.00 per acre value of this real estate; (2) The two years of lost crops are easily documented and we have pictures to prove the condition of this ground which prevented the growing of crops; (3) a neighbor located north of the Hirsch farm received approximately $3,000.00 in a Court verdict for washing away of supports under one(1) bridge on his property caused by excavation on the same ditch; (4) The tile, tile ends and animal screens were ripped out by the excavation and will cost approximately $1,500.00 to replace; (5) My client lost trees and had expense in removing stumps and re-fertilization and leveling his ground outside the 75 foot easement in order to later plant crops; (6) Burns Indiana Statute 32-11-1-10 permits attorney fees up to $2,500.00 if the verdict is in excess of the condemnor's last offer.

Last week, I personally examined by clients property and found that although crops are now again being raised on this property, the excavation caused the ground to be very uneven, close to the ditch and there are low spots within 100 feet of the ditch in which water still pockets. Also the condition of the ditch since the excavation permits continued erosion on the East bank, which bank previously was supported by trees and

other vegetation. This erosion will obviously cause the loss of support of the two bridges on the Hirsch property.

The above offer is my clients best offer. I would not recommend that they alter this offer and I am submitting it to you and notifying you that it will remain in effect to and including November 13, 1981. If between now and then, either you, any of your witnesses, any or all of the Commissioners or anyone else on your behalf would like to visit these premises please contact me. I am anticipating that November 13, will be adequate time for the commissioners to have considered this offer. If this offer is not accepted, you may contact me and reset the deposition of my landowners and our appraiser. Thank you very much.

Yours Very Truly,
Charles L. Martin
Attorney at Law

P.S. The above damages we may prove at trial do not include damages to residue which we may then prove.

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Mr. Miller said he would like for all the Commissioners to become familiar with the letter, discuss it at a later date and then make a decision on which way to go.

Re-organization of Property Developer, Inc.

Mr. Miller said we have a request from the trustee of the bankruptcy court, to agree to and to consent to a proposed plan of re-organization of Property Developer, Inc., which is a corporation, with the principle share holder being Mr. Ferris Traylor, or his trusts, which went into backruptcy precedings under Chapter 11. He said under this plan the second amended plan of arrangement, it appears that the Vanderburgh County Treasurer was classified for purposes of this arrangement as the ninth (9th) level of claims. The Vanderburgh County Treasurer would be granted a lien on all of the assets of the debtor for the sum due and would have the same priority as the Internal Revenue Service, but would have less priority than the first mortgage in favor of National City Bank and the second mortgage in favor of Midwest Federal, Permanent Federal and First Federal and expenses of administration in the bankruptcy and the one allowed claim of Bonanza International, that Property Developer, Inc. is the operator of the Bonanza Steak Houses in Evansville.

He would recommend that we consent to this arrangement because it appears that the county will be in as strong a position as the Internal Revenue Service, and that is not ever a bad position to be in. He said it appears that there will be a full payment, perhaps without any interest, coming to the County on the claims. He would like authorization from the Commissioners today, so that he might consent to this arrangement.

Commissioner Borries moved the commission consent to the second amended plans of arrangement of Property Developers, Inc. as recommended by the County Attorney. Commissioner Cox seconded the motion and stated that she feels the county should get their money before anyone else gets theirs. She is glad to see the Treasurer in there but we paobably won't get a penny. So ordered.

Petition for Re-hearing...Southern R.R. and Vanderburgh

Mr. Miller said we have filed, on behalf of the county, a petition for re-hearing before the Court of Appeals of the State of Indiana, to reconsider it's ruling in the Southern Railway-Vanderburgh County overpass case. We believe the Court of Appeals committed error after looking back at the authority which was cited. The next step after that, if the Court of Appeals does not agree with us, is to file a petition to transfer to the Supreme Court of Indiana, and we intend to do this, if and when it is necessary.

L&N Railroad and Lynch Road Problem

Mr. Miller said that Mr. Bowers, who represents the L&N Railroad, has removed the Lynch Road case, which we filed against the L&N, to Federal Court. It is automatic that any time a railroad in the United States is sued, they are entitled to have the case heard before the Federal Court rather than a County Court.

RE: LONG DISTANCE TELEPHONE CALL POLICY

Mr. Miller said that County Attorney David Jones has prepared a Memorandum concerning the long distance telephone calls and at this time he submitted this to the Commissioners with Mr. Jones' recommendation that it be adopted. Mr. Miller read the following Memorandum.

MEMORANDUM

TO: ALL COUNTY OFFICES
FROM: BOARD OF COUNTY COMMISSIONERS OF VANDERBURGH COUNTY
SUBJECT: LONG DISTANCE TELEPHONE CALL POLICY

The Board of County Commissioners of Vanderburgh County has been faced with a number of increases in both telephone rates and usage which have exceeded the appropriated amounts for all County telephones. The sharp escalation in cost and usage in County offices has made it necessary to install cost and saving control measures for the use of the County telephones. The following policies are hereby established from and after the date of this Memorandum:

No personal long distance calls shall be made by any County employee or any other person using a County telephone unless such call is made in connection with their work and authorized by the office holder or department head. All calls of a personal nature must be billed to that party's home telephone number or the charges for such call must be reversed. The prior practice of allowing personal calls and reimbursement made to the County is hereby ordered terminated.

Each County department and office shall maintain a Long Distance Telephone Call Record which will be submitted monthly to the Office of the County Commissioners for review and spotchecking against the telephone bills incurred by the County. A copy of the form to be used for maintaining the long distance telephone call record is attached to this Mamorandum and should be reproduced by each office and maintained. Every County employee making a long distance call shall complete the Long Distance Telephone Call Record by inserting the date of the call, his or her name, the purpose or authority for the call, name of the party called, the town where the call is made and the telephone number and any additional comments necessary. At the bottom of each Long Distance Telephone Call Record the department head or office holder shall affix his or her signature, position and date certifying that all such calls were made for a valid work related purpose.

Any unauthorized long distance telphone calls shall not be paid by the Board of County Commissioners but shall be charged to the person making such call and withheld from his or her wages. Multiple violations of this policy by a County employee shall be grounds for termination from County employment.

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Commissioner Cox said the Memorandum does not state when the Record must be turned into the Commissioners, and there should be a certain time of the month, so that they don't stagger in all month.

Mr. Miller said he thinks it is a good idea to set a certain day of the month that the Call Record should be turned into the Commissioners and this can be decided at a later time and then send out a supplementary memorandum setting a deadline.

Commissioner Borries moved the Memorandum be approved, as written by County Attorney Jones. Commissioner Cox seconded the motion. So ordered.

RE: DISTRICT MEETING....INDIANA ASSOCIATION OF COUNTY COMMISSION

President Willner said there is to be a South West District Meeting held on Wednesday, November 11, 1981, with a social hour and 5:30 p.m. and dinner hour at 6:30 p.m. at the Four Winds Inn - Lake Monroe, South of Bloomington, East of SR-37.

Mr. David South said he would like permission to travel to Indianapolis on November 12, 1981 (Thursday) to attend the Annual Meeting for the Indiana Association of County Engineer, of which he is President, therefore he feels like he cannot make the meeting in Bloomington and then travel to Indianapolis on Thrusday.

Commissioner Borries moved Mr. South be allowed to attend the meeting in Indianapolis on November 12th. Commissioner Cox seconded the motion. So ordered.

President Willner said he will try to drive to the South West District Meeting, if any one wants to ride along.

Commissioner Borries said he will check his schedule and will attend if possible.

Commissioner Cox said she does not think she will be able to attend.

RE: CERTIFICATES OF INSURANCE

A certificate of insurance was submitted by the Musicians Club of Evansville for a concert held October 31, 1981 at the Auditorium.

A certificate of insurance was submitted by the Evansville Alumni Chapter of Delta Sigma for the Ebony Fashion Fair on November 22 to be held at the Vanderburgh Convention Center.

A certificate of insurance was submitted by the Hoosierette Chapter of Sweet Adelines for rehearsal and show on November 28, 1981 at the Auditorium.

A certificate of insurance was submitted by the Lewis Family for a concert to be held on December 13, 1981 at the Auditorium.

A certificate of insurance was submitted by the Musicians Club of Evansville, Inc for a blanket coverage for year to expire 10-21-81, at the Auditorium.

All certificates received and filed.

RE: SPECIFICATIONS FOR AE-150

President Willner said the board needs to approve the specifications for the AE-150 to be advertised for the county for 1982.

Commissioner Cox asked if they specify how long the prices will be good for.

President Willner read the following from the specifications.

C. PRICE ADJUSTMENTS

Bidder shall have the right to increase the contract unit price in an amount equal to the bidder's increase in costs of materials and supplies occuring subsequent to the date on which such bid is submitted (hereinafter referred to as "base date") to the County Commissioners. Any increase (or decrease) in the bidder's cost of materials and supplies after the base date shall be determined monthly, and shall be verified by proper documents furnished to the County Commissioners which shall include proof of price to the bidder from the Bidder's source of supply.

President Willner said this needs to be advertised in the Courier and Press with bid opening to be on November 30, 1981.

Commissioner Borries moved the specifications be approved and it be properly advertised. Commissioner Cox seconded the motion. So ordered.

RE: SPECIFICATES FOR CAR FOR AREA PLAN COMMISSION

President Willner said the board needs to approve the specifications for one (1) Compact Car for the Area Plan Commission. The bids are to be opened November 30th. He said after talking to the Area Plan Commission, the money for this has been appropriated and is available in their budget. There will be no trade-in on this new vehicle.

Commissioner Cox said presently they have a large van which serves no purpose to them whatsoever.

Commissioner Borries wondered if a new 1981 vehicle was be just as acceptable as a 1982, and that it be inserted in the specifications.

President Willner said yes, just make it a part of the motion.

Commissioner Borries moved the specifications for a compact car for the Area Plan Commission be approved and advertised for bids, subject to it being amended to read a new 1981 or 1982 vehicle. Commissioner Cox seconded the motion. So ordered.

RE: CHECK RECEIVED FROM EVANSVILLE CABLE T.V.

A check in the amount of $4,945.92 was received from Evansville Cable T.V. for a quarter-year payment per agreement of July 28, 1980 for the period of July 1 through September 30, 1981. Also enclosed was the following letter, read by President Willner and dated October 30, 1981.

Dear Commissioners:

Evansville Cable TV again is more than happy to send the enclosed check in the amount of $4,945.92 which represents the third quarter payment, July 1-September 30, 1981. Our last payment for the second quarter was for $4,501.84. These checks should increase on a quarterly basis as subscribers are hooked up.

We have just completed the Browning Road area, Ladeside Terrace, Pleasant Ridge Mobile Home court, Regency Club, Foxfire, Partridge Oaks Apartments and are now anticipating areas off Mesker Park to Folz Road, Diefenbach Road, Little Schaefer Road, Cynthia Heights to Cynthia Heights Grade School and all of the streets in between. We are also in the process of expanding into Oak Meadows but must have approval of their Association first.

This payment is based on3% of the net basic subscriber dollars which is $8.00 per month, and 3% of our half of the HBO and pay TV service. This charge is $9.00 per month for HBO or Cinemax if each service is on a separate individual set. If the subscriber takes both services on the same set, then our charge is two for $17.00 or $8.50 each.

Again, we would like to thank the County Commissioners for giving Evansville Cable TV the pleasure of serving residents of the county with cable TV service.

If the commissioners have any questions, please feel free to call me. Thank you, and

Best regards,
Robert D. Ossenberg
Vice President and General Manager

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Commissioner Borries moved the Commissioner accept the check, indorse it, and turn it over to the County Auditor to be placed in the proper account. Commissioner Cox seconded the motion. So ordered.

Commissioner Cox asked Ms. Meeks if she would send an acknowledgment letter to them to let them know we did receive the check and she replied that she would.

RE: LETTER FROM BUFORD WEBB CONCERNING NEW HARMONY ROAD

President Willner read the following letter from Buford Webb, addressed to the County Commissioners and dated October 28, 1981.

To whom it may concern:

We, the undersigned, being school bus drivers and owners for the Vanderburgh School Corporation would greatly appreciate it if you people would see that the hump in New Harmony Road is fixed, that we are forever having our buses repaired. There is several bad ones just northeast of Resurrection School, between Highway 65 and Red Bank Road, also on Lake Shore Drive, Marx Road and several more.
Thank you. (Signed by eighteen (18) persons)

Buford Webb

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Commissioner Cox said she thought she had reported this several weeks ago and thought it had already been taken care of.

President Willner gave the letter to Gene Kautzman with instruction to check it out and report back to the board next week.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

COUNTY ASSESSOR

Mary Baker	727 S. Englewood	Real Estate Clerk	$30.00 day	Eff: 11-2-81
Verneida Greif	2025 Lincoln C-6	Real Estate Clerk	$30.00 day	Eff: 11-2-81
Vikki L. Oliver	1014 North Fulton	Real Estate Clerk	$30.00 day	Eff: 11-2-81

BURDETTE PARK

Thomas Mantz	320 South Barker	Rink D.J.	$4.00 Hour	Eff:10-25-81

SHERIFF

Michael A. Higdon	722 N. Bell	Pro. Patrolman	$14,643.00 Yr.	Eff:10-21-81

PROSECUTOR

Bettye Smith	700 South Kentucky	Receptionist	$8,250.00 Yr.	Eff:10-26-81

COUNTY ASSESSOR

Madge Bunker	2218 Pollack Ave.	Inh. Tax Deputy	$10,282.00 Yr.	Eff:10-22-81
LaTosha Anne Pitt	1119 E. Blackford	Auto Ex. Tax Deputy	$9,160.00 Yr.	Eff:11-2-81

RE: EMPLOYMENT CHANGES...RELEASES

PROSECUTOR

Terry White	225 Indian Trail	Deputy Pros.	$17,500.00 Yr.	Eff:10-30-81
Doloris Savage	1300 E. Chandler	Recep.(Leave of Ab)	$ 8,725.00 Yr.	Eff:10-26-81

Commissioner Borries moved the leave of absence be approved for Doloris Savage. Commissioner Cox seconded the motion. So ordered.

SHERIFF

John Shackelford	3312 Orchard Road	Patrolman	$15,643.00 Yr.	Eff:10-20-81

COUNTY ASSESSOR

Madge Bunker	2218 Pollack Ave.	R.E.Dep. Twps.	$9,160.00 Yr.	Eff:10-21-81
Sara Barron	1763 S. Taft	Auto Ex. Tax Deputy	$9,160.00 Yr.	Eff:10-30-81

BURDETTE PARK

Spencer Evans	1369 E. Chandler	Ground Crew	$4.00 Hour	Eff:10-5-81
Charles Newton	R.R.2 Old Henderson	Ground Crew (Leave of absence)	$6.16 Hr.	Eff: 9-21-81

Commissioner Borries moved the leave of absence for Charles Newton be approved. Commissioner Cox seconded the motion. So ordered.

There being no further business the meeting recessed at 5:00 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard "Rick" Borries Shirley Jean Cox	Alice McBride	David Miller
SECRETARY:	Janice Decker		

Robert L. Willner
Richard J. Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
NOVEMBER 9, 1981

The meeting of the County Commissioners was held on Monday, November 2, 1981, at 2:30 p.m. in the Commissioners Hearing Room with President Willner presiding.

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

RE: OPENING OF BIDS

President Willner said we have received bids this week on Calcium Chloride and also a Theodolite (electronic measuring device) for the Surveyor's office.

Mr. Ben Evans submitted the bids at this time (from the purchasing department) and stated there were two (2) bids received on the Theodolite and only one (1) received on the calcuim chloride.

Commissioner Cox moved the County Attorney proceed with the opening of the bids. Commissioner Borries seconded the motion. So ordered.

RE: MR. ELMER NELSON WITH REQUEST TO EXTEND SONNTAG STEVENS DITCH

Mr. Elmer Nelson of 4220 Oak Hill Road was present with a request for petition to extend Sonntag-Stevens Ditch. He said this is a Legal Drain ditch and should be cleaned by the county and after a discussion with the County Surveyor, he finds the description of the ditch to be cleaned does not include the portion where the ditch really starts, even-though this portion has always been cleaned before. He talked with the people that have always cleaned that portion before and they told him it is not on the legal description, but it was always inspected and had to be cleaned. He said this portion starts 218 feet west of Oak Hill Road and extends due west and eventually empties into the creek, but there is a portion of about 900' that is not on the legal description to be cleaned and he would like to petition for this portion to be added to the description to be cleaned by the county along with the rest of the Sonntag-Stevens Ditch. He asked if there are any other formalities he must go through in order to get this done.

President Willner asked Mr. Nelson if he has talked to his neighbors and how do they feel

Mr. Nelson said he has talked to them and they feel the same way that he does, that this ditch drains about 450 acres and it all comes in at this one point and there is about a three (3) foot culvert there and it is about half way stopped up now and if this is allowed to continue then eventually it will flow the street and then we will have problems. He said this was cleaned about twelve (12) years ago and they started cleaning from the low end working up to the high end and now the high end is the low end so the water always stands there and there is no way for it to drain out. Everyone along the ditch would like to have it cleaned out that this year they had weeds out there higher then the corn.

Mr. David Guillaum, Deputy Surveyor said it would have been much better if we could have included the cleaning of this portion in the contract we have let on the Sonntag-Stevens Ditch. He said they have a crew out there mowing and it would be nice if they could do this while they are out there, but he does not know how long it will take to get this legal description straightened out. He said he has talked to Mr. Nelson and he has also went out and looked at the ditch and it certainly does need some improvement. He said they are going to check into the footage in question, that he believes the 13,200 feet does include the area along side Lynch Road. What we will do is pay the contractor just for the lenial feet that he does mow, that his bid was on a unit lenial foot price and when the contractor gets done we will measure it and pay him accordingly.

Commissioner Cox asked Mr. Guillaum if he is in agreement that there is a portion of the ditch which has not legally been accepted and he replied they are going to check into that. He said there definitely is a portion that needs to be mowed that according to the description Mr. Nelson has, is not included.

Mr. Nelson said the legal description states the Sonntag-Stevens ditch...13,204', start at #1 lot which begins at a tree line to the south approximately in line with Smith and Butterfields east end of the building and end at the Keil Ditch. He said why the 900' was not included in the Sonntag-Stevens, he does not understand.

President Willner said each year we hire Mr. Messel to clean out that portion, that he has a private interest in it and he charged only $100.00 per year to clean it, which is very very cheap.

Mr. Nelson said that Mr. Messel has not cleaned it for two (2) years, that when he did clean it he did a really good job on it.

President Willner asked about how many people will be effected by this and Mr. Nelson said behind the ditch he would say there are twelve (12) or fifteen (15) homes directly along the ditch, but all of Aspen, Eastbrooke and Elmridge also drains in from the other side of Oak Hill Road.

President Willner asked if the twelve (12) or fifteen (15) property owners are presently paying a ditch assessment and Mr. Nelson said he is and he assumes they are also but he does not know for sure if they are all paying one or not. But he is not talking about only the fifteen (15) property owners behind him, but rather everyone in the area.

President Willner said the property owners must all understand there will be an increase of maintenance fees on the ditch if we accept more feet into it, but on the portion of the ditch that was tiled with the Lynch Road project being done would probably decrease the cost also.

Commissioner Cox moved the Commissioners petition the Drainage Board to extend Sonntag-Stevens Ditch. Commissioner Borries seconded the motion which carried unanimously in the affirmative.

RE: READING OF THE BIDS ON CALCIUM CHLORIDE AND THE THEODOLITE

County Attorney Davd Jones said the following bid was received for the Calcium Chloride for the County Garage:

Orbie of Illiana, Inc.....509 Ben Hur Building, Crawfordsville, Indiana 47933.

#1 40,000 gal. more or less.....32% Liquid Calcium Chloride.....41¢
#2 8,000 gal. more or less.....35% Liquid Calcium Chloride.....43¢
#3 8,000 gal. more or less.....38% Liquid Calcium Chloride.....45¢

Deliveries to be made by 4,000 gallon highway tanker.
Deliveries to be made on 48-hour notice.
This is a firm bid with no escalation through 10/31/82.

Mr. Jones said the above bid is in order.

The following bids were received on the Theodolite (Electronic Measuring Device) for the Surveyor's office.

Hickerson Inst. Co. Inc. 6009 11 E. 34th. St. Indianapolis, Indiana 46226.

Bid #1

1 Lietz TM-6 Theodolite	$3,900.00
1 Topcon DMS-1 Electronic Distance Meter	$4,155.00
3 Lietz 7512-52 Heavy-Duty Wood Tripot @$165.00	$ 495.00
2 Topcon Triple Prism Assemblies "0" offset @$385.00	$ 770.00
2 Lietz O.P. Tribrach @$282.00	$ 564.00
2 Lietz Tribrach Adapters with Rotatable Center @$76.00	$ 152.00
1 Topcon Single Prism Complete "0" Offset	$ 143.00
1 8' Prism Staff	$ 125.00
1 Spare On-board Battery Pack	$ 151.00
TOTAL BID #1	$10,455.00

ALTERNATE BID #1

1 Lietz TM-6 Theodolite	$3,900.00
1 Topcon DM-C3 Electronic Distance Meter	$4,650.00
3 Lietz 7512-52 Heavy Duty Wood Tripod @$165.00	$ 495.00
2 Topcon Triple Prism Assemblies "0" Offset @$385.00	$ 770.00
2 Lietz O.P. Tribrach @$282.00	$ 564.00
2 Lietz Tribrach adapters with rotatable center @$76.00	$ 152.00
1 Topcon Single Prism complete "0" Offset	$ 143.00
1 8' Prism Staff	$ 125.00
1 Spare on-board Battery Pack	$ 151.00
TOTAL BID ALTERNATE #1	$10,950.00

ALTERNATE BID #2

1 Wild Citation #CI410 Electronic Distance Meter	$4,435.00
1 Wild T-1 Theodolite	$4,435.00
3 GST 20 Tripods @$248.00	$ 744.00
2 Wild Triple Prism Assembly @$399.00	$ 798.00
2 GDF Tribrachs @$461.00	$ 922.00
2 Wild Tribrach Adapters with rotatable center @$87.00	$ 174.00
1 Wild Single Prism Assembly	$ 155.00
1 8' Prism Staff	$ 190.00
1 Spare Standard NI-CAD Battery	$ 89.00
TOTAL ALTERNATE #2 BID	$11,942.00

Seiler Instr. & Mfg. Co., Inc. 170 East Kirkham Avenue, St. Louis, Mo. 63119

1 TM6 with 7311-35 Tribrach	$3,644.00
1 CI 410 Wild Citation Yoke Mount	$4,145.85
3 Seiler 3101E Tripods w/caps @$113.40	$ 340.20
2 Wild Triple Prism @$328.50	$ 657.00
2 Lietz 7311-35 Tribrach @$260.00	$ 520.00
2 Lietz 7311-38 Rotating Tribrach Adapters @$72.00	$ 144.00
1 Wild Single Prism	$ 127.75
1 Seiler RP4000 Prism Pole	$ 92.40
1 Wild Standard Battery	$ 83.00

TERMS: Net 30
FOB: Evansville
DEL'Y 21 Days

Upon delivery our field representative will work with your crew for a full day or until they feel comfortable and productive with the equipment.

Mr. Jones said there was not a total of the items listed from Seiler, Inc. Bid in order.

President Willner asked Mr. Guillaum if he and Mr. Evans could go through the bids and perhaps come back with a recommendation before the end of this meeting and he replied that yes they could do this.

Commissioner Borries moved the bids be referred to the Surveyor's office to bring back a recommendation on. Commissioner Cox seconded the motion. So ordered.

RE: DORATHEA MacGREGOR...PIGEON TOWNSHIP TRUSTEE

Mr. Jim Lewis, representing Pigeon Township was present and stated that Mrs. MacGregor appeared before the Commissioners last week with a request to appear before County Council on a budgetary problem. Mrs. MacGregor is very ill and could not attend today's meeting and she asked that this request again be postponed until next week. Permission granted.

RE: CONRAD COOPER.....AUDITORIUM

Fire Marshal's Inspection of Auditorium

Mr. Cooper said he has distributed a letter to each of the Commissioners outlining the work they have embarked on as a result of the State Fire Marshal's Inspection and he believes the letter is self explanatory. The letter was as followed, dated November 9, 1981.

Commissioners,

In accordance with the results of an inspection of Vanderburgh County Auditorium Convention, October 6, the following measures have been taken to bring the building into compliance with the State Fire Code.

Fifteen dry chemical fire extinguishers have been installed replacing thirteen (13) old type water pressure extinguishers.

Thirteen lexan variable fog nozzles have been installed on the building fire hoses, replacing the old fixed stream types.

Two emergency light fixtures have been purchased to be installed in the basement hallways near the two exits.

Work has been ordered to install a "panic or crash" bar on the catering room door.

Stage hands have been ordered to clean the Auditorium control booth after every performance.

All other existing fire extinguishers have been inspected and serviced for the coming year.

Workmen began re-installing the large refrigerant pump on the absorption unit this morning, it is expected to be completed this afternoon. The work should complete the overhaul on the "chiller" however, the updating and continuing work on the system's controls by the Barber-Colman Company will continue over the life of the contract.

With regard to depleted payroll accounts I suggest the following measures be taken.

$5,008.58 be transferred from accounts 213,251,252,264,570 and 721 and placed in hourly payroll account 113. In addition, an appropriation of approximately $4,991.42 to meet the expected payroll through December 31st.

The transfer of the funds from other building accounts will leave the building in a somewhat precarious position in the event of a major breakdown, however, in view of the County's strained financial situation, there are few, if any alternatives.

Your direction on this and other matters will be welcome as always.

Sincerest regards,
Conrad Cooper, Manager
Vanderburgh Auditorium and
Convention Center

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Mr. Cooper said he would be happy to answer any questions on the above letter, should there be any.

Commissioner Cox said on the request for payroll.....is this amount over and above what County Council allowed at his last appearance before them and Mr. Cooper said yes it is. He said in looking through his budget, he has raided all of his accounts in order to come up with the $5,008.58 that he is requesting to be transferred. He said as things stand with the transfers being made, it will get us through the first payroll in December, but there will be two more payrolls after that and he will not have enough money to cover those.

President Willner asked Mr. Cooper is the budget for 1982, as approved by Council, sufficient to carry through the full year and he replied no and he has explained this to the council at the time of the budget hearing.

Commissioner Cox said then you are saying that even with the transfers made, there still will not be sufficient funds for the remainder of this year and Mr. Cooper replied this is true, there will not be enough. He cannot say exactly how much he will need to meet the last two payrolls in December because he has no way of knowing how many hours they will be working, that he could calculate it over a 40 hour period but that certainly would not be correct, with all of the holidays coming up.

Commissioner Borries said in view of the steps taken at the Auditorium concerning the fire inspection has a copy of what's been done been sent to Mr. Charlie Bone at The Hartford, and if not, he would think Mr. Bone should be made aware of the work done.

Mr. Cooper said he has not sent this information to Mr. Bone, but he will see that it is done.

The Commissioners agreed to allow Mr. Cooper to appear before the County Council with the transfer requests.

RE: JESSE CROOKS.....BUILDING COMMISSION

Landfill North of Wimberg Road

Mr. Crooks said last week the matter of a landfill north of Wimberg Road was discussed and at that time the Commissioners agreed to write a letter to Browning-Ferris and ask them to provide erosion control measures on the south slope of the landfill so that mud will not flow into the Wimberg Road ditch. He said he received the following letter from Browning-Ferris this week, in answer to that request.

November 3, 1981

Dear Mr. Crooks,

Regarding the enclosed letter, which I received on Friday, October 30, 1981, as we discussed in our telephone conversation today, the south slope of our landfill was seeded and completely covered with straw on Friday, October 30, 1981.

I am enclosing a picture of the south slope. If I can be of any further service to you, please let me know.

Very truly yours,
Harold Post, District Manager.

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Mr. Crooks said he has not been out there to look at the area, but from the picture submitted, it looks pretty good, but he will get out there sometime this week and keep the Commissioners informed.

E.A.R.C. Building

Mr. Crooks said on the E.A.R.C. Building, he is to meet the contractor there tomorrow and they will go over everything together and decide where the next repair job will begin.

RE: GENE KAUTZMAN.....COUNTY HIGHWAY

Weekly Absentee Report

Mr. Kautzman submitted the weekly absentee report for the employees at the County Garage for the period of November 2, 1981 through November 6, 1981....Report received and filed.

Weekly Work Report

Mr. Kautzman submitted the weekly work report of the employees of the County Garage for the period of November 2, 1981 through November 6, 1981...Report received and filed.

Resignation of Mr. Kautzman

Mr. Kautzman said at this time he would offer his resignation as Superintendent of the County Garage. He said he has discussed this with Mr. Willner a couple of times in the past few months, about personal dealings that he has that is going to consume more of his time. He feels that he has done a good job, he has been conscientious and a hard working Superintendent and he is proud of the job he had done. He thinks the garage will be in good hands with Mr. Red Watson as the Superintendent and he would recommend him. He said he has personal dealings that in all fairness to the job that it is going to take someone who can give it their weekends, that we all know..it is a twenty four hour job.

President Willner said he would like to thank Mr. Kautzman for his ten (10) months of service and undivided attention, as far as the highway is concerned. He feels that since Mr. Kautzman has been at the garage there certainly were some changes made for the betterment of the department and he appreciates the efforts put forth and he wishes Mr. Kautzman luck in the future.

Commissioner Borries said he would echo those remarks and thanked Mr. Kautzman for his service and wished him the best.

Commissioner Cox said she too would like to thank Mr. Kautzman for his cooperation.

Problem on Whetstone Road

Mr. Kautzman said last week we briefly discussed a problem on Whetstone that Mr. Borries had received a complaint on. He said he went out and looked at the problem this past week and made recommendations to Mr. Savage, that we put more emphasis on our curve markings, that the curve marking on the one 90 degree turn was right in the curve and there should be a 500 or 600 advance notice to the curve and he thinks this will really help on the problem, or he sees this as the first step that should be taken. Mr. Savage made note of the problem at that time and said he would check into it and try to get the problem solved.

Problem along Mt. Pleasant Road

Mr. Kautzman said there is a problem with the rip-rap along Mt. Pleasant road, by Larch Lane and also between Larch Lane and Darmstadt Road, that he has not come to a conclusion on it yet, but that he will keep the Commissioners informed.

RE: DAVID SOUTH....COUNTY HIGHWAY ENGINEER

Claims Submitted to the Public Service Commission of Indiana

Mr. South said he has sent in six (6) claims to the Public Service Commission of Indiana, for re-imbursement of funds we used to correct the signalized railroad crossings and if everything comes off as expected and we get paid for everything he has sent in claims for, we will get $26,200.03 coming back into our Local Roads and Streets Fund.

Correction of Minutes of October 19, 1981 Concerning Telephone System

Mr. South said in the County Commissioners meeting of October 19th., at which time he had stated, with information from the telephone company, that for every seven (7) lines that our centrex system have, that we got four (4) free #411 (Information) calls and he would like to correct that by saying for every eight (8) we get five (5) free ones.

Letter from Warrick County Commissioners....Lynch Road Extension

Mr. South said we have some correspondence through E.U.T.S. from Warrick County and they have ask us to bill them for their local match part of Lynch Road Extension. The letter submitted was as follows, dated October 30, 1981.

Vanderburgh County Commissioners,

Dave Gerard E.U.T.S. discussed the Lynch and Telephone Road extension with us at our regular meeting October 5, 1981.

Warrick County cost presented was	$4,880.00
Federal Share 75%	- 3,660.00
Warrick County share 25%	1,220.00
Balance Due Vanderburgh County	1,220.00

Please submit claim in the amount of $1,220.00 for engineering on above project #S-6687 to Warrick County Commissioners, Courthouse, Boonville, Indiana 47601.

Very truly yours,
Keith Shelton
Paul Gore
Jerry Aigner

Warrick County Commissioners

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Mr. South said attached to the letter is a claim for the County Auditor to sign and then return it to the Warrick County Commissioners, to receive payment.

Morley and Associates.....Burkhardt Road Project Claim

Mr. South said he has a claim from Morley and Associates for work done on Burkhardt Road and our plans are nearing completion on that for preliminary submission to the state and he is wondering if this commission would like to set up a meeting to go over the site and the plans on what we intend to do before they are submitted to the state, while we can still get changes made.

Commissioner Borries said he thinks a meeting of this sort would be good because he drove the area and there are going to have to be some decisions made in regards to some of the land around there and how it will be developed in the future.

The Commissioners agreed to have a meeting on this November 16th (Monday) at 5:00 P.M. before the regular night meeting of the Commissioners next week.

President Willner said the claim from Morley and Associates is in the amount of $9,782.79 and covers the period of 10-1-81 to 10-31-81.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

Abandonmnet of SR 57

Mr. South said there was a meeting in Indianapolis a few weeks ago concerning I-164 and the interchange. He also had a meeting this past Saturday with the Planned Road School and 75% of that group is under the Highway Department and at that time he was asked when he was going to get the letter in on the abandonment of State Road #57. He asked them to modify the question and go into more detail and he did not want to do this.

President Willner said he didn't want to include Lynch Road, did he?

Mr. South said he didn't want it tied to anything, they just want to say that they are going to walk out of it. He said if he was supposed to write a letter.....he has not,so he is bringing the matter up again today so that the Commissioners can tell him what the board wants, how much we are willing to talk about it and he will draft a letter to this effect.

President Willner said the only letter that he knows of that Mr. South was to write was one to our consultants in Indianapolis, Sebree, Craig and McKneight, asking them to explore the possibilities of the interchange with I-164 and see how far north we would have to move that intersection for a possible interchange.

Mr. South said apparently the state's attitude is that until they hear from us they are not going to do anything, that they seem to think the ball is in our court, so perhaps we should send them a carefully worded letter basically restating what we discussed in the meeting a few weeks ago and make sure we don't commit to anything,just let them know what we are willing to do.

Commissioner Borries said he does not see how we can write a letter to the state stating to them what we intend to do with regards to SR 57 until they make some committment on the interchange.

RE: AWARDING OF BIDS ON CALCIUM CHLORIDE AND THEODOLITE

Mr. Evans said in working with the Surveyor's office and compairing the two bids received on the Theodolite, it is their recommendation the bid be awarded to Seiler because in comparison with prices, with Seiler on the basic bid we can save $700.00 and if you compare the basic bid with the alternate bid, we can save $1,200.00, therefore Seiler is recommended with a bid of $9,754.25.

Mr. Evans said since there was only one bid received on calcium chloride, that being from Orbie of Illiana, Inc. they would recommend they be awarded the bid.

President Willner asked Mr. Guillaum if the money is available for the Theodolite and he replied Council approved $12,000.00 for it a few weeks ago, so the money is available.

Commissioner Borries moved the bid for the Theodolite be awarded to Seiler. Commissioner Cox seconded the motion, which carried with three affirmative votes.

Commissioner Borries moved the bid for calcium chloride be awarded to Orbie of Illiana, Inc. Commissioner Cox seconded the motion. So ordered.

RE: BOB BRENNER.....SURVEYOR

Bridge and Guardrail Report

Mr. Guillaum submitted the bridge and guardrail report for the period of 11/2/81 through 11/6/81.... Received and filed.

Bergdolt Pipe Project

Mr. Guillaum said on the pipe project on Bergdolt Road, by Ball Plastics, they did begin work on that and they have a conflict with another sanitary drain pipe, that is directly beneath the big pipe and this has caused the situation where we cannot maintain the proper fall for the new pipe. There is no way possible, without completely removing the sanitary line, to put in our relief line. The only way we can achieve any improvements there would be to clean the ditch, which is a private ditch, about 700 or 800 feet down to a point where it would be low enough. They have backfilled this area and trying to get it back into good condition because they don't want to leave it all open, but there is really nothing else we can do to it other then clean the ditch and that would be a rather lengthly project. When the ditch was originally dredged it would have been good if the people would have checked the grade of our pipe out there. He said there is a lot of farm land out there and a good bit of the land is owned by SIGECO. He said it is not an impossible situation, that we can take care of it but it will take a lot of ditching and it is private property. This would be an expensive project and he knew it could not be done right away and that is why he backfilled it and worked to get it opened to traffic.

President Willner said before we compact it and have it blacktopped back to it's original condition, do you think it would be wise to contact the property owners and see if they would be willing to ditch it.

Mr. Guillaum said he did not plan on blacktopping it at this time, he merely wanted to get it open to traffic.

President Willner said to proceed along those lines, that perhaps the property owners would agree to something.

Mr. Guillaum said we did have a committment with Ball Plastic, that they bought the pipe and we were to install it, so if Ball Plastics cannot use the pipe they purchased he feels it would be fair to offer to buy the pipe back from them and we can use it on any number of projects.

President Willner said first lets see if we can get it put in.

Blacktopping of Several Projects

Mr. Guillaum said there are several jobs that are not completed, as far as the blacktopping goes, with a few of them being Crestmont, Schmuck, Bergdolt and Cypress Dale, and what they would like to do, since it appears their blacktopping program is slowing down, is to see if we can privately get these blacktopped this year with some hot mix.

President Willner asked Mr. Guillaum if there is enough money in the account to do this and he replied that he would check it out first but he believes there is, that it would come from the Cumulative Bridge Fund.

The Commissioners all agreed to this being done by private firms.

Happe Road Problem

Commissioner Cox said she discussed the pipe problem on Happe Road with Mr. Guillaum a couple of weeks ago and at this time the problem has not been taken care of and she would like to know when it can be done, because she needs to know what to tell the property owners.

Mr. Guillaum said it is really hard to say because sometimes you run into problems like we are having on Bergdolt Road. He believes that Happe is the next one on the list to do and if the weather holds good then we will try to get it done next week.

President Willner asked if we are to furnish the pipe on this project and Mr. Guillaum replied yes, and the pipe out there has the bottom completely out of it.

Mr. Brenner said if speed is the problem, they would be happy to bid some of these projects out, that we have only one (1) backhoe that is running and on his last count he had thirteen (13) projects to be done.

Franklin Street Project

Mr. Brenner said he is going to have to have an answer on the problem on Franklin Street that Staub is out there digging right now, that they are spending over $9,000.00 on the ditch and here sits a pipe in the middle, two (2) foot high on either side and that is

way out of our league. Staub is there right now, so the time for us to make a decision is right now and let them do it while they are there. If we tried to do it ourselves we would be out there for two or three weeks with our little backhoe and we would be letting all our other projects lay while we do it.

President Willner asked if we could do it with a grade-all and Mr. Brenner said maybe, but we do not have a grade-all, that it is really to big a job for us and he would recommend we contract it out.

Mr. Brenner said we will get three invitational bids on the job and the lowest bidder will get it, if this is agreeable with the board.

The Commissioners agreed for Mr. Brenner to bid the job out.

Replacement of Seven Bridges

Mr. Brenner said we need to discuss the list of seven bridges he submitted to the Commissioners at the last meeting, that decisions need to be made about replacing them, that they are bridges recommended for replacement in the Bridge Report.
Commissioner Cox said that #3 on the list is Baseline #10 (.4 Miles West of Trapp) and when she went out there and looked at it she found the whole side is knocked off of it and on the northeast corner there is no guardrail whatsoever, that it looks like there has been some white rock put on the side of the approach to the bridge, but it is very dangerous and someone could shoot right off of the end of it, so regardless of what we decide on this one, she feels some guardrail should be put up immediately.

Mr. Brenner said they would go out and look at it.

Commissioner Cox said there was also a Stop sign knocked down at the corner of Ruston and County Line Road also.

Mr. Brenner said this should be reported to Mr. David Savage.

Commissioner Cox said concerning #6 on the list....Hedden Road #108 (.3 miles north of Millersburg), when looking at this one it seems like it has had a new wood deck in it not too long ago, that it looked pretty good.

Mr. Brenner said the tie points are rusted pretty severely but the bridge floor probably is pretty good.

Mr. Guillaum said in checking the Bridge Report on that it also states the stringers and four foot beam connection and sub structure is really inadequate on the bridge. The decking may be in good shape and it will not be scrapped that it will be re-used.

Commissioner Cox said then what do you mean by replacement and Mr. Brenner said we will put a concrete bridge in there. We will use some of the concrete abutments back at the wall, other then that we will take everything out and replace the whole thing.

Commissioner Cox said can you do all of that for the amount of money listed and Mr. Brenner said yes we can.

Mr. Guillaum explained to Mrs. Cox how the bridges are structured.

Mr. Brenner said the rate for a total new structure is now anywhere from $1,200.00 to $1,500.00 a foot for a twenty four (24) foot wide bridge. The fact is, we are going to try to do it cheaper, but when we go before County Council we want to be sure and request high, because if we don't ask for enough for them, then we could have to go back and ask for more and that sometimes presents problems, especially time wise.

Commissioner Borries said he also traveled to many of these structures and one of the things that bothered him was the condition of Baseline Road particularly between bridges #10 and #11, which is numbers 3 and 4 on the list of seven. He said the road is terrible, eventhough he did not see many cars traveling it.

Commissioner Borries asked Mr. Brenner about the load limit signs, that are they only put on one end of the bridge and he replied no, they should be on both sides.
Commissioner Borries said on Baseline #10, Baseline #11 and he thinks the small one on Kleitz, he saw signs only on one side.

Mr. Brenner said these should be reported to Mr. Savage.

Commissioner Cox asked Mr. Brenner how they determine the posting of the load limits and he replied that basically, they went by the bridge report, whereby an engineer was hired to conduct. He said a ten (10) ton will probably take twenty (20) ton, but the person over ten (10) when it is posted that, then becomes liable.

Commissioner Borries said concerning the Ruston #106 (1.5 miles north of Boonville-New Harmony Road) replacement, he feels until we can get a clear indication on I-164 coming through there, we should not do anything to it, that he would like to wait on it.

Mr. Brenner said we can pass over it without any problem whatsoever.

Commissioner Borries said he has some real concerns and therefore would like to meet with Mr. Brenner and discuss them before decisions are made. He feels like we have to have some priorities and he thinks that First Avenue has to be a major one. He needs to sit down and discuss the figures in relation to what is available to us. We also have a commitment on Nurrenbern which is going to have to come totally from the Cumulative Bridge Fund. He said we have already talked about the small structure on Kleitz Road and the approval to proceed has been given on it.

Mr. Brenner said the engineering is done on Kleitz Road but we have to work the condemnation on it. He needs some work for his people to do now and these are the bridges that have come up next in the report and they have until the 15th of the month to get on the Council agenda. He said there is basically three million ($3,000,000.00) in the bridge fund and the 1982 budget is $2,250,000.00.

Mr. South said all of the Urban money is already committed for 1982.

Mr. Brenner said of our budget, there are three (3) items that total $1,300,000.00 and that is $500,000.00 for First Avenue, $500,000.00 for Nurrenbern and $300,000.00 on Fulton Avenue. He said the Fulton Avenue and the First Avenue is our share of a federal match. He said he did have a meeting with the Mayor on First Avenue and without federal funds they are incapable of doing anything to First Avenue, and there we would sit.

Commissioner Cox said that is not completely factual, that she believes there is an Ordinance on the City Council books right now that would immediately, when we start to widen the First Avenue Bridge, the Ordinance would go into effect to take off-street parking off of First Avenue, which would in essence, widen First Avenue from it's present form now and it would go all the way down to where it isn't effective now.

Mr. Brenner said what he stated was factual.

Commissioner Cox asked him to please repeat what he said that perhaps she misunderstood him.

Mr. Brenner said he met with the Mayor and without Federal funds they do not plan to widen First Avenue and the bridge would be sitting there, it would also be roughly five (5) foot up in the air, that it must be elevated five foot for the Department of Natural Resources and there it would sit.

Commissioner Cox said but we take 500 feet on either side, right?

Mr. Brenner said we can, but we do not in the city, that the city approaches are their problem.

Commissioner Cox said if the hold up is federal funds to widen First Avenue then she thinks we are not going to be seeing these monies coming through and we need some solutions to the problem and she cannot see why we can't do something to alleviate some of the problems right now, because once Division Street starts and they do that in sections we are really going to be paralyzed. Don't you feel that taking parking off of First Avenue would help speed up traffic.

President Willner said if they would re-stripe it and put the lanes out, it would, but if they don't do that it wouldn't help anything. He said the State route is from Virginia Street to Diamond and they came in and four laned that section and it is working out very nice, but if the city does not do that from Virginia to the First Avenue bridge, then to put the bridge in would be idiotic.

Commissioner Cox said it would be no more idiotic then putting in a 22' bridge out on a little county road that has only fifty (50) cars a day.

Mr. Brenner said he is sorry, that he has overstepped his bounds....we build them and you tell us where you want them. He said if you want to do First Avenue, fine, he has a set of plans in his office. He said we take in $1,300,000.00 per year, so lets get on with spending it.

President Willner asked the other two commissioners if they wished to vote on the list of seven bridges today, with the exception of Ruston #106.

Commissioner Borries said he is not willing to put it off period, but he would like to have further communication on the bridges so that he has a better understanding of what is going on.

President Willner said at this time he would ask for a week extension on the bridges and that anyone who wants to please get with Mr. Brenner and come here next week prepared to vote, because we simply are going to have to make some decisions.

Commissioner Borries asked Mr. Brenner that of the bridges on the list are there any that he considers worse and a bigger safety hazard then the others and he replied no, that none of them are going to collapse but they did submit a list to Mr. Savage on the signing at the bridges and the weight limits and this does need to be done.

Commissioner Borries said he will make contact with Mr. Savage to see what can be done toward that end.

Mr. Brenner said he is available to the Commissioners to go over any of them and he also feels like we ought to look at Maryland again.

President Willner said he believes we all agree on the Kleitz Road bridge, that it shall be done, that we are going to bid it out and not do it in-house, that the plans are all done on it and therefore ready to proceed with it.

Commissioner Borries moved that Mr. Brenner be allowed to go on the December County Council for the replacement of Kleitz Road bridge, .5 mile west of Kremer Road. Commissioner Cox seconded the motion, which carried unanimously in the affirmative.

President Willner said concerning the Ruston #106, do we all agree we should hold up on it because we believe it may be in the path of the I-164 project.

Both of the other Commissioners agreed it should be omitted at this time.

Commissioner Cox said she would like to have a week's extension before we vote on any more that is on the list.

Commissioner Borries said he too would like another week on them.

RE: BOB FORTUNE.....DATA PROCESSING

Mr. Fortune said he has nothing to report but is open for any questions the Commissioners may have.

Mr. South said last week it was discussed that the telephone company can supply us with a tape making it possible to put the telephone billing on our computer for the sum of $105.00 per month. He said if this does exist would it be in line, in order for us to have something to experiment with, to use the telephone funds to get one of those tapes in here for us to use for a couple of months.

President Willner said if there is money available in that account he would think it would be agreeable to use some of it for this purpose.

The other Commissioners agreed.

RE: COUNTY ATTORNEY.....DAVID JONES

Law Suit...Walter C. and Jeanette D. Sirkle

Mr. Jones said a suit was filed by Walter C. and Jeanette D. Sirkle against the Vanderburgh County Drainage Board, Robert Willner, Shirley Jean Cox and Richard Borries, all in their representative capacities as members of the Vanderburgh County Drainage Board;

Vanderburgh County Commissioners, Robert Willner, Shirley Jean Cox and Richard Borries all in their representative capacities as members of the Vanderburgh County Commissioners and Vanderburgh County Surveyor.
Mr. Jones said he received this just prior to the start of this meeting and he would like to distribute a copy of it to the Commissioners. He said since you were named as the County Commissioners and also the Drainage Board, it should be made a matter of the minutes of both boards. He said this concerns the matter of the Harper Ditch. He said perhaps this will be covered by insurance, under errors and omissions.

Commissioner Borries moved the matter be referred to County Attorney Miller, who has worked on the case thus far. Commissioner Cox seconded the motion. So ordered.

Amendment to Court Cost to Help Finance the Law Library

Mr. Jones said by way of reminder, as much as anything, and that is not withstanding all that is going on because there are quite a few irons in the fire, but he thinks because of the timing and the time that is left it would be his recommendation that the Commissioners, if they see fit, request of all of the area Legislators, that effect Vanderburgh County of both parties, and ask them to consider a legislation which he thinks can be done simply by an amendment to the court cost statutes 33-19-1 and ask that a fee be added to the cost of filing civil and criminal actions in Vanderburgh County to the existing fee and that particular portion be remitted to the financing of the County Law Library. This is a system that is used in Kentucky and a number of other states also and he knows this was discussed when the Bar Association was here and he believes at that time it did receive a generally favorable reaction. He had Mr. Tuley check and there is roughly 3,000 to 4,000 civil cases filed per year from the Circuit and Superior Court and he does not know about the criminal courts. He said the Kentucky statute goes anywhere from 50¢ to $1.00 and if this would apply to only the civil cases and not the criminal cases, then we could not get probably more then $1.00 or $2.00 maximum and that certainly would not cover all of the financing of the Library but it would take care of a big portion of it, and the more cases filed the more money would be generated. He said even though attorney's certainly do receive many benefits from the Law Library, it is also an obligation to be maintained for the courts, the Prosecutor and other offices of government. This might be one way to alleviate this chronic and recurring problem on budgeting and help to come up with funds for the cost of the books. He said if this is something that meets with this boards approval then he thinks in order to get it in front of the legislature at this time, then it could be drafted fairly quickly and introduced.

Commissioner Cox asked if it has to go before the legislature, or could it possibly come under Home Rule or does the County Council have the power to add on the extra fee.

Mr. Jones said he did think about that, but the problem he has with it is that you are effecting something that is already structured by the state, by the legislature, and that is assessing costs in the courts and the courts are set up by statute and by the legislature and you have to impose it and it is collected that way.

Commissioner Cox said she knows that Marion County's court costs are a lot higher then ours are. She feels if we attempt it then we might as well try to include small claims and misdemeanor and traffic also. She said we do not collect very much on criminal cases that there is only about 300 filed in Superior and the same number in Circuit and if it is dismissed, then there is no court costs, if it's not guilty there is no court costs and if it is guilty and they are a pauper then they do not pay, so really, it is a very small amount taken in for criminal cases. She said the county spends thousands and thousands of dollars and all the county receives is the $13.00 jury fee.

Mr. Jones said he can check it out but he suspects that each of the county's have a separate statute on their court system that those additional costs that create the difference among counties are located within the individual statutes and if it's true then there will be no problem proposing some kind of an ordinance if the Commissioners agree to it.

Commissioner Cox said she thinks this would be popular with the taxpayers because it would be the people using the courts that would be paying for the facilities.

The Commissioners all agreed for Mr. Jones to continue in his research of the matter, that they would be happy to support it in whatever way necessary.

RE: TITLE XX CONTRACT AMENDMENT FOR INDIRECT COSTS

President Willner said we have a Title XX Contract before us that needs to be signed and returned to the State. The following letter from the state was enclosed, dated 11/2/81.

TO: Vanderburgh County Commissioners
FROM: Fredrick C. Miller, Supervisor State Agency Services
Indiana Office of Social Services
SUBJECT: Title XX Contract Amendment for Indirect Costs

The value of your Title XX contract dated July 1, 1981 through June 30, 1982 is being reduced by 4.4%. The reason for the reduction is that the federal government has reduced the amount of funding available to Indiana because of the advent of the Social Services Block Grant. This legislation has changed many parts of Title XX, not the least of which is a reduction in federal dollars and elimination of the requirement for matching dollars; Indiana has decided not to remove the matching dollars from the contracts this fiscal year which would have been an additional 25% reduction.

Please review the attached amendment to your contract and proceed to have it signed in the same manner as the original contract, and please return to this office no later than Nobember 15, 1981. The document requires the signature of the President of the Board of County Commissioners and the County Auditor to attest to that signature; the Board President also signs the non-collusion affidavit attached to the amendment, which must be notarized.

While we are hoping for no further reductions the balance of this fiscal year ending June 30, 1982, it must be pointed out there has not been an actual appropriation at the federal level even though authorization for funding has been passed. It is on the basis of authorized funding that we are reducing your contract value and other agencies we have under contract. What must be kept in mind is that further reductions will be necessary if the appropriation is less than the authorized amount, which is a possibility since the President has proposed an additional 12% reduction in funding.

If you have any questions, please contact this office. Please process the amendment and return by November 15, 1981.

Fredrick C. Bullard

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President Willner said the contract amendment reads as follows:

AGREEMENT TO AMEND CONTRACT

This agreement is an amendment to contract number 82-820-8234 between the Interdepartmental Board for the Coordination of Human Service Programs (hereinafter referred to as the "Board" and the Vanderburgh County Board of Commissioners (hereinafter referred to as the "Provider").

The Board and Provider hereby agree to amend said contract effective December 1, 1981 as follows:

The value of the contract as stated on page 1, paragraph 1, is hereby reduced to $49,128.00.

All other provisions of the contract remain in full force and effect.

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Commissioner Cox moved the agreement to amend contract be signed and returned to the State. Commissioner Borries seconded the motion. So ordered.

RE: CHECK FROM HELFRICH INSURANCE AGENCY

President Willner said a check was received from Helfrich Insurance Agency in the amount of $3,581.36 for full and final settlement of any and all claims arising out of loss of 5/19/81. He said this is in regards to the Marx Road bridge structure.

Commissioner Cox moved the check be accepted and indorsed and put into the Highway and Bridge accounts. Commissioner Borries seconded the motion. So ordered.

RE: CLAIMS

A claim was submitted by Brinks Incorporated for services rendered to the Clerk of the Circuit Court for the month of November, 1981 as per contract in the amount of $234.35

Commissioner Borries moved the claim be approved. President Willner seconded the motion. So ordered.

A claim was submitted by the Evansville Courier for the advertisement of Notice to Bidders for Calcium Chloride, in the amount of $14.35.

A claim was submitted by the Evansville Press for the advertisement of Notice to Bidders for Calcium Chloride, in the amount of $14.35.

Commissioner Borries moved the claims be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by the Evansville Courier for the advertisement of Notice to Bidders for the Theodolite for the Surveyor's office, in the amount of $16.28.

A claim was submitted by the Evansville Press for the advertisement of Notice to Bidders for the Theodolite for the Surveyor's office, in the amount of $16.28.

Commissioner Borries moved the claims be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by County Attorney David Miller in the amount of $3,047.27, for Legal Services (Itemized Statement Attached)

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by County Attorney David Jones, in the amount of $2,683.84 for professional services rendered and specified on attached sheets.

Commissioner Borries moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY ASSESSOR

Georgia Hartmann	1600 Hillside Terrace	R.E. Clerk	$30.00 Day	Eff: 11-3-81

PIGEON ASSESSOR

Janet L. Kurzendoerfer	1005 E. Mulberry	Part time Dep.	$30.00 Day	Eff: 11-3-81
Sherri L. Southard	1016 E. Jefferson	Part time Dep.	$30.00 Day	Eff: 11-3-81

COOPERATIVE EXTENSION SERVICE

Phyllis Babcock	430 Stonegate Rd.	Part time	$25.00 Day	Eff: 11-1-81

COUNTY TREASURER

Barbara Harrison	Part time	$30.00 Day	Eff: 10-26-81
Judy Jarman	Part time	$30.00 Day	Eff: 11-2-81
Sarah Baron	Part time	$30.00 Day	Eff: 11-2-81

HIGHWAY DEPARTMENT

Harry Watson	Superintendent	$22,096.00 Yr.	Eff: 12-1-81
Lee Stuckey	Highway Inspector	$12,824.00 Yr.	Eff: 11-10-81
Susan Kirk	Bookkeeper	$10,452.00 Yr.	Eff: 11-10-81
Judy Becking	Secretary	$ 9,129.00 Yr.	Eff: 11-10-81

EMPLOYMENT CHANGES...CONTINUED

COUNTY SURVEYOR

Gene Kautzman	118 E. Chandler	Inspector	$12,592.00 Yr.	Eff:12-1-81

VETERANS SERVICE OFFICER

Anita Southard		Secretary	$ 9,160.00 Yr.	Eff:11-10-81

BURDETTE PARK

Jeff Mitchell	1928 S. Bosse	Rink Guard	$4.00 Hour	Eff:10-30-81

RE: EMPLOYMENT CHANGES.....RELEASES

VETERANS SERVICE OFFICER

Judith Becking	2163 E. Columbia St.	Secretary	$9,160.00 Yr.	Eff:11-10-81

SURVEYOR

Lee Stuckey	4309 E. Chestnut St.	Inspector	$12,592.00 Yr.	Eff:11-9-81

BURDETTE PARK

Mark Mann	903 Mahrenholz Dr.	Rink Guard	$4.00 Hour	Eff:10-31-81
Robert Bishop	6121 Lake Shore Dr.	Ground Crew	$4.00 Hour	Eff:10-31-81
Michael Bevers	5320 Skyline Drive	Rink D.J.	$4.00 Hour	Eff:10-31-81

HIGHWAY DEPARTMENT

Susan Kirk		Secretary	$ 9,129.00 Yr.	Eff:11-10-81
Anita Southard		Bookkeeper	$10,452.00 Yr.	Eff:11-10-81
Robert Hart		Highway Insp.	$12,824.00 Yr.	Eff:11-10-81
Gene Kautzman		Superintend.	$22,096.00 Yr.	Eff:12-1-8[redacted]
Walter Swope		Equip.Oper.	$6.66 Hour	Eff 1-5-8[redacted]

There being no further business the meeting recessed at 4:40 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert L. Willner Richard "Rick" Borries Shirley Jean Cox	Alice McBride	David Jones
SECRETARY:	Janice Decker		

Robert L. Willner
Richard "Rick" Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
NOVEMBER 16, 1981

The meeting of the County Commissioners was held on Monday, November 16, 1981, at 2:30 p.m. in the Commissioners Hearing Room with President Willner presiding.

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

RE: DORATHEA MacGREGOR....PIGEON TOWNSHIP TRUSTEE

Mrs. Dorathea MacGregor, Pigeon Township Trustee was present and stated she appeared before this board a couple of weeks ago asking that they be allowed to appear before the County Council with a request to borrow monies to carry them through the remainder of this year in their Poor Relief Fund and at that time she was told legally this could not be done until such time as she is running in the red in the Poor Relief Fund, so she is here tonight to say she is presently running in the red in the amount of $22,441.53. She said her expenses for October was $37,441.06 and of that amount she was able to pay only $14,999.53.

County Auditor Alice McBride said this will not have to be an advertised amount,but rather an Ordinance will have to be presented to the County Council for their approval.

Mrs. MacGregor said $50,000.00 was cut from her budget and that is the amount she will need to pay everything for the remainder of this year, that she had it figured very close.

County Attorney David Miller said is he to understand these funds are to be borrowed from the County General Fund and then paid back from funds appropriated for 1982.

Mrs. McBride said since 1982 monies have already been approved and this was not included in it then Mrs. MacGregor may not be able to pay it back until 1983.

Commissioner Borries moved the Pigeon Township Trustee request from the County Council the amount of $50,000.00 to be borrowed from the County General Fund, to be repaid as prescribed by law. Commissioner Cox seconded the motion. So ordered.

RE: REZONING PETITION VC-20-81.....FIRST READING

Petitioner.....Roy G. Kemper.....6669 Kratzville Road, Evansville, In.
Owner of Record.....Charles H. Kahre..11000 Kahre Court, Darmstadt, Indiana

The common address is 2100 West Mill Road, Evansville, Indiana and the above described real estate is presently zoned Agriculture and the requested change is to M-2. The present existing land use is agriculture and the proposed land use is for space for operating a motor garage repair service. The owner, or attorney for the owner, hereby certifies that the owner of record shown above owns 50% or more of the above described real estate.
The premises affected are situated on the north side of West Mill Road a distance of 1,500 feet east of the corner formed by the intersection of St. Joseph Avenue and Mill Road.
There was no one present to speak for or against the rezoning request.

Commissioner Borries moved that VC-20-81 be referred to the Area Plan on first reading. Commissioner Cox seconded the motion. So ordered.

RE: ROZCNING PETITION VC -21-81...FIRST READING

Petitioner.....Sheldon Ray Wilson.....8217 Division Street, Evansville, Indiana
Owner of Record.....Same as above.

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. The commonly known address is 8217 Division Street and is located on Zone District designated as A. The requested change is to C-4. The present existing land use is residential and the authority for said existing land us is R-1. The proposed land use is for office and sales.

Mr. Sheldon Wilson was present and stated he really has nothing to add, that he has presented a type sheet which is attached to the rezoning petition and distributed to each of the Commissioners. The attached sheet was as follows:

Gentlemen:

I am preparing the paper work for a rezoning application on my R-1 property at 8217 Division Street.

This property is not now suitable for family residence use. The constant heavy traffic up and down Division Street at all hours of the day and night shake the house continuously, and the noise is disturbing to normal family routine, especially sleep.

Also, because of its unique and rather isolated location, we get an abnormal amount of requests for assistance from stranded motorists (probably 2 or 3 times a week, average) at all hours of the day and night.

We have tried to alleviate this by erecting a fence across the front, but it has not solved the problem.

One alternative is to convert the house to single family rental property, however, the poor living conditions mentioned above would not attract desirable tenants, and we feel the property would deteriorate and become an eye sore.

Also, the adjacent farming activities create a nuisance, and the use of pesticide and chemicals create a health hazard to the air and fresh water supply, making it a dangerous place to live. There is no city water or sewage.

Accordingly, we feel the best use of this property would be as a business location. Our usage will be for a small business and a sales office, offering engineering and construction services, and the sale of swimming pool equipment.

After rezoning, we plan to attractively landscape the front. The plan is to use native shrubs, and plants such as peonies, roses, iris, hydrangia, small overgreens, ivy, and natural wood, giving a garden effect not often seen today.

The alternative to this proposed use is to convert to rental, which will surely down grade the property and the area - or sell to a speculator.

I believe the proposed commercial rezoning is the best and highest use of this property.

Please phone or drop by if you have any questions about this.

Sincerely,
Sheldon Wilson

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Commissioner Borries asked Mr. Wilson how far back is he, in relation to where the improved state highway 66 will be.

Mr. Wilson said the right-of-way is about fifteen (15) or twenty (20) feet from his front door. He said this will be very close to where the I-164 is supposed to be also, depending upon where they run it.

President Willner asked if there were any remonstrators present.

Mr. Walter Kaufman of 4666 Stonegate Drive, Newburgh, Indiana was present and stated he understands that he should have received a certified letter notifying him of this rezoning request. He said he owns ninety (90) acres of land that adjoins the Wilson property on the west, south and east sides, and it is all zoned residential and it is all being farmed. About twice a year he gets a letter from Mr. Wilson accusing him of polluting his wells, but he knows that none of the fertilizers that are used on the farm land goes into Mr. Wilson's well. He said he is against this rezoning.

President Willner asked Mr. Kaufman if he is aware of the fact this is the first reading of the rezoning petition, that no action will be taken on it, that we will only refer it to the Area plan Commission for them to take action on at their December meeting, then it will come back to the County Commissioners on December 21st for final action, and at that time any remonstrators will have a chance to be heard.

Mr. Kaufman said he is aware of this but he would like to say one more thing, that Mr. Wilson has a fence put up out there that he thinks is in violation of the zoning code.

Director of the Area Plan Commission, Ms. Barbara Cunningham said the Area Plan will hear this petition on December 2nd and all adjoining porperty owners will receive notice of this twelve (12) days prior to that meeting.

Commissioner Cox said since Mr. Kaufman lives in Newburgh, and not on the affected property, perhaps that is why he did not receive notice of this rezoning.

Mr. Kaufman said he did receive notice, but he had a hard time receiving it.

Ms. Cunningham said she would be happy to notify Mr. Kaufman when it is time for this to come before the Area Plan Commission.

Commissioner Borries moved that VC-21-81 be referred to the Area Plan Commission on first reading. Commissioner Cox seconded the motion, which carried unanimously in the affirmative.

RE: REZONING PETITION...VC-22-81....FIRST READING

Petitioner.....Walter Hatfield....7717 Vienna Road, Evansville, Indiana
Owner of Record...Same as above.

Premises affected are situated on east side of Vienna Road, a distance of 1,250 feet south of the corner formed by the intersection of Vienna Road and Highway 66. The commonly known address is 7717 Vienna Road and is located in zone district designated as Agriculture and the requested change is to C-4. The present existing land use is automobile storage and the authority for said existing land use is pre-existing, non-conforming. The proposed land use is automobile storage.

Mr. Ted Ziemer, Jr. was present and stated he is representing the petitioner, Walter Hatfield. He does understand this is the first reading for purposes of referral to the Area Plan Commission and he is not planning on making a full presentation this evening, but they would be happy to answer any questions anyone might have about the rezoning request. He said the purpose of the rezoning is to permit storage of abandoned automobiles, etc., which Mr. Hatfield picks up under contract with the county. He is going to be prepared to put up adequate fencing and there are no residents within a mile of the affected property.

There were no remonstrators present.

Commissioner Cox moved that rezoning petition VC-222-81 be referred to Area Plan Commission on first reading. Commissioner Borries seconded the motion which carried unanimously in the affirmative.

RE: REZONING PETITION...VC-23-81...FIRST READING

Petitioner.....Samuel M. and Betty J. Angel.....3030 Orchard Road, Evansville, Indiana
Owner of Record....Same as above.

Premises affected are situated on the north side of Indiana Highway #66, a distance of no feet of the corner formed by the intersection of Indiana Highway #66 and Mesker Park Dirve (Little Cynthiana Road). The commonly known address is 2820 Mesker Park Drive and is presently zoned R-1 and the requested change is to C-4. The present existing land use is vacant with a log home being built and the proposed land use is model home display, garden tiller sales, owner staffed real estate broker, and Tole painting craft shop.

Mr. Robert S. Matthews was present and stated he represents the petitioners Mr. and Mrs. Angel. He said they have reviewed the uses that will be put to the property and Mrs. Cunningham, Director of the Area Plan Commission has thoroughly examined it and is of the opinion we do not need the C-4 rezoning, as requested, that a C-1 is an adequate zoning classification for the stated activities, therefore, at this time they would like to move for an amendment to the petition, that it be changed from R-1 to C-1 instead of the original R-1 to C-4 .

President Willner asked if there were any remonstrators present.

Mr. Ken Kraft of 3118 Allen Road was present and stated this petition came up last year on November 17th and was denied and he is asking the Commissioners to again reconsider this petition, because they still feel it is a spot zoning in a residential area. He said the adjoining property owners were notified only this past Saturday of this petition being filed and they feel their time is too short in preparation of this meeting tonight. He said they understand when a petition is denied that it can not be re-filed for a period of one (1) year and in checking, this has not been a year since it last came up. Again he would ask the Commissioners to deny this rezoning and consider it as spot zoning.

President Willner asked Mr. Kraft if he does not wish to see the amendment from C-4 to C-1 be approved and he said this is true, he does not.

Mr. Clarence Stoyer, 2927 Mesker Park Drive was present and stated the people in this neighborhood did not receive their notices until Saturday, therefore there was not sufficient time to ready themselves for this meeting tonight. He received calls up until 5:30 this evening from people in the immediate area voicing their concern on this rezoning. When this original petition was denied last November 17th. the Commissioners informed the people this would have to wait for a period of one (1) year before it could be refiled, but it was re-filed October 26th of this year. It is the general feeling of the people out there who bought property and have lived there for many years, that they do not want spot zoning, therefore he would ask this be denied. There were a number of people who could not attend this meeting tonight, but that they will be here at the next meeting.

Mr. Robert Matthews said the notification mailed was for the December 2nd meeting of the Area Plan Commission, which was sent out last Saturday. They were waiting on the Area Plan Commission to make the decision on whether or not they were properly a C-1 or a C-4. He said the rezoning sign was put up on October 27th. He said the law on this having to wait for one (1) year is being followed, that this will not come up for any action until December 2, 1981, which is well over one (1) year from when it was originally filed. He said they have made every effort to contact and notify every adjoining property owner they can and if Mr. Kraft and Mr. Stoyer have no objections, he would like to meet with them next week and review the matter, and answer any questions they might have. He would however still like to move for the C-1 classification instead of the C-4, as originally sought.

Commissioner Borries moved that the petition VC-23-81 be amended to read....change from R-1 to C-1 and that it be referrred to the Area Plan Commission on first reading. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

RE: REZONING PETITION VC-24-81...FIRST READING

Petitioner: M.T.Jones/R.A. Jones/M.A. Jones/L.J.Jones....P.O. Box 106 Princeton, In.
Owner of Record: d/b/a Jones Enterprises....P.O. Box 106, Princeton, Indiana.

Premises affected are situated on the west side of Red Bank Road a distance of 880 feet south of the corner formed by the intersection of Red Bank Road and Hogue Road. The common address is 220 North Red Bank Road and the real estate is presently zoned Agriculture and the requested changce is to R-3 for an apartment complex.

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

Commissioner Cox moved that VC-24-81 be referred to the Area Plan Commission on first reading. Commissioner Borries seconded the motion which carried unanimously in the affirmative.

RE: MARK TULEY....SUPERINTENDENT OF COUNTY BUILDINGS

Mr. Tuley said Mr. Dale Dawson is to be back in tomorrow and if everything goes as planned the phone changes should be completed and in December we should start seeing a difference in the phone bills.

RE: JERRY LINZY....COUNTY HIGHWAY

Weekly Absentee Report: The weekly absentee report for the employees at the County Garage for the period of 11/9/81 thru 11/13/81 was submitted.....received and filed.

Weekly Work Report: The weekly work report for the employees at the County Garage for the period of 11/9/81 thru 11/13/81 was submitted....received and filed.

Problem with Semi-trucks in Melody Hills

Commissioner Cox said she received a call from a resident living in the Melody Hills area, where the county has recently done some road surfacing, and this person expressed concern about the large semi-tractor trucks that are coming in O'Hara Drive and going through Melody Hills and they are tearing the streets up. She said they should get into the Industrial Division from Bergdolt but they are going through the Melody Hills area.

Mr. Linzy said he also talked to the lady, that he talked to Mr. Kautzman about the problem and that it should go before the Commissioners and then to the Traffic Department for some signs to get installed and his personal recommendation would be a load limit through there and that should solve the problem.

Commissioner Cox said she would contact Mr. David Savage tomorrow and try to get an answer on it and make him aware of the problems.

Problem on Old Henderson Road

Commissioner Cox said on Old Henderson Road, about one (1) mile south of Duesner Road, we are going to lose that portion of Old Henderson, if we don't do something about it very soon, that the river has washed up to about three foot from the side of the road. She knows it is probably the Corp of Engineer's job to do something about this, but we have to do something to alert them of the condition.

Mr. Linzy said he is aware of this and he believes it was brought up before the Corps of Engineer's last year and up to this point nothing has ever been done about it. He said Louis Stephen worked on this problem when he was here, but since then we have heard nothing on it.

Commissioner Cox said she would recommend that David South go and take a look at it, because this is a really serious problem.

Mr. South agreed to look at it and see what can be done.

Problem on Schroeder Road

President Willner said a couple of farmers along Schroeder Road contacted him and said they were cleaning the ditches out and ask if the county could patch the road. He told them if they were nice enough to clean the ditches then perhaps we could patch the road. This is by the State Police Post and 41. He asked Mr. Linzy to please check into this and he replied that he would and report back.

RE: DAVID SOUTH.....COUNTY HIGHWAY ENGINEER

Mr. South said he has a series of change orders and extra work agreements on Lynch Road, that need to be signed tonight and sent on to the state. Mr. Charles Hale, from Engineering Associates is present tonight and if there are any questions, he is sure Mr. Hale can answer them, because he did work on the project. Mr. South presented the following:
Extra Work Agreement for two (2) catch basins Type 'A-8' in the amount of $1,616.00 each for a total of $3,232.00. There is also an accompanying change order for two (2) catch basins type 'A-3' which were replaced by 'A-8' catch basins at $1,560.00 each for a total of $3,120.00. The total change in construction has cost us $112.00. These documents have been approved by Dale Lucas, Area Engineer for the Highway Commission and he now submits them to the Commissioners for approval.
Mr. South said the construction is done on Lynch Road, the contractor has been relieved of sign responsibilities and we have assumed responsibility of closing off the lane of the railroad crossing at Lynch Road, as of Friday, November 13th. Final construction record, with the exception of a few items we are working on, should be done within a week.

Commissioner Borries moved the extra work agreement and the change order be approved as recommended by Dale Lucas. Commissioner Cox seconded the motion. So ordered.
Barricades on Lynch Road Railroad Crossing
President Willner said Mr. South mentioned the barricades are in place at the railroad crossing at Lynch Road and it is now our responsibility, so he wants to know if they were installed to meet federal and state standards and we are within their guidelines.

Mr. South said we are as close as we can get that certain limitations make modifications necessary, but he had Mr. Savage and Mr. Kautzman out there and they got everything set the best we can with the existing field conditions.

Mr. South submitted an extra work agreement for the addition of two (2) special catch basins type 'K-10' in the amount of $1,050.00 each for a total of $2,100.00 and also he submitted a change order for the elimination of two (2) catch basins type 'K-10' STR 124 Sta 71+50 and STR. 140 Sta 78+80 in the amount of $1,450.00 each for a total of $2,900.00, which totally represents an $800.00 savings to the county.
This construction was also approved by Dale Lucas at the time the construction took place.

Commissioner Borries moved the extra work agreement and the change order be approved as recommended by Dale Lucas. Commissioner Cox seconded the motion. So ordered.

Mr. South submitted Change Order #23 for a decrease of $87,852.55. It is basically an adjustment of items used in doing the final construction, that certain items were not used that they originally thought would be necessary. Attached is an itemized statement.

Commissioner Cox moved that change order #23 be approved. Commissioner Borries seconded the motion. So ordered.

Mr. South submitted Change order #24 which is for relocating a chain link fence and sprinkler system at the corner of Lynch Road and Garrison Avenue at a cost of $4,944.40.

Commissioner Borries moved Change Order #24 be approved. Commissioner Cox seconded the motion. So ordered.

Mr. South said by phone, this last Friday, he learned the State has taken procedures on the final audit on St. Joseph Avenue, that he has no idea when it will be completed but he will keep the Commissioners informed of anything he receives on it.

RE: BOB BRENNER....COUNTY SURVEYOR

Bridge and Guardrail Report

Mr. David Guillaum submitted the weekly bridge and guardrail report for the period of November 9th through November 13, 1981. Report received and filed.

He said they spent some time on Old Henderson Road. They also finished up the situation on Bergdolt Road as discussed last week, in the area of Ball Plastics.

Invitational Bids on Cypress Dale

Mr. Guillaum said they received the following three (3) invitational bids on the Cypress Dale Project.

JEFF ANGEL: Estimate for culvert adjustment on Cypress Dale Road....$4,000.00
Approximate completed time....one (1) week.

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RAY STRADTNER, EXCAVATING: We propose to clean out, remove, lower and backfill around culvert pipe as asked for by Surveyors office. This is for all labor and equipment and no backfill material. Backfill material is to be furnished by others.

Price...$6,500.00 This price is to hold for a ninety (90) day period.

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QUENTIN STAHL; Lowering of 9X12 foot (approx) aluminum culvert on Cypress Dale Road. Contractor to furnish machinery, labor, barricades. Vanderburgh County to supply any and all materials and the hauling of. Work to be done under the supervision of the office of Surveyor. Price.....$3,500.00, with bedding an additional $800.00.

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Mr. Guillaum said he indicated to Mr. Stahl the bedding should be included in the base price, therefore the total bid for Stahl would be $4,300.00.

Mr. Brenner said he would recommend the lowest bid, which would be Angel.

Commissioner Cox asked Mr. Brenner when this pipe was originally installed and he replied about two (2) years ago, Mr. Stephen contracted this job, on his own, that they were running a strange ship at that time, that whatever Mr. Stephen wanted to do, the Commissioners backed him up, and did it with bridge money.

Commissioner Borries moved the bid be awarded to Jeff Angel in the amount of $4,000.00 Commissioner Cox seconded the motion, which carried unanimously in the affirmative.

Opening of Bids For Paving of County Roads

President Willner said we have two (2) bids to be opened for the paving of certain roads in Vanderburgh County.

Commissioner Cox moved the County Attorney proceed with the opening of the bids. Commissioner Borries seconded the motion. So ordered.

Kleitz Road....Surveyor's Report

Mr. Brenner submitted the following Surveyor's Report on Kleitz Road, dated Nov.10, 1981.

This Report is Prepared in Accordance With Indiana Code 8-17-1-7 and 8. Revised 1981.

A) This improvement is a vital public utility.
B) This project will require a culvert per specifications and drawings earlier submitted.
C) The beginning of the project center line Kleitz Road. ¼ Section Station 6 + 53.13. Total 600 feet.
D) The existing width of this road is approximately 18 feet; the improved width will be 24 feet edge of pavement to edge of pavement.
E) The paving material shall be H.A.C. (hot mix asphalt) 3 inches depth, 2 inches base, 1 inch surface.
F) The projected cost of the project is $35,000; all grades and profiles as shown on plans.

CERTIFIED BY: Robert W. Brenner, Surveyor

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Commissioner Borries moved the Report on Kleitz Road be approved. Commissioner Cox seconded the motion. So ordered.

President Willner instructed Mrs. Meeks to see that County Attorney David Jones received a copy of the report.

Claim

Mr. Guillaum submitted a claim from Key Construction for final payment (no retainage) on the Cypress Dale/Schmuck Road Bridges, in the amount of $34,957.10. He said the overall price of the job was $6,147.10 under the bid price. Claim signed by David Guillaum.

Commissioner Borries moved the claim for Key Construction be allowed. Commissioner Cox seconded the motion. So ordered.

Reading and Awarding of Bids on Paving of County Roads

County Attorney David Miller said there were two (2) bids received on the paving of certain Road, which are as follows:

A-ASPHALT COMPANY.....EVANSVILLE, INDIANA

We Propose:

1. To do light grading as necessary.
2. To compact the base.
3. To pave 5 areas where road cuts have been made.

   a. Crestmont off Agathon in University Heights.
   b. Bergdorf Road, north of Peters.
   c. Cypress Dale off West Franklin.
   d. Schmuch Road off Lower Mt. Vernon Rd.
   e. DeShields Road at Grandview Ave.

The new pavement will be an average of two (2) inches thick after compaction. A total of 67 tons of #11 Hot-mix surface material will be used. Cost per ton is $45.00. Total Cost.....$3,015.00

FEIGEL CONSTRUCTION CORPORATION.....EVANSVILLE, INDIANA

Per your request, we furnish the following quotation for asphalt paving at the various bridges (pipes) as listed below:

1. Crestmont Road off Agathon
2. Bergdolt Road East of Hitch-Peters Road
3. Schmuch Road .2 mile south of Old Mt. Vernon Road
4. DeShields at Bridgeview.

Work shall include grading and compation to prepare for paving, liquid asphalt tack coat, and a 2" course of #9A on No.11 H.A.C. surface, all over an area of 50' total length, for a lump sum of $1,100.00 per each location.
If all four locations listed are done by us at the same time, deduct 2% for the total sum.

This quotation is based upon the work being done in 1981.
Due to the approach of unsuitable weather, this quotation shall be valid only for 10 days.

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Mr. Miller said Feigel bid on only four (4) locations, deleting the Cypress Dale off of West Franklin location and A-Asphalt bid on five (5) locations.

Mr. Guillaum said it was understood by the bidders from the beginning that it would be a bid for fifty (50) feet, overall, and that is what Feigel's bid is for also.

Mr. Miller said if that was understood, then it was included in both bids.

Mr. Brenner recommended the Commissioners accept the low bid, which would be A-Asphalt.

Commissioner Borries moved the bid be awarded to A-Asphalt Company in the amount of $3,015.00. Commissioner Cox seconded the motion. So ordered.

Petition to Extend Sonntag-Stevens Ditch

Mr. Brenner said at the last meeting the Commissioners agreed to file a petition with the Drainage Board to extend the Sonntag-Stevens Ditch and at this time he would like to submit a prepared petition in accordance with the Statute, that it may be approved by this Board and presented to the Drainage Board. Petition is as follows:

(SONNTAG STEVENS EXTENSION)

PETITION FOR NEW DRAIN

I. The Vanderburgh County Commissioners acting in body as the The County Drainage Board is acting as The Petitioner.

II. The following individuals are those whose property fronts the proposed improvements and will be directly affected by the improvement:

	Owner	Code	Address
1.	Whipple, Lloyd G. and Elizabeth	2-414-4	4301 Clover
2.	Bass, George T. and Violet	2-414-33	3210 Eastbrook
3.	Knabel, Francis R. and Carol	2-414-32	3015 Eastbrook
4.	Josey, James and Pegge	2-414-31	3009 Eastbrook
5.	Rutherford, Shird and Lillian	2-414-30	3001 Eastbrook
6.	Nickolick, Gary and Kathy	2-414-29	2915 Eastbrook
7.	Woolsey, Marice	2-414-24	2905 Eastbrook
8.	Carra, Ruby M.	2-414-27	2901 Eastbrook
9.	Smith, Lewis and Sheila	2-414-26	2813 Eastbrook
10.	Dockery, Edward and Gayla	2-414-25	2809 Eastbrook
11.	Brandenburger, Mildred	2-171-18	4100 Oak Hill Road

III. The general route 863' E. from Oak Hill and Eastbrook (see sketch)

IV. It is the opinion of The Petitioner that the costs,damages and expenses will be less than the benefits.

V. It is The Petitioner's opinion this improvement will benefit a county road (Eastbrook) by eliminating standing water at the road shoulder.

VI. The County Attorney shall represent the County Commissioners.

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Commissioner Borries moved the above petition be approved and referred to the Vanderburgh County Drainage Board. Commissioner Cox seconded the motion. So ordered.

Bridge Inspection in Vanderburgh County

Mr. Brenner said in 1979 the County Commissioners contracted with SEICO to conduct a bridge inspection for Vanderburgh County and at this time he would like to distribute a Bridge Replacement Priority List which is basically from that inspection, but we have added a Name and Status. He said since the middle of 1979 we have completed quite a few of these bridges. These have been gone through one by one, and he would say that a bridge, per this report, by definition, is twenty (20) foot or over, in length, and a culvert would be anything under that. The list was made up for the Commissioners information so you would know where we stand, and it is as follows:

BRIDGE REPLACEMENT PRIORITY LIST

NUMBER	NAME	STATUS	ESTIMATED COST
32	Mohr	Completed	$55,000
30	Sensmeier	Completed	25,000
51	Hogue	Completed	25,000
6	Montgomery	Completed	30,000
81	County Line	Repaired	70,000
3-C	Ohio		500,000
127	Old Henderson	Completed	40,000
35	Mosquito		67,000
89	Eisler	Completed	25,000
86-A	Wortmen	Completed	34,000
80	Kansas	Repaired	85,000
139	Old Henderson		75,000
133	King		35,000
2-C	Maryland		800,000
34	Mosquito		70,000
5	Mann	Closed	82,000
20	Trapp		60,000
41	Mill		50,000
106	Ruston		60,000
77	Millersburg		70,000
186	Boyle		40,000
44	Old Petersburg		50,000
7	Bixler		75,000
62	Maasberg		75,000
74	St. Joe		80,000
11	Base Line		75,000
108	Hedden		50,000
78	Millersburg	Completed	40,000
66	Eichoff	Completed	30,000
45	Seven Hills	Completed	35,000
10	Base Line		62,000
13	New Harmony		150,000
76	Heckel		200,000
183	Old Henderson		70,000
182	Old Henderson		45,000
184	Old Henderson		75,000
132	Golden Rule		30,000
121	Bayou Creek	Completed	30,000
1	Woods		50,000
99A	Schlensker and McCutchan	Completed	30,000
138	Old Henderson		33,000
167	County Line		30,000
103	Boonville-New Harmony		55,000
99	McCutchan	Completed	50,000
124	Schissler		50,000
143	Slate		55,000
130	Seminary		40,000

580.

BRIDGES NOT TO BE BUILT IN NEXT 10 YEARS

NAME	NUMBER	ESTIMATED COST
Mosquito Road	35	$67,000
Old Henderson	134	75,000
Mosquito Road	34	70,000
Boyle Road	186	40,000
Maasberg Road	62	75,000
Boonville-New Harmony	13	150,000
Heckel	76	200,000
Old Henderson	183	70,000
Old Henderson	182	45,000
Old Henderson	184	75,000
Woods	1	50,000
Boonville-New Harmony	103	55,000
Schissler	124	50,000
Seminary Road	130	40,000
TOTAL		$1,062,000

BRIDGE REPLACEMENT PRIORITY LIST (10) YEARS

STATUS	NAME	BRIDGE NUMBER	ESTIMATED COST	
1	Kleitz	None	$ 35,000	
2	Old Petersburg	44	150,000	
3	St. Joe	74	80,000	
4	Baseline	11	100,000	
5	Slate	143	70,000	
6	Baseline	10	75,000	
7	Hedden	108	60,000	
8	Ruston	106	70,000	
9	Kansas	80	85,000	
10	County Line	81	70,000	
11	Bixler	7	80,000	
12	Millersburg	77	70,000	
13	King	133	35,000	
14	Golden Rule	132	35,000	
15	County Line	167	30,000	
	*SUB TOTAL		$1,045,000	$1,045,000
	POSSIBLE LOCAL PROJECTS.....(10) YEARS			
A)	Red Bank #53		$ 150,000	
	Nurrenbern		500,000	
B)	Bergdolt Over Pigeon Creek		400,000	
	Hirsch #93		150,000	
C)	Bender/Boonville New Harmony Railroad		50,000	
D)	Kentucky Avenue Over Pigeon Creek		700,000	
E)	U.S. 41 Overpass/Washington		2,500,000	
F)	4-Lane First Avenue Over Pigeon Creek		1,500,000	
G)	Maryland Over Pigeon Creek		700,000	
H)	Kratzville Deck Repair		70,000	
	* SUB TOTAL		$6,720,000	$6,720,000
	PERSONNEL/COUNTY REPAIR (10) YEARS			
	Personnel		$2,200,000	
	Bridge/Culvert Repair		2,000,000	
	* SUB TOTAL		$4,200,000	$4,200,000

POSSIBLE FEDERAL PROJECTS (10) YEARS

	COUNTY MATCH	
Lynch Road	$300,000	
Eichoff-Koressel Roads	100,000	
Fulton Avenue	230,000	
* SUB TOTAL	$630,000	$630,000
GRAND TOTAL 10 YEARS EXPENSES		$12,595,000

CUMULATIVE BRIDGE FUND CURRENT STATUS

BALANCE January 1,	1977	$1,900,000
Income	1977	700,000
Income	1978	710,000
Income	1979	758,000
Income	1980	1,050,000
Income	1981	1,050,000
BALANCE January 1,	1982	$3,300,000

CUMULATIVE BRIDGE FUND PROJECTED INCOME 10 YEARS WITH CURRENT 15¢ TAX RATE

$1,050,000 X 10 Years=	$10,500,000
Interest	2,500,000
	$13,000,000

PROJECTED BALANCE JANUARY 1, 1992

January 1, 1982 Balance	$ 3,300,000
10 Year Income	13,000,000
10 Year Expenses	12,595,000
Balance January 1, 1992	$ 3,705,000

CUMULATIVE BRIDGE FUND PROJECTED INCOME WITH 10¢ TAX RATE

1982 Income	$ 1,100,000
1983 Through 1991	6,300,000
Interest	1,750,000
	$ 9,150,000

PROJECTED BALANCE JANUARY 1, 1992 WITH 10¢ TAX RATE

January 1, 1982 Balance	$ 3,300,000
10 Year Income	9,150,000
10 Year Expenses	12,595,000
	- ($ 145,000)

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Mr. Brenner went through the list very briefly and said he tried to list everything that was ever mentioned in the County Commissioners minutes, that perhaps as the Commissioners look through them there will be some recommendations and suggestions, so now would be the time to talk about them. He said the three (3) listed under the possible federal projects (Lynch Road, Eichoff- Koressel Roads and Fulton Avenue) shows the County Match and he would see absolutely no way these could be done without federal participation. It shows the most that could be spent in the Cumulative Bridge Fund in ten (10) years is $12,595,000.00.

Mr. Brenner said he started his report from January 1, 1977, when he became Surveyor and took over some type of maintenance of the Bridge Fund. He said they tried to use good accounting procedures by under-estimating the income and over-estimating the expenses.

Commissioner Cox said one that she does not see on the list, that she would like to see on it is the Ohio Street Bridge, in view of our Transportation Plan and the studies made on the Eichoff-Koressel and trying to keep traffic off of Division Street, other than our local traffic.
She said she would also like to comment on the Kentucky Avenue over Pigeon Creek project, that she feels this is needed very much.

Mr. Brenner said this was discussed about three (3) years ago and then it sort of died, but the money is there and you can do it. You will once again need city funds and we believe we can build a bridge there for roughly the same cost as building one across Maryland Street.

Commissioner Cox said even with the 500' approaches would the city still have to do a lot there.

Mr. Brenner said he measured it and it was 2200 feet.

President Willner said in the city you don't have the 500'.

Commissioner Cox asked Mr. Brenner can't we have the 500' approaches to the bridges in the city.

Mr. Brenner said he does not know, that this would be a question for the County Attorney. He would say that we have never spent a dime on city approaches. Perhaps it would be possible if we gave it back to them, because we certainly do not want to maintain it because if you get right down to it we could end up maintaining every culvert in the city, 500' on either side, and we just do not have that kind of money in the Bridge Fund. He said another one to look at is the Bergdolt over Pigeon Creek, because Bergdolt runs within 1200 foot of Green River Road and any other road is 5000 feet away.

Commissioner Cox asked Mr. Brenner what his estimate would be to replace the Ohio Street Bridge.

Mr. Brenner said it would not be much different then Maryland so he would estimate $700,000.00.

Commissioner Cox said the structure would be carrying a lot more load limit then the First Avenue bridge.

Mr. Brenner said that makes no difference, that structurally they will build them the same, to the state specs, the maximum you can build a bridge. He said Ohio Street used to tie into Southlane and it now ties into Second Street, downtown.

Commissioner Cox said she is just thinking of a long range transportation problem which will do something to help move our traffic.
She said she would like to commend Mr. Brenner on the comprehensive list he has submitted, that she appreciates it very much.

Mr. Brenner said while we are on the subject of Expressways he would like to see the Commissioners write a letter to the State Highway Commission and ask them to fix the holes in the Pennsylvania Expressway bridge, that it is falling apart. It is really serious and it's not the joints this time, it is breaking up in the middle. If we don't do something they will not fix it and it is really a dangerous situation and it appears it is going to get worse.

Mr. Brenner said they have submitted a letter to appear before County Council for the Kleitz Road money in the amount of $35,000.00 and next on the list is Old Petersburg Road bridge, where they are having some problems with a shaft coal mine under it, that is leased to Shell Oil Company, that they have a small pumping station there taking gas samples out of the coal mine....so we may be looking at another condemnation here.

Commissioner Borries said the report Mr. Brenner has submitted is a good one and it has answered some of his questions concerning some projects. He asked Mr. Brenner if the Red Bank/Nurrenbern project is presently under budget and Mr. Brenner replied yes it is in the 1981 budget and it will not revert back at the end of the year, or rather he has it in the 1982 budget also.

Mr. Brenner said the Bergdolt over Pigeon Creek project and the Hirsch #93 project is not in the budget. He said Bender/Boonville New Harmony Railroad project is in the budget. The 4-laning of First Avenue over Pigeon Creek is in the budget for only $500,000.00. He said when this report was compiled he was using 1981 dollars.

Commissioner Borries said he feels the 4-laning of First Avenue over Pigeon Creek is top priority, but he is wondering why the figure was lowered.

Mr. Brenner said the amount was lowered because it would no longer be a federal project and we can do it cheaper. He said right now the Department of Natural Resources is requiring us to elevate that bridge and as a federal project he could probably go along with because the city had the money to match the road but it really did nothing for the creek.....First Avenue Bridge does not flood. He would recommend we start at the top and contact the Governor and request permission to put First Avenue at the same elevation it presently is and if we are allowed to do that, we will do it even cheaper then what we are talking about now.

Commissioner Borries said if this will not be a federal project then it should give us more local lead-way, to be able to plan to meet our own needs on a bridge such as this.

Mr. Brenner said this is true, there will be many things that the Commissioners will make the decisions on.

Commissioner Cox said the plans are already drawn up on this project and will they fit in with the flood gates and Mr. Brenner said yes they will, and really, to save a half a million dollars we could draw the plans up again and make any changes the Commissioners see fit.

Commissioner Cox said she wants the county to be safe and she wants the bridges to be safe but the thing that really bothers her is that our transportation system is snafued within the city and to put a 22' or a 24' bridge out in the county on some roads that are no more than 12' wide and traveled very little she cannot see.
She asked Mr. Miller if the bridge fund money can be used for approaches to bridges, in the city and he said he did not know, that he would check into it and come back with an answer for her later in the meeting.

Mr. Brenner said it is a strange situation because the city collects the road tax and everything on the approach and in the county, it is all county funds, so he does not know the answer to Mrs. Cox' question and he does not know if it is in the statute or not.

Commissioner Borries said he would also like to consider adding, or at least looking into two (2) small structures in conjunction with the state widening on Morgan Avenue, because when the Division Street project moves on he believes the situation will become very critical in moving the east-west bound traffic.

Mr. Brenner said these two structures that Mr. Borries is referring to are small and wouldn't run but about $20,000.00 each.

President Willner said we are going to have to make some decisions tonight on the list of seven structures that Mr. Brenner submitted to us last week and has been discussed at length. He believes we all agree that the Ruston #106 structure should be deleted because when the state builds I-164 there is a possibility this could be eliminated. We have already given the approval to proceed with the Kleitz project, therefore we need to vote on the remaining five (5), those being St. Joe #74, Baseline #11, Slate #143, Baseline #10 and Hedden #108, and at this time he would call for a motion.

Commissioner Borries moved that the five(5) structures as stated by President Willner be approved for replacement.

Mr. Miller said in looking at the statute concerning the use of Cumulative Bridge funds, his opinion would be that yes, you can use the money on approaches within the city, within 500' of the bridge.

President Willner seconded the motion which carried with the following roll call vote.

Commissioner Borries.....Yes
Commissioner Cox.....No
President Willner.....Yes

Commissioner Cox moved that we proceed immediately with the four-laning of the First Avenue Bridge over Pigeon Creek, including the 500 feet approaches on both sides. Commissioner Borries seconded the motion which carried unanimously in the affirmative.

President Willner said he voted yes with reservation because he understands the Safety Board was approached with taking the traffic off of First Avenue, so he would hope we would await the outcome of that, but other than that, he would have absolutely no reservations. If First Avenue is to be four-laned from the bridge to Virginia Street where it is presently four-laned, he would agree 100%, but if it is not, then he believes we should do some work as far as the city is concerned.

Mr. Brenner said he will not go to the county council with this right now that the first thing to do is go to Indianapolis with it and get the bridge lowered to the present level.

RE: REQUEST TO TRAVEL.....PIGEON TOWNSHIP ASSESSOR

The following request was submitted by Robert Dorsey, Pigeon Township Assessor, dated November 9, 1981

TO: Vanderburgh County Commissioners,

I, Robert T. Dorsey, Pigeon Township Assessor request permission and approval for myself, Chief Deputy and Real Estate Deputy to attend, at the request of the State Board of Tax Commissioners the instructional meeting February 2, 3 and 4, 1982 at the Hyatt Regency Hotel, Indianapolis, Indiana.

Sincerely,
Robert T. Dorsey, Assessor

Encl: Letter from State Board

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Commissioner Cox moved the request be granted. Commissioner Borries seconded the motion. So ordered.

RE: REQUEST TO TRAVEL.....CENTER TOWNSHIP ASSESSOR

The following travel request was presented from Alvin Stucki, Center Assessor, dated November 11, 1981.

County Commissioners:

In accordance with your ruling on travel expense, I am requesting permission for myself and two deputies to attend the annual Assessor's Conference.

The Conference this year is to be held in Indianapolis on Feb. 2,3,& 4 of 1982.

I am requesting you pay Assessor and two deputies per diem of $17.00; actual lodging expense for each night preceding the date of attendance (Not to exceed $35.00 per night): and a mileage allowance of twenty-two cents per mile necessarily traveled in going to and returning from the meetings.

Attached you will find a copy of a letter from the State Tax Board. Thank you.

Sincerely,
Alvin E. Stuck, Assessor

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Commissioner Cox moved the request be granted. Commissioner Borries seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted by the Fraternal Order of Police, Lodge #215 for use of the Convention Center.

A certificate of insurance was submitted by Tennis Hatfield for an arts and crafts show on November 28-30, 1981 at the Auditorium.

A certificate of insurance was submitted by Citizens for Scientific Creation in the Schools for lecture.....,held on November 7, 1981.

All certificates of insurance received and filed.

RE: MONTHLY REPORT....CLERK OF CIRCUIT COURT

The monthly report of the Clerk of Circuit Court was submitted, for the month of October. Report received and filed.

RE: COUNTY EMPLOYEES RELEASE FORM

President Willner said the County Auditor, Alice McBride has submitted, for consideration, a county employees release form that she would like to have approved by the Commissioners.

Mrs. McBride said she would like to have this form approved and sent to each officeholder so that when employment releases come in one of these forms could accompany it so if there should be any dispute over them drawing their unemployment we would have this form on record in the bookkeeping department, that it would be a great help to the department.

Commissioner Borries moved the form, as submitted by the County Auditor, be approved and used by all county officeholders. Commissioner Cox seconded the motion. So ordered.

RE: CLAIMS

President Willner said there were some claims submitted on county insurance from Helfrich Insurance Agency, but there are questions on them, so they will be deferred until next week.

The following claims were submitted by the Evansville Courier and Evansville Press for legal advertisements.

Courier.....$16.01 for Notice to Bidders for Station Wagon.
Press.....$16.01 for Notice to Bidders for Station Wagon.

Courier.....$17.11 for Notice to Bidders for Smoke Detectors
Press.....$17.11 for Notice to Bidders for Smoke Detectors

Commissioner Borries moved the above claims be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Aiken Management for $493.70 which is 50% of house commission on lobby sales.

Mrs. McBride said on the show "Anne" there was over $900.00 collected and half of it should have gone to Aiken Management, so we had him to sign a blue claim and this will have to come out of the Commissioners Judgements and Refunds account.

Commissioner Borries moved the claim be allowed. President Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BRIDGE...203

Dale Willis	1104 Madison	Inspector	$12,592.00 Yr.	Eff: 11-11-81

CIRCUIT COURT

Bitz, Margaret E.	514 Lewis Avenue	P/T Bailiff	$5.00 Hour	Eff: 11-5-81

AUDITORIUM-CONVENTION CENTER

Carolyn Hayes	501 E. Cherry St.	Coat Check	$4.10 Hour	Eff: 10-31-81

AREA PLAN COMMISSION

Patricia Keating	351 Park Pl Dr.	Part time	$4.38 Hour	Eff: 11-23-81
Virginia Wirthwein	6017 Hamilton Dr.	Asst. Zoning Adms.	$4.38 Hour	Eff: 11-23-81

EMPLOYMENT CHANGES...APPOINTMENTS CONTINUED

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Gary R. Page	3212A Emmerson Ave.	Laborer	$6.18 Hr.	Eff:11-13-81
William V. Boring	1828 Glendale Ave.	Laborer	$6.18 Hr.	Eff:11-13-81
William L. Bethal	13321 Woodland Lane	Laborer	$6.18 Hr.	Eff:11-13-81
Darryl Chamberlain	710 Roserberger Ave.	Operator	$6.66 Hr.	Eff:11-11-81

EMPLOYMENT CHANGES.....RELEASES

BRIDGE 203

Dale Willis	1104 Madison	Inspector	$12,592.00 Yr.	Eff: 11-30-81

CIRCUIT COURT

Bitz, Margaret E.	514 Lewis Avenue	Spec. Reporter	$5.00 Hr.	Eff: 11-5-81

AUDITORIUM CONVENTION CENTER

Mike Glover	1120 Lincoln Avenue	Part time	$4.10 Hr.	Eff: 11-13-81

AREA PLAN COMMISSION

Patricia Keeting	351 Park Pl. Dr.	Part time	$3.85 Hr.	Eff: 11-23-81
Virginia Wirthwein	6017 Hamilton Dr.	Part time	$4.00 Hr.	Eff: 11-23-81

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Darryl Chamberlain	710 Rosenberger Ave.	Truck Driver	$6.27 Hr.	Eff: 11-11-81
Mary Goodman	2602 Forrest Ave.	Part time	$30.00 Day	Eff: 11-16-81

There being no further business the meeting recessed at 9:45 P.M.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert Willner Richard "Rick" Borries Shirley Jean Cox	Alice McBride	David Miller
SECRETARY:	Janice G. Decker		

Robert D. Willner

Richard L. Borries

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
NOVEMBER 23, 1981

The meeting of the County Commissioners was held on Monday, November 23, 1981, at 2:30 p.m. in the Commissioners Hearing Room with President Willner presiding.

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

RE: OPENING OF BIDS ON SMOKE DETECTORS AND STATION WAGON

Mr. Ben Evans of the Purchasing Department submitted four (4) bids for the smoke detectors for the Sheriff and submitted three (3) bids for a station wagon for Burdette Park.

Commissioner Cox moved that the County Attorney David Jones proceed with the opening of the bids. Commissioner Borries seconded the motion. So ordered.

RE: RELOCATION OF WALL IN MISDEMEANOR OFFICE

Ms. Helen L. Kuebler, County Clerk submitted the following letter to the Commissioners, dated Novembwr 4, 1981.

County Commissioners:

The County Clerk hereby requests relocation of a wall between room 200 (Misdemeanor Office) and room 205, which is next door to room 200. This relocated wall will give the Misdemeanor office approximately 90 sq.ft. more space. This request has been approved by Judge Kissinger, who now is in room 205.

Mr. Ruston has quoted me a price of approximately $400.00 to change this divider, if approved by the County Commissioners. Provided you do approve of this change, the $400.00 expense can be paid from the Clerks' budget.

Your approval of this wall relocation, of which we are in dire need, will be truly appreciated. At present the girls cannot get into file drawers without moving from their desks to make enough room to open the drawers.

Thank you,

Helen L. Kuebler, Clerk

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Ms. Kuebler was present and said this room use to be Legal Aid, and Judge Kissinger says he does not need all of it and has agreed to share it. She said the money is available in her budget, but not in the correct account, that she will have to appear before the County Council and request they transfer it to the proper account.

Commissioner Borries moved the request be granted, subject to County Councils approval. Commissioner Cox seconded the motion. So ordered.

RE: CHECK RECEIVED FROM HARTFORD

President Willner said a check was received from Hartford Insurance along with the following letter written to Mr. Bill Campbell, Director of the Drug and Alcohol Deferral Service, dated November 10, 1981.

Dear Mr. Campbell:

Enclosed is Hartford draft in the amount of $149.25 in payment of your loss of 10-14/15-81 less the $250. deductible.

Hope this claim was handled to your satisfaction.

Yours very truly,
Torian Agency, Inc.

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President Willner said the check is to the County Commissioners and Felts Lock Shop and is for full and final payments of all claims.

Mr. Bill Campbell was present and stated a couple of months ago they had a burglary in their office, that a pair of scissors was used to pry on the safe and messed the lock up and also messed up all the locks on the confidential files. Nothing was stolen, only messed up. He had to have the locks replaced and he turned it into the insurance comany and at the time he was not aware of the $250.00 deductible policy and he is wondering where the remainder of the money will come from to pay Felts, that he does not have the money in his budget because when the County Council sent out their plea for everyone to search their budget and return to the County General Fund anything possible, he turned back in some $2,800.00, so he does not have any extra money.

President Willner asked if this could be deferred until the first of the year and then payed from the 1982 money.

Mr. Campbell said if this is procedural.

County Auditor Alice McBride said she did talk to Mark Tuley about this matter and perhaps this bill can be paid from the Superintendent of County Building's budget, that Mr. Campbell's office is under a county lease.

Commissioner Borries said paying it from Mr. Tuley's budget would be the fastest way of doing it.

Mrs. McBride said this check for $149.25 cannot go to Felts Lock Shop that we must put it in the proper account in the Superintendent of County Building's budget and then we will write Felt's a check for the full amount owed to them.

Commissioner Borries moved the check be signed and that the bill owed to Felts be paid from Mr. Tuley's budget. Commissioner Cox seconded the motion. So ordered.

RE: MR. JOHN HODGE....HELFRICH INSURANCE AGENCY

Mr. John Hodge presented a letter to the Commissioners denoting what has happened in the past couple of months regarding the negotiations for insurance for next year for the county. He said several of the insurance premiums for the county has been lowered for next year. The letter submitted read as follows, dated November 23, 1981.

Board of County Commissioners:

Subsequent to my letter of August 27, 1981, (copy attached) I have conferred with Insurance Audit and Inspection Co., Hartford Insurance Company and Torian Agency. These conferences were held to determine what course of action should be undertaken by Vanderburgh County regarding the County's casualty insurance coverages.

As a result of thes discussions, we recommend that the Commissioners authorize a rewrite of all policies effective January 1, 1982 so as to coincide with the County's fiscal year. This rewrite is to be accompanied by a revision of the General Liability premiums to reflect a substantial reduction in annual premium. This reduction is being realized as a result of the efforts of all county office holders to cooperate with the insurance companies in reducing potential loss situations, and timely reporting of all occurrances which may lead to an insurance claim being submitted. The continued efforts of all county personnel is needed in order to maintain the favorable premium structure that is developing with the insurance companies.

No appreciable premium changes are anticipated in any coverages other than Comprehensive General Liability, Workers Compensation and Business Auto. These three policies are provided by Hartford Insurance Company and the County paid approximately $295,000.00 deposit premiums for 1981-82 policy year, and payroll audits developed $23,000.00 additional premium during 1981. The total premium paid by Vanderburgh County for these coverages in 1981 was approximately $318,000.00 ($295,000 + $23,000). If the Commissioners approve the rewrite effective January 1, 1982, the estimated premium will be $284,000.00. This is a savings of about $34,000.00 with no reduction in coverages. (No audit premiums are expected in 1982).

The annual Property and Casualty Insurance premiums for Vanderburgh County were $352,000.00 in 1981, plus $23,000.00 in premiums developed by the payroll audits, for a total of $375,000.00. The new rating will result in an estimated annual premium of $341,000.00 and a reduction of $34,000.00 for the year.

The total estimated annual premium will be due and payable January 1, 1982 on all coverages. The new policies will be delivered to the County Auditor on or about this date and all policy files will be maintained in the Auditor's office.

John Wall of Insurance Audit and Inspection Company concurs with my recommendation that you approve the rewrite of all coverages effective January 1, 1982.

Very truly yours,
John D. Hodge

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Mr. Hodge said he feels The Hartford has responded very well from the efforts of the County and he would recommend a rewrite effective January 1, 1982. He said there are two (2) policies that may not be rewritten January 1st. but they will be done March 1st for 9 months and then rewritten for a full year for 1983.

President Willner said we would want to take advantage of a savings wherever possible.

Mr. Hodge said the county has been paying the insurance in installments but next year it will be paid for the full year.

Commissioner Cox said what this means then is that rather than bid out the insurance coverages, we just renew what we presently have.

Mr. Hodge said this is true and as his letter states he did consult with the Insurance Audit and Inspection Company and they very highly recommended that it not be bid until at least next year and then on a three (3) or six (6) year cycle. Last year things looked bleak but things are now looking very positive for the county. He said there will be a premium return also for 1982.
Commissioner Cox said somewhere along the line we discussed bidding these out this year.

Commissioner Borries moved the Commissioners accept the recommendations and rewrite the policies effective in 1982, with The Hartford Insurance Copmany. Commissioner Cox seconded the motion. So ordered.

RE: CHECK FROM HELFRICH INSURANCE ON WEST HEIGHTS SCHOOL

A check was received from Helfrich Insurance Agency in the amount of $647.00 with the following letter of explanation, dated November 23, 1981.

Board of County Commissioners,

Enclosed is an endorsement deleting insurance coverage for West Heights School, 1430 Harmony Way (this endorsement should be filed in the Auditor's office).
This property is insured under a policy issued to the Evansville-Vanderburgh School Corporation and the Board of Commissioners are being added as additional insured's to that policy.
The check for the return premium covering the period 4-1-81 to 4-1-82 is enclosed.
Please advise if you have any questions on this or any other insurance matter.

Very truly yours,
John D. Hodge

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Commissioner Borries moved the check be accepted and endorsed. Commissioner Cox seconded the motion. So ordered.

RE: READING OF BIDS

County Attorney David Jones said there were four(4) bids received on the smoke detectors for the Sheriff, which were as follows:

MOUNTS ELECTRIC, INC.....Total sum of $17,146.00
VANDGUARD SALES OF EVANSVILLE.....Total sum of $16,299.50
JA-LO ELECTRICAL, INC.....Total sum of $19,446.00
WAYNE HARTIG CO. INC.....Total sum of $13,900.00

Mr. Jones said all bids are in order.

Commissioner Cox moved the Purchasing Department get with the Sheriff and review the bids and that a recommendation be brought back next week. Commissioner Borries seconded the motion. So ordered.

Mr. Jones said there were three (3) bids received on the station wagon, which were as follows:

KENNY KENT .....4 cylinder at $7,590.49

KEY FORD.....1982 Ford Granada, 6 cylinder.....$7,428.15

EVANSVILLE DODGE.1982 Dodge Aries, 4 cylinder.....$7,177.65

Mr. Jones said all three bids are in order.

Commissioner Cox moved that all bids be referred to the purchasing Department and Burdette Park to review and that a recommendation be brought back next week. Commissioner Borries seconded the motion. So ordered.

RE: DAVID SAVAGE.....TRAFFIC ENGINEER

Mr. Savage submitted the county work report for the second and third quarter of 1981, that it was taken from the daily work orders. He said if there are any questions on either of the reports he would be happy to try to answer them or if the board wants a week to look them over, he will report back next week. (Reports on file in Auditor's office)
President Willner asked Mr. Savage if he has a total, to date,and he replied he has a total which includes October and does not show in the report, which is $70,801.24, so we are in a position where we are in access of our 14% of our budget. He said the 14% of their adjusted budget was in the neighborhood of $62,000.00.

Mr. Savage said on the report for the third quarter you will notice there is a credit for Old Princeton Road, since it was done twice.

Mr. Savage said they have erected weight limit signs on Ward, Twickingham and O'Hara, off of St. George Road.

President Willner asked if we need to have an Ordinance for those signs and Mr. Savage said yes, he believes so.

Commissioner Cox asked Mr. Savage if he had a chance to look at the problem off of Ward Road, into O'Hara and he replied he did not get out there himself, but he did discuss it with David South and they did post Ward Road.

Mr. South said if there is to be a Ordinance drafted he would suggest we also add Debbie Lane to it.

President Willner instructed Mr. South to work with Attorney Miller and prepare an Ordinance as soon as possible.

RE: JERRY LINZY.....COUNTY HIGHWAY DEPARTMENT

Weekly Absentee Report. Mr. Linzy submitted the weekly absentee report of the employees at the county garage for the period of 11/16/81 through 11/20/81.....Report received and filed.

Weekly Work Report. Mr. Linzy submitted the weekly work report for the employees at the county garage for the period of 11/16/81 through 11/20/81...Report received and filed.

Mr. Linzy said they are presently patching on Schroeder Road, as the weather permits. Also he and David South went to Old Henderson Road and checked out the river bank there, but he will let Mr. South report on that.

President Willner asked if the farmers were cleaning the ditches along Schroeder Road and Mr. Linzy replied he found one place, just east of Old State, where they had done some work with a shovel, but it looks like it will drain alright.

President Willner asked how materials stand for the coming winter months and Mr. Linzy replied all the graders are ready to go, that four (4) snow plows are ready, that they have about 200 tons of salt left over from last year, that they have a tank full of calcium chloride. They also recieved their AE-150 and they pugged up about 300 tons of patch mix, which should carry them through the winter and they have about 200 tons of sand.

RE: JESSE CROOKS.....BUILDING COMMISSION

Monthly Report. Mr. Crooks submitted the monthly report of permits issued for the month of October, 1981 and said they are even with permits issued last year.

Mr. Crooks said concerning Browning-Ferris' landfill, he wants to report they did put straw on the area and it looks like it will be alright if we don't get too heavy of a rain, but it is too late in the year for the grass to come up.

E.A.R.C. Mr. Crooks said concerning repairs at the E.A.R.C. Building, that they did fix the one leak on the west end and they see no problem with it, but they did not get all of them finished. He said he believes something different is going to have to be done with the head of the ramp, that we should go back and put in expansion joints. He will keep the Commissioners informed.

RE: DAVID SOUTH....COUNTY HIGHWAY ENGINEER

Request to Travel Mr. South said he would like permission to travel to Indianapolis on December 2 & 3 for the Annual AIC meeting.

Commissioner Cox moved permission be granted. Commissioner Borries seconded the motion. So ordered.

Letter Received From the Department of Highways

Mr. South said he received this week a letter from the Department of Highways, Vincennes, Indiana, dated November 18, 1981, in response to the letter they received stating what we would do concerning the relinquishment of a part of St. Joe Avenue near Diamond Avenue. The way he interprets the letter from them is that they want to hear the same thing from the Commissioners and what he told them, but they want the three Commissioners signatures on the letter, so Ms. Meeks typed the following letter and if the Commissioners approve, it can be signed and mailed to Mr. King.

RE: Relinquishment of part of
St. Joe Ave. near Diamond Ave.

Dear Mr. King,

I wish to thank you for attending the Commission meeting on October 19, 1981, and also meeting with the Commissioners and myself the following Wednesday at the site.

After a review of this section of road, the Commissioners would request the following be done prior to taking over maintenance.

1. Patch and resurface South of Diamond Avenue.
2. Improve turning lane markings on South side of Diamond Avenue.
3. Repair bridge deck.

When these things are done, the County, subject to final Commission approval, will assume maintenance of this section of road.

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Commissioner Cox moved the letter be signed and forwarded to Mr. King. Commissioner Borries seconded the motion. So ordered.

Discussion of St. Joe Avenue Project

Mr. South said before the next county commissioners meeting our sixty (60) days are up, in a letter we have written, in conjunction with the St. Joe Avenue project and he does not know if action needs to be taken today, or wait until the next meeting. He said St. Joe is clear of technical problems as far as he knows, to date.

President Willner said the matter will be taken up next week, that perhaps Mr. South can meet with the Commissioners about an hour before the next meeting to discuss it.

Old Henderson Road Problem.

Mr. South said in looking at the problem discussed on Old Henderson Road, he went out there, but discovered he was in the wrong place, but that he will try to get out there again this week and report his findings.

RE: BOB BRENNER.....COUNTY SURVEYOR

Bridge and Guardrail Report. Mr. David Guillaum submitted the bridge and guardrail report for the period of 11/16/81 through 11/20/81 and stated they had a repair crew working on a section of Marx Road. They also had two (2) pipe projects on Pleasant Road and they are in the process of finishing up the second one and their next plans are to move on to Happe Road.

Mr. Guillaum said two of the bridges that were approved for replacement by the Commissioners last week have been placed on the Council Call for December.

RE: DAVID GERARD...E.U.T.S.

Mr. Gerard said the Commissioners requested quite some time ago that he seek a change in the determination of St. Joseph Road, near Meier, from federal aid urban to rural secondary and his office is in that process now, that they have contacted the state on it and they requested additional information on it from us and he hopes to have all the figures and information compiled and ready to go to the state next week.

Covert Avenue Extension. Mr. Gerard said the last time he was before the Commissioners he reported his office had completed the environmental impact statement for Covert Avenue Extension and last week when he talked with federal highway officials, in Indianapolis, they indicated the report is okay, so he is hoping we will receive final approval within two weeks and then we can schedule a design hearing perhaps after the first of next year.

Lynch Road. Mr. Gerard said on Lynch Road, in speaking with the county's consultant, that is doing the environmental and corridor study, and with federal highway officials, we have the traffic assignments for the different corridors and provided them to the county consultant and also provided the turning movement data, which is really the critical data for justifying an interchange at Lynch Road and I-164. Perhaps sometime in December we will receive some word on it, from the federal highway.

RE: BOB FORTUNE....DATA PROCESSING

President Willner said Mr. Tuley mentioned putting the bridge and local roads and streets accounts in the computer, and he wonders if there are any problems with that.

Mr. Fortune said he discussed this with Mr. Tuley, that they are working together on it and right now he sees no problem in doing it.

Commissioner Borries said by doing this it should give us a clearer indication of how much money we have appropriated or encumbered in various accounts, as we go through the year.

Mr. Fortune said he will continue to work on this with Mr. Tuley.

RE: COUNTY ATTORNEY.....DAVID JONES

Notice of Tort Claim

President Willner said the Commissioners received a Tort Claim, that Evansville Title Corp. vs. Vanderburgh County Commissioners et al. He said this is in relation to the County Recorder's office.

Commissioner Borries moved the claim be referred to County Attorney Jones. Commissioner Cox seconded the motion. So ordered.

Mr. Jones said he was not aware until right before this meeting, exactly what was said in the complaint and if he understands what the commissioners just done was to authorize him to defend the Recorder in this action. He said he will put our Liability Carrier on notice, as this is errors and ommissions and it may very well be covered by county insurance, and the insurance company may defend. He said there is however a hearing on an injunction, so he will have to handle that matter until we find out if the insurance company is going to handle it, but he does not see this as long and drawn out.

President Willner said to keep the Commissioners advised.

Damage to Sheriff's Department Boat

Mr. Jones said the matter of the Sheriff's Department boat was referred to him some weeks ago and he has put all parties on notice. Mr. Jones sent the following letter to Mr. Harold Hambey, Manager of the Plaza Yacht Club, and at this time he presented the Commissioners with a copy of the letter.

RE: DAMAGE TO SHERIFF'S DEPARTMENT BOAT

Dear Mr. Hambey:

Since our conversation and with reference to my letter to you of October 8, 1981, concerning damage to the Sheriff's Department boat, I have conducted further investigation of the facts and have determined that the Sheriff's Department still holds you responsible for damage to the engine resulting from your changing the oil and oil filter on the engine. Your services in changing that oil left you responsible for doing so in a proper manner and such responsibility could not be shifted to Officer Cotton. Officer Cotton, in fact, checked the oil filter but further advises me that you had the opportunity to check the engine while it was, in fact, running before he pulled away from the dock. Your admission as to having left an old gasket in place is the cause in fact of the oil leaking which in turn resulted in the engine of this craft being destroyed.

Enclosed herewith you will find copy of an estimate of damages to the engine. We are holding you and your employer, Plaza Yacht Club, Inc., responsible for these damages. In the event that some arrangement is not made with the undersigned within five (5) days of your receipt hereof for paying said amount, I have been authorized to commence suit to recover said sum.

Very truly yours,
David L. Jones, County Attorney

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Mr. Jones said he received a last minute phone call from an individual who has something to do with the Corporation and he tells us that Mr. Hambey had not told him about the boat and he has asked for time to contact his insurance company, which was granted to him. The estimate to get the boat back in working condition is in excess of $3,000.00 and could be up as high as $4,000.00.
He said he will keep the Commissioners informed of the matter.

RE: BURDETTE PARK BOARD MEMORANDUM

Commissioner Borries said as we have not received a final report, regarding Burdette Park, From Dr. Peterson and his committee, there has been some questions raised as to the interpretation as to whether or not the Commissioners could repeal the Park Board. Mr. J. Jeff Hayes had asked a Ms. Jeanette Adams, who is Senior Staff Attorney of the Legislative Service Agency to clarify this. Mr. Hayes sent a memorandum and at this time he would like to refer it to the County Attorney, which does back up and clarify what he had already written.
Mr. Borries said the memorandum briefly states that J.Jeff Hayes asked that she clarify the Acts of 1981, Public Law 17 on IC 17-2-76, the Vanderburgh County Park Law. It says that despite it's repeal IC 17-2-76 stays in effect temporarily as if it were an ordinance rather than a state law. It stays alive until either the county exercises legislative power over the subject of parks or until this temporary preservation ends on September 1, 1983. Section 30 gives two (2) examples of what is meant by exercise of legislative power: 1). Adopting a new rejecting ordinance that declares Indiana Code 17-2-76 no longer applicable and 2). Adopting a new ordinance to preserve it after the September 1, 1983 deadline, thus, the County may, anytime before September 1, 1983 adopt an ordinance to repeal or preserve the provisions of IC 17-2-76, or it may take no action and let it expire on that date.

At this time Commissioner Borries referred the memorandum to Mr. Jones.

RE: APPOINTMENT TO THE EVANSVILLE VANDERBURGH COUNTY LIBRARY BOARD

Submitted was the following letter, dated November 5, 1981.

County Commissioners:

This is to remind you that the term of Mrs. Paula Yeager, whom you appointed to the Library Board for a one year term in December 1980, will expire on December 31, 1981. She is eligible for reappointment for a four year term.

Mrs. Yeager has been an enthusiastic member of the Board and has been very faithful in attending our meetings, having been present at twelve of the thirteen meetings we have held so far this year.

We await your pleasure in regard to this appointment.

Sincerely,
Edward Allen Howard, Director

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Commissioner Cox moved that Paula Yeager be reappointed to the Library Board for a period of four years, effective January 1, 1982. Commissioner Borries seconded the motion. So ordered.

RE: AMENDMENT FROM BLUE CROSS ON MAJOR MEDICAL MASTER POLICY

President Willner read the following letter, dated November 2, 1981.

Dear Account Executive:

The attached Endorsement serves to amend the Medical Necessity exclusion of your Major Medical Master Policy. This Endorsement represents a clarification of the current exclusion and provides language consistent with that used in your Basic Blue Cross and Blue Shield policies.

The endorsement becomes effective January 1, 1982, and should be placed with your Major Medical Master Policy.

Sincerely,
D.J. Van Dyke, Vice President
Customer Administration Division

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The amendments were referred to Alice McBride, County Auditor, to be placed with the Master Policy, on file in the Auditor's office.

RE: CLAIMS

A claim was submitted by Helfrich Insurance Agency in the amount of $19,330.00 for correction on rating of policy for 4-1-81 to 4-1-82 (An equal credit has been applied to Highway Account 201-4511).

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Helfrich Insurance Agency in the amount of $2,762.00 for Business Auto policy for period of October 1, 1981 to January 1, 1982.

Commissioner Cox moved the claim be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Helfrich Insurance Agency in the amount of $1,863.00 for Workmans Compensation Policy, for the period of October 1, 1981 to January 1, 1982.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Helfrich Insurance Agency in the amount of $7,827.00 for comprehensive general liability for the period of October 1, 1981 to January 1, 1982. ($27,157.00 less $19,330.00 credit for adjustment of rating error for 4-1-81 to 4-1-82)

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Mike Volkman Insurance Agency, for the annual premium for the County Surveyor's Bond, in the amount of $30.00.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

CO-OP EXTENSION SERVICE

Jerri Jo Bays	7923 Elna Kay Drive	Part time	$25.00 Day	Eff: 11-23-81

SUPERIOR COURT

Mary J. Stucki	(Return from leave/absence)	Riding Bail.	$11,891.00 Yr.	Eff: 11-30-81

COUNTY ASSESSOR

Sara J. Ritter	5015 N. Harmony Rd.	R.E. Deputy	$ 9,160.00 Yr.	Eff: 11-23-81

COUNTY HIGHWAY

Robert Hertzberger	1209 Harriett St.	Laborer	$6.18 Hour	Eff: 11-18-81

SCOTT ASSESSOR

Meribeth Richardt	R.R.8 Box 163	Deputy	$30.00 Day	Eff: 11-16-81

KNIGHT ASSESSOR

Joan Wills	621 E. Franklin	Deputy	$9,160.00 Yr.	Eff: 11-20-
Robert McBride	707 Reis	Part time	$30.00 Day	Eff: 11-20-

COUNTY CLERK

Dorothy L. Wolf	125 N. Weinbach	Deputy Clerk	$350.95 Pay	Eff: 11-20-81
Lucy Collins	648 Crestwood Dr.	Juv.Ct. Clerk	$350.95 Pay	Eff: 11-20-81
Sharon Daniels	729 E. Florida	Juv. Ct. Clerk	$371.57 Pay	Eff: 11-20-81

RE: EMPLOYMENT CHANGES.....RELEASES

SCOTT ASSESSOR

Marguerite Richardt	R.R. 8 Box 163	Deputy	$30.00 Day	Eff: 11-16-81

KNIGHT ASSESSOR

Joan Wills	621 E. Franklin	Part time	$30.00 Day	Eff: 11-19-81
Robert McBride	707 Reis	Deputy	$9,160.00 Yr.	Eff: 11-19-81

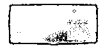
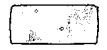
COUNTY CLERK

Lucille Fowler	3201 Schenk Rd.	Juv.Ct.Clerk	$371.57 Pay	Eff: 11-20-81
Sharon Daniels	729 E. Florida	Juv.Ct.Clerk	$350.95 Pay	Eff: 11-20-81
Darlene J. Maveety	904 Olmstead	Deputy Clerk	$350.95 Pay	Eff: 11-20-81

There being no further business the meeting recessed at 3:35 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert L. Willner Richard "Rick" Borries Shirley Jean Cox	Alice McBride	David Jones
SECRETARY:	Janice Decker		

Robert L. Willner
Richard L. Borries
Shirley Jean Cox
VANDERBURGH COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
NOVEMBER 30, 1981

The meeting of the County Commissioners was held on Monday, November 30, 1981, at 2:30 p.m. in the Commissioners Hearing Room with President Willner presiding.

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

RE: OPENING OF BIDS ON COMPACT CAR AND LIQUID ASPHALT AE-150

President Willner said we have received bids on a compact car for the Area Plan Commissioner and also for Liquid Asphalt AE-150 for 1982.

Commissioner Cox moved the County Attorney proceed with the opening of the bids. Commissioner Borries seconded the motion. So ordered.

RE: SHERIFF...REQUEST FOR TELEPHONE CHANGE

Officer Pete Swaim was present and stated the Sheriff's Department is in the process of moving some desks around and relocating some personnel in the office and in doing this it necessitates the moving of some existing telephone lines. In doing this they will be doing away with one line (5425) and this will result in a savings of about $31.95 per month. There will be a one time service charge of approximately $230.00 on the moving of the existing lines that they will be keeping.

Mr. Mark Tuley said Mr. South worked with the telephone company on the Sheriff's phones, that they are on a separate system and he will go take a look at it, but he would recommend the Commissioners go ahead and give approval of this request.

Commissioner Borries moved the Sheriff's request for telephone changes be approved. Commissioner Cox seconded the motion. So ordered.

RE: MARK TULEY....SUPERINTENDENT OF COUNTY BUILDINGS

Insurance for the County

Mr. Tuley said he would request they go before County Council with a request for the Health Insurance and the Life Insurance in the amount of about $45,000.00 ($20,000.00 for Life and $25,000.00 for Health) for 1982, provided to us by Blue Cross/Blue Shield.

President Willner said what we need at this time is a motion to approve the insurance for next year and also to place the Commissioners on the January Council Call for the purpose of up-dating the funds for 1982.

Commissioner Borries said the Commissioners have been concerned about the increase in the county's insurance program and we are trying to look at all of the options available to us. We have had a bad experience, in terms of insurance, for the year 1981. He said there are some options available to us for 1982 and he thinks we do want to request that Mr. Tuley send a memo to all offices and departments requesting that all county employees who have insurance with Blue Cross/Blue Shield, attend meetings at the earliest possible date in 1982, to look at all the options we will have.

President Willner said there is not a lot that we can do as far as cutting costs with medical insurance, but we have discussed, if our experience continues to be bad to do something about a deductible policy or perhaps raising the employees share to be paid, which we do not want to do.

Mr. Tuley said when we submitted figures to the County Council in September for 1982 budget, we figured about a 15% increase in costs, but it came back at a little better then a 19% increase, so that accounts for some of this, plus the fact that there will be no refund.

Commissioner Borries moved the Commissioners approve the Health Insurance with Blue Cross/Blue Shield for Vanderburgh County employees, for 1982. Commisioner Cox seconded the motion. So ordered.

Commissioner Borries moved the Commissioners be placed on the January County Council Call for additional insurance funds. Commissioner Cox seconded the motion. So ordered.

Commissioner Borries said the Commissioners felt like there would be enough money already budgeted to last through next September, but we felt like the Council should be made aware of the fact that we are going to have an additional $45,000.00, approximately, for 82.

RE: OPENING OF BID FOR COMPACT CAR FOR AREA PLAN COMMISSION

Attorney Jones said there was only one bid for the compact car and that was from Evansville Dodge, for a 1982 Dodge Omni, four door hatchback, four cylinder, automatic transmission and brakes, in the amount of $6,280.94. The bid was in order.

Mr. Ben Evans of the Purchasing Department recommended the bid be awarded to Evansville Dodge.

Commissioner Borries moved the compact car for the Area Plan Commission be awarded to Evansville Dodge in the amount of $6,280.94. Commissioner Cox seconded the motion. So ordered.

RE: BIDS ON SMOKE DETECTORS FOR SHERIFF DEFERRED ONE WEEK

Mr. Evans said the Sheriff recommends we hold the smoke detector bids under advisement for another week, for further study.

Deputy Moers was present and stated since this was a short work week they would like to study the bids and get copies of each bid specifications, therefore they would request another week on them.

Permission granted.

RE: AWARDING OF BIDS ON STATION WAGON FOR BURDETTE PARK

Mr. Evans said bids were open on a station wagon for Burdette Park, last week, and at that time they were taken under advisement and he is now back with a recommendation that the bid be awarded to Evansville Dodge, who was the low bidder at a cost of $7,177.65. This is for a 1982 Dodge Aries, four cylinder, custom station wagon.

Commissioner Cox moved the bid be awarded to Evansville Dodge for the price of $7,177.65, for a 1982 Dodge Aries. Commissioner Borries seconded the motion. So ordered.

RE: OPENING OF BIDS FOR AE-150

Mr. Jones said there were two (2) bids for the liquid asphalt, those being as follows:

J.H. RUDOLPH & CO. INC.

Transport Loads 5,000 gal minimum to approximately a 200,000 gal maximum .719¢ per gallon, unit price.

Tank Wagon Loads, 1,000 gallon minimum to approximately 95,000 gal tank wagon .793¢ per gallon.

Less than a 1,000 gallon order, which is approximately 5,000 gal less than a tank wagon is 89¢ per gallon.

Mr. Jones said it should also be noted that conditions on the proposal except as freight rates, availibility of material, strikes or other conditions beyond their control may warrant a conditioning of the bid.

BITUMINOUS MATERIALS CO. INC.

200,000 transport .725¢ per gallon
95,000 gal. tank wagon 80¢ per gallon
5 gallons less than tank wagon 90¢ per gallon

The above price includes one (1) ten thousand (10,000) gallon insulated portable tank and the bids is further qualified in that the bidder reserves the right to increase the contract unit price in the amount equal to the bidders increase in costs and materials and supplies, occurring subsequent to the date on which the bid is submitted. Any increase or decrease in the bidders costs of materials and supplies after the base date which is defined as the date of acceptance, shall be determined monthly and shall be verified by proper documents furnished to the responsible awarding board. The bidder also reserves the right to allocate the amount of materials among it's customers in an equitable manner

if necessary, due to any reductions from it's supplier.

Mr. Evans said they would like to take the bids under advisement, and that he will get in contact with the County Highway people and come back with further recommendations.

Mr. Jones said the specs call for the amount of any freight charges to be included in the bid. He is not certain if this is included in the price because there is reference to freight charges, so this may be checked in both bids.

Mr. Evans said they will try and clarify those charges. At this time he also submitted a sheet showing last years prices, in order to compare this years prices with, showing that the prices are down from last year.

Commissioner Cox asked if the bid from Rudolph, did it include a tank?

Mr. Jones said there was no mention of one.

RE: CONRAD COOPER....AUDITORIUM

Mr. Cooper said on November 22, 1981, he wrote the previous Auditorium Manager, Mr. Dewes, a letter, per instructions from County Attorney Jones regarding some unpaid bills from 1979, 1980 and 1981.
The following letter was received from Mr. Dewes, dated November 24, 1981.

Dear Sir,

With your letter of inquiry dated November 22, 1981, I have received the following invoices:

Invoice #6570	12/13/79	Brucken Company	$165.00
Invoice #8693	5/14/80	Brucken Company	$ 46.00
Invoice W3491	1/31/81	Ad-Craft, Inc.	$978.31
Invoice W3510	1/31/81	Ad-Craft, Inc.	$330.00

Your questions ask if funds were available in the accounts when the orders were placed and if money was encumbered for the same purpose.

Without access to the computer records I would not begin to answer the questions. Any and all orders for materials did require a requisition and a purchase order. If funds were depleted in the related account, the requisition was returned and the purchase order denied. Orders for repairs and like services did not require a requisition or a pruchase order.

I would suggest that you contact the bookkeeping department in the Auditor's office for answers to your questions. My memory of the many and complex transactions is not accurate enough to reply.

Very truly yours,
Fred G. Dewes

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Mr. Cooper said the County Auditor has informed him that there is some monies encumbered for the Brucken's bill, which goes back to 1979.

Mrs. McBride said the $46.00 was encumbered, from 1980.

Mr. Cooper said to date, he has spent very close to $5,000.00 of the 1981 budgeted funds to pay 1979 and 1980 bills and he really does not have the money to pay the mentioned bills. He has investigated the invoices submitted by Ad-Craft, Inc. and they seem to be valid, that the work was performed. He would like to recommend him sending a letter to Ad-Craft asking that they please hold off on the bills until new money is available in January, 1982, and we can pay them at that time, but he will, however, act upon the advice of the Commissioners.

Mrs. McBride said the Auditors records also show a $50.00 incumbrance in 1979, but she does not know what it was for, that the purchase orders that far back would be down in the basement. We also show the $46.00 was encumbered for the 1980 Brucken's bill.

President Willner asked Mrs. McBride if we could pay Brucken's the $50.00 encumbered for 1979, yet this year and she replied yes, we can.

President Willner said then why don't we pay Brucken's the $50.00 and send a letter with it requesting the hold the balance of the bills until January.

Mr. Cooper said the Company has been sold and the new owner is trying to clear up all old debts.

Commissioner Cox asked what the Ad-Craft bills were for and he replied as best he can determine, it had something to do with the balancing work done to the blower motor on the #1 boiler. We have had to do some additional work to that boiler, but he did not feel obligated to try to disprove their claim. He said the $330.00 from Ad-Craft was for the installation of some emergency lighting in the Gold Room.

Commissioner Cox said this is really bad that these bills have gone on for almost a year.

Mr. Jones said this sounds as though it is in order, but the main thing to determine is what you received and what the authority for it was. It was a service contract, therefore there would not be a purchase order, but he would assume it went through the minutes of some meeting for approval and in checking back in those minutes this body can either ignore it, approve it now, or ratify it after the fact, but it ought to be approved before it is paid. He also agrees a courteous letter to the company asking them to hold the bills until the money is available would suffice.

Commissioner Cox said she recalls nothing from Ad-Craft coming before them for approval of payment, this year, but if it were an emergency, it may not have come before the Commissioners
Commissioner Borries said he does not believe anything came before them either.

Mr. Jones said it should have been flagged in the Auditor's office.

Mrs. McBride said when a bill comes into us and the money is not available, we do not pay that bill, but we give it back to them.

President Willner said we must rely on Mr. Cooper to review the bills, and justify the fact we do owe them, then write a letter to the company with the request they wait until next year for it to be paid and then when 1982 funds are available, we will pay it.

Request from Philharmonic Orchestra on Parking Lot

Mr. Cooper said the Philharmonic Orchestra is requesting, at the end of their performances that we open the Walnut Street exit, that they claim it takes too long to clear out the parking lot when they can exit only through the automated gate. He has discussed this with Mr. Hampel, who is the President of the Board of Directors of the Philharmonic, and personally he feels like what it boils down to is what is "a long time", that he does not feel it takes the lot very long to empty out if people leave in an orderly fashion. He really does not have a firm recommendation on this request except to say that on other occasions, when they have had the lot full, they have not received any complaints. He feels it would be somewhat dangerous to open the Walnut exit up, as busy as it is that he understands it was closed in the first place because of the safety hazards, however, he will certainly act on the recommendation of the Commissioners.

Commissioner Cox said when they rent the Auditorium, do they also rent the parking lot and Mr. Cooper said no, that each one is an individual paying customer. There are instances however, when one will buy the parking lot, then we raise the gates for them, and leave them up, but the only time we open the big gates, is to park a big truck that is with a show, etc., and it cannot get through the smaller gates.

Commissioner Cox asked if the Philharmonic has any kind of security for the parking lot and Mr. Cooper said they always hire one to patrol the dressing rooms and also checks on the parking lot.

Mr. Cooper said when it is really jammed, they raise both the entrance and exit automated gates, so they may exit from both sides, but with the normal flow of traffic the exit gate is usually fine.

President Willner said after the Philharmonic perhaps we could open both the entrance arm and the exit arm to help the flow of traffic.

Commissioner Cox said perhaps this would help because she did receive a call last week from a lady complaining about it taking her so long to get out of the lot and she tried to explain to her the dangers of having the Walnut Street exit opened, but lets face it, everyone is in a hurry.

President Willner said for Mr. Cooper to continue working with the Philharmonic.

RE: RED WATSON.....COUNTY HIGHWAY

Weekly Absentee Report. Mr. Watson submitted the weekly absentee report for the period of 11/23/81 through 11/25/81. (The 26th and 27th were Holidays). Report received and filed.

Weekly Work Report. Mr. Watson submitted the weekly work report for the employees at the County Garage for the period of 11/23/81 through 11/25/81. Report received and filed.

Truck Converted to Propane Gas

Mr. Watson said they have had one of their trucks converted from unleaded gas to propane gas for a thirty (30) day trial period. He said Lin-Gas installed it, free of charge, for the thirty days and we will keep records on the cost of the fuel and how many miles to the gallon we receive and if we should run out of propane we can use unleaded in it, the way it is set up right now. This is being done in truck #26, which is the pick-up that he drives himself, which is the newest pick-up they have out there.

Hourly Employees at the County Garage

Commissioner Borries asked Mr. Watson how many hourly paid employees are there at the Garage and he repled he was not for sure.

Mr. Linzy said right now there is thirty four (34) plus the two (2) dog catchers.

President Willner said for 1982 there will be thirty six (36) plus the two (2) dog catchers slots budgeted.

Request from the City to Mix Cold-mix

President Willner said they have had a request from the City whereby they asked if the County could mix some cold-mix for the city to do some patching with, during the winter and he told them personally he would think this could be done as long as they furnished the materials, but he did not give them a definite yes or no answer.

Mr. Linzy said they would be willing to do this but the first thing to do would be to check with Bituminous Materials, because with the AE-150, we would have to catch a perfect day to do it, because they may be shut down completely.

All three of the Commissioners agreed if the materials can be obtained and the weather permits, the county can mix the cold-mix for the city.

Mr. Linzy said he will check into this, that they would have to come and get it and store it.

RE: DAVID SOUTH.....COUNTY HIGHWAY ENGINEER

Mr. South said he believes he read in the paper where they are using liquified natural gas, selling for like 50¢ per gallon.

President Willner said he is doing some research on natural gas which is much cheaper then regular gas or propane, but to get it to where it is usable in a vehicle is a very monumental task and takes very expensive equipment. He read where the local utility company is also experimenting with this idea.

Mr. Ron Jourdan, representative of Southern Indiana Gas and Electric Company said he has also heard this discussed, but he is not familiar with the technicality of it.

President Willner said if we could perhaps buy enough natural gas to do an experiment with that it might help us.

Mr. Jourdan said he understands the company has approached the city and they are interested in trying it.

President Willner asked Mr. Jourdan to request that his company also extend that courtesy to the county, as well as the city.

Mr. Jourdan said he would be happy to take the request to the company.

St. Joseph Avenue Project

Mr. South said he has an update on the St. Joe construction and engineering charges. He said unpaid claims, on file, that were not paid up until the time Engineer Associates walked off of the job was $10,117.72 and the amount of the overpayment, according to the interim audit, dated September 21, 1981, is $44,781.34, leaving the balance due in the amount of $34,663.62. He said September 8th. was the last day that Engineering Associates was on the project, which was on a Monday, and that same day, the Commissioners gave them a twenty (20) day notice of termination of the contract. On September 29th. a demand for repayment was sent to Engineering Associates, with a sixty (60) day deadline, stating basically that we want our money. On October 22nd. the state refused our claims 66 through 71, which reimburses us for the money we've already paid Engineering Associates. November 28 was the end of the sixty (60) day deadline and as of that date we have not received any communications from Engineering Associates, nor as of about 9:00a.m. this morning has the state heard from them, so that is a brief history of the St. Joe project for the past few months.

County Attorney Jones asked Mr. South if he were in communication with the federal highway with respect to their paying a portion of any legal fees and expenses incurred in recovering this sum of money.

Mr. South said he has been in contact and verbally, per phone conversation, it's Washington's designation that this decision be left up to the Division Administrator, who is George Gibson, of Indianapolis and he has since indicated to us that he would like basically a history of the project and this will be submitted through channels through the state and upon a ruling of the Attorney General that it is collectible, then he will reserve the option at that time whether or not it becomes a project expense. If it is declared to be a project expense, it means we have 75% participation in any suits or anything we have to do to recover the money on St. Joe. He said the report that Mr. Gibson has asked for is in the process of being gathered through researching the Auditor's files on minutes of the Commissioners meeting, from the time this thing started until the present time. He anticipates that by late this week or early next week this report will be in it's final stages and all through the channels of the state. He will send copies directly to the federal highway and not wait on the state to relay the information.

Commissioner Cox said where do we now stand on St. Joe and Mr. South replied the construction is complete, the field inspection is complete, but the final paper work is not. We have two (2) people from the state assigned full time to this job, trying to finish the final construction record.

Commissioner Cox asked how much this is going to cost us and Mr. South replied there will be a one time billing, when all of this is over with, but he does not know the salaries of the state people, so he cannot answer the question.

President Willner asked Mr. South if it is his recommendation that we wait for the final construction record, or should we proceed with our own recourse.

Mr. South said one more point of interest, that in his call today to Indianapolis, he was again informed that there is no new information coming in answer to our question "why do we have to wait until next May to get the final audit figures". He sent copies of the transcript of the minutes with a letter asking for comments and he was informed there would be no comments coming, especially in writing.

County Attorney David Jones said we could join the State of Indiana, as a party, and ask the court for a mandate, and ask for the audit that way. He said there is nothing that requires the state to wait until next May for the final audit, that is just the way they do things, but since it is to the county's detriment to sit back and wait and follow their past practice, which isn't covered by the letter of the law, he thinks it is absurd, that he thinks the damage becomes that much greater, for the loss of the use of that money and the loss of the interest from those funds. Another option would be to attempt to go to the Federal Highway and try to get some additional response, which he feels will be fruitless. The other thing, which at this point he would favor, would be to go ahead and authorize the litagation, but it will take some time to prepare the suit. We must submit to the Federal Highway the appropriate history and explanation and attempt to get their approval as an item of expense. He thinks it has the added effect, although he is sure they would deny this, that if they are willing to pay the attorney fees on the suit, then they cannot be too dead set against it. He realizes this has been left to the county every step of the way, by everybody, and he thinks it is now a question of either recovering it or not recovering it and the alternative is to just sit and wait for one year, and he would suppose the hiatus could go on indefinitely, that if Engineer Associates does not submit the overhead figure next year, then there is nothing upon which to base the audit.

He said they have no means to compel anyone to submit the figures and if they do not have the figures they cannot prepare an audit and if they don't have an audit we can't ever complete this thing, so it is an unending circle, and he proposes the county break this circle and take some action, and if that requires filing suit, then so be it.

Commissioner Cox said would the suit be to mandate Engineer Associates to submit the overhead figures.

Mr. Jones said part one would be to recover the amounts based upon the interim audit ($34,663.62). He would like to make further study of this point, before it is added to the complaint, but that we either ask for an accounting to be done by the court or that we seek to compel the audit, based upon the information that the state already has. However, it may be necesary to join the state, since that is the only audit that triggers the relief that we need to put an end to this thing to fix the final dollar amount.

Commissioner Cox said how can we get the company to establish an overhead figure.

Mr. Jones said you can either ask that they be compelled to submit that or we simply take the position that since they have not and the reasonable time has passed for them to do that, that they either get the previous overhead figure which was already set in for the prior year or they get zero overhead figures. Engineer Associates was to submit these figures two (2) months ago.

Commissioner Cox said then she thinks we cannot blame the state, if they do not have an overhead figure to use.

Mr. Jones said what we are saying to the state is that if the other party is not going to comply with the deadline, then lets go ahead and do it, and use the prior year's figure. It is to the company's detriment, that if they are the party in the wrong, then they suffer the loss by their action. The county is an innocent party and should not suffer the loss. If we wait until next year for this thing, their overhead rate could climb for the rest of this year and part of next year and that increase in the overhead have nothing to do with the time period in which they worked on the project. He is recommending everyting be included on one suit, that in the same suit, we ask for the audit to be completed and based upon that outcome that the final amount be determined by the court.

Commissioner Cox asked if this would be filed in local or federal court and Mr. Jones said he thinks we would have the option, but he would have to do more research on that. He just feels for us to sit back and wait for another year would be a detriment to the county, that he would not do it in his own personal affairs.

Mr. South said he would like to make a correction on the amount of claims, that we would not be suing for $34,663.62. The claims on file are un-approved claims and they have not met criteria we know to be in error, so we would sue for the full $44,781.34, with credit and if any claims prove to be just in the future.

Mr. Jones said the amount prayed for in the complaint would be that based upon the final audit.

Commissioner Borries said then unless we make some decision, there may not be an end to this, for how long.

Mr. Jones said at least until next May.

Mr. South said May is the end of their fiscal year, but then they would have another three (3) months to prepare it.

Mr. Jones said before filing suit he would attempt to communicate with the State of Indiana and probably directly with the Attorney General and advise them as to what our position is. Secondly, he would communicate in the manner in which Mr. South has mentioned in terms of the federal government authorizing the litigation expenses. Thirdly, he needs to know if we are absolutely satisfied that there are no design errors or no additional damages, as an element, that the project is totally completed and it is correctly done, that there aren't any omissions or dangling ends that could cost us.

Mr. South said until the State finishes their final we cannot be certain of that.

Commissioner Cox said what final are we talking about and Mr. South said the final construction records, which is the paper work that goes behind all of the field inspection and that is underway right now by the two (2) man team, from the State.

Mr. South said when they started on that final, it was estimated it would take between eight (8) and ten (10) weeks to complete it and it has been about six (6) weeks already, so we should be well on our way there.

Commissioner Cox said she was under the impression it has been completed and the paper work had already been sent and it was waiting for the approval of the Commissioners, because the Construction Company, and rightly so, are wanting to get their money too.

President Willner said he understands we are not holding the construction people up from getting their money.

Mr. South said on St. Joe, this is correct, however, there was a time delay in taking over out there, so if you are talking about those two weeks of delay, yes we are delaying their payment to an extent.

Commissioner Borries moved the Commissioners refer the St. Joe Avenue project to County Attorney David Jones to prepare for possible litigation. Commissioner Cox seconded the motion. So ordered.

Mr. Jones said he understands he will not file suit until all information is gathered and it comes back before the Commissioners for final authorization.

Lynch Road Project

Mr. South said he has an up-date on construction and engineering charges for the Lynch Road project. September 21, the interim audit indicates an overpayment of $40,269.28. October 1, there was a letter to Engineer Associates from the County Commissioners stating the unpaid claims on file and the future claims would be set against what the audit says was an overpayment. The closing paragraph of that letter stated that future claims should reflect actual costs and continue to be submitted weekly. On October 7th, we received a claim 9/27/81 to 10/2/81, in the amount of $2,329.20 and the hourly rates did not reflect actual costs for that claim. On November 25, 1981, we received unsigned claims for periods from October 5 to 9, October 12 to 16, October 19 to 23, October 26 to 30, November 2 to 6, November 9 to 13, November 16 to 20, for a total of $15,001.91 and these claims do not include mileage which was a questionable thing for awhile and they do not indicate true costs of labor. He said by no means would he indicate that we are off-setting this much against what they owe us because they have not been through an audit and we know the rates that are stated on them are not correct.

President Willner said we can receive and file these claims and then refer them back to Mr. South.

Commissioner Cox said she does not think we should even accept them, because they are not signed.

Mr. South said it is true they cannot be accepted for payment, until they are signed.

Mr. Jones said if those claims are not signed claims then he would say to send them back.

At this time President Willner returned all seven (7) claims to David South with the instructions they are to be sent back to Engineer Associates because they have not been properly signed.

Mr. South said one from September was signed, so he will continue to hold that one.

RE: BOB BRENNER....SURVEYOR

Bridge and Guardrail Report

Mr. David Guillaum submitted the weekly bridge and guardrail report for the period of November 23, 1981--November 25, 1981 (The 26 and 27 was a Holiday).

Mr. Guillaum said they have done some work on Broadway near DeShield's Drive and also on Broadway and Alta Vista Road and on Broadway near Nurrenbern Road. He said they also did some pipe work on Pleasant Road and as soon as the weather breaks they will be going out on Happe Road.
He said the Contractor is busy on Cypress Dale, on the large pipe project there, attempting to lower that and it seemingly is going to be quite a job for them.

RE: COUNTY ATTORNEY....DAVID JONES

Mr. Jones said he does not know if the Commissioners received a copy of it or not, but last week there was a suit filed by a former employee of Szabo Food Company, (they handle the food in the jail) by the name of Smith. Mr. and Mrs. Smith have sued the Sheriff, alleging she was grabbed from behind, in the jail, by an inmate and the date of the incident was in February, and at that time we had other insurance coverage and this is not under the current policy, but he has sent it to the insurance company anyway and if they choose to do so, they can formally deny it. He has also sent a copy to John Hodge, our Insurance Consultant, and ask him to review it and then send it to any one or more insurance companies that could possibly cover it, but he personally is not very hopeful that any of them will, therefore he thinks it ought to be treated as litigation. He has entered his appearance and that is all thus far until he receives further instructions.

President Willner said we need a motion to authorize Mr. Jones to defend Sheriff DeGroote on the suit.

Commissioner Cox said she does not think this is a properly prepared suit, that don't they have to give notice of intention to sue, to the County.

Mr. Jones said there is a question on the research that he has done this far, that the tort claim statute says that you put the county or the governmental entity on notice, but he understands there is a split in the appelate divisions in Indiana, with one taking the position that if you do not name the entity, the county or the city, then you don't have to, that the notice only goes to the entity when the entity is named as a party. The other view of it, which is also his view of it is if you sue the officer of the government then you must give the notice because the government is in fact a party, since by law the county would pay for a judgement against an officer acting within the scope of duty, therefore he thinks we should have received a notice. He does not believe the issues have been clearly determined by the Indiana Supreme Court.

President Willner said we still need to defend the case either way and Mr. Jones said by Ordinance and by Statute.

Mr. Jones said he also sent a copy of the suit to the food company to see if perhaps there was anything they might have to cover this in way of their insurance.

Commissioner Cox said how long will it be before we hear from our insurance company and Mr. Jones said probably within a week, that they usually get back to him real soon.

Mr. Jones said he has no qualms about taking it through a motion to dismiss and not charging the county for it, but he would not want to do anything until the insurance company denies it. He said he will take the case as a non-billable case through a motion to dismiss.

Commissioner Borries moved the matter be referred to Attorney Jones with authorization that he file to have the case dismissed. Commissioner Cox seconded the motion. So ordered.

Extra Fee for Law Library

Mr. Jones said he researched the question on the Law Library, as to whether or not we could, by ordinance, add a fee on, that it is his opinion we could not, that it would take an amendment to the fee statute for adding a fee to help pay for the County Law Library. He is scheduled to meet with a committee of the Bar Association to take up the same question. He does not know at this late date if we could get a bill before the Legislature or not, that it would be a short one and not take long to draft, but he does not know. He will call the Bar and get their feelings on this and report back to this Commission.

Letter to Convention and Visitor's Bureau from Attorney Jones

Mr. Jones said he sent a letter with respect to President Willners proposal, to the Convention and Visitor's Bureau and he was asked to render an opinion to them. He has been the Convention and Visitor's Bureau's attorney for about three (3) years and has been County Attorney since last January. He does not see a conflict in rendering that opinion, that he will render it as county attorney, at no charge to either body. His concern is that if there is any kind of dispute, that both sides recognize he is the attorney for both bodies and that both sides consent. He has been advised that the Convention and Visitor's Commission has no problem with that, and they see no conflict, therefore approving of it. He would like for the County Commissioners to render some

opinion as to whether or not they see any problems with him rendering opinions to both bodies.

President Willner said he certainly sees no problems, but is that for us to say.

Mr. Jones said since he is County Attorney, he would want approval from this board before he would undertake it. He said ethics will allow him to do this if both sides agree to it.

President Willner said perhaps Mr. Jones could render the opinion in writing and then let County Attorney Miller sign it also.

Commissioner Borries moved the Board authorize Mr. Jones to render an opinion regarding a proposal with the Convention and Visitor's Bureau. Commissioner Cox seconded the motion. So ordered.

RE: LETTER FROM EVANSVILLE CABLE TV CONCERNING RATE INCREASES

President Willner read aloud the following letter from Evansville Cable TV, dated November 24, 1981.

Dear Commissioners:

This is to advise the Vanderburgh County Commissioners that Evansville Cable will be raising their rates effective January 1, 1982.

All cable subscribers, city and county, will be affected by these increases. The charge for basic cable will go from $8.00 to $8.50. HBO charge will go from $9.00 to $9.50. Cinemax charge will go from $9.00 to $9.50.

By word of explanation our reasons for the rate increase are due to increased cost of operations over the past year. For your information, labor has increased 9.5%, gas and oil 24%, postage 20%, construction materials 23%, installation materials 20%, and interest on monies borrowed some 65% over what General Electric had budgeted as interest payments for 1981.

As for the pay service, HBO will be going to 24-day programming effective January 1, 1982 with new and better programming. Their plans are to introduce some 40 new shows per month including broadway and more exclusing movies, sports, etc. They have increased fees to affiliates such as Evansville Cable for this expanded service.

As for Cinemax, they have bought and taken on more new titles for movies at a sizeable expense. This should be a benefit to our subscribers.

The County will derive the additional revenues from increases of gross dollars payable to the county based on 3%. Of course, this is payable to the county each quarter during the year. Our next quarterly payment will be made as of December 31, 1981, payable sometime in late January. The new rates are payable at the end of each quarter during 1982.

This increase represents 5.9% for basic and the increase for pay services, HBO and Cinemax, represents 5.2%.

Again, we would like to thank the County Commissioners for giving Evansville Cable TV the pleasure of serving residents of the county with cable TV service.

If you have any questions, please feel free to contact me.

Thank you, and

Best regards,
Robert D. Ossenberg
Vice President and
General Manager

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President Willner said to let the records show the letter received and filed.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted by the University of Evansville for use of the Auditorium Gold Room for a dance on January 22, 1982 from 9 pm to 1 am.

A certificate of insurance was submitted by Evansville Vanderburgh School Corporation, which is the County's rider for all risk including boiler and machinery coverage for West Heights School.

Certificates received and filed.

RE: LETTER FROM COUNTY CLERK CONCERNING COMMISSION ON PUBLIC RECORDS

President Willner read aloud the following letter from the Vanderburgh Clerk of the Circuit and Superior Courts, dated November 24, 1981.

County Commissioners,

As per the attached notice, I have received permission for the records to be sent to the Conrad Baker Foundation.

The Conrad Baker Foundation has agreed to pickup these records December 3, 1981 at approximately 3:30 p.m. at the loading dock, if this is agreeable with you.

Your Cooperation will be sincerely appreciated.

Helen L. Kuebler, Clerk

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Letter received and filed and permission granted to the Clerk.

RE: CLAIMS

A claim was submitted by the Purchasing Department for central supplies for the month of November 1981 in the amount of $5.40 (for calendars).

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Helfrich Insurance Agency for Automobile Insurance-General Fund, in the amount of $1,235.00 (invoices attached).

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by James Will Insurance Agency, Inc. for a $1,000 public official bond for Jerry Linzy, in the amount of $30.00, effective 1-1-82 to 1-1-83.

Commissioner Borries moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AUDITORIUM

Sandra Zuber	638 E. Maryland	Coat Check	$4.10 Hour	Eff: 11-16-81
Thea Pallerson	501 E. Cherry	Coat Check	$4.10 Hour	Eff: 11-17-81

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

William L. Bethel	Bridge Foreman	$13,851.00 Yr.	Eff: 12-1-81
Gary Page	Laborer	$6.18 Hour	Eff: 11-13-81
William Boring	Laborer	$6.18 Hour	Eff: 11-13-81
Robert Hertzberger	Laborer	$6.18 Hour	Eff: 11-18-81

APPOINTMENTS.....CONTINUED

CIRCUIT COURT

Scott Alan Danks	2516 Wexford Dr.	P/T Bailiff	$180.00 Wk.	Eff: 11-19-81
John B. Ellsworth	812 Irvin Avenue	P/T Bailiff	$4.00 Hour	Eff: 11-9-81

RE: EMPLOYMENT CHANGES.....RELEASES

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

William Bethel	Laborer	$6.18 Hour	Eff: 12-1-81

CIRCUIT COURT

Scott Alan Danks	2516 Wexford Dr.	P/T Bailiff	$160.00 Wkly.	Eff: 11-18-81
John B. Ellsworth	812 Irvin Avenue	Special Intern	$3.35 Hour	Eff: 11-6-81

There being no further business the meeting recessed at 4:20 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert L. Willner Richard "Rick" Borries Shirley Jean Cox	Alice McBride	David Jones
SECRETARY:	Janice Decker		

Robert L. Willner

Richard J. Borries

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
DECEMBER 7, 1981

The meeting of the County Commissioners was held on Monday, December 7, 1981, at 2:30 p.m. in the Commissioners Hearing Room with President Willner presiding.

This being the first meeting of the month, it was officially opened by Sheriff's Deputy Jim Moers.

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

RE: CONTRACTS AWARDED ON SMOKE DETECTORS AND LIQUID ASPHALT AE-150

Smoke Detectors

Mr. Ben Evans representative from the City-County Purchasing Department was present with a recommendation that the contract for the smoke detectors for the Sheriff's Department be awarded to Ja-Lo Electrical, Inc. and at this time Captain Moers will explain the reason for that recommendation.

Captain Moers said they received a letter from Ja-Lo Electrical company stating that they have a feature in their panel that should eliminate 99% of all prisoner induced false alarms and alarms caused by smoke and dust particles, which they feel in the future will save them a lot of problems.

Mr. Evans said the total bid from Ja-Lo is $19,446.00.

President Willner said the bid from Ja-Lo is the high bid, so are you telling us it is deemed the best bid and Mr. Evans replied yes, this is their feelings.

Commissioner Cox said this bid is $6,000.00 above the lowest bidder and she would like to know if the other bidders met the specifications for the alarms.

Mr. Evans said they did not all include in their bids a time delay factor.

Commissioner Cox said did the specifications include a time delay factor and Mr. Evans said yes, it is in paragraph four (4) of the systems operation, but he is saying they did not all bid a time delayed factor that will go up to sixty (60) seconds. The Sheriff may set these detectors so that they will have more time to determine whether it is an actual fire or if the inmates are causing the problem.

Captain Moers said they had four (4) companies to bid and he took three of them around the jail and showed them what all was involved. He said the lowest bidder was not shown around and he is not sure where they got all of their information and we do not know what brand of equipment they were bidding.

Commissioner Cox said her concern is that if a bid meets the specifications then it should be considered that way and if it does not meet them, then it should be thrown out, but if some company included in a bid over and above what the specifications called for, then to choose that bid, would not, in her opinion, be fair to the other bidders, that she feels the other bidders should have a chance to bid on the same equipment.

Captain Moers said he personally knows nothing about smoke detectors, but when the bids came in like they did it looked like a better system and it was in our money bracket and this is why we jointly suggested Ja-Lo and thinking that somewhere down the line it may save us some law suits. As far as the other equipment, he is not saying it is not good equipment, because he does not know.

Commissioner Cox said for $6,000.00 she feels like we ought to be sure, and she thinks we should be fair to the other bidders. Also, we are using Capital Improvement Funds for these alarms and we do not have just a whole lot of money left in there.

Mr. Evans said the Commissioners are not required to accept the recommendation presented here today, but it was based on the fact that we think further down the road there are going to be some laws that are going to create the implementation of longer delayed systems and we thought perhaps the whole thing could be done at one time.

Captain Moers said he asked two of the companies for a cover letter comparing their product to the product of Ja-Lo and they did not do it, so he assumed they could not compare with it, since they did not supply him with the cover sheet.

Captain Moers presented the Commissioners with the cover letter from Ja-Lo, explaining the time delay system and how they can be set from one (1) to sixty (60) seconds.

Commissioner Cox said this bid may be better than the other three companies, but since it was not spelled out in the specifications, she feels it is unfair to the other companies.

President Willner asked Mr. Evans to read from the specifications, the fourth paragraph of the system operations. Mr. Evans read the following:

> 4. Each alarm initiating circuit shall be supervised. Any disarrangement of system wiring such as loss of power, opens or grounds, shall activate the audible and visual trouble indicators. Actuation of the trouble acknowledge switch shall silence the audible trouble indicator, but the trouble LED will remain lit. The trouble LED shall be non-cancelling, except by an actual clearing of the trouble condition.

Mr. Evans said what this is calling for is that the switch is always going to stay on until the Sheriff gets there to check it out and then get back to turn it off or another goes off in an adjacent cell where you are reasonably sure you have no fire.

President Willner asked if the funds are available for this and Captain Moers said the County Council allowed them $20,000.00 out of the Capital Improvement Fund.

Commissioner Cox moved the Commissioners reject all four (4) bids and readvertise for bids with specific specifications for the time delay factor. Motion died for lack of a second.

Commissioner Borries said he understands upon the recommendation of the Sheriff and the Purchasing Department, that after studying the bids, that the one of Ja-Lo is a superior product.

Commissioner Borries moved the contract for the smoke detectors for the Sheriff's Department be awarded to Ja-Lo Electrical, Inc. for the sum of $19,446.00. President Willner seconded the motion, which carried with the following vote.

Commissioner Borries.....Yes
Commissioner Cox.....No
President Willner.....Yes

Liquid Asphalt AE-150

Mr. Evans said he contacted the J.H. Rudolph Company and asked them if they would include a ten thousand (10,000) gallon portable tank with their bid and they informed us they would. They were the low bid with only one more bid, that being Bituminous Materials Co. Inc., therefore it is the recommendation of the Purchasing Department that the bid be awarded to J.H. Rudolph Company.

Commissioner Borries moved the bid for Liquid Asphalt AE-150 be awarded to J.H. Rudolph Company, Inc., as recommended by the Purchasing Department. Commissioner Cox seconded the motion which carried unanimously in the affirmative.

RE: POOR RELIEF.....PIGEON TOWNSHIP

Applicant.....Vicki Groves.....1422 Emmett Apt. C.
Case Worker....Ms. Walters.

President Willner said he has a note on the application stating that if Ms. Groves appears today the Trustee said she will hve to make another application since too much time has lapsed for her to appeal, but it could be checked with the County Attorney.

County Attorney David Miller said the law is very plain concerning this but since all parties are present here today, the Trustee has the authority to waive the time period and go ahead and hear the case today.

Ms. Walters, the case worker from Pigeon Township Trustee's office said they will waive the time and hear the case today.

Ms. Walters said she came before the Commissioners on November 23rd and at that time Vicki Groves did not show up. Ms. Groves received the denial on November 16th, therefore she should have appeared before the Commissioners on November 23rd. however, we will waive the time lapse.

President Willner said it states on the application the trustees refused to pay her rent, when she has no source of income.

Ms. Groves said she has no money to pay her rent and her landlord told her on December 10 she will be $370.00 in the hole and she will have to move, that he will have to rent it to someone else. Her rent is $185.00 per month. She has three (3) children, ages nine, seven and three years old. She is presently separated from her husband and he pays her no support towards the children, that she does not think he has a job.

President Willner asked Ms. Groves if she has filed with the Prosecutor to make her husband help support the children and she replied no, she has not. President Willner told her she must do this first.

Ms. Walters said Ms. Groves was in the Trustee's office on October 14th and she had applied for ADC on October 6th. On October 14th the Trustee's paid $140.00 rent. She tells us she was denied ADC and when we received a statement from the ADC Department it stated Ms. Groves was denied the ADC because the husband and father was still in the house hold, that Ms. Groves told their department that Mr. Groves visited the children every day, therefore they could not pay the children ADC with him being there everyday. They let Ms. Groves re-apply for ADC on the 16th of November, and that, at this time, has neither been approved or denied and if it is approved it may be thirty (30) or forty five (45) before she would begin to draw it. We, in the Trustee's office felt like since she was denied ADC because the father was still in the household, then we should also deny her, because we had already paid her rent one time, pending ADC being approved.

President Willner asked Ms. Walters if they instruct their applicants, in cases of child support, to file with the Prosecutor's office and she replied yes, normally they do, but since Ms. Groves had already filed for ADC she assumed they had already had her to file with the courts for support.

President Willner asked Ms. Groves if she has had any guidance or counseling from the Legal Services and she replied no.

Ms. Groves said it was not proven her husband was still in the household, that they gave her a phone call and asked how often he came to see his children and she told them every day and they informed her that he came too often and that is why she was denied. She said when they allowed her to make another application for ADC, then to her that meant they did not believe her husband was still in the household.

President Willner asked Ms. Groves if she is legally divorced and she replied no, that she did sign some papers that he brought her, but she does not know what he did with them. She was never served any kind of papers from the courts.

President Willner asked Ms. Groves where her husband is presently living and where he was last employed and she replied he lives at 503 South Grand Avenue and the last job she knew he had was with Metro Development, in June of this year.

Ms. Walters said they do not care if the husband is in the household as long as they are eligible for help they will get it, but the head of the household must be the one to file for help.

President Willner said it is the consensus of the Commissioners that Ms. Groves contact Legal Aid and ask for their help in her filing the necessary papers against her husband for support and when this is done she can re-apply for help from the Trustee.

RE: MARK TULEY.....SUPERINTENDENT OF COUNTY BUILDING

Electrical Problem at the County Garage

He said they have replaced all of the circuit breakers at the garage and also all of the panels. They also had repair done to the electric door openers and had sections of bad wiring replaced. They took all of the old fuses out and now everything is on circuit breakers, which should eliminate a lot of the problems they have had out there. He said the cost of all this work ran $2,600.00, it is all completed and in great working order.

Secondly, they are in the process of hanging twenty one (21) new high output flourescent light fixtures. Materials and labor combined will run $2,100.00 and when this is done the repairs at the garage should be all wrapped up.

He said the money is available in his 1981 budget to pay for all this repair work.

Repairs at Hillcrest Home

Mr. Tuley said the Health Department was out at Hillcrest for their annual inspection and we have trouble with the bathrooms, which the Commissioners are aware of. He said he has found a bathroom stall, with the help of Mr. Evans, which would be perfect for out there, and we can get it for thirty dollars $30.00. We are ready to put the floor down out there also, and he would like to get the purchase orders in before the end of the year. Benny will be doing the work out there.

Permission was granted for Mr. Tuley to purchase the bathroom stall for $30.00.

Permission to Purchase Tools

Mr. Tuley said he has tried to hold some money in his budget in case of emergencies, but he has a little extra and so he would like permission to purchase some hand tools that they are in dire need of and also some small lumber that is used to build shelves, etc. and used for remodeling.

Commissioner Cox asked, for the record, who is doing the wiring at the garage, and also, were invitational bids taken.

Mr. Tuley said he had a problem with going to the bidding process, since we are working on a calendar year and since the job ran less then $5,000.00, we were not required to bid it out. He said Ja-Lo Electric is the company doing the work, that they have done quite a bit of electrical work out there this year, that the total price on everything ran us approximately $4,700.00.

President Willner said when we talked about this earlier in the year, we talked about $10,000.00.

Mr. Tuley said yes we were, but this is a great time of the year to have work done because the contractors get in a slump in the winter and we get better prices.

RE: CONRAD COOPER.....AUDITORIUM

Request from Philharmonic Orchestra on Parking Lot

Mr. Cooper said he wants to report that the Walnut Street exit of the Auditorium parking lot was opened for the Philharmonic, that they hired a traffic policeman, to direct cars from the lot, so under that condition we did open the Walnut exit for them. He has not heard if they got out any faster or not, but they seemed to be satisfied.

Proposal of Rate for Princeton Industries, Inc

Mr. Cooper said they have had a proposal from Princeton Industries, Inc. regarding four (4) consecutive dates in July, those dates being the 25th, 26th. 27th, and 28th, to use the Gold Room for sales meetings. They want to use the room on those dates for about two (2) hours each day. Since they want to use the room for only two hours each day he would like to recommend we rent it to them for half price, which would be $212.50 per day, for each of the four days plus a one time set-up charge for the tables and chairs. However, if we should get a firm call for the Gold Room on any of those dates, then Princeton Industries would have to pay the full days rate for that day.

Commissioner Borries moved that Mr. Cooper's request be granted.
Commissioner Cox seconded the motion. So ordered.

RE: JESSE CROOKS.....BUILDING COMMISSION

President Willner said Mr. Crooks could not be present but that he submitted his monthly report on Permits Issued for the month of November, 1981. Report received and filed.

RE: DAVID SAVAGE.....TRAFFIC ENGINEER

President Willner said we have talked to the County Garage' Road Inspector to see if he had some time he might spend on signing with Mr. Savage and Mr. South and he informed us that possibly he could.

Mr. Savage said he will get with them and pursue the matter.

Commissioner Cox said there was one other problem that arose over the use of the reflecting tape, that they are having a hard time getting it to stay on, and she understands it is

specified in the state code that this is what had to be used.

Mr. Savage said for standard barricades, it has to be reflective sheeting. If there is an application problem perhaps it is because we are new at it, and maybe we need some help in the application process.

Commissioner Cox said we are having trouble with it peeling off, but perhaps it could be the in-experience with application, so perhaps it could be checked into.

Mr. Savage said he will follow up on the problem.

RE: RED WATSON.....COUNTY HIGHWAY

Absentee Report. Mr. Watson submitted the weekly absentee report for the employees at the county garage for the period of November 30 through December 4, 1981. Report received and filed. President Willner said there was no unexcused absents.

Weekly Work Report. Mr. Watson submitted the weekly work report for the employees at the county garage for the period of November 30, 1981 through December 4, 1981. Report received and filed.

Commissioner Borries gave Mr. Watson a note concerning some mowing of weeds and some ditches along St. Joe Avenue near Westchester Drive and would he contact a Mr. Brasel about using test equipment along that area.

RE: DAVID SOUTH.....COUNTY HIGHWAY ENGINEER

Question of pipe Missing on St. Joe Project

Mr. South said in March of 1980, there was a report of new materials brought on the job, at St. Joe, and not used. He is wondering if anyone here today has any knowledge of 6' of 36" pipe and a band, that might have come onto the St. Joe project and possibly picked up by some of our maintenance forces. He talked to Mr. Linzy, who was head of the Highway Department at the time, and he does not know anything about it. He is asking this as a general question and if we cannot find a verification of it then we will have to deny we have it. This pipe has come up in the final inspection report and he is looking for it.
President Willner said he was on the Board at that time and he remembers we changed the plans on one persons yard because there was an open sewer, and we took one pipe out and put another one in. He asked Mr. South if he has looked in the change orders.

Mr. South said there are some fifty or sixty change orders on St. Joe and he does not have a complete file, only a partial, but he doubts if it will be found in those, or it would have been found on the final inspection paper work. He will continue to check on the matter.

Drainage Problem on North Side of Town

Mr. South said he was on the north side of town today and found Mrs. McLaughlin at home and discussed her drainage problem with her and she is not happy with the results because it does not solve her problems. He told her the tile drain going through the yards is private property and private tiles and it is up to the property owners to take care of it. He said the water coming across the road could be intercepted with a ditch on the north side of Bergdolt Road, but as many sink holes as there is in that tile we could collect the water and make the problem worse, so he has mixed emotions about putting a ditch in until we are sure the outlet can be handled. He said a few weeks ago, Southern Indiana Gas and Electric agreed to do their property but we have other private property south of that, that would need another good cleaning out to go through it. Mrs. Mc Laughlin said she pays $5.00 per year into a Legal Drainage Fund and she feels like she gets nothing in return and she feels this should be of help to her property drainage. She pays into the Sonntag-Stevens Ditch Fund. He will make a report and follow it all through and give Mrs. McLaughlin a copy of it, that way it will be on file for future use. Mrs. McLaughlin said at one time on the north side, there was a ditch and then the property owners filled it in, so if this is true perhaps there is still a pipe under there that is stopped up and being ignored and this would take some field investigation to determine that. He said presently we are about as far as we can go without getting into some serious field work.

President Willner told Mr. South to continue with the written report and then let the Commissioners see it before it is sent out to anyone.

Commissioner Cox said basically then you informed Mrs. McLaughlin that we cannot go onto private property.

Mr. South said this is as he understands it the county's policy, that we do not go on private property, but if he is wrong, then he stands to be corrected.

Commissioner Cox said suppose we had this problem somewhere else and it was not with a Legal Drain, but rather a swale or a ditch through the area and someone who lived in the area choose to throw their limbs, concrete blocks, debris,etc. and blocked it all up and caused problems for people further down the road, then what would we do.

County Attorney David Miller said that particular person would be civilly liable for those damages to private property owners and also to the county for any damages. One can interrupt the flow of surface water, that is not part of a legal drain, but can do so only to the extent that it does not cause damages to other persons.

Commissioner Cox said then when Mr. South mails this letter it puts his neck on the line.

Mr. Miller said no, that it is merely Mr. South's opinion as to what is causing the problem and he is has a right to express that opinion, that the letter would be a matter of obtaining testimony to the effect that it is correct or not correct.

Commissioner Cox asked if there would be any benefits of the county to culvert along the south side of Bergdolt Road, on the county right-of-way.

Mr. South said no because our problem is coming off the yards and not the roads and if we are going to catch it we definitely want to do it on the north side. He said it is such a border line thing now, that anything we may do could make the situation worse.

Commissioner Cox said perhaps the people that are either adding to or causing the problem should also be notified, or at least send them all a copy of the letter that is to be sent to Mrs. McLaughlin.

Mr. South said at this point and time with bad weather coming perhaps we could say something like this spring we will be doing some work, that our road ditch will be re-opened and re-graded and more water will be coming down and we would recommend the property owners fix their tiles before this additional water hits there. That way everyone will be put on notice but we will have to do some research on ownership, etc.

President Willner said if it is on county road right-of-way we want to know the problem and correct it, but if it is on private property, we do not. He remembers about ten (10) years ago when he came on this commission there was an individual with drainage problems on their private property and he felt we should help him but if we help one person we must go in and help everyone and to do this would be against the scope of the law. He personally does not think we should spend county time to research the records and write to people, that the only thing we must do is to answer people when they ask us questions but not spend a lot of time trying to solve their private problems that they must solve themselves that the county should not become involved.

Mr. South said if you use the word Highway, then he would agree because of the gas tax money but some of the questions that come to him is that we accept plats with drainage easements on them, so does that drainage easement not imply county control.

Mr. Miller said it does not.

Commissioner Cox said she does not think the problem always lie with the developer, but rather the years that follow, when maintenance on the pipes were not kept up and then the problems develop. If she were a property owner out there and paying a ditch assessment on the Sonntag-Stevens ditch and her water could not get from her house to that ditch, she would be down here complaining also.

President Willner said no, you are not charging people an assessment to get their water into that legal drain, you are charging that ditch assessment to keep that ditch clean.

President Willner instructed Mr. South to go ahead with the letter for Mrs. McLaughlin and we will go from there.

Claim

Mr. South submitted a claim from Sebree, Craig and McKneight, Inc. for the design of Lynch Road Extension in the amount of $2,947.36.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

Mr. South submitted a claim from SIECO, Inc. of Columbus, Indiana for construction engineering services provided in conjunction with the Pavement Marking Demonstration Program as per attached Invoice No. M 012595, in the amount of $1,857.88.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

Permission to Travel

Mr. South said that county attorney Jones contacted him early this morning informing him they have both been requested to attend a meeting with the head of the Department of Highways in Indianapolis on December 22, 1981. He personally feels this is related to Lynch Road and St. Joe Avenue. They would both like permission to attend the meeting.

Commissioner Borries moved that both Mr. Jones and Mr. South have permission to travel to Indianapolis on December 22nd to attend the meeting. Commissioner Cox seconded the motion. So ordered.

Final Audit on St. Joe Avenue

Commissioner Cox asked Mr. South if the final audit papers have come through on St. Joe Avenue, so that the construction engineer can get his retainage fee back.

Mr. South said he talked with them Friday and he was told it will be completed in two (2) weeks.

RE: BOB FORTUNE.....DATA PROCESSING

President Willner said after Mr. Fortune finishes with the Auditorium he would like for him to get with Mark Tuley and Red Watson and proceed with getting the Highway Garage on the computer, as was discussed earlier in the year.

Mr. Fortune said he would be happy to work with them but he wants the Commissioners to be aware of the fact he is running out of physical space. The computer still has the capacity to grow, but physically, he is out of space.

President Willner asked Mr. Fortune how long it would take him to move to another room and he replied it could be done in a week-end.

President Willner said he would get Mr. Tuley to look around and see what could be done and Mr. Fortune said it would be appreciated.

RE: DAVID GERARD.....E.U.T.S.

Mr. Gerard presented the Commisssioners with a copy of a letter he sent to Mr. Virgil Bell in regards to the Lynch Road Extension, the environmental study of the interchange with the Interstate and on the second page you will find the traffic assignments that E.U.T.S provided to Sebree, Craig and McKneight as part of the environmental study and as part of the interchange study. The basic difference between the far northern corridor and the southern one is one of distance, and not much more than that. He said these assignments reflect what we think the volumes will be after we take into consideration the capacity of the road as well as the capacity of the adjoining streets. The first time that the computer makes an assignment it picks the shortest path. The next page of the report shows the turning movements, unrestrained, so these would not correlate with the previous page, that they are two (2) different types of analysis.
They feel they have the data here that can be used to justify an interchange but as to whether or not the State Highway will agree or not, remains to be seen.

At this time he showed the commissioners maps regarding this matter and pointed out on it the four (4) corridors that have been talked about for some time now.

Mr. Gerard said he will bring all of this before the next E.U.T.S meeting and also he asked the Commissioners if they would like to attend the meeting because one of the things they would be discussing is the alternate corridors for the I-164 southern connection, from Division to the south, around to Southlane and U.S. 41. He said the consultants to the Department of Highways will be available at the meeting to answer questions and make a presentation. Also they will be discussing what we would have to do to our existing street network, Washington Ave., Lincoln Ave., U.S. 41, etc., if we

didn't go I-164 but wanted to accomodate the projected growth in traffic that we think we are going to have. Also invited to Wednesday's meeting is Evansville's City Council, Vanderburgh and Warrick County Commissioners and Vanderburgh County Council and well as the Evansville Safety Board.

Commissioner Borries said speaking of a time schedule, when will they have to finalize the southern corridor route on I-164.

Mr. Gerard said the environmental impact statement for the Interstate must be approved by October of 1983 or otherwise it is dead and it must let for construction by October of 1986. They are hoping to have an early spring meeting on this matter.

RE: BOB BRENNER.....COUNTY SURVEYOR

Bridge and Guardrail Report

Mr. David Guillaum submitted the bridge and guardrail report for the period of November 30 to December 4, 1981 and stated they are still working on the culverts on Pleasant Road, they did some work on Seminary Road. He said the contractors are still on the big pipe on Cypress Dale Road and they are going to try to have it opened back to traffic in a week or so. They will get on the Happe pipe project as soon as they finish on Pleasant Road, that the project turned into a big job.

RE: LETTER FROM COUNTY CLERK REQUESTING TRANSFER OF FUNDS

The following letter was submitted by the Clerk of the Circuit and Superior Courts, dated December 3, 1981.

County Commissioners,

I respectively request another transfer of funds, $328.35, from account 101-360 to 101-721, due to an overrun in costs when moving the wall in room 200.

Your permission will be gratefully appreciated, I have attached a copy of the building authority's invoice.

Thank you,
Helen L. Kuebler, Clerk

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County Auditor Alice McBride said she also received a copy of the above letter and it does require County Council action, therefore it is too late, that there will be no more Council meetings this year.

Commissioner Cox asked if Mrs. Kuebler could encumber the funds and Mrs. McBride said she could if the money was in the correct account, but it is not.

President Willner asked Mrs. McBride if Mrs. Kuebler could incumber the funds in her 360 account and then transfer it next year into the proper account and Mrs. McBride said she did not think so but she would be happy to check with the State and see if it can be done.

RE: TAX CERTIFICATE AND TAX SALE DEEDS

Mrs. McBride said the tax sale deeds need to be referred to County Assessor James Angermeier for a written appraisal.

Attorney Miller said this is the piece of property that attorney Sigmund Labhardt discussed before this board a couple of months ago, where somehow the property got separated from the building and the taxes were not kept up on the building and the county became owner of it, that it is a very strange circumstances. The county has never been able to use the building and this is the only way the county will ever get it's money on it. Someone wants to buy it and he would recommend we sell it.

Commissioner Cox moved the deeds be referred to the County Assessor for written appraisal. Commissioner Borries seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted by Bucyrus-Erie Company for a Christmas party to be held at the Auditorium on December 13, 1981 by 25-year club. Received and filed.

RE: CLAIMS

A claim was submitted by the National City Bank, Trustee for the county of Vanderburgh fixed rental due on December 31, 1981, for the first six months of 1982, in the amount of $333,138.50.

A claim was submitted by the Evansville-Vanderburgh County Building Authority for the county of Vanderburgh additional rental due December 31, 1981 for the first six months of 1982, in the amount of $477,995.00.

County Auditor McBride said Mr. Ruston always submits these claims in December, but we pay him on January 1, 1982. The one from the Bank has not been signed so she will see it gets signed and present these again next week for approval.

A claim was submitted by James L. Will for a $5,000.00 public official bond for Beverly M. Behme, Assistant Manager at the Vanderburgh Auditorium, in the amount of $30.00.

A claim was submitted by James L. Will for a $5,000.00 public official bond for Harry (Red) Watson, Supervisor of Vanderburgh County Garage in the amount of $30.00.

A claim was submitted by James L. Will for a $5,000.00 public official bond for Conrad Cooper, Manager of the Vanderburgh County Auditorium, in the amount of $30.00.

President Willner said all of the official bonds are for the year of 1982.

Mrs. McBride said her bookkeeper will hold them until January and then make payment.

Commissioner Cox moved the above three claims for James L. Will be approved with payment made in January. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Mr. Charles Given for county recreation leader at Perry Heights School in the amount of $180.00 for Student Recreation.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Mrs. Gayla Given for county recreation leader at Perry Heights School in the amount of $171.00 for Student Recreation.

Commissioner Borries moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Brinks, Inc. for service for the month of December for the Clerk of the Circuit Court, in the amount of $234.35.

Commissioner Borries moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Smith and Butterfield for the Legal Aid Society purchases, as per attached statements totaling $125.11.

Mrs. McBride said it was called to her attention there is a claim included in the above for some business name cards and her bookkeeper questioned the county paying for such an item.

Commissioner Cox said since they are a legal service, perhaps they need something of this sort, but she would think all of their names could be on one card, or perhaps each individual could jot their own name down on the card before they hand it out to a client.

President Willner said he feels like the claim should be approved, less the amount of $33.50 for the business cards.

Both Commissioner Cox and Borries agreed they do not want to purchase business cards for county employees.

The claim was referred to Ms. Meeks and she was instructed to contact the Legal Aid Society and get some further information on the statements.

Mrs. McBride said next week she would like for the Commissioners to set a definite amount that the county will pay for a persons meals, while they are traveling on county business.

Commissioner Cox said the State has a guideline on that which is $25.00 per day, and she thinks we should follow that also.

Mrs. McBride said she will get a copy of the state guidelines and present something to the board next week.

President Willner said a claim was submitted by the Judge in Brown County for the advance payment of the Schiro case transcript, but it was not properly signed, therefore it is being sent back to them.

A claim was submitted by Melanie Hughes, Jail Nurse, for attending the American Medical Association in Chicago, in the amount of $489.88.

A claim was submitted by Mary Ann Perry, Jail Nurse, for attending the American Medical Association in Chicago, in the amount of $94.00.

President Willner said the Commissioners gave permission for the nurses to attend the schooling.

Commissioner Cox moved the claims be allowed. Commissioner Borries seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Anita J. Southard	4905 Lakeside Drive	Bookkeeper	$10,452.00 Yr.	Eff:12-3-81
William D. Willis	1104 Madison Avenue	Laborer	$6.18 Hour	Eff:12-3-81
Susan Kirk	R.R. 2 Box 256	Secretary	$ 9,129.00 Yr.	Eff:12-3-81

VETERANS SERVICE OFFICER

Judith Becking	2163 E. Columbia St.	Secretary	$ 9,160.00 Yr.	Eff:12-4-81

RE: EMPLOYMENT CHANGES.....RELEASES

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Susan Kirk	R.R. 2 Box 256	Bookkeeper	$10,452.00 Yr.	Eff:12-3-81

VETERANS SERVICE OFFICER

Anita Southard	4905 Lakeside Drive	Secretary	$ 9,160.00 Yr.	Eff:12-3-81

RE: DAVID SOUTH.....COUNTY HIGHWAY ENGINEER

Mr. South said he would like a clarification on his travel expense, that when he travels to the AIC meetings, should his expense come from the Highway Fund or should it be taken from the County Commissioner's budget.

President Willner said he would assume it depends on who Mr. South travels for as to who's budget it will come from.

Mr. South said when it is an AIC meeting, he knows the mileage is from the Highway, but what about his meals and lodging.

President Willner said for him to try the Highway account first and if it cannot come from there, then take it from the Commissioner's budget.

Mr. South said he knows when he travels to Road School, that the expenses should come from the Commisisoners budget, but he needed a clarification on the other.

The Commissioners all agreed to try to take the expenses from the Highway Funds first.

Mr. South said concerning driveway permits, the way things are now, if they don't get them they are holding up building permits. He would like to know if this Commission wants every driveway permit before them before it is approved or can he give technical approval and go with that and tell them it is approved and if they have problems or object to what he tells them, then they can appeal before this body.

President Willner said if you, Mr. South, agree with the size of the pipe, then he sees no reason for that not to be the final authority.

Mr. South said we must look at pipe size and also traffic hazzards to look for.

Both Commissioner Cox and Borries agreed with this authorization for Mr. South.

Mr. South said fine, but if he should run into a problem he cannot iron out then he will bring it before the board.

There being no further business the meeting recessed at 4:45 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert L. Willner Richard "Rick" Borries Shirley Jean Cox	Alice McBride	David Miller
SECRETARY:	Janice Decker		

Robert L. Willner

Richard J. Borries

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
DECEMBER 14, 1981

The meeting of the County Commissioners was held on Monday, December 14, 1981, at 2:30 p.m. in the Commissioners Hearing Room with President Willner presiding.

APPROVAL OF MINUTES: Commissioner Cox said on page 5 of the minutes of the meeting on December 7th. she would like a clarification under the title "Drainage Problem on North Side of Town", as to how we were going to handle the situation. The minutes state that Mr. South is to go ahead and write the letter to Mrs. McLaughlin and then we will go from there, but she understood the letter is also to go to all of the other property owners in the area.

President Willner said he wants the Commissioners to look at the letter before it is sent to anyone and at the time the letter is submitted to the Commissioners the decision will be made as to whether it goes to the other property owners or only to Mrs. McLaughlin.

Commissioner Cox said she too would like to see the letter before it is sent out, but if we are going to do some upgrading in that area she thinks we should put the property owners on notice because they too will need to do some upgrading of their own. Commissioner Cox moved the minutes of December 7th. be approved as engrossed by the County Auditor and the reading of them dispensed with.

Commissioner Borries seconded the motion. So ordered.

RE: DORATHEA MACGREGOR.....PIGEON TOWNSHIP TRUSTEE....PHONE REQUEST

Mrs. Dorathea MacGregor was present and stated she would like to have some phones switched in her office, that she contacted the telephone company and they told her they would not do anything to her phones until she received County Commission approval. She does not want any new lines or phones, only that her incoming calls be switched from the front telephones to the phones in the back of the room, to help the noise level and the confusion. She has the money to pay for this in the proper account.

President Willner said the Telephone Company probably does not understand that Pigeon Township pays their own bills and they do not have to come before this body with such requests.

Mrs. MacGregor said she must have something in writing to this affect.

President Willner instructed Mark Tuley to see that Mrs. MacGregor gets a letter from the Commissioners stating she does not have to have the Board's approval to have the phones changed.

RE: KEN HOOD.....R.E.S.C.U.E

Mr. Hood said he appeared before this board on October and at that time he was told to come back towards the end of the year to get approval to appear before the County Council at the January meeting, in an effort to try to get some county money to support R.E.C.U.E and help with the 1982 deficit we are facing. Since he appeared here in October, he has received more bad news as far as their funding is concerned, that the President, in his budget cuts disallowed approximately half of the budget that the Community Correction, that is run through the Federal Bureau of Prisons operate, so they were projecting an $18,000.00 income from them for 1982 and it looks like we will be receiving only about $8,000.00 to $9,000.00, unless some changes are made. He had earlier stated they were facing about a $30,000.00 deficit but now it will be about $48,000.00, after a study of all their possible income from several sources. It was suggested to him to contact some of the surrounding couties about some financial support of the Half-way House and he did contact Warrick and Posey counties and informed them that any residents referred from those counties, that besides the regular room and board, the county will have to pay a $5.00 daily per diem also and since that time Posey County has referred one individual who is paying that sum of money.

Commissioner Cox said is she correct in understanding that what Mr. Hood wants is to appear before the Vanderburgh County Council and ask them for this $5.00 per diem.

Mr. Hood said this is correct and they also still have hopes that the new Community Corrections Act, which the County Commissioners acted on this past year will help. He understands that the Department of Corrections is going to ask the Legislature for an additional one half million dollars and it looks like about a 90% chance of funding and we have been assured that Vanderbugh County will be the next county to be funded, once the funds are made available. If this does not come about then R.E.S.C.U.E is going to be in really bad shape by the end of the year as far as trying to stay open.

Mr. Hood said the $5.00 per diem they are going to be asking from the County is only about one fourth of the total amount that it cost to keep the client in the facility.

Commissioner Cox said she is the one that suggested that Mr. Hood contact the surrounding counties and it is good to learn that one county has already participated.

Mr. Hood said starting in January Judge Bach from Posey County will be on their Board of Directors and they have also invited Judge Hendrickson and also Judge Palmer, from Gibson County to meet with them because all of these men are well aware of the services.

Commissioner Borries said he thinks the program is a real vital one and he does not see where we have many options. It is very unfortunate the funding, at this point, is inadequate therefore he would move that Mr. Hood be authorized to appear before the County Council in January to seek financial help for the program. Commissioner Cox seconded the motion. So ordered.

RE: LEW VOLPE, COUNTY TREASURER.....DISCUSSION ON DELINQUENT TAXES

Mr. Volpe, County Treasurer, was present and stated they have securred judgements on certain people with delinquent property taxes. We have two (2) ways to go, we can file suit for execution or we can have the Sheriff go out and pick up their equipment and sell it at an auction. The ones under $3,000.00 he can take to Small Claims Court for execution, but the ones over the $3,000.00 have to go to either Circuit or Superior Court. He has a list of nineteen (19) that he would like for the County Attorney to take to either of the Circuit or Superior Courts. He has the word "hold" on one of them because they have a new management and they are looking up their records at this point. He said there are two (2) on the list that are of particular interest, that they both use the same box number, that being #5351, Lawndale, and this tips us off that this is those Illinois truck drivers that are coming in here and giving fake addresses, infact, many of them are giving addresses of people who actually live in a house in Vanderburgh County, so in ten or fifteen years from now there are going to be some people in Vanderburgh County that are going to have trouble trying to sell their houses, if they do try to, because someone from Illinois gave their address when they licensed that Illinois truck. We have found two (2) cases like this already and it is really becoming a serious problem. These truckers take a phone book and look up a person who has a similar name, living in Vanderburgh County, and then using their house number but having the license plate sent to the P.O. Box. He said County Attorney is out of town but when he returns he would like to meet with him and discuss this matter. There was an article in the Evansville paper, written by Bob White, concerning this problem and it is still continuing to rise.

Commissioner Cox said cannot these truckers get a license unless they have a residence address and Mr. Volpe said this is correct, they must be a resident here and this is why they are giving a fake address and in many instances the last names are very similar ar even the same.

Mr. Volpe said last week he had a news conference and the Bureau of Motor Vehicles did not know, until he called them Wednesday, that on November 13, 1981, the State Board of Accounts had told him the new law went into effect on January 1, 1982 and they went into a panic and had an emergency meeting with the State Board of Accounts and with the author of the new bill whereby you will have to get a tax clearance before you license your vehicle, that it use to be like this. He said he received a notification just this morning that the law does not take effect until June 1, 1982.
He thinks the Commissioners should have the date of June 1st. put into the news paper, so that the public will be informed. He wanted the Commissioners to be aware of the situation, that it is becoming very serious and these out of town truckers are depriving Vanderburgh County taxpayers of money that should be paid.

Commissioner Borries said the state of Illinois is mentioned but he is wondering if the state of Kentucky truck drivers are posing the same problems and Mr. Volpe said yes, but not as bad as Illinois, that there are maybe sixty five (65) or seventy (70) Illinois truckers working out of the one box number at Lawndale. Knight Township Assessor, Mrs. Nicholson can tell you about the problem, that it is about to run her up the wall, that this is done year after year, after year, and seemingly there is nothing to be done about it.

Commissioner Cox said evidently they are operating within the law or something would have been done about it, other then they are not paying the property tax.

Mr. Volpe said he does not know if it is within the law because they send, through the mail, an application which says they are a resident of Vanderburgh County, which they are not. This is the method they are using to get around paying any taxes at all because they aren't licensing their trucks in Illinois and they don't live here, so we can't catch them either. In the article written in the Evansville Courier, Mr. White did mention there is some activity with the local and federal Prosecutors and the State Police concerning this matter, but we have heard nothing on it for a few months.

Commissioner Borries said wouldn't there immediately be a violation when these truckers use a person's name and that person does not know it is being used, that he would almost think this would be a federal crime.

Mr. Volpe said he would think so too, that these are all done by mail and that certain John Doe has absolutely no idea the trucker is using his name. He would ask that the Commissioners get the County Attorney active in this matter, have him to contact Mr. Pigman, in the Prosecutor's office and also with Mr. Rhodes at the State Police post and try to get something going on it, that it has been on the back burner and it needs to be worked on.

Commissioner Borries said if there are lets say thirty (30) truckers using the same P.O. Box, do they all get keys and Mr. Volpe replied no, only one person has a key, that this thing is well organized.

Commissioner Borries moved that the list as submitted by Mr. Volpe, on the delinquent taxes above $3,000.00 be referred to County Attorney David Miller to be taken to either Circuit or Superior Court. Commissioner Cox seconded the motion. So ordered.

RE: MARK TULEY.....SUPERINTENDENT OF COUNTY BUILDINGS

Mr. Tuley said the following letter was submitted by Mr. Ray Wolf, Burdette Park Manager, dated December 14, 1981.

County Commissioners,

This letter is to confirm that 100 gallons of paint in assorted colors was picked up along with two, four drawer filing cabinets, to be given to the Commissioners on December 14, 1981.

This letter is to transfer the ownership of these items to the County Commissioners.

Respectfully,
Raymond J. Wolf
Burdette Park Manager

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Mr. Tuley said they would like to have the above stated items declared surplus. He has had several requests for the filing cabinets and if possible, he would like to keep the paint under his own department, because there have been some requests that it be used at the Auditorium, Hillcrest-Washington and also the County Garage would like some of it. He said since the treated lumber is now being used at Burdette, we no longer have use for all of this paint. He said perhaps we could check with the City and see if they could use some of the paint also.

Commissioner Cox said if we declare these items surplus, will they have to go up on auction and President Willner said we can give them to another unit of county government.

Commissioner Borries moved the items listed in the letter from Mr. Wolf be declared surplus. Commissioner Cox seconded the motion. So ordered.

RE: JESSE CROOKS.....BUILDING COMMISSION

Mr. Crooks said he has a request to move a house from Elmer Buchta, Inc., house moving company of Otwell, Indiana which reads as follows, dated December 11, 1981.

Mr. Crooks,

Elmer Buchta, Inc. request permit to move house from 535 Columbia to Orchard Rd. We will travel west on Columbia St. to St. Joe...St. Joe north to Diamond...Diamond west to Big Cynthia Road...Big Cynthia Road north to Orchard Road...Orchard Road one

half mile to lot.

This house will be cut into and moved in two 15' sections. Part of the roof will be lifted off so the house loads 16½' tall.
We would like to move the week of December 28th if weather permits. The owner is Ray Vanover.

Sincerely yours,
Jim Kabrick, Manager

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Mr. Crooks said he has reviewed the route and sees no problem with permitting this move, providing they gets all the permits and notifications.
Commissioner Cox moved that the request be approved. Commissioner Borries seconded the motion. So ordered.

RE: RED WATSON.....COUNTY HIGHWAY

Weekly absentee report: Mr. Watson submitted the weekly absentee report of the employees at the county garage for the period of December 7th through December 11, 1981. Report received and filed.

Weekly work report: Mr. Watson submitted the weekly work report of the employees at the county garage for the week of December 7th through December 11, 1981. Report received and filed.

President Willner asked Mr. Watson how the lighting is doing at the county garage and he replied everything is in fine shape, that a real good job was done on them, that the system can be turned off in sections.

Bill from Southern Indiana Gas and Electric concerning Buente Road

Mr. Watson asked the Commissioners if they received a bill from the Southern Indiana Gas and Electric Company concerning a light pole, in the amount of approximately $420.00, on Buente Road. He said he took his grade-all man out there this past Thursday and he informed us he has not done any digging on that road in at least four (4) years.

President Willner said he too checked on this and he found out from one of the neighbors that late at night one of the neighbors gets out there and does some work on the road.

Mr. Ron Jourdan, representative of SIG&E CO. said he has discussed this matter with Mr. Watson and he will take this back to their claim agent and inform him the county is denying the claim and it can be handled from there.

President Willner said if someone knew that the county was involved they we would like to talk to him, but at this point and time we do not feel responsible, but he would like for Mr. Jourdan to keep this body informed on the matter.

Letter to Mr. VanMeter...Southern Indiana Gas & Electric Co.

President Willner said there was a meeting at the Garage a couple of weeks ago and he was informed that SIGECO has contracted or sub-contracted with another outfit to install some poles along St. Joe Avenue and we have had some complaints from motorists who have nearly hit the trucks out there, so we decided to write to SIGECO requesting them to use a flagman on the project. The following letter was written by the Highway Department, to be sent to Mr. VanMeter.

Dear Mr. Van Meter,

We have received several complaints about Southern Indiana's Gas and Electric crews while they are working on Vanderburgh County roads.

It is our understanding that the flagman, and signage that is required by law to warn motorist of danger of work crew's is not giving the public proper warning before approaching your sub-contractor's crews, working on St. Joseph Avenue, creating a hazard to the public and your crews.

If we could have your cooperation in correcting this danger, it would be appreciated. If further information is required please feel free to telephone me at 426-5301.

Sincerely,
Lee R. Stuckey
Road Inspector

President Willner said the above letter is received and filed.

RE: DAVID SOUTH.....COUNTY HIGHWAY ENGINEER

Procedures for Selection of Consultants

Mr. South said a few weeks ago he submitted to Indianapolis our proposed procedures for retaining consultants to do work for us, and it has come back to us approved, but since that we have received one supplemental letter telling us we must do something else, but at this point and time we are in the position we do have approved procedures if we care to go ahead with anything. The only thing he knows of that we would have open at this time would be the Eichoff-Koressel project. He said on this project the right-of-way has not yet been purchased because we still do not know for sure where it is going to go and at this time we still need a location study and EIS statement. He said the first decision is whether we are going to do this in-house or out and then depending upon that decision we will move up the ladder to the next decision.

President Willner said he would like for the Commissioners to have at least a week's period to come to a determination on this, because if we are going in-house it will certainly mean we will be hiring some people and training them and if we are not going to do it in-house then we need to select a company to do it.

Mr. South said when you consider in-house, you want to consider the possibility that with luck we will be doing construction again next summer and he would not want to get into the same position we were in when St. Joe started, of having no qualified people to do the work with, so we must consider this also.

Letter from State Department of Highway Concerning Railroad Agreements

Mr. South said a month or so ago we had an agreement with the railroad to be signed and at that time it was an open-end contract and the Commissioners decided not to sign it, upon the recommendation of County Attorney Miller. He took it upon himself to write to the State and ask them for an analysis report as to what kinds of problems they have had with the railroad and he received the following letter in response, dated November 25, 1981.

Dear Mr. South:

Reference is to your letter of November 6, 1981 in regards to Railroad Agreements.

Railroad Force Account Agreements have been used for over fifty years to accomplish work at railroad crossings. The force account is used in order for the railroad to be reimbursed their actual costs. These costs include all allowable overhead costs.

Our experience with Railroad Force Accounts shows about an even split between projects that overrun and underrun. A project is more likely to overrun when the time is extended between the preparation of the estimate and the actual work.

The tracks, signals, crossarms, etc. are personal property of the railroad and the railroad is responsible for maintenance. If the County wishes to have a private contractor do the work, it would seem necessary to have the Illinois Central Gulf Railroad concur and a contract or agreement executed. We have no procedure for this in our office.

The particular location selected for improvement by Vanderburgh County involves both the L & N Railroad and the ICG Railroad. Vanderburgh County signed an agreement with the L & N Railroad on February 25, 1981, for an estimated $18,301.00. The agreement with the ICG Railroad is necessary in order that both railroads can be authorized to proceed.

We trust this satisfactorily answers your inquiry.

Very truly yours,
S.R. Yoder
Chief, Division of Design

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President Willner said after looking at this he thinks we don't have much choice but to go ahead with it, as far as the railroads are concerned, that he supposes we will continue to do with this as we have in the past, as it is pointed out in the letter it has been done this way for the past fifty years.

Mr. South said also their track record with the railroad has not been what our track record has been with the railroad in similar situation. He said he does have with him today the contracts, if the Commissioners would want to execute them, however, it also requires the County Attorney's signature along with the Commissioner's and the County Auditor must attest them. Another slip of paper tells us the Agreement must be accompanied by a Certified Resolution, authorizing the official signing of the document. To execute on behalf of the governing body the Resolution should not be certified by the same officials that executed the agreement. But personally he does not know who else would be left to sign it. He will be meeting with Mr. Jones to discuss this later in the week. He said David Miller had also penciled in some things that he felt should be changed within the agreement, because it states, in a nut shell, that the State is the one responsible for everything and all approval comes from them, but Mr. Miller has penciled in County along with a few other comments.

President Willner said if either of the other Commissioners have no questions on this, and it is agreed upon, other then the language, shall we go ahead and approve it subject to the County Attorney's agreeing with it.

Commissioner Borries moved the Railroad Force Account Agreements be approved, subject to language approval by the County Attorney. Commissioner Cox seconded the motion. So ordered.

Letter Received from Public Service Commission of Indiana

Mr. South said he recieved a letter from the Public Service Commission of Indiana, in response to three (3) letters, concerning railroad crossings, that was sent out. The bottom line is that they are willing to reimburse us some $14,000.00. The letter was as followed, dated November 30, 1981.

Dear Mr. South,

This is in reference to your letters of November 6, 1981, requesting instructions on how to file for reimbursement for the local share of matching funds necessary for the installation of automatic train activated warning devices.

The funds available for the local match to federal funding for railroad grade crossing construction can be used only for the installation of automatic train activated warning signals. Thus, our funds could be used to provide the 10% match only to the extent the 10% was used to install automatic warning signals.

Any local unit of government wishing to utilize the funds shall first apply to the Indiana Department of Highway, State Aid Division to determine whether federal funds are available to pay for part of the project.

The Commission will make the necessary funds available to the local unit of government after being provided proof of final billing for the project and proof that federal funds are being used to pay for the balance of the cost of the installation.

The funds made available shall be provided to the local units of government on a first come first serve basis. The effective date of each application to the Commission for matching funds shall be the date which the Commission receives notification that the project is approved as eligible to receive federal funds.

By your letter of November 6, 1981, we will consider them notification and earmark $14,894.60 for Vanderburgh County awaiting proof of final billing for projects RRO 9982(1), RRP 7802(1) and RRP E080(1).

Sincerely,
Michael L. Jacks, Director
Transportation Dept.

****

Mr. South said as soon as the final bill is paid and all the red tape is clear, they will reimburse us the $14,894.60, when we apply for it. This is the answer for the first three (3) he requested and he will have three (3) more on request.

President Willner said the Commissioners appreciate Mr. South's hard work toward this matter and thanked him.

Interim Final Inspection Report on Lynch Road and St. Joe Avenue

Mr. South distributed to the Commissioner's a copy of the interim final inspection report, conducted by the Federal Highway Administration, on Lynch Road and St. Joseph Avenue. He said these are rather lengthy reports and the Commissioners may want time to go over them.

President Willner said are they saying that the final acceptance on the Lynch Road project, will not be finalized until the problem with the railroad has been resolved.

Mr. South said this is one of the things they are telling us and their argument for that was that they allowed us to build a new road but until the railroad part, eventhough it is a separate contract, gets straightened up, we still are unable to use all the portion we built, therefore they will not give us final acceptance. If everything gets worked out though, he believes we can get conditional acceptance as to where the only thing they will look at on the final, would be to get the railroad straightened up and open, so he does not think we have a major problem with the railroad. He said Deig Brothers is in no way to fault for this condition we are in and he does not think they should be penalized, but this may have to be an argument we will have to take up after the paper work is done.

President Willner said they basically are saying the same thing on St. Joe....right?

Mr. South said yes, but we don't have a railroad over there. He thinks that St. Joe went pretty clean, on the construction.

President Willner asked if there is to be any action taken on these reports and Mr. South said no, they are only an information up-date.

Ordinance on Drive-ways

Mr. South said he has and Ordinance to"Control Vehicular Access To And From Public Right Of Way". Basically, this is an ordinance on drive-ways, and it is not dated, nor does it carry the Commissioners signatures on it and the best information he can get on it is that it is pre-1972. If anyone should have any information on this he would appreciate them telling him. He has talked to Mr. Jones and this Ordinance is not in the ones to be codified for the county and we need to do some research to see if it has or has not been adopted by the County. He obtained the copy he has from Area Plan.

President Willner recommended that Mr. South check with the County Auditor and also maybe Mr. Crooks could have something on it.

Discussion on Assistant County Highway Engineer

Mr. South said there has been some discussion, in the past, about doing some of our own work, in-house, on some of our future projects and also a massive up-dating of signing in the county, other then the stop signs which have already been redone. He said to accomplish this, and especially in-house, he will need help to get the work done and he is very interested in the possibility of getting an Assistant. We have an individual with us right now that comes with good qualifications and good recommendations from all he has talked to and he is not a stranger to the construction field.

This person is presently helping to work out the cross sections on Lynch Road. He said if there is no other way possible to hire this person, then he would like to suggest we use Local Roads and Streets money to pay his salary, with the basic principal in mind that the majority of the work we are doing will be long term benefit or major improvements. One area of this would be construction inspection and with a little training from the State he would be fully capable of taking over. He also can work on the boards he has laid out, that he understands on St. Joe and Meier. With this in mind this is why he is suggesting Local Roads and Streets.

Commissioner Borries said when you begin to look at in-house kinds of things, and particularly the design engineering type of things then what kind of personnel are we talking about, lets say to do another job like Lynch or St. Joe.

Mr. South said to a certain degree the man hours are going to be the same on a similar project and if you have two (2) people working, in lieu of four (4) then it could take twice as long, so the man hour situation is going to depend on how fast we want to do it. If we could have a floating project and use it as a filter, then we could keep everyone busy and if it is the right project, get federal reimbursement for the time we're working. If we are going to get into construction inspection in the future then we must have something around to fill in the time because there is dead time in the winter months. He said if another project broke like St. Joe or Lynch and they needed the four people they had then we are talking about a Supervisor and three (3) other people, on the side, during construction. At this time it is really hard to determine because we do not have an absolute funding for any construction project next year, but it could come, so we could wait and get short handed or go ahead and at least work in that direction. If we could have a Project Supervisor trained to know everything inspectors are supposed to know, plus his own duties, and something did come about, then we are a step in the right direction. He said the State offers quite a few free schools in West Lafayette at their training and research center, in the winter time, so this education process could be taken also. At this time he would recommend we get one other person, besides himself, trained to know what has to go on at a project.

Commissioner Cox said she likes the idea of doing in-house inspection and she thinks this is a step forward for our county. We do not have final say over the Local Roads and Streets funds, that we can recommend, but the final word comes from the County Council. She thinks the thing to do now is to get some dollar and cent figures with some projected cost savings and be able to substantiate that this could and would be a cost savings for Vanderburgh County. We know how much money we have in the fund now and we know approximately how much interest we are going to get on it and we know what our share on proposed projects should be and in that share is included money for preliminary engineering and also for inspection, so if we can do it cheaper then contracting it out then she thinks this is what we should do. She said the county is fortunate to have a man of Mr. South's caliber who has the ability to do these things and is interested in this county enough to get into it and find funds for us and do a good job for us. She does think the County Council, in view of the financial statis of the county, would like to have some dollar figures before making a judgement.

Mr. South said his reason for bringing this up today is to get some feeling and direction from the Commissioners and if there is any kind of agreement for him to appear before Council, since this is the last day a request can be submitted to the Auditor's office if we want to go in January. He would state that we already have over $50,000.00 in Local Roads and Streets that is earmarked for signing and it was probably set up to be match money but when you consider there is no match and we slow down and start buying things and.doing things, it may not be quite as efficient, but we can retain a lot of work for $50,000.00.

Commissioner Cox asked Mr. South if Local R&S money can be used to buy materials and he replied it can be used for everything the Highway can with two (2) exceptions, those being Administration and equipment. There may be a few minor exceptions but these are the two (2) major exceptions.

When asked about an amount to present to the County Council Mr. South said after having worked with the man and knowing what he can do and being a right hand to him, he would like to propose an annual salary of $18,000.00 and he believes he is well worth it. He will prepare a job description to present to the council also.

Commissioner Cox moved that David South be permitted to appear before County Council in January with a request for an Assistant Highway Engineer in the amount of $18,000.00 annually and that it be taken from the Local Roads and Streets fund. Commissioner Borries seconded the motion. So ordered.

Mr. South said within the next two (2) weeks he would like to meet with the Commission and get this all layed out and getting the back-up material he will be needing to present this to the council.

Meier Road Intersection

President Willner said on the Meier Road intersection, he understands that there is no money in Urban, so we will probably have to go to the next intersection, which is Schenk Road and St. Joe, because this intersection is in Rural Secondary. He suggested that Mr. South get with Mr. Gerard on this matter.

Mr. South said he will do some follow-up on this and since he will be in Indianapolis next week, perhaps he will have some answers after that.

RE: BOB FORTUNE.....DATA PROCESSING

President Willner asked Mr. Fortune if anyone had been over to discuss some additional office room for him and he replied that he and Mr. Ruston have talked about it and they are looking at a couple of areas. He will keep the Commissioners informed of any progress.

RE: BOB BRENNER.....SURVEYOR

Bridge and Guardrail Report: Mr. David Guillaum submitted the bridge and guardrail report for the period of December 7 through December 11, 1981. Report received and filed.

Mr. Guillaum said they worked on Baumgart Road a few days. They finished up on Pleasant Road and they started a project on Diefenbach Road which was brought to their attention by the Highway Department and is pretty serious. He said they did make a determination on Happe Road as to the size of the culverts involved and they discussed the matter with some of the farmers in the area. They are getting their notes all together and will be ready to advertise for bids very soon, perhaps by as early as next week. He said there will be three (3) structures on Happe and they intend to let bids for all of them at one time.

Commissioner Cox said she would like for the specifications to read "concrete pipe" and Mr. Guillaum said yes that this is certainly their intentions anyway.

RE: REPORT FOR BURDETTE PARK FROM JAMES A PETERSON

President Willner said each of the Commissioners have received a report called "Alternatives for the Administration of Park and Recreation Services in Vanderburgh County", which was prepared by James A. Peterson, W.D. Martin, Ph.D. and Robert C. Arnold. He said the Commisioners have met with these gentlemen and the feeling is that is has been a very worthwhile discussion, that some new ideas were brought out plus some definite suggestion of what we should do and should not do and he thinks everyone involved learned quite a bit.

A copy of the report was submitted to the Auditor for filing.

RE: MONTHLY REPORT....CLERK OF THE CIRCUIT COURT

A monthly report of the Clerk of Circuit Court for the month of November, 1981 was submitted. Report received and filed.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted by Bucyrus-Erie Company for their 25 year club Christmas Party on December 20, 1981.

A certificate of insurance was submitted by Sports Promotion, Inc. for Evansville Energy Expo on 1/15/82 to 1/17/82.

Certificates received and filed.

RE: CLAIMS

A claim was submitted by The Evansville Courier in the amount of $30.09 for a Notice to Bidders for One Compact Car and also a Notice to Bidders for AE-150.

A claim was submitted by The Evansville Press in the amount of $30.09 for a Notice to Bidders for One Compact Car and also a Notice to Bidders for AE-150.

Commissioner Borries moved the above claims be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Smith and Butterfield last week and there was a clarification needed on some of it, so it is back before us today with a note from Mrs. Meeks telling us the Ledu Lamp is the type that can be attached to a desk and be removed later and also the expenses for the business cards have been deducted from the total amount due.

Commissioner Cox moved the total amount of $91.61 be approved. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Pam Hart for Director of Adult Recreation at West Terrace, in the amount of $100.00.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Lewis F. Volpe, County Treasurer, in the amount of $50,000.00 for the loan to Pigeon Township Trustee from the General Fund.

Commissioner Borries moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by The National City Bank, Trustee for the county of Vanderburgh fixed rental due December 31, 1981 for first six months of 1982, in the amount of $333,138.50.

A claim was submitted by the Evansville-Vanderburgh County Building Authority for the county of Vanderburgh addition rental due December 31, 1981 for the first six months of 1982, in the amount of $477,995.00.

Commissioner Cox moved the rental claims be approved. Commissioner Borries seconded the motion. So ordered. (These claims are to be held for payment in 1982)

President Willner said we have the City-County Joint Department claims before us today for approval, that a couple of them had been paid twice, therefore we were allowed a credit on them.

The Auditor Mrs. McBride said the figures have all been double checked and are all in order.
The following claims were submitted:

A claim from the City of Evansville for the joint Building Inspection, in the amount of $17,967.31.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim from the City of Evansville for the joint Weights and Measures in the amount of $329.11.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim from the City of Evansville for the Joint Health Department in the amount of $6,912.92.

Commissioner Borries moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by the City of Evansville for the joint Purchasing Department in the amount of $4,549.99.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by the City of Evansville for the joint Traffic Engineer's Department in the amount of $7,853.94.

Commissioner Borries moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Doris Harlow for the Change of Venue expenses incurred for preparation of transcript as per attached--Thomas N. Schiro--#81CR243, in the amount of $750.00.

There was another claim submitted by Doris Harlow but there was nothing itemized on it so it was sent back for further information and will come back before this board next week.

Commissioner Cox moved the claim for Doris Harlow in the amount of $750.00 be approved. Commissioner Borries seconded the motion. So ordered.

Mr. South said while the Commissioners are on the claims he feels it proper to deny, by motion, the claim from the Southern Indiana Gas and Electric Company concerning the light pole on Buente Road, that was discussed earlier in the meeting.

Commissioner Cox moved the claim, in the amount of $426.72 be denied. Commissioner Borries seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CORONERS OFFICE

Kathleen Taylor	2900 E. Gum St.	Vacation Clk.	$125.00 Week	Eff: 12/14/

COUNTY HIGHWAY

Homer Ray	Equip. Oper.	$6.48 Hr.	Eff: 12-8-81
George Cummings	Equip. Oper.	$6.48 Hr.	Eff: 12-8-81

RE: EMPLOYMENT CHANGES.....RELEASES

KNIGHT TOWNSHIP ASSESSOR

Patricia DeVault	2013 Chickasaw	Deputy	$9,160.00 Yr.	Eff: 12-11-81

SHERIFF

Melanie Hughes	1255 Hatfield Dr.	Jail Nurse	$14,976.00 Yr.	Eff: 12-3-81

COUNTY HIGHWAY

Homer Ray	Night Watchman	$6.48 Hr.	Eff: 12-8-81
George Cummings	Greaseman	$6.48 Hr.	Eff: 12-8-81

CORONER

Kathleen Taylor	Vac.Clerk	$125.00 Week	Eff: 12-18-81

There being no further business the meeting recessed at 4:10 p.m.

(12) 12/14/81

PRESENT: COUNTY COMMISSIONERS

Robert L. Willner
Richard "Rick" Borries
Shirley Jean Cox

COUNTY AUDITOR

Alice McBride

SECRETARY: Janice Decker

Robert L. Willner
Richard J. Borries
Shirley Jean Cox
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
DECEMBER 21, 1981

The meeting of the County Commissioners was held on Monday, December 21, 1981, at 7:30 p.m. in the Commissioners Hearing Room with President Willner presiding.

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

RE: REZONING PETITION VC-20-81....THIRD READING

President Willner said the petition of Roy Kemper was originally requested to be changed from A to M-2, but there is a possibility of it being amended to M-1.

Petitioner.....Roy G. Kemper.....6669 Kratzville Road, Evansville, Indiana
Owner of Record....Charles H. Kahre....11000 Kahre Court, Darmstadt, Indiana.

The common address is 2100 West Mill Road, Evansville, Indiana
The premises affected are situated on the north side of West Mill Road a distance of 1,500 feet east of the corner formed by the intersection of St. Joseph Avenue and Mill Road and is presently zoned Agriculture and the requested change is to M-2. The present existing land use is agriculture and the proposed land use is for space for operating a motor garage repair service.

Mr. Robert Schuttler was present in behalf of the petitioner and stated that next to and just to the east of this property is the county highway garage, across the street is the Warrick County Farm Bureau and also across the street is property owned by Industrial Contractors. All of the property adjacent to this particular piece of property is zoned M-2. This is a one and one half acre tract which is cut out of a seventy one point five (71.5) acre tract along the road and the property is owned by Charlie Kahre, of Darmstadt and he is selling, on contract, to Mr. Kemper a one and one half (1½) acre tract facing on West Mill Road to be used as a garage for repair of automobiles, auto painting, etc. Mr. Kemper presently has a garage at Darmstadt and Kratzville Roads, right in back of the Hyland Inn.
He said the Area Plan Commission met and reviewed the matter and they voted unanimously in favor of the rezoning, with a suggestion to him to contact Mr. Kahre and inform him they didn't feel any further cut-offs from this seventy one (71) acre tract would be favorably considered by them as they felt like the area should be platted out as an industrial park that the territory is ideal for that. He spoke with Mr. Kahre about this and he said he would talk to his brother and consider the idea.
He said there has been some question on whether this should be changed to M-2 or M-1 and he would like to point out that it is necessary that they have an M-2 zoning and not an M-1 zoning. One reason is that they are surrounded by M-2 zoning and there would be no point in having it M-1. Another reason is that after carefully reading the Vanderburgh County Zoning Code indicates it has to be M-2 in order for him to do all he intends to do at the garage. He said the use for an M-1 Zoning may be used for retail stores and also automobile repair, excluding overhauling, painting and body work. Mr. Kemper will be doing all of these things in his garage and an M-2 rezoning would allow him to do all of these things, therefore they would like for the request to stand for the M-2 request.

Commissioner Cox asked if this is the some type of work that Mr. Kemper is presently doing and Mr. Schuttler replied yes it is.
She said as was told at the Area Plan meeting there needs to be a 95' set back and it is also recommended by the Evansville Urban Transportation Study that the driveway width should be 24', with 20' minimum radii.

Mr. Schuttler said they are aware of this and agree to both of them.

Commissioner Cox said another thing that bothers her is should Mr. Kahre decide to sell this land off in these narrow tracts all the way down St. Joe, then everybody would want a curb cut and she was assured that before Mr. Kahre can do this again that he will have to plat the entire area as an industrial park.

Mr. Schuttler said he informed Mr. Kahre of this concern and suggested to him to make a study of an industrial park and he agreed to it.

Commissioner Cox said she has no problem with either M-1 or M-2 and she believes that Area Plan says that M-1 is all that is needed, that it would be sufficient.

Commissioner Borries said Mrs. Cunningham may have something to say about why Area Plan recommended an M-1.

Mrs. Cunningham said the things Mr. Kemper is wanting to do in his garage can be done with an M-1 zoning, that it would be sufficient.

Mr. Schuttler said they disagree because M-1 says it excludes overhauling, painting and body work.

Commissioner Cox said in looking at the map of the surrounding area you find they are all M-2 zonings.

Commissioner Borries said he has no objections to the M-2 zoning, however should the remaining property be considered for an industrial park there would have to be further consultation with Area Plan.

Mr. Schuttler said this is true and they would like to be in on that park planning also. President Willner called for any remonstrators and there were none.

Commissioner Cox moved that VC-20-81, Roy Kemper be approved subject to the conditions of a 95' set back and the driveway shall meet a 24' width, with radials.
Commissioner Borries seconded the motion which carried unanumously in the affirmative.

RE: REZONING PETITION VC-21-81....THIRD READING

Petitioner.....Sheldon Ray Wilson.....8217 Division Street, Evansville, Indiana
Owner of Record....Same as above.

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. The commonly known address is 8217 Division Street and is located on Zone District designated as A. The requested change is to C-4. The present existing land use is residential and the authority for said existing land use is R-1. The proposed land use is for office and sales.

Mr. Sheldon Wilson was present and stated they had originally asked for this property to be zoned C-4 and tonight he would ask that it be amended to be rezoned to R-O, and he understands the procedure to take would be for this to be referred back to the Area Plan Commission, for further review. He said zoned as R-O the proposed use would be for an office for S.R. Wilson and Associates, engaged in the following business:

Manufacturer's Agent
Engineer
Contractor

Any sign would be within the requirements of R-O zoning and this would allow the property to be utilized as a professional and business office and for this use, it is suitable. He does not know how much the Commissioners want to discuss this tonight, but he does have two (2) or three (3) pages of information that has a bearing on this request.

Commissioner Borries said it is his understanding that Mr. Wilson presently has a Special Use Permit and Mr. Wilson said this is true, that it is presently zoned R-1 and he does have a Permit that allows him to operate there but he cannot utilize any employees. He is allowed to use 25% of his home.

Commissioner Borries said there has also been some question as to the fence around the property.

Mr. Wilson said the fence has not been taken care of yet, that it would have to be a variance request or else he would have to have the fence cut down from six foot to four foot, but he is going to request a variance.

Commissioner Cox asked Mr. Wilson what is his reason for now wanting to change this to R-O, that won't his Home Occupation Permit suffice for what he is wanting to do.

Mr. Wilson no, not really. Basically, what he really wanted to do was get a C-4 zoning because really the home is just not a single family residence, therefore he wanted to use it in his business as a retail store, which requires a C-4 zoning, but that has been turned down, and he understands the denial, that it was probably with good reason.

Commissioner Cox said that is all Residential around that area.

Mr. Wilson said true, it is zoned residential, but there is not a house within one half mile. In the past couple of weeks he drove east from his place, down Division Street, for five miles, looking for the most recent R-1 construction and he could find absolutely nothing that had been built in the past ten (10) years, and he is talking about single family residents. He then drove west, all the way to the Newburgh 161, which is about five miles, and he could not find anything that way either, that did not have a commercial business in front of it, bordering on either the north side of Division St. He did find a house that was built about twelve (12) years ago, across the street from the Stadium, on Division Street and that has been converted to Commercial and is now a Doctor's office, so his point is that really this is not Residential property, as it is zoned, and it never will be.

Commissioner Cox said if you, Mr. Wilson, owned all of the parcels from Fuquay, on up, and wanted to ask for a rezoning, then you might be successful, but not for a small area like this, but her question is still, what do you have in mind for an R-O.

Mr. Wilson said it would be used as an office for S.R. Wilson Associates, which would be as a sales office and his personal office, where they would have customers coming and going but they would not be stocking merchandise or running a retail store there, that they would have another retail store at another location.

Commissioner Cox asked Mr. Wilson if he lives there now and he replied yes he does but he wants to get away from there. He lives there now because he has to but as an R-O he

President Willner said there is some question as to whether this will have to come back to this Board of Commissioners after it goes to the Area Plan Commission for action on the amendment, therefore he would ask that Mr.Wilson please give our Attorney time to decide the legality of it.

President Willner asked if there was any remonstrators.....there were none.

RE: SPECIAL USE PERMITS

21-81-APC....Dennis R. Parks. Ball field.

President Willner asked if there was anyone present for or against the above Special Use that he understands it has been withdrawn at this time.

There was no one present for or against it.

26-81-APC...Harold Webster. For a salvage yard.

President Willner said he understands this request has been postponed until January 18, 1982.

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

RE: REZONING PETITION...VC-22-81....THIRD READING

Petitioner.....Walter Hatfield...7717 Vienna Road, Evansville, Indiana
Owner of Record....Same as above.

Presmises affected are situated on east side of Vienna Road, a distance of 1,250 feet south of the corner formed by the intersection of Vienna Road and Highway 66. The commonly known address is 7717 Vienna Road and is located in zone district designated as Agriculture and the requested change is to C-4. The present existing land use is automobile storage and the authority for said existing land use is pre-existing, non-conforming. The proposed land use is automobile storage.

Mr. Steven Weitzel, attorney, was present to represent Mr. Hatfield and stated he would like to distribute to each of the board members a revised legal description to accompany the petitions that were originally submitted. He said at the Area Plan Meeting, this petition was amended for the rezoning of approximately six (6) acres, as opposed to the eighteen and one half (18½) acres legal description that originally was submitted. He pointed out on the site plan that the amended legal description would be on the northern boundary of the site plan, where Vienna Road makes a diagonal run, in a north-easterly direction.

He said the amended site plan would be roughly 32' south of, and at a 90 degree angle, running across the property, east to west, so it would be the northern one third of the site plan which is actually the subject of this rezoning petition.

President Willner asked if this is so indicated on property tax code #3-40-6 and Mr. Weitzel said no it is #3-40-2.

Mr. Weitzel said that Mr. Hatfield is the proprieter of the Walt Service Center, which is the Sunoco Station and auto repair out on New Harmony Road. In 1977 Mr. Hatfield recieved a contract with the Vanderburgh County Sheriff's Department and also with the State Police to toll vehicles in the western part of the county and store them on property he owns at 7717 Vienna Road. Mr. Hatfield purchased this property in 1971 and built his home on the southern portion of the land. The tax code that Mr. Willner mentioned earlier (3-40-6) was deeded to Mr. Hatfield's son about two (2) years ago. In June of this year, Mr. Hatfield applied for and received a building permit to construct a pole barn at a cost of some $13,000.00 which is also indicated on the site plan and the purpose of the barn was to store his two (2) wrecker vehicles and also automobiles that are subject to criminal investigations and they are also being maintained for insurance companies prior to settlements. Mr. Hatfield first became aware of the fact that he was in violation of the zoning code in September when he received a citation from the Area Plan Commission and he immediately filed for this rezoning and the six (6) acres is all he is asking to be rezoned. This property is located some five miles west of the Evansville city limits and about one-half mile east of the Posey County Line and about one quarter mile south of Highway 66. The surrounding area is what Mr. Hatfield refers to as oil field property. He said the nearest residence, other then his son, is the Peerman home which is some three quarters of a mile away. Mr. Hatfield has ordered about $5,000.00 worth of fencing which will be eight feet high and have the same texture as the siding on the pole barn and also the same as his son's home.
He said with the amended legal description he also submitted a letter from Chief Mark Mabrey of the Vanderburgh County Sheriff's Department indicating the nature of services that Mr. Hatfield provides the county and also he submitted a letter from Mr. John Buckman, Chief of the German Township Volunteer Fire Department.

Commissioner Borries said he drove the area and he would say that it is one of the more beautiful spots left in Vanderburgh County. He would like to know how long of periods of time these vehicles will be stored out there. Also he is concerned about the business becoming so large that it will endanger the beauty of the area.

Mr. Hatfield was present and stated they try sincerely to move their vehicles as quick as possible, however sometimes they must keep some of them for several months.

President Willner asked if there were any remonstrators.....there were none.

Commissioner Borries moved that VC-22-81, Walter Hatfield be approved subject to the amended legal description. Commissioner Cox seconded the motion, which carried with the following votes.

Commissioner Borries.....Yes
Commissioner Cox.....Yes
President Willner.....No

RE: DISCUSSION CONTINUED ON VC-21-81....SHELDON WILSON

County Attorney David Jones said his opinion is that if this board approves the amendment, it then goes back to the Area Plan Commission and they have forty five (45) days in which to act on it and if it is approved at Area Plan it then becomes effective as of the date the report is received by the Auditor, which is their report back to this board indicating approval. If this amendment is rejected here tonight then it is the same as any other rejection.....it is dead, however, if it is approved, there is still a provision in the book, which is referendum by township, that a petition signed by 25% of the registered voters of a township can cause or trigger an election in the township and they can vote either aye or nay.

Commissioner Cox said if we approve the R-O request tonight and it goes to Area Plan and they approve it, then it is approved.....right?

Mr. Jones said yes, as of the date their report is filed with the County Auditor.

Commissioner Cox said if we deny the R-O, then will it go to Area Plan.

Mr. Jones said no, it is dead, for a period of one (1) year.

Commissioner Cox said then if we approve it tonight and it goes to Area Plan and that board denies it, then will it come back to us.

Mr. Jones said this is correct and the Commissioners vote on it again.

Commissioner Cox said she understands that Mr. Wilson lives there now, that it is noisy and he does not like it, but it does not make sense to her to have an office one place and an operation somewhere else.

Mr. Wilson said it doesn't make sense to him either, but they won't approve a C-4.

President Willner said the first thing for this board to do is decide if we want to amend it to R-O instead of the C-4, which was originally requested.

Commissioner Cox moved that VC-21-81 be amended to read from R-1 to R-O instead of the orginal request of R-1 to C-4.
Commissioner Borries seconded the motion, which carried unanimously in the affirmative.

President Willner said now that we have approved the amendment to R-O we can vote on it as such.

Commissioner Cox moved that VC-21-81, Sheldon Wilson be approved from R-1 to R-O.
Commissioner Borries seconded the motion. Petition denied with three negative votes.

RE: REZONING PETITION VC-23-81....THIRD READING

Petitioner.....Samuel M. and Betty J. Angel.....3030 Orchard Road, Evansville, Indiana
Owner of Record.....Same as above.

Premises affected are situated on the north side of Indiana Highway #66, a distance of no feet of the corner formed by the intersection of Indiana Highway #66 and Mesker Park Drive (Little Cynthiana Road). The commonly known address is 2820 Mesker Park Drive and is presently zoned R-1 and the requested change is to C-4. The present existing land use is vacant with a log home being built and the proposed land use is model home display, garden tiller sales, owner staffed real estate broker and Tole painting craft shop.

Mr. Robert S. Matthews was present to represent the petitioners, Mr. and Mrs. Angel and stated they were both present here tonight and would be glad to answer any questions.

At the Commissioners first reading of this petition the Commissioners amended the petition to be from R-1 to C-1 instead of the original request from R-1 to C-4 and the C-1 petition was approved at the Area Plan meeting on December 2, 1981 with eight affirmative votes and four negative votes.

Mr.Matthews presented a large illustration of the property in question for all of the Commissioners to see and also placed it so that the audience could view it, so that it could be referred to throughout his presentation.
He said we have seven and one half (7½) acres on the northwest corner of Mesker Park Drive and State Road #66. He said everything on the illustration is drawn to scale, including the four buildings. He said the dotted lines represent what Mr. and Mrs. Angel own, but is being used by the state and until the state abandons this, it is not available to them. He said this is a limited access highway and there is only one access to this area and that is from Mesker Park Drive. There is a fence along SR 66. Eventually there are to be four (4) log homes built in the immediate area and they are to be built for one purpose only, that being for people to go there and see them and know just what a log home is. This company basically has four (4) different types of log homes. The homes that will be erected out there will not be taken down and if a person buys one it will be delivered to their property and a local construction crew must put it together, plumb it, wire it, pour concrete and all other things necessary to get it done. The only way these log homes are going to sell is if the Angel's can maintain the residential character of this property. These are residential structures and they must look like it.
He said there are several remonstrators present tonight and basically they live on the other side of Mesker Park Drive, a couple from Allens Lane and he isn't sure about the others
Mr. Matthews said hopefully when a home is sold the person will have their real estate already taken care of, but if not, Mrs. Angel has earned her broker's real estate license and in the small building shown as the garage workshop she hopes to maintain whatever

kind of office she hopes to have. It will not be a general real estate office that there will be no real estate work conducted there except should it relate to a purchaser of one of the log homes.
What we really have here is job creators because every time a home is sold we are going to have at least fifteen(15) local people doing some one or more phases of construction. At the present time there are two (2) structures underway, those being the Barrington and the Garage Workshop (he pointed these out on the illustration).
He said when Mr. and Mrs. Angel gets finished out there, this is not a minor investment, that it will be like some $300,000.00 of their money and they are not about to let that go down the drain.
Mr. Angel also has the idea that perhaps he could be selling within one of the structures things like the old time ceiling fans, some wood fire places, wood stoves and he also has a garden tiller franchise, which is just about the size of a lawn mower and if business should boom like they would like for it to then by the fall of 1982 they would like to construct the Cambridge log house and perhaps move some of the displays into that home. Then if things continue to move good by 1983 or 1984 they could perhaps build the Timberwood house, which would also have displays in it. Also there would be some Tole paintings on display, which are small wooden painted characters. Hopefully there will be some classes out there twice a week and each class would consist of about 10 students to learn the art of Tole painting. He said nothing will be manufactured on the premises and nothing will be serviced on the premises and everything will be inside the homes and it will be landscaped so that it will have the very appearance of a log home subdivision.
He said the Area Plan's Staff Report says the E.U.T.S. recommendation regarding access control should be followed. He called E.U.T.S. and asked them what this was and he was told the road should be a minimum of thirty (30) feet....it is forty (40) feet, so it does meet E.U.T.S. requirements. If and when everything has been built, the maximum number of employees will be three (3), those being Mr. and Mrs. Angel and one other person who is associated with the Tole paintings. This is a very very low traffic generator and the largest group with the the ten (10) students with the Tole paintings. Hopefully the tiller sales will bring four (4) or five (5) people a day, which is still very light traffic.
The homes will be closed on Monday and Tuesday.
He said he realizes there have been some questions raised about a log home that Mr. Angel built on St. Joe Avenue, that turned gray. When these home are first put up they have a yellow cast to them and there is a spray available to the buyers whereby they can keep the logs the yellow color or they can let the wood season to the natural color, which is the gray or they can stop the process anywhere in between by simply applying the spray. The homes are delivered fireproof and termite treated and it is relatively simple to put them together. Back to the home on St. Joe, Mr. Angel had some problems and sold the home to an outsider, so consequently he has no control of it whatsoever.
At this time Mr. Angel distributed to the Commissioners, two (2) petitions that were signed showing support of this rezoning. One (1) of the petitions had twenty three (23) signatures on it and the other one had fifteen (15) signatures on it.
He would also like to point out the Area Plan Commission made the determination there must be nine (9) parking spaces.....they have twenty six (26).
He said if this rezoning is approved tonight, the Angel's will no longer live in the Barrington, because a C-1 zone would prohibit that.

Mr. Angel pointed out to the Commissioners where the high ground is situated and said the drainage would run from north to south and on to Locust Creek, which is south east of this land. There is presently a septic system there and if he should have to live there it would serve as their septic system, that the health officer checked it and found it quite adequate for any activity contemplated in the zoning matter to this land. There are some nice trees already out there and Mr. Angel will be planting a few more.

Mr. Matthews said this finishes his presentation, but again he would be happy to answer any questions, as would Mr. and Mrs. Angel.
He said there is one person here tonight, Mr. Wade, who would like to speak at this time.

Mr. Wade said he lives just south of this property and has done so for about nine (9) years. Before the Angels purchased this land in question it was dumpy and had an old house and barn on it that both were about to fall down, now it is 100% cleaner and better and he has no objections whatsoever to the type of development that Mr. and Mrs. Angel want to do in the area.

President Willner asked the remonstrators to stand and asked if they have a spokesman, which they did and he came forth at this time.

Mr. Jim Belcher said he is representing some of the remonstrators here tonight. There are two (2) or three (3) major items they would like to bring to the Commissioners attention. One of the items is the amount of traffic that might be generated as a result

of this business being established in this area because as we all know Mesker Park Drive is very narrow and we feel the traffic estimates presented tonight are probably very conservative and to use Mr. Matthew's words, if the business should grow like they anticipate then we suspect the traffic will be considerably higher then the four (4) to five (5) per day for the tiller sales, as stated by Mr. Matthews. They also think that contrary to what Mr. Matthews has said tonight, that the area will not look residential because anytime you have an area with twenty six (26) parking slots, we hardly think that constitutes a residential look. They have further concern with the sewage, that it might be adequate now but if there is going to be a total of four (4) homes in this area then when the Tole painting classes meet twice a week we suspect there should be more thought given to the sewer system. Most of all though what concerns his clients and the people in the area is the equity involved in this whole situation because we have people who have lived in this well established residential area for over forty (40) years, they have raised their families there, spent their money on their homes, have lived almost their entire lives there. If you will look at the petition of the people who oppose this business you will find they are in the immediate area, but if you will look at the petition of the people in favor of this business you will find they mostly live on Red Bank Road, Harmony Way and some as far away as Koressel Road and sometimes it is easy to say you are in favor of something, if you are not going to be affected by it. If this petition is granted the Angel's won't live there. They will have their business there and then they will leave and they will have come into a neighborhood which is a well established residential area and they will change the character of that neighborhood and then leave. They would all thank the Commissioners for any consideration in this rezoning.

Mr. Matthews said that Mr. Belcher has brought up something that the Angel's would love and that is that they could live on those premises and they would be willing to sign a covenant that only they will live there, because they have asked the question of how they could possibly live in this area and he has told them there is no way, so if this would satisfy the people he wants them to know the Angel's would love to move in there.

Mr. Belcher said he thinks this would hardly satisfy the people represented here tonight because the fact that the Angel's could live on the property would not do anything to change the rest of the concerns, in fact, it would add another house to it.

Commissioner Cox said it is her understanding right now that there is a Special Use Permit granted Mr. and Mrs. Angel to build this home that is presently under construction plus the garage workshop and to use this to live in and also to display it for sales.

Mr. Matthews said this is true but it cuts out the tiller sales, stoves, etc.

Commissioner Cox said what worries her the most about this is she feels we owe these people who have lived out there for thirty (30) or forty (40) years a responsibility to keep it a residential area and protect the property owners because once you get a C-1 zoning in there and once the Angel's get started and their plans do not develop like they anticipate and their sales aren't good, then there is no protection to those people out there that the Angel's cannot sell this property to anyone else they want to and she would like to say the following things are allowed in a C-1 zoning.
Offices for accountants, architect, attorney, artist, bookkeeper, broker,chiropractor, contractor, dentist, draftsman, engineer, interior decorator, manufacturing agent, musician, optometrists, osteopath, photographer, physician, seamstress or tailer or teacher. Boarding house, child care center, multiple dwellings, nursery, nursery school, broadcasting station, detective agency, employment agency, financial institution, fraternal religous charitable associations, insurance agency or office, mortuary, public utility business office, real estate office, tax consultant, college and university's, those giving academic degrees, fraternities and sorority houses, hotels and motels, retail stores, art galleries, bakery goods, books; candy and china, crockery, clothing, shoes, crafts, drugs, film exchange, flowers, fruits and vegatables, furniture, gifts, groceries (3,000 sq. ft. or less) hardware, hobbies, home appliances, ice cream, jewelry, leather goods, meal or deli items, musical items, newspaper, novelty, office equipment, optical goods, package liquor, photographic supplies, radios, sporting goods, stationery supplies, stereo equipment, televisions, variety items, then there are also listed under services, barber shop, beauty shop, dry cleaners, laundry pickup, laundry mats, photographer, public utility business office, radio, television and stereo repair, restaurant, cafeteria, shoe repair shop, telegraphic office, ticket agency, watch and jewelry repair.

Mr. Matthews said with all due respect, immediately behind this property is a C-4 which can be used for everything listed above, plus about five (5) times more things.

Commissioner Cox said that is fine, if the Angel's want to move this over there, as there is plenty of commercial property around where they could conduct this business. Letting the Angel's have this does not bother her as much as if their plans do not work out, then what will happen to these people out in that area, and also we cannot make a covenant.

Mr. Matthews said the commissioners can always de-zone an area, that it has been done in the past, that the commissioners can reverse the process and this is your protection, because you can take a zoning classification away from someone.

Commissioner Cox said she was not aware this existed for the commissioners to do.

Mrs. Cunningham said there is that possibility, but she has not known it to happen.

Mrs. Margaret Steurer of 3001 Mesker Park Drive was present and stated they have told us what is to be in one area but there is another large area that they have not told us what will be there and once it is rezoned who knows what will go in there, that they have heard talk there could be a steak house go in there.

Mr. Clarence Steurer of 2927 Mesker Park Drive was present and stated that in 1962 the area behind him, owned by Doris Beck, was zoned commercial, for a shopping center and at the Area Plan Commission meeting and at the Commissioners meeting it was agreed a covenant would be put in that if the property was not under construction before November of 1962 they would rezone it back to the original zoning, however, that never appeared in the ordinance and when they questioned it they told us the covenant had to be included before the petition was presented, therefore we were left with this undeveloped property of thirty seven (37) acres, between us and K Mart, which has never been developed and here is is some twenty (20) years later. We would like to see this area remain as R-1...as zoned in the master plan, so we would ask for consideration in the matter.

President Willner called for a motion at this time.

Commissioner Borries moved that VC-23-81, petitioner Betty and Samual Angel be approved. Commissioner Cox seconded the motion. Petition denied with three (3) negative votes.

RE: RED WATSON.....COUNTY HIGHWAY GARAGE

Weekly Absentee Report: Mr. Red Watson submitted the weekly absentee report for the employees at the county garage for the period of 12/14/91 through 12/18/81. Report received and filed.

Weekly Work Report: Mr. Watson submitted the weekly work report for the period of 12/14/81 through 12/18/81. Report received and filed.

President Willner asked how the ice situation was handled and Mr. Watson said they had a few problems, that two (2) out of their seven (7) trucks did get in a ditch, but it didn't take them long to get them out. They used close to seventy (70) tons of salt on the roads and they also ordered 200 more tons today. If there are any hills still slick they will work on them again tomorrow.

President Willner asked Mr. Watson if they have flares to carry in the trucks in case one should get into a ditch and he replied yes they do for the night, but they don't need any for the daytime hours.
President Willner said he is not sure what the law requires on this though.

Mr. South said it shouldn't have to be flares in the day, but rather reflectorized diamonds.

Commissioner Cox said perhaps a 3X5 card could be typed and put into each truck, maybe over the visor, reminding each driver, should he get stuck off of the road, that he must put these warning signs out in front and behind the vehicle.

President Willner said he mentioned this not because people can't see the truck in the daytime, but if it is bad enough for that truck to slide off the road, then a passing car may not be able to stop either and could hit the truck and we need to be sure we are complying with the law on this matter. He asked Mr. Watson to check out the state law and comply with it.

Mr. Watson said he would certainly do this.

RE: DAVID SOUTH.....COUNTY HIGHWAY ENGINEER

Recommendation of Acceptance of Lynch Road from State Highway

Mr. South said he has received from the State Highway Commission a recommendation for acceptance on Lynch Road which is suppose to be acceptance of Deig's work and before he would recommend the Commissioners sign it he would like to retain it and talk to the state about it, next Tuesday, because Dave Jones seems to think there may be some other implications, other then what he thought their intentions were for this form sent to us.

President Willner said for the record, the meeting in Indianapolis, between the attorneys, the Engineer, Engineer Associates and the State Highway Department has been changed from December 22nd to December 29th., therefore permission for Mr. South and Mr. Jones to travel on the 29th. needs to be granted.....permission granted.

Commissioner Cox said is she to understand that the State has sent their approval of the construction work done by Deig on Lynch Road.

Mr. South said this is one among other forms that have to be signed to finish the final up.

Commissioner Cox said have they not sent the one for St. Joe.

Mr. South said they called the other day wanting to know about that one and he informed them that we have not yet received the one for St. Joe so they are in the process of sending us new forms, so they should probably be in by the next Commission meeting. He will check with Indianapolis and give a recommendation on Lynch next week also.

Commissioner Cox said is there any reason to hold up on it.

Mr. South said this is only one document, of many. We do have some cross section problems on Lynch and we are also in the process of checking our own field work.

Commissioner Cox said is this construction or engineering problems.

Mr. South said it is engineering, but if the ditch turns out to be in the wrong place then it will be a construction problem.

Mr. South said a few weeks ago he asked if anyone knew about a 6' section of 36" pipe in connection with St. Joe Avenue and in talking to the County Garage we have discovered the pipe is out there, so he would like for Mr. Linzy to make a statement concerning this.

Mr. Jerry Linzy said David South asked him about this particular pipe and also Mr. Jerry Parks, superintendent from Deig Brothers also called him and inquired about it. Somewhere along the line Mr. Louis Stephen ordered this pipe and in putting it in they found out the whole thing was bad so they had to replace the whole thing and then this 6' section was taken to the Highway Garage. We know this galvanized pipe had to belong to Deig because we never purchased any pipe like it, so when Mr. Parks came out last week we signed the paper for them to get their money for it, which is $60.00, and it will be paid to them from Federal Funds. He asked Mr. Parks if the Highway is responsible and he said no, that the pipe is ours, so we signed the paper.

Mr. South said there will be no federal funds for the pipe so we had to buy it.

Commissioner Cox said $60.00 is really cheap for the pipe though, isn't it and Mr. South said yes, it is.

RE: BOB BRENNER.....COUNTY SURVEYOR

Bridge and Guardrail Report: Mr. David Guillaum submitted the bridge and guardrail report for the period of December 14th through December 18, 1981...Report received and filed.

Mr. Guillaum said they had a crew out on Heinlein Road and put some guardrail up on one of the other completed jobs. This report does not show it but they also had a crew out on Bergdolt Road installing a pipe there to resolve a problem.

Slate Road and St. Joe Avenue and Happe Road Projects

Mr. Guillaum submitted the Cover Sheets for pipes to be installed on Slate Road and St. Joe Avenue and also for Happe Road. These projects were properly advertised this week with bids to be opened on December 28th. The Commissioners signed the sheets and returned them to Mr. Guillaum.

Claim for Angel Construction

Mr. Guillaum submitted the following claim:

Angel Construction for lowering pipe on Cypress Dale, in the amount of $4,000.00.

Commissioner Borries moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

RE: LETTER FROM PUBLIC SERVICE COMMISSION

The following letter was submitted by the Public Service Commission to the Board of County Commissioners, dated December 16, 1981.

Dear Board of County Commissioners,

Under the provisions of Indiana Statutes I.C. 8-6-7.7-1.1 the railroad division of the Public Service Commission has been granted a fund with which to pay for the cost of automatic train activated warning devices at any grade crossing in the State of Indiana. At this time there is more than $700,000 remaining in the fund and there are very few applications for payments now pending before the Commission.

You are urged to consult with the appropriate elected officials in your county to determine whether there are any railroad grade crossings within your county which would qualify for such automatic protection.

Sincerely,
Michael L. Jacks, Director
Transportation Department

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Mr. South said the $34,000.00 we received a couple of weeks ago, he believes is the first part of this $700,000.00, and he understands it was for our share of the federal matching money, however, this letter does not state that. Tomorrow he will check with the State but he has a hunch this is to be used to make up the federal match money but perhaps our start down here has made them think they had better start spending some more money.

President Willner said is it correct that in order for one to qualify, it must be a double crossing.

Mr. South said he knows of no such requirements on the tracks.

President Willner said we have found in the past that double crossings get much better attention then a single crossing does. He asked Mr. South to get with Mr. Gerard and see if there is a crossing which might meet the criteria and he said that he would.

RE: COUNTY ATTORNEY.....DAVID JONES

Suit Dismissed on Szabo Food Employee

Mr. Jones said the law suit from the Szabo Food employee, Mrs. Smith, who said she was grabbed and attacked by an inmate, has been dismissed.

Suit with Engineer Associates

Mr. Jones said as a result of the publicity generated over the authorization of filing suit against Engineer Associates, he has been contacted by an attorney for Engineer Associates and asked for a meeting before we file suit, so he and Mr. South did have a meeting with him and also their accountant and there was some progress made, that we did receive assurance as a result of the meeting that they would be submitting the figures that we asked for. The meeting he will be attending on the 29th with the State will be a follow-up to this. He was very happy with the progress made.

RE: CLAIMS:

A claim was submitted by Doris Harlow for the balance of expenses incurrrd for preparation of transcript--State of Indiana vs Thomas N. Schiro #81CR243. in the amount of $2,004.50.

President Willner said this claim was held over until this week, from last week, because we needed a court order to accompany the claim, and we do now have that, so it can be approved for payment.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by C. Paul Gunn for county 7th and 8th grade recreation, in the amount of $40.00, for the period of 12/3/81--12/17/81.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Janice D. Gunn for county 7th and 8th grade recreation, in the amount of $40.00, for the period of 12/3/81 to 12/17/81.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by Rhonda Bell for Director of Recreation at West Terrace School for the period of October 15th through December 17, 1981, in the total amount of $180.00.

Commissioner Borries moved the claim be approved. Commissioner Cox seconded the motion. So ordered.

A claim was submitted by Dan Sparrow for Assistant Director of recreation at West Terrace School, in the amount of $171.00, for the period of October 15--December 17, 1981.

Commissioner Borries moved the claim be allowed. Commissioner Cox seconded the motion. So ordered.

The following claims were submitted on the Burdette Park Study:

Mr. Robert Arnold: Room 11/2/81 & 11/3/81.....$76.20
Per Diem for 11/3/81 & 11/4/81.....$41.50
Mileage.....$85.00

TOTAL CLAIM $202.70

Mr. W.D. Martin: Room 11/3.81.....$18.90
Per Diem for 11/3/81 & 11/4/81.....$51.50
Mileage.....$52.50

TOTAL CLAIM $122.90

Mr. James A. Peterson, for Burdette Park Study-Reimbursement for printing costs, covers, bindings, $68.40 duplication. (All other expenses covered by Purdue University Extension Service. Total amount of claim.....$68.40.

President Willner said the total study cost us $394.00 and it was well worth it.

Commissioner Borries moved the above claims be allowed. Commissioner Cox seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

William W. Dossett	1513 Helfrich	Rink D.J.	$4.00 Hour	Eff:12-12-81

COUNTY RECORDER

Janet Kurzendoerfer	1005 E. Mulberry	P/T Deputy	$30.00 Day	Eff:12-21-81

CLERK OF CIRCUIT AND SUPERIOR COURT

Darlene J. Maveety	904 Olmstead	Dep. Clerk	$350.95 Pay	Eff:12-18-81

RE: EMPLOYMENT CHANGES....CONTINUED

PIGEON TOWNSHIP ASSESSOR

Charles E. Moss Jr.	209 S. Bedford	P/T Deputy	$30.00 Day	Eff:12-21-81

RE: EMPLOYMENT CHANGES.....RELEASES

CLERK:

Dorothy L. Wolf	125 N. Weinbach	Dep. Clerk	$350.95 Pay	Eff:12-17-81

PIGEON TOWNSHIP ASSESSOR

Janet Kurzendoerfer	1005 E. Mulberry	P/T Deputy	$30.00 Day	Eff:12-18-81
Sherri Southard	1016 E. Jefferson	P/T Deputy	$30.00 Day	Eff:12-28-81

There being no further business the meeting recessed at 9:50 P.M.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert L. Willner Richard "Rick" Borries Shirley Jean Cox	Barry Heathcotte (Dep. Auditor)	David Jones
SECRETARY:	Janice Decker		

Robert L. Willner

Richard J. Borries

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING
DECEMBER 28, 1981

The meeting of the County Commissioners was held on Monday, December 28, 1981, at 2:30 p.m. in the Commissioners Hearing Room with President Willner presiding.

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

RE: OPENING OF BIDS...XEROGRAPHIC PAPER, MOST USED OFFICE SUPPLIES, SLATE ROAD BRIDGE, ST. JOSEPH AVENUE BRIDGE AND STRUCTURES ON HAPPE ROAD

President Willner said there are bids to be opened on Xerographic Paper, most used office supplies and structures on Slate Road, St. Joe Avenue and Happe Road.

Commissioner Cox moved the county attorney proceed with the opening of the bids. Commissioner Borries seconded the motion. So ordered.

RE: BOB BRENNER....SURVEYOR

Bridge and Guardrail Report

Mr. Guillaum submitted the bridge and guardrail report for the period of December 21 thru December 24, 1981. He said they are still on Bergdolt Road, trying to complete it as soon as possible. He said this is in the area of Ball Plastics on the north side of Bergdolt Road. He said there is an existing sanitary line and another pipe laying on top of that, but what we propose to do is put a pipe under the sanitary line which will take care of the drainage of the ditch, however, from that point on down, we are still going to need quite a bit of ditch work to be done. If we can drop this line down another two feet, then it should get into the Sonntag Stevens Ditch.

Commissioner Cox said there have been some complaints from some business people in that area about cars turning around on their property, so she is wondering if the proper road closed signs have been put up.

Mr. Guillaum said road closed signs have been put up at Peters Road and also at Oak Hill, so this should be sufficient. Some people will drive around the barricades and come clear to the job though. We should have the pipe in tomorrow, however, we broke the sanitary line when we went under it so we will have to patch that also. He is hoping we will have the road back open to traffic by the end of the week.

RE: APPOINTMENT....CONVENTION AND VISITORS BUREAU AND AREA PLAN COMMISSION

Mr. Bill Brooks was present to speak on the appointments for the Convention and Visitor Bureau. He said a letter was sent to the Commissioners on December 15, 1981, notifying them there are two (2) appointments coming up at the end of this year for the Evansville Convention and Visitors Bureau. He said the two (2) current appointments the Commissioners have are Mr. Bill Tucker, who is an individual not directly affiliated with the hotel or motel industry and also Mr. Lew Kirk, who is the Manager of the Executive Inn. Both of these gentlemen would like to continue to serve on this board and they both have the Convention and Visitors Bureau's endorsement and approval from the Hotel and Motel Association. He would say that Mr. Tucker and Mr. Kirk have been excellent members and to his knowledge they have not missed even one (1) meeting. These appointments are for a one (1) year period.

President Willner said these appointments will be taken under advisement for a week and thanked Mr. Brooks for attending today.

President Willer said there is also an appointment to be made to the Area Plan Commission and it will be done next week also.

RE: LEWIS F. VOLPE.....COUNTY TREASURER....FINANCIAL REPORT

Mr. Volpe said at this time he would like to give an interim report on the interest monies, and his formal report will be submitted next week. He said all of his monies will be coming in on the 28th. 29th. and 30th. of this month. Today he picked up about eleven (11) million dollars worth of principal and from the Banks $180,000.00 worth of interest and from the Savings and Loans some $37,000.00 worth of interest. He said in referring back to his letter to the Commissioners, dated November 6, 1981, we will be able to meet the $1,370,000.00 requested by the County Council and also the $170,000.00 that is due the Commissioners on a percentage pro-rata basis, according to law, and we will have $4,000.00 or $5,000.00 left above that. He said this is $300,000.00 more than what was collected last year, during the same period.

He said just a few minutes ago he invested one half million dollars in the Savings and Loans and he got 13%, which will mature July 5, 1982. One Wednesday afternoon, he will invest either six (6) or seven (7) million dollars with the Banks. He has made the decision to go for only thirty (30)days instead for the whole year, because he believes the interest rate is going to go up the first six months of the year, level off, and then decline, and he wants to ride the elevator.

Mr. Volpe said today he received three (3) letters from the Bureau of Motor Vehicles, that Mr. Bob Whitehouse has already talked about this, that they have several different accounts set up now, because the fact the money was being held up for forty (40) or fifty (50) days, was the fault of the Bureau of Motor Vehicles and not the fault of anyone here at the local level. Now they are setting up a special account in each of the banks, for the excise tax money, and we play put and take, the License Bureau puts in everyday and he takes out everyday. All of the details have not yet been worked out and he talked to the State Board of Accounts and asked them where he gets the checks to withdraw the money and they said they did not know, but that something would soon be forthcoming. He has the signature cards and there will be two (2) signatures on the account, one being his and the other one will be the Commissioner of the Indiana Bureau of Motor Vehicles, who's name is Michael Packard. The check to withdraw requires only one signature, which will be his own.

President Willner asked if the Cumulative Bridge Fund monies was put into the County General Fund and Mr. Volpe replied yes.

Commissioner Cox asked if the Council used all of the $270,000.00 and Mrs. McBride, Auditor, said yes, she thinks they used it all, but she could check and see.

Mr. Volpe said he wants the Commissioners to be aware of the fact also that we are going to be hit with four large Change-of-Venue cases in 1982, that three of them are already in process, which are Wallace, VanOrdan and Schiro and he looks to have the Cresent Plastics suit come up next year also and all this could possibly be a quarter of a million dollars. He called Bob Campbell of the State Board of Accounts today and he told us this local property tax relief board does not have the authority, under the present law, to allow us to raise the rate to collect the money that we are going to have to spend. He was not aware of this and he does not believe the Commissioners are aware of this either.

President Willner said he heard the board does have that authority.

Mr. Volpe said when he asked Mr. Campbell this question he was not slow to give him a no answer, that the present law does not contain any provisions for that, so we are just standing here getting hit by lightning, and not being able to protect ourselves. He is trying to contact Mr. Joe O'Day to discuss a bill going before the Legislature. He feels like Mr. O'Day and Mr. Greg Server would both cooperate with us on this matter.

Commissioner Borries said we ran into this problem when we tried to prepare the 1982 budget because it is hard to estimate what change of venues we would be having and the cost for them.

Mr. Volpe said he thinks we should contact both Mr. O'Day and Mr. Server and try to get something across that says when we are mandated to do something in this respect, by both the federal and state government, that we must have something to protect ourselves, and in order for our unit of government to exist, we must have something.

President Willner said we will pursue this matter, and thanked Mr. Volpe for attending.

RE: RED WATSON.....COUNTY HIGHWAY

Weekly Absentee Report: Mr. Jerry Linzy submitted the weekly absentee report for the employees at the county garage for the period of December 21, thru December 25, 1981. Report received and filed.

Weekly Work Report: Mr. Linzy submitted the weekly work report for the period of December 21, 1981 thru December 25, 1981. Report received and filed.

Commissioner Cox asked if there was any overtime work during the recent ice and Mr. Linzy said only one truck out for six (6) hours overtime, and that was due to a busted water line on Red Bank Road.

Commissioner Cox said about a year ago we did some bridge work out on Marx road and now the approaches to the bridge, which was blacktopped, the shoulders are eroding, therefore narrowing the approaches down and it is really quite dangerous, so she would like for someone to go look at it and try to repair it.

Mr. Linzy said he would see that it is checked out.

President Willner said he would like to thank the Highway for the good job on the S curve on Mt. Pleasant Road, that it is a lot safer.

Mr. Linzy said they are not completely finished, that they yet have to put an extension on the tile at the intersection and they are also going to cut the bank down.

RE: JESSE CROOKS....BUILDING COMMISSION

Mr. Crooks said in regards to the Eastland Place project, he talked to Mr. Sam Biggerstaff about re-doing Harper Ditch out in that area and we received a proposal on putting in the pipe, that they would agree to a concrete structure under the buildings but not under the parking lot, that this is what the Drainage Board requested be done in the first place.

RE: READING ALOUD OF THE BIDS

County attorney David Jones said there were three bids received on the xerox paper, those being as follows:

BUTLER PAPER COMPANY OF EVANSVILLE

200 cartons (first lot).....$4,660.00
50 cartons (#2 item).....$1,482.50 Total Bid....$6,142.50

McMURTRY, MARTIN PAPERS, INC

200 cartons (first item).....$4,660.00
50 cartons (second item).....$1,477.50 Total bid....$6,137.50

ATLAS OFFICE SUPPLIES AND EQUIPMENT COMPANY, INC.

200 cartons (first item).....$5,150.00
50 cartons (second item).....$1,637.50 Total bid....$6,787.50

Mr. Jones said all three of the above bids were in order..

Commissioner Cox said cannot the Xerox Company supply our paper and Mr. Evans said they don't but he would imagine they could if they would take the time to bid.

Commissioner Borries moved the bids on the xerox be referred to Mr. Ben Evans for recommendation at our next meeting. Commissioner Cox seconded the motion. So ordered.

Mr. Jones said the following two (2) bids were received on the most used office supplies.

SMITH AND BUTTERFIELD

Total for all items.....$11,085.97

He said individual units are itemized within the bid.

ATLAS OFFICE SUPPLIES AND EQUIPMENT COMPANY, INC.

Total for all items.....$10,596.50

He said individual units are itemized in the bid, and both of the above bids are in order.

Commissioner Cox said what bothers her is giving this total bid to one company when on some of the items perhaps they could be purchased from the other company cheaper.

Mr. Evans said the specifications say the Commissioners do not have to accept, in total, either of the bids, that you have the right to split the awarding of the bid.

Commissioner Borries moved the above bids be referred to Mr. Evans for recommendation next week. Commissioner Cox seconded the motion. So ordered.

Mr. Jones said the following bids were received on the bridge repair or replacements.

RAY STRADTNER EXCAVATING, INC.

Slate Road Bridge.....$26,296.00 (Bid in order)

QUENTIN STAHL

Happe Road Projects (a)..$10,958.00
(b)..$10,112.00
(c)..$12,598.00 (Bid in order)

BLANKENBERGER BROTHERS, INC.

Happe Road Projects (a)..$12,647.50
(b)..$10,907.50
(c)..$12,347.50 (Bid in order)

JOHN MANS, INC.

St. Joseph Avenue.....$122,696.90
Slate Road Bridge.....$ 41,364.20
Happe Road Projects (a)..$14,096.80
(b) $10,443.60
(c)..$11,716.60 (Bid in order)

FLOYD I. STAUB

Happe Road Projects (a)..$11,129.70
(b)..$10,115.20
(c)..$11,461.80 (Bid in order)

SOUTH WEST ENGINEERING INC.

St. Joseph Avenue.....$93,473.10
Slate Road Bridge.....$29,820.00
Happe Road Projects (a)..$25,505.00
(b)..$18,665.00
(c)..$22,615.00 (Bid in order)

TENNEYSON CONSTRUCTION COMPANY INC.

St. Joseph Avenue.....$85,132.50
Slate Road Bridge.....$32,474.50
Happe Road Projects (a)..$13,606.50
(b)..$10,773.50
(c)..$12,099.00 (Bid in order)

DEIG BROTHERS CONSTRUCTION COMPANY, INC.

St. Joseph Avenue.....$92,774.00
Slate Road Bridge.....$26,961.50
Happe Road Projects (a)..$16,105.00
(b)..$13,295.00
(c)..$15,080.00 (Bid in order)

Commissioner Cox said on the three jobs on Happe Road, were they all bid as individual jobs and Mr. Guillaum said yes, the bidders could have lumped them all together but they did not choose to do so and there were no discounts for getting all the jobs either.

Commissioner Borries moved the bids be referred to the Surveyor's office for further recommendation either later in this meeting or next week. Commissioner Cox seconded the motion. So ordered.

RE: BOB FORTUNE...DATA PROCESSING

Mr. Fortune said he has nothing further to report, that he is still looking for additional space and progress is being made toward that end.

RE: COUNTY ATTORNEY....DAVID JONES

Mr. Jones said that he and Mr. David South will be meeting tomorrow afternoon with Engineer Associates and the Director of the Indiana Department of Highways on the St. Joe Avenue and Lynch Road projects.

RE: MR. ARTHUR KARCH..5401 POLLACK AVENUE

Mr. Karch said he appeared before this board a couple of months ago and the problem has not been solved, that the county keeps grading Old River Road, that it is on a slant so it keeps pushing the rock out into his field. He said this is on the south end of Green River Road and he owns all the property on both sides.

Also he would like to talk about the Aiken Ditch, that it is filled up in one place and all the water backs up in his field. He is wondering if he would get a contrator out there to clean it out, would the county pay for it. The ditch is so full of dirt that it is over the top of the culvert. He said the ditch was mowed this year but the dirt needs to be cleaned out, and this is around the 5400-5450 block of Pollack Avenue, on the south side.

The Commissioners instructed Mr. Jerry Linzy to meet with Mr. Karch and look the situation over and for him to take someone from the Surveyor's office also so that the Aiken Ditch problem can also be resolved as the same time.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was submitted from Ed Lander, Robert Miller and Leroy McNary for a dance on December 24-26, 1981 at the Convention Center. Report received and filed.

RE: AGREEMENT COUNTY CORONER & PATHOLOGY SERVICE

President Willner said we have an agreement between Vanderburgh County and Pathology Laboratory Services, Inc., in the amount of $20,000.00 for the year 1982. Mr. Willner said this agreement also has to go to the County Council. This is for all autopsies performed by the pathologist for the county.

The agreement was referred to Mr. Jones.

RE: ORDINANCE TO ABOLISH COUNTY PARK BOARD

Mr. Bill Harty, President of the Westside Improvement Association, was present and asked to be heard at this time. He said he is present to protest the ordinance to abolish the Burdette Park Board. His question is that if the park board is abolished, then who will run the park, will the County Commissioners, and if so, do you have enough time to do it, because he knows all of the Commissioners have other jobs and responsibilities. He said Burdette Park is an excellent park, that it is very well kept and we see this abolishment as being the first step to merger with the City Park Board and they cannot go along with merging a fine park like Burdette into a city system that is presently in dire financial trouble right now, so he, and the ones he represents, would ask that the Commissioners please leave the Burdette Park Board as it presently is, that it is well run, well maintained and they can see no benefits whatsoever in abolishing it. Nothing, but nice things have ever been said about Burdette Park.

President Willner said first of all, who will run the park, we have no changes planned at Burdette Park at the present time, that Mr. Wolf will continue to run the daily operations there. He said the County Commissioners will oversee the park on a weekly basis instead of the park board's monthly basis. He said each Monday, Mr. Wolf will report to the County Commissioners as do other departmentheads, and he thinks this will make for much better management. We are presently looking at a deficit of over $400,000.00 this year. He has talked to Mr. Wolf, who is in the hospital and could not be here tonight and Mr. Wolf also has a lot of ideas for the betterment of the park and he thinks the Commissioners would be greatly amiss not to take into account Mr. Wolf's recommendations.
He said he would like to have an advisory board, as far as citizens participation and he thinks we will have a much better system than we do now, and he will certainly work toward that goal.

Mr. Harty asked if there is anything else operating in a deficit in the county and Mr. Willner said yes we have the Convention and Visitor's Bureau at the Auditorium and the Auditorium is in the red and we are certainly working toward getting it out of the red, as is Mr. Conrad Cooper, the Manager of the Auditorium.

Mr. Harty said this eases his mind and he will report back to his board after the first of the year, that they have a saying in the west side "if you can't help us, please don't hurt us".

City Auto Salvage.....Complaint from West Siders

Mr. Harty said he would like to briefly mention that they, on the west side, have a dire problem with a junk yard, that being City Auto Salvage, on Hogue Road, in the 4100 block. He said this auto salvage is now up for re-zoning and he would like to say they have never been in compliance with zoning laws, since it was first opened. The neighborhood is real mad over this and he has a signed petition that he will present when this rezoning comes before the Commissioners for it's hearing. They would like to see this place closed as a public nuisance, because it has always been a health hazard, a fire hazard and a general nuisance. There are records on file where they have had several fires. The buildings are not up to code, as they are falling down. They have a portable toilet and he feels sure they are not tapped onto the sewer system and they certainly should be. They also have a trailer on the property which he feels sure they do not have a permit for. When they crush the vehicles and haul them out, they leave mud out on Hogue Road, which is also a safety hazard to the public. This place is just a general nuisance to the people on the west side and we would join together and ask that the business be shut down.

President Willner said this petition was withdrawn from our December 21st meeting and he asked Mr. Harty if he know why.

Mr. Harty said yes, they are going around trying to get a counter petition, but he has had several people call him and tell him they would not sign it. Several people intended to attend the meeting on the 21st. but was notified it was postponed.

President Willner asked Mrs. Cox how the Area Plan voted on this particular petition and she said they turned it down eleven (11) to zero (0).

President Willner said certainly Mr. Harty's presentation and the recommendation of the Area Plan Commission will weigh heavily on the Commissioners and thanked Mr. Harty for attending the meeting and for his input on the matter of Burdette Park and appreciates his concern and welfare of the community.

Ordinance to Abolish Burdette Park Board....Continued

Commissioner Cox said the Ordinance states that the Board of Commissioners of Vanderburgh County desires to reject the provisions of I.C. 17-2-76, as amended, (Burn's Code Edition) and declare the abolition of the Vanderburgh County Park Board and further desires to assume authority to exercise jurisdiction and power over county parks and park facilities in a more efficient and economical manner. She feels this is very vague, that she was interested in the point brought out about a citizens advisory committee, but this ordinance says nothing about that, but where it states in a more efficient and economical manner, she would like to know what that means, that what is going to change economically. The Ordinance also says we are going to appoint a Parks Manager, do we have a job description for this person, that it says their duty is to handle funds received or disbursed in the operation of the park. If we are going to have a Parks Manager, then we need a job description, because we won't know if he is doing his job, or not. If we are going to have a citizens advisory committee, then she would like to see it spelled out in the Ordinance, that this is the first she has heard about it.

Commissioner Borries said having served on this park board he too shares concerns and he would like to give Mr. Harty his assurance and that one thing we find out while in public office is the dynamic things that move this county and state do not remain the same, that things do change and the Home Rule Bill certainly changed things for a lot, in regards to our local government. When you have a six (6) member board, three (3) of whom sit on it by virtue of their offices they hold, a member of the County Commisisoners, a County Councilman and the County Extension Agent, then you do not have, in his opinion, the adequate room for citizen input. The Park Borad did not meet in May or June of this year primarily because the six (6) members could not get together. In September they did not have a quorum, so they could not conduct any business, they postponed some important business and when the October meeting came again they had no quorum. Also when you have a six member board there is no way to break a 3-3 tie, therefore, he thinks any board we choose to have should be an odd number board.
He feels Mr. Harty should be commended for his concern and he would like to assure the people he represents that at this time we are in no case talking about the decline of Burdette Park, that we are talking about some changes that have been mandated by state statute. He said as an east side resident and as a city resident, he would say that 78% of the people that pay for Burdette Park are city residents and whatever the outcome

of what the Peterson Report will be, has to be determined, what will be the future there, because there is a considerable gap between the budget and the revenue there. We may not be talking about a totally profit making organization in regards to the government and the services it provides, but none the less, we are concerned about a more efficient and economical manner. Dr. Peterson's report brought out, for example, should the cabins be open for rental in the winter time and should even the park be open. He would think though, that if we get too specific in an Ordinance of this type, we could really run into some problems. He said on the city merger, perhaps the City would not even be willing to enter into an agreement, so really, there are a lot of questions to be answered. He feels the committee should be a truly representative board with citizens occupying all of the positions and not just three of them and the situation no longer being where there could be a 3-3 tie.

President Willner said according to the report by James Peterson, the advisory board that we select should also meet with the city and assertain if it is economically feasible to merge Burdette with the City Parks. In his own personal estimation...it is not feasible, but he would certainly want citizen participation into that matter also. He wants to see Burdette up-graded and he would like to see the deficit come closer in line to everyone's expectations. He spoke at great lengths with Dr. Peterson about this and he was astonished that the deficit was so large. We must look at the long range financial picture at Burdette Park. He thinks where the Ordinance states further desires to assume authority to exercise jurisdiction and power over county parks and park facilities in a more efficient and economical manner, is exactly what he had in mind and if one appointment to the committee from each district is not sufficient, then we will appoint two from each district, that he sees no real problems there.

County Attorney David Jones said it would be his recommendation that the advisory board be created by Resolution, inasmuch as it appears that it would have a sunset nature to it, that when it reaches some kind of a recommendation that it has acted on, it might expire, so in any event, he would keep it separate from this Ordinance, since this thing is simply a trigger, that it simply wipes the slate clean, and that is all it does. With respect to the job description, it is in existence, that it is the existing job description for what Ray Wolf does right now and the language in this Ordinance is exactly the language taken from the former statute which is being abolished, it quotes ver-batim the duties and functions and the job description of the parks board manager. The only difference is that you have eliminated that layer which is a board and that the park's manager will report in here weekly, directly to the County Commissioners.

Commissioner Borries moved the Ordinance of Board of County Commissioners of Vanderburgh County Abolishing County Park Board, be approved on the first reading, and that it be properly advertised in the Courier and Press. Commissioner Cox seconded the motion, which carried with the following votes.
Commissioner Borries.....Yes
Commissioner Cox.....No
President Willner.....Yes

RE: DISCUSSION OF COUNTY PERSONNEL POLICY

President Willner said as we are all aware, the County Personnel Policy goes into effect January 1, 1982, for all those elected official who choose to adopt the policy. He would like to know if all the Commissioners are still in general agreement of the policy or if anyone should wish to see some changes be made in it, or any up-dating done to it.

Commissioner Borries said it would be his concern and he would hope the Commissioners acted in a sincere fashion by trying to set a uniform standard, where before, there was confusion. He would like to commend the work of County Attorney David Jones in drafting what he believes to be a very comprehensive policy and he would hope that all officeholders in the county, particularly elected officeholders will adopt the policy.

Commissioner Cox said we should get something out to the officeholders and get some input into this policy, as to whether or not they intend to adopt it, and if they do want to, then we can get copies of the policy to their employees. She has not received any indication from any officeholder as to what their intentions are.

President Willner said a letter will go out of the Commissioners office to each department head, with a copy of the personnel policy, requesting their input and to give us some indicaion as to whether or not they intend to adopt the policy.

Mr. Jones said in this letter to the official he would recommend if they choose to adopt the policy that they should affix their signature to the original policy, on file in the County Auditor's office, and that will then become an official record of who accepts it.

Mr. Jones said the department heads are under the jurisdiction of the County Commissioners so they are bound to accept it, but the elected officials are different.

President Willner said Mrs. Meeks will get the letter out and perhaps we will have a report in a week.

RE: LORETTA TOWNSEND....WEIGHTS AND MEASURES

Mrs. Loretta Townsend was present and said she had discussed with Margie Meeks the position voted upon by the County Council and allowed her another employee. She has submitted a name to Mrs. Meeks and she wants to know if it is okay to have this person start to work this next Monday. She believes there is a question on whether this person receives benefits or if she will be part time. She understands the Council allowed $9,000.00 for the position and no benefits. Councilman Taylor informed her this position would be in the Commissioners budget under a #128 account, that it would be for about $8,600.00 plus the benefits. She needs to know if this person will be full time or part time.

County Auditor Alice McBride said in looking at her records the County Council did allow $9,000.00 for this position however she does not know if this includes the benefits or if the person will be paid the full $9,000.00 plus the benefits.

Mrs. Townsend said her first impression was the $9,000.00 did not include the benefits, that they were hoping the city would pick up the benefits....but we found out they won't.

President Willner said he was not made aware of this matter and since there is some confusion about it, he would ask that Mrs. McBride check this out, find out how much the benefits would amount to and give this board a report next meeting, after a clarification from the Council.

RE: CLAIMS

A claim was submitted by Grove, Miller & Krohn, for legal services rendered, in the amount of $2,426.62. (Itemized statement attached)
President Willner said he has reviewed the claim and is in agreement with it.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by David L. Jones for contractual services rendered in connection with law suits, in the amount of $970.00. (Itemized statement attached)
President Willner said he reviewed the claim and feel it to be fair and just.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

A claim was submitted by the Pigeon Township Trustee for six (6) Welfare Board Meetings in a six (6) month period @ $25.00, for a total of $150.00.
There was a note attached from the Auditor's office stating this is alright to pay, that a claim for the first six (6) months meetings were paid on July 27, 1981.

Commissioner Cox moved the claim be allowed. Commissioner Borries seconded the motion. So ordered.

The following claims were submitted by the Evansville Courier and Press, for legal advertisements.

Evansville Courier for Notice to Bidders on most used office supplies....$14.63
Evansville Press for Notice to Bidders on most used office supplies.....$14.63

Evansville Courier for Notice to Bidders on dual purpose xerographic paper.....$15.18
Evansville Press for Notice to Bidders on dual purpose xerographic paper.....$15.18

Commissioner Cox moved the above claims be allowed. Commissioner Borries seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

KNIGHT TOWNSHIP ASSESSOR

Shirley Oglesby	Village Green Apts.	Deputy	$9,160.00 Yr.	Eff: 12-21-81

CIRCUIT COURT

Betty M. Craig	514 S. Grand Ave.	P/T Bailiff	$3.35 Hour	Eff: 12-21-81
Margaret E. Bitz	514 Lewis Avenue	P/T Bailiff	$5.50 Hour	Eff: 12-21-81

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Albert Knarian (201-2120)	Greaseman	$6.48 Hour	Eff: 12-23-81

RE: EMPLOYMENT CHANGES.....RELEASES

CIRCUIT COURT

Margaret E. Bitz	514 Lewis Avenue	P/T Bailiff	$5.00 Hour	Eff: 12-18-81

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Albert Knarian (201-4120)	Greaseman	$6.48 Hour	Eff: 12-23-81

RE: BLUE CROSS/BLUE SHIELD....MASTER POLICY

President Willner read the following letter, dated December 17, 1981.

Dear Mr. Willner, Acct. #01-23160, 01-23705, 01-23739

Enclosed are your new Blue Cross and Blue Shield of Indiana Master Policy documents which are effective January 1, 1982. These documents should be inserted into the existing Master Policy.

Also enclosed is your new Blue Cross and Blue Shield of Indiana Master Policy which outlines the dental benefits and fees effective January 1, 1982 for account #01-23160.

We join our Sales Representative, David Stumpf, in expressing our appreciation for the opportunity to serve your organization.

Sincerely,
Donald J. VanDyke, Vice President
Customer Administration Division

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President Willner gave the policy to Mrs. McBride, County Auditor, to be filed in her office with the other insurance policies.

RE: FIRST COMMISSIONERS MEETING FOR 1982

President Willner said he needs a clarification from the County Attorney about holding the first commissioners meeting of 1982 on January 4th. instead of January 1, 1982.

Mr. Jones said he sees no problem with the Commissioners meeting the first regularly scheduled working day of 1982, which would be January 4, 1982.

All of the Commissioners were in agreement.

There being no further business, the meeting adjourned at 4:05 p.m.

RE: MEETING RECONVENED AT 4:15 P.M.

After the meeting had adjourned it was discovered there were two (2) bids that were erroneously omitted from the meeting, that they were discovered on the file cabinets in the County Auditor's office. One of the bids had been submitted to the Auditor's office at 8:55 a.m. and the other one at 9:15 a.m. on December 28, 1981.

President Willner consulted the County Attorney, David Jones, on whether the meeting could reconvene and Mr. Jones said that yes, it could.

Mr. Jones proceeded with opening the bids and read them aloud. They were as follows:

ANGEL EXCAVATING

Slate Road Bridge	$32,969.20	
St. Joe Avenue Bridge	$97,584.70	
Happe Road (a)	$15,018.00	
(b)	$11,807.00	
(c)	$13,576.00	(Bid in order)

KEY CONSTRUCTION COMPANY, INC

Slate Road Bridge	$29,067.60	
St. Joe Avenue Bridge	$85,083.90	
Happe Road (a)	$15,620.00	
(b)	$11,860.00	
(c)	$13,460.00	(Bid in order)

President Willner said that Mr. Guillaum should contact the bidders, who's bids were read earlier in the meeting and inform them of the two above bids and see if there are any objections.

Mr. Jones said if there are any objections, then all bids can again be read aloud at the next Commissioners meeting, that there would be no problem with it being done that way.

Meeting adjourned at 4:30 p.m.

PRESENT:	COUNTY COMMISSIONERS	COUNTY AUDITOR	COUNTY ATTORNEY
	Robert L. Willner Richard "Rick" Borries Shirley Jean Cox	ALice McBride	David Jones
SECRETARY:	Janice Decker		

Robert L. Willner

Richard J. Borries

Shirley Jean Cox

BOARD OF COUNTY COMMISSIONERS