

AGREEMENTS AND CONTRACTS

|   |     |
|---|-----|
| agreement renewed - Soil & Water Conservation Dist.                           | 41  |
| Inter Local Governmental Agreement  | 47  |
| Agreement received from Laura Dellhausen to cut down trees.                   | 69  |
| Agreement renewal with Teamsters union  | 85  |
| agreement renewed - Soil & Water Conservation Dist.                           | 237 |
| Agreement on Engineering - scope of services - Burdette                       | 294 |
| Agreement - Domesticated Animal & Poultry Disease                             | 304 |
| Agreement signed with Ind. State Bd. of animal health                         | 332 |
| Agreement - Inter-Local Governmental - City-Co - Joint Dept of Legal Services | 384 |
| agreement renewed - Soil & Water Conservation Dist.                           | 469 |
| Engineering Agreement approved for Eickhoff Rd.                               | 507 |
| Agreement approved for appointment of County Home                             | 532 |
| Agreement signed - Volunteer Action Center                                    | 625 |
| Contract of Agreement on Engineering on Burdette Park                         | 651 |
| agreement renewed - Soil & Water Conservation Dist.                           | 651 |
| Agreement on Interlocal Governmental Coop Agreement                           | 662 |

|   |          |
|---|----------|
| Amendment to Master Control Code          | 412      |
| Amendment to the county code              | 310      |
| Auction on Mo-Trim                        | 211      |
| Annual operation report.                  | 78       |
| Amendment to the County Zoning Ordinance. | 58       |
| Accident release discussed - Mr. McRoy    | 139, 147 |
| Amendment to zoning ordinance             | 321      |

## APPROVALS

- 6, approval of ditch cleaning - Bonnieview + Burkhardt  
 17, approval of 4-way stop at Brehne Camp + Hogue Road.  
 115 approval to erect signs by Rural fire plugs.  
 118 approval of comprehensive water + sewer plan  
 189 approval on accepting payment from Mr. McRoy.  
 214 approval of payment for repairs - Budette Park.  
 232 approval to make application to state  
 348 approval of Mr Willard going to Ohio for surplus machinery  
 382 approval of plans for Bridge off Callacks Ave  
 389 approval of Fire Extinguishers for County Bldgs.  
 392 approval of Eagle Sloughs culvert  
 398 approval of trip expenses for Mr. Volpe, co. auditor  
 450 approval of machine trade - Treasurer  
 533 approval to give Mr Hove deed on land where he lives - 715 SE Third St.  
 642 approval for reduction of retainage fees on E.A.R.C  
 665 approval of R+S on structure #148 - Upper Mt Vernon.

- 183 Application for R+S Funds for Old State Rd overpass  
 361 Application for R+S Funds for drains at Lincoln + Burkhardt  
 491 Application for R+S Funds for Bridge - Upper Mt Vernon Rd  
 491 Application for R+S Funds for Bridge - over Bayou Creek  
 496 Application for R+S Funds for bridges #122 + 123.

- APPEALS: 13, appeals presented for approval of Commissioners  
 15, appeal of budgets approved  
 412 Air Raid siren given to Civil Defense

APPOINTMENTS

|  |     |
|--|-----|
| of James R. Pearson as appraiser - Parkland Annex          | 14  |
| of Bob Rickard as R/w buyer on Mt. Pleasant Road           | 18  |
| appraiser - Robert Goff - named to appraise property       | 28  |
| appraiser Mr Rich appointed for St. Joe property           | 45  |
| appointments made by Comm for 1973                         | 87  |
| appointment to C.A.P.E. Board                              | 150 |
| appointment to Airport Authority                           | 292 |
| appointment of Bldg. Authority Trustee                     | 330 |
| appointments for trash program 376-377                     | ←   |
| appointment to Air Board - of John S. Gunn                 | 380 |
| appointment to Library Board - Barbara MacGregor           | 388 |
| appointment of members of Legal Services                   | 394 |
| appointment of Jail Physician - Rosenblatt                 | 413 |
| appointment of Jail Physician Dr George F. Berry           | 434 |
| appointment of Health Officer                              | 449 |
| Re-appointment of Don Stuckei to Budette Park Board        | 456 |
| appointments made for 1974                                 | 475 |
| appointments made to Joint Purchasing Board                | 488 |
| Appointment of Bill Cassenberg to the Alcoholic Bev. Comm. | 554 |
| Appointment of Bob Hertzberger as manager of Budette Pk.   | 590 |

Appraisals & Appraisers

|  |     |
|--|-----|
| appraisal report by Mr. Reid on land at Budette Park             | 82  |
| Appraiser named for Old State Rd project                         | 109 |
| Re appraisal approved for property on St. Joe <sup>3-73-74</sup> | 119 |
| appraisals have awarded damages on St. Joe                       | 140 |
| Appraiser appointed for properties at Eagle Slough               | 148 |
| appraisal fees discussed   | 150 |
| appraisals of County-owned property                              | 255 |
| appraisals on St. Joe Ave. discussed                             | 347 |
| appraisals appointed for St. Joe property                        | 501 |
| appraisals ready by Co. assessor for advertising county land     | 533 |

- 3, authorized to advertise for Budette Park Building
- 18, authorized to advertise for repair of streets in Melody H. Ellis
- 22, authorized to advertise for removing structure under Melby Drive
- 44, authorized to advertise for bids on station wagon
- 45, authorized to advertise for installation of pipe - Old State Rd.
- 119 authorized to advertise for tractors for Highway.
- 151 authorized to advertise for 4 cars - Sheriff's Dept.
- 160 authorized to advertise for station wagon - Pleasantview
- 160 authorized to advertise for tandem roller - Highway
- 165 authorized to advertise for demolition of buildings
- 178 Invitational bids request approved - filters for Budette pool.
- 184 Ad clarification, of M. Crooks by M. Valpe.
- 353 authorized to advertise for bids on bridges on Kuebler, Koiff + Allens Rd
- 362 authorized to advertise for bids for resurfacing roads.
- 366 authorized to advertise for improvement of Middle Mt. Vernon Road
- 389 authorized to prepare specs + advertise to tear down Annex
- 411 authorized to advertise for repairs to Graff + Murrenbaum Rds
- 420 authorized to advertise for Oak Grove Rd project
- 425 authorized to prepare specs for demolition of Beckner Bldg.
- 451 authorized to advertise for printing bids
- 489 authorized to advertise for equipment + furnishings for E.A.R.C.
- 557 authorized to advertise to move voting machines - Primary of 1974
- 595 authorized to advertise for bids on bridges on Upper Mt. Vernon Rd.
- 658 authorized to advertise for resurfacing of county roads.

**A**



# Bids

|  |     |
|--|-----|
| Bid Tabulation for service facility at Burdette Park                                   | 33  |
| Bids on Certificate of Deposit   | 52  |
| Bids received for supplies for 1973  | 52  |
| Station wagon for the Welfare Dept.  | 61  |
| Installation of Pipe on Old State Rd.  | 61  |
| Sanitary Supplies, Printing Bids & Aluminum Pipe                                       | 62  |
| Invitational bids requested on Revenue Sharing money                                   | 67  |
| Invitational bid from Denton Stahl - Frolich Creek                                     | 69  |
| Bids on County supplies, groceries etc. rejected for 1973                              | 99  |
| Bids received for tractors for Hwy. Dept.  | 151 |
| Bids received for filters - swimming pool - Burdette                                   | 170 |
| Bids discussed for filters at Burdette pool  | 173 |
| Bids opened on Sheriff's 4 cars  | 187 |
| Bids opened for demolition of Boehne Buildings   | 187 |
| Bids discussed for resurfacing of roads  | 242 |
| Bids opened for Eichhoff Road study  | 247 |
| Bids opened for backhoe  | 265 |
| Bids opened for road construction  | 265 |
| Notice to Bids approved for advertising for bridges                                    | 285 |
| Bids opened on Eagle Slough -  | 300 |
| Bids opened for bridges on Allens Lane + on Kuebler Rd                                 | 366 |
| approved to advertise for purchase of Station wagon - welfare                          | 393 |
| approved to advertise for trucks for Hwy. Dept.  | 393 |
| Bids received for demolition of smoke stacks, boilers <sup>annex +</sup>               | 414 |
| Bids received on Bridges - Lynn Becker + New Green River Rd                            | 415 |
| Bid received for station wagon for welfare Dept.                                       | 415 |
| Bid received on trucks for Hwy Dept.   | 415 |
| Bid rejected for trucks for Hwy Dept.  | 418 |
| <del>Bids received on storm</del>  |     |
| Bids opened for Improvement of Storm Drainage <sup>Lincoln +</sup> <del>Juguanay</del> | 418 |
| opening bids for trucks for Hwy  | 429 |
| opening bids for Imp. of Oak Grove + Hirsch Ditch                                      | 429 |
| Late Bid received for Hwy Dept. trucks returned  | 437 |
| approved to advertise for sanitary sewer - Burdette                                    | 440 |
| approved to advertise for sheriff's cars   | 440 |
| Bids opened on Sheriff's cars  | 456 |
| Bids opened on supplies for 1974 - taken under advisement                              | 460 |

## Bids

|   |     |
|---|-----|
| Invitational bid from Key Motors on trucks.                   | 461 |
| Bids received for construction of sewer                       | 465 |
| Bids received on bridges - Trapp Rd. + Ruston Lane            | 466 |
| Bids received on printing + office supplies                   | 469 |
| Bids received for 1974 supplies                               | 487 |
| Invitational bids received on a car for Coroner, 500,         | 489 |
| Invitational bid approved for carpet for Hillcrest - Wash.    | 493 |
| Rejected Bids for 1974 supplies - checks + bid bonds returned | 494 |
| Bids received for the equipment's furnishings for E.A.R.C.    | 504 |
| Bids received for Co Hwy employees uniforms                   | 510 |
| awarding of contracts for equipment + furnishings, E.A.R.C.   | 510 |
| Bids received on Bridges #122, 123, + 126.                    | 570 |
| awarding of contract on demolition of Boehne Building         | 664 |



BIDS -- RECEIVING AND AWARDING & Rejections

|  |     |
|--|-----|
| Bids awarded for Construction of Mental Center   | 1,  |
| Bid of Connie Garnett awarded for painting pool at Burdette.                                 | 6,  |
| Bid of Addressograph-Multiograph Corp. for machine of Auditor awarded                        | 7,  |
| Awarded to various co's to move voting machines.   | 7,  |
| Bid forms signed of awarded Company's for Mental Center                                      | 15, |
| Bids opened for Central facility at Burdette   | 19, |
| Bids on certificate of deposit -   | 30  |
| Bids opened for repair of street - Melody Hills  | 31  |
| Bids opened & awarded on pipe under Dixiel Drive   | 35  |
| Bids opened for Heddon Rd. project.  | 36  |
| Bids awarded for Sheriff's 4 cars  | 193 |
| Bids awarded for demolition of Boekne Bldg.  | 193 |
| Bids opened for station wagon for Pleasantview   | 194 |
| Bids opened for roller for County Highway  | 194 |
| Bid awarded for station wagon - Pleasantview   | 199 |
| Bid awarded for roller - County Highway  | 199 |
| Invitational Bid awarded to Mr. Peters - Cloverlawn ditch                                    | 235 |
| Bid awarded to Universal tractor sales for backhoe   | 270 |
| Bid awarded to J. H. Rudolph for Road Resurfacing  | 272 |
| Bids awarded for Certificate of Deposit - Treasurer  | 293 |
| Bid awarded to Barnett Bros. - 2 bridges over Eagle Slough                                   | 306 |
| Bid awarded for Allens Rd. Bridge  | 369 |
| Bid awarded for Kuebler Rd. Bridge   | 369 |
| Bid awarded for resurfacing roads  | 369 |
| Bids awarded for Korb + Burschard's Bridges  | 375 |
| Bids awarded for Bridges Lynn Becker + New Green Rd.   | 417 |
| Bid awarded for station wagon for Welfare Dept   | 417 |
| Bid awarded for repairs to Staff + Murrenbaum Rd   | 418 |
| Bid awarded to George Ryan for Lincoln ave + Jugway sewer                                    | 424 |
| Bid awarded to Key Mts. for trucks for highway.  | 433 |
| Bid awarded for demolition of building at Boekne   | 440 |
| Bid awarded to Key Motors, in principle, for trucks  | 468 |
| Bid awarded to Sieg Bros. for sewer at Burdette Park   | 469 |
| Bid awarded to J. H. Allen for Bridges - Trapp Rd + Ruston La.                               | 471 |
| Bids rejected on uniforms, tires & tubes, Batteries & <sup>Sanitary Supplies</sup> Groceries | 487 |
| Bids accepted for Cold Mix, Bituminous, Steel + Aluminum pipe                                | 487 |
| Bids tabled on office Supplies   | 487 |

- 143 Buildings at Bolhne Hospital discussed
- 157 Boehne Lake discussed, 166
- 177 Barker Avenue underpass discussed
- 204 Billing from Telephone Co. for relocation of lines - E.A.R.C.
- 277 Boehne Lake fishing rules
- 597 Boehne Bldg & fishing at Boehne Lake

- 51 Bill from Engineer's Associates for study of <sup>3rd George</sup> overpass
- 435 Bill denied from Deaconess Hospital for A.R. Sennett
- 531 Bill from Telephone Co concerning ditch on Oak Hill Rd.

|  |          |
|--|----------|
| Filters for Burdette Park pool.                    | 177      |
| Burdette Park Sewer Lateral                        | 190,195, |
| Trying to get H.V.D. money to purchase land there. | 321      |
| Burdette Park Lake discussed                       | 594      |

|   |         |
|---|---------|
| Boehne Hosp - windows to be removed, also doors       | 617     |
| Boehne Lake - can't make signs of type needed         | 617     |
| Barber Ave project discussed                          | 594     |
| Boehne Hospital building - given up by Alcoholic Help | 443,470 |
| Boehne Lake needs cleaned                             | 356     |
| Plaque removed from Boehne Building                   | 431     |
| Bill from So. Railroad                                | 460     |
| Discussion of Boehne Hospital Building                | 479     |

Bids Cont.

- 564 Awarding of bid on water tank at Pleasantview Rest Home.
- 614 Opening of bids on Bridge #148. - also P. 628
- 615 approval to ask for bids for trucks for Co Surveyor
- 620 Contract awarded for moving voting machines for 1974 <sup>voting</sup> machines
- 627 Bids opened for van for Surveyors office
- 628 Bids to be advertised for resurfacing
- 634 Bids opened on Project of Bergdoll Rd.
- 637 approval to ask for bids for surplus items - Mr Hotz
- 656 Demolition Bids for Boehne Building.

|   |    |
|---|----|
| performance bond approved. - Connie Garnett | 28 |
| renewal of bonds for employees.             | 96 |

BRIDGES

|   |     |
|---|-----|
| Bids on Bridges on                                |     |
| Problem on St Joseph Ave. bridge                  | 122 |
| Plans presented for 3 bridges at Eagle Slough     | 148 |
| Complaint on bridges in German Township           | 155 |
| Bridge on St. Joe - area Plan study               | 164 |
| Bridge on old Henderson Rd                        | 176 |
| Barker Ave. underpass                             | 177 |
| approval of plans for old State Road overpass     | 183 |
| Bridge funds discussed                            | 192 |
| Bridges that need repaired badly.                 | 196 |
| Guard rail needed - Carpenter Creek bridge        | 196 |
| Mr Nussmeyer presented a list of proposed bridges | 213 |
| St. Joe Ave. Bridge                               | 233 |
| Bridges discussed - RE; Eagle Slough              | 250 |
| Bridges discussed as to weeds                     | 251 |
| Bridge over S Damstadt Road                       | 294 |
| Bridge accepted over Damstadt Rd (B+N)            | 310 |
| Bridge Fund tap rate set                          | 320 |
| Bridge accepted over Damstadt Rd.                 | 327 |

## Bridges - Con't

- 331 Allens Lane Bridge - Emergency declared
- 353 Bridges for Kuebler, Road, Roff + Allens Rd
- 356 Buena Vista Bridge
- 378 Bridge survey presented
- 426 Bridge report by Mr. Nussmeyer
- 444 Problem on bridge at Eagle Slough
- 471 Bridge + Road Contracts Report
- 483 Mr. Nussmeyer asks transfer of funds for 3 bridges
- 496 Final report on bridges #201 + 202 + 203
- 497 Bridges on N. Ky. Ave discussed
- 514 St Joe Ave bridge discussed
- 547 Bridges on Hwy 41 south discussed
- 583 Buena Vista Road Bridge discussed.
- 584 Bridge on Hwy. 41 South - State wants to abandon it.
- 602 Old State Road Bridge - Hearing set
- 622 Interest shown in purchasing bridge on 41 South
- 628 Bids received on Bridge #148

**B**



## Contracts

- 21, Contract discussed of facility at Boudette - not enough money.
- 35, Contract awarded for repairing streets - Melody Hills Sub.
- 68, Contract awarded for pipe on Old State Road.
- 160 Contract awarded for 2 tractors + mowers
- 189 Contract awarded for filters at Boudette Park.
- 235 Contract for voting machine rental to F.O.P.
- 274 Contract approved of 2 deputies working at Boudette Park.
- 379 Contract signed with Taylor Bros. on Buskhardt Rd. bridge.
- 419 Contract awarded to Valley Wrecking Co. for demolition of smoke stacks - annex to
- 440 Contract awarded for Oak Grove Imp. to Feigel Contr.
- 456 Contract on Purchasing
- 465 Contract awarded on Sheriff's cars
- 490 Contract approved with Teamsters Union for Co. Hwy. Dept.
- 517 Contract awarded to Means for Co. Hwy. uniforms
- 579 Contract awarded for bridges #122, 123 + 126.
- 644 - Contract from H.C. Mitting - Engineering Survey
- 658 Contract awarded to Alvey Scott for Co. Surveyors van.
- 666 Contract awarded to Barnett Bros. for Bridge #148

212 Check received from Dumes Bros. for batteries purchased from Co.

## Culverts

288 Partial list of jobs that haven't proper culverts

|   |     |
|---|-----|
| Claim from Ja So Electric Co. - Budette Park Central Service                        | 229 |
| Claim from Ind. Disposal Serv. Inc. for April                                       | 238 |
| Claim from Terminal Warehouse, Inc. - <sup>voting</sup> machine storage             | 238 |
| Claim from Condict & Fosse for fee - E.A.R.C.                                       | 239 |
| Claim from Burkett Walton approved  | 239 |
| Claim from Sheriff for meals of prisoners   | 247 |
| Claim from Health Dept for overpayment of Social Security                           | 247 |
| Claim from Paul Hatfield for appraisal - St. Joe, Ark                               | 256 |
| Claim from Evansville titles for partial abstract of title                          | 256 |
| Claim from Torian Ins. Co. - Ins. on boat & trailer                                 | 256 |
| Claim from Mr. Fred Johnson on Twickenham Dr.                                       | 258 |
| Claims on rental of county building.  | 265 |
| Claim from Good Samaritan Hospital for T.B. patient                                 | 266 |
| Claim from Terminal Warehouse for storing <sup>voting</sup> machines                | 272 |
| Claim from McCray, Clark & Stitham & McCray - legal services                        | 273 |
| Claim from Gas Co - Evansville Assn. for Retarded Children                          | 273 |
| Claim from Deig Bros. - filter - swimming pool - Budette Park                       | 273 |
| Claim from Clyde Williams & Assc. - per contract - Budette Park                     | 273 |
| Claim from Condict & Fosse, architects - <sup>Comp. mental</sup> Retardation Center | 273 |
| Claim from A.T.E.C. Assc. - Barker Ave. underpass.                                  | 274 |
| Claim from Torian Ins. Co. - Bond covering Treasurer                                | 274 |
| Claim from Indiana Disposal Serv. - Dumpster Service                                | 283 |
| 4 Claims for Retarded Children - Comp. Retardation Center                           | 284 |
| Claim from ATEC Assn. Inc. - Soil & Foundation                                      | 284 |
| Claim from Co. attorney Swain - Drainage Bd. attorney                               | 284 |
| Claim from Sheriff Riney for prisoners meals  | 284 |
| Claim from Lillian Carnaghi - R/w Eagle Slough                                      | 286 |
| Claim from Ora Sweeney - R/w Eagle Slough   | 286 |
| Claim from Mr. Jay Welch for services - R/w for bridge                              | 294 |
| Claim from Torian Ins. Co. for boiler & machinery                                   | 294 |
| Claims from Bill Nip, Ja So Electric, Sandleben & Harnett - Budette                 | 294 |
| Claims for appraisals & R/w - old State Rd. overpass                                | 295 |
| Claim from Co. attorney Stephens for Drainage Board att.                            | 297 |
| Claims for St Joe R/w from Walter Day & Paul Bitz                                   | 304 |
| Claim from Johnson Constr. Co.  | 304 |
| Claims from Building Commissioners office <sup>40%</sup> contribution               | 309 |
| Claim from Terminal Warehouse - voting machine storage                              | 309 |
| Claim from Multigraphics for supplies   | 309 |
| Claim from the city for 25% of Purchasing Dept.                                     | 316 |

- 316 Claim from the city - 42% contribution - Wgts + Measures
- 316 Claim from the city - 14% contribution Traffic Eng. Budget
- 316 Claim from the city - 40% contribution Bldg. Comm.
- 317 Claim from Condict + Josse architects Retardation Center
- 317 Claim from Ind. Disposal Serv.
- 317 Claim from Southwestern Ind Mental - 50% operational expense
- 317 Claim from Conair Sew. Inc. - ambulance - Tom McEraw
- 317 Claim from Contractors Sheet Metal + Roofing - Hillcrest
- 318 Claim from Richard Realty for - Middle Mt Vernon Rd.
- 318 Claim from Esther M. Neville - Middle Mt. Vernon Rd.
- 325 Claim from Telephone Co for relocation of lines.
- 325 Claim from Biles Sewer Service - cleaning garbage disposal.
- 325 Claims from Sandelen Plumbing + Heating Co.
- 325 Claim from Mills - Wallace + Assoc. Building at Boudette Park
- 325 Claim from Sheriff Riney for meals of prisoners.
- 328 Claim from Mr Singer for inspecting of streets in Melody Hills
- 335 Claim from Mr Willard for travel expenses.
- 338 Claim from Condict + Josse for E.A.R.E.
- 338 Claim from Terminal Warehouse Co Inc. - rent on voting machines
- 339 Claims from Vand. Abstract Corp.
- 339 Claim from Barnett Bus. Inc. + J.H. Rudolph
- 344 Claim from Tourist Agency for bond.
- 344 Claims from City for Contributions
- 345 Claim from Ohio Valley Engis - Barker Ave.
- 345 Claim from Bill Nix Construction Co: Boudette work
- 346 Claim from Robert Goff - Burkhardt Rd purchases
- 346 Claim from Bob Richard for appraisals - Allens Rd.
- 346 Claim from Alexanders for easement
- 352 Claim for services to Clerk from Brinks Inc
- 352 Claims from Tom Swain, Ohio Valley Engis + from Sheriff for meals
- 354 Claims for easements on Burkhardt, Kuebler + Allens Rd.
- 355 Claim from Richard Realty for appraisals - Allens Rd.
- 362 Claims from Evansville Wet Heat, + Piping Co, Ind Disposal + Bill Nix Const. Co.
- 362 Claim + Easement from Alwah + Gladys Alexander - Allens Rd.
- 363 Claim from Bob Richard for appraisals - Allens Rd.
- 363 Claim + Easement from Doris + George Beck - Allens Rd
- 529 Claim from Terminal Warehouse for storage of voting machines
- 529 Claim from Browning Ferris Industries
- 529 Claim from Brinks

|  |     |
|--|-----|
| Two claims from Condict + Fosse on E.A.R.C.                  | 2,  |
| Claim of \$9,000 for postage                                 | 9,  |
| Claim from Mr. Mungen of \$25,00 for viewers fee             | 9,  |
| Claim from Richard Realty Co for \$250,00 + for R/W grant    | 10, |
| Claim returned - on uniforms for Co. garage employees.       | 17, |
| 3 Claims presented for Phases I + II on Red Banks Road       | 18, |
| Claim from Sheriff for meals of prisoners                    | 20, |
| Claim from James R. Pearson for appraisal fee.               | 27  |
| Claim from Robert Goff for appraisal of vacant lot           | 33  |
| Claim from Sheriff for meals of prisoners                    | 42  |
| Claim from Building Authority for rent                       | 43  |
| Claim from Elmer + Maude Davis - R/W of Green River Rd.      | 44  |
| Claim from D. N. Parker Co. for repair to Hebble Rd. Bridge. | 45  |
| Claim for mileage from Mr. May + Invention of it             | 50  |
| Claim for postage - postcards                                | 51  |
| Claims for R/W on Mt. Pleasant Rd. bridge project            | 51  |
| Claim from Richard Realty - appraisal R/W on Mt. Pleasant    | 51  |
| Claim from Mills + Wallace for work at Burdette Park.        | 57  |
| Claim for 6 voting machines                                  | 58  |
| Claim for Election supplies.                                 | 58  |
| Claim from West Sarah Mires R/W Heddon Road                  | 59  |
| Claim from Condict + Fosse for E.A.R.C.                      | 66  |
| Claim from Mills + Wallace for services at Burdette          | 66  |
| Claim from Engineers Assoc. Inc. for study of St. George Rd  | 66  |
| Claim from John Mans Inc. - diagraph work - Lynch Rd.        | 66  |
| Claim from Connie Garnett Contracting Co on Burdette pool    | 66  |
| Claim from Don Cop + Robert Goff - appraisal - Green R. Rd.  | 66  |
| Claim from Municipal Engineering - Heaters at Hillcrest      | 69  |
| Claim from Sheriff on meals of prisoners -                   | 71  |
| Claim from National Disposal Service Inc.                    | 93  |
| Claim from Terminal Warehouse - rent on voting machines      | 97  |
| Claim from City for gas + oil for Surveyor                   | 97  |
| Claim from Evansville Blue Print Co for Surveyor             | 97  |
| Claim from Don Cop + Assoc. for purchase of land             | 97  |
| Claim from W.E. Rich for property owned by Kissel's          | 97  |
| Claims from Torian Ins. Agency for official bonds            | 97  |
| Claim from National City Bank for County's rent.             | 97  |
| Claim from Gas Co. - Mental Retardation Center               | 99  |

- 103 Claim from S.W. Ind. Mental Health Center for rent.
- 109 Claim from Sieg Lumber & Constr. Co. for pipe on Melas Dr.
- 109 Claim from Sheriff Riney for prisoners meals.
- 115 Claim from Traylor Brothers - repair to Heckel Rd. Bridge
- 115 Claim from Southeast Engineering for balance on Volkman Rd.
- 120 Claims from Monarch Insurance Co - for bonds.
- 120 Claim from Condict & Fosse - Retarded Childrens Center
- 120 Claim from terminal warehouse for rent of voting machines
- 120 Comments on new claim that will come from P.E.R.F.
- 121 Claims from Quentin Stahl for ditch maintenance.
- 129 Claim from Sandleben Plumbing - Burdette Park
- 131 Claims from Burkett Walton for 1972 materials
- 138 Claim from Condict & Fosse - fee for Retarded Center
- 138 Claim from Sheriff Riney for meals of prisoners
- 139 Claim from Torian Ins. Agency.
- 140 Claim from Bill Nip Courts. Co. - Burdette Park
- 142 Claim from City for Central garage gas & oil
- 142 Claim from Mel Striffen's Sunoco
- 146 Claim from National Disposal for dumping
- 154 Claim from Slide Realty - appraisal - Burdette tracts.
- 154 Claim from Montoux Machine Co. - Repair to Equipment
- 154 Claim from Metro. Chamber of Commerce - subscription.
- 154 Claim from terminal warehouse. Rent - voting machines
- 154 Claim from Bobb's Merrill Co. - Burns Statutes.
- 154 two Claims from Ind. Disposal Pickup trailer rental
- 154 two Claims from Torian Insurance Co.
- 158 Claim against the State - State portion - Retardation Center
- 161 Claim from Condict & Fosse - E.A.R.C.
- 166 Claim from Mr Russell & Mr. Singy for road school expense
- 172 Claim from Sandleben Plumbing & Heating - Burdette Park
- 191, 172 Claim from State Hwy Comm. on Federal project
- 176 Claim from both County Attorney's - Master Control Plan.
- 182 Claim from Sheriff for prisoners meals.
- 188 Claim from Printing Corp. for advertising
- 195 Claim from Addressograph Corp - votes Registration
- 195 Claim from Condict & Fosse architects - E.A.R.C.
- 203 Claims from Bill Nip & Jado Electric for Central Services - Burdette.
- 212 Claim from Torian Ins. Agency
- 229, 221 Claim from Valley Wrecking Co. - demolishing buildings

Claims

|     |  |     |
|-----|--|-----|
| 366 | Claim from Barnett Bros. - Bridge on Old Green River Rd.                     | 366 |
| 367 | Claim from M. John Singer, Road Inspector for mileage.                       | 367 |
| 370 | Claims from Ohio Valley Eng. on Barker Ave underpass                         | 370 |
| 370 | Claim from Terminal warehouse - storing voting machines                      | 370 |
| 371 | Claim from J.H. Rudolph Co.  | 371 |
| 377 | Claim from Condit & Fosse, Architects - for E.A.R.C.                         | 377 |
| 377 | Claim from Brinks Inc. for County Clerk                                      | 377 |
| 377 | Claim from Indiana Disposal Serv. Inc.                                       | 377 |
| 380 | Claims on Ruston Road Project from Jay Welch                                 | 380 |
| 380 | Claim from Princeton Mining Co. - P/W on Ruston                              | 380 |
| 381 | Claim from Sheriff on meals of prisoners.                                    | 381 |
| 381 | Claim on hospital bill denied.   | 381 |
|     | Claim from Johnson Const. Co for Melody Hills                                | 381 |
|     | Claim from Barnett Bros. for bridge over Eagle Slough                        | 381 |
|     | Claim for final payment of Mt Pleasant Road.                                 | 392 |
|     | Claim from Ice, Miller, & Canadio & Ryan - <sup>study of</sup> attorney fees | 848 |
|     | Claim from Emerson Reid re appraisal of Park property                        | 848 |
|     | Claim from Bldg Auth for additional rent deferred                            | 848 |
|     | Claim from Southwest Engineers on Volkman Rd. Bridge                         | 840 |
|     | Claim from McCray, Clark, Statham & McCray on B. case                        | 840 |
| 2   | Claims from Condit & Fosse for E.A.R.C.                                      | 410 |
|     | from Feigel on Koring Rd - S. Hallen for Kuebler Rd                          | 411 |
|     | & from Seig Bros. on Allens Lane   | 411 |
|     | Claims from Feigel for Boonville - New Harmony - from John                   | 414 |
|     | Mans for Heddon Rd & from Barnett Bros. work over <sup>Eagle</sup> Slough    | 414 |
|     | Claims from the City Sewer Dept for sewer at Burdette                        | 419 |
|     | Claim from M & S Fire Equip for fire extinguishers Washington                | 419 |
|     | Claim from Seig Bros for Allens Lane - S.H. Allen for                        | 420 |
|     | Kuebler Rd & S.H. Allen for Koff Rd over Claude Ditch.                       | 420 |
|     | Claims from Torion Ins. Agency - auto coverage.                              | 423 |
|     | Claims from Torion Ins. Agency for Burdette - Terminal                       | 424 |
|     | warehouse for voting machine rental, Swanson Munn Elec.                      | 424 |
|     | Co, Kuebler Heating, Goodle Plumbing & Key Concr. (4) E.A.R.C.               | 424 |
|     | From Feigel for Lower Mt Vernon & Boonville - New Harmony Rd                 | 424 |
|     | From Harold J. Peter - Cloverlawn Sub ditch cleaning                         | 424 |
|     | Claims on Insurance for Burdette Park Buildings                              | 428 |
|     | Claim from Browning - Ferris Ind. for services                               | 430 |
|     | Barnett Bros. for bridge over Eagle Slough - S.H. Allen                      | 430 |
|     | for Koff Rd over Claude Ditch - S.H. Allen for Kuebler Rd                    | 430 |

## Claims

|          |   |
|----------|---|
| 435      | Claim from Sheriff Riney for prisoners meals                                      |
| 436      | Claim from John Singer for gas mileage  |
| 437      | Claim from G. Hallen for New Green River Rd over Eagle Slough                     |
| 437      | Claim from Robert Traylor for Burkhardt Rd over Boesche Cr. Tab                   |
| 442      | Claim from G. H. Allen - Huebler Rd & Korff Rd                                    |
| 442      | Bill from Southern RR Co.   |
| 451      | Claim from Feigel Const. Co. - Boonville - New Harmony                            |
| 451      | From G. H. Allen - Lenn - Becker + John Mann - Old State Rd.                      |
| 458      | From Terminal warehouse + from Valley Wrecking on bldg at Boehner.                |
| 459      | From Floyd Staub - Clover Drive / From Co for work on trucks                      |
| 470      | From Monarch Ins. Co for official bonds   |
| 471      | G. Hallen - New Green R. Rd / Barnett Bros. Bridges - Weinback + Old Green R. Rd. |
| 472      | From John Singer for mileage  |
| 482      | From Terminal warehouse Co - rent on Voting Machines                              |
| 483      | From Feigel Construction Co. for Oak Grove Rd.                                    |
| 489      | Claim from Browning - Ferris Industries for dumpster service                      |
| 490      | From Torian Ins. Co - Auditorium, Recorder, Treasurer + Coroner                   |
| 490      | From Clark, Statham, Mc Cray + Lowdy to defend county in case.                    |
| 490      | From Ohio Valley Sound for Cassette - Auditor's office                            |
| 490      | From Edward Vonderake Plumbing - refund   |
| 491      | From Robert Traylor for work on Burkhardt Rd.                                     |
| 495, 501 | Claim from Torian Ins. Co, treasurer  |
| 495      | Claim from Sheriff Riney for prisoners meals                                      |
| 498      | Claims for refunds of license fees  |
| 501      | Claims from Torian Ins. Co. on Auditorium   |
| 502      | Torian Ins. Agency on Area Plan, Clerk, - for performance bond.                   |
| 502      | Claims for refunds of license fees  |
| 502      | Claim from Sherrine Wilson, also from Hygie travel service.                       |
| 513      | Claims for refunds on license fees  |
| 513      | Claim from Condit + Fosse - E. A. R. C.   |
| 513      | Claim from Key Motors for trucks - Supt of Co. Bldgs.                             |
| 513      | Claims from Brinks  |
| 513      | Claim from Valley Wrecking Co - Smoke stacks etc - annex                          |
| 513      | Claims related to work done at E. A. R. C.  |
| 514      | Claim from G. H. Allen for work on Lenn - Becker Bridges                          |
| 514      | Claim from Hanson Testing + Engineering Co.                                       |
| 514      | Claim from G. H. Allen for work on Trapp Rd. Bridge                               |
| 514      | Claim from Curren Bridges for mileage   |
| 515      | Claim from Seig Bros. on bridge on Allens Lane.                                   |

# Claims

|   |         |
|---|---------|
| Browning-Ferris-dumpsters/Eng's assoc: Eichhoff Rd                                  | 466     |
| Robert Taylor Corp-Burkhardt Rd over Boesche ditch                                  | 466     |
| Feigel Const. Co.-Old Petersburg Rd.  | 467     |
| Claim for rents of county   | 475     |
| Claim against City & County for causing death of Paul E. Smith                      | 510     |
| Claims from Engineer assoc. - Eichhoff Road   | 519     |
| Claim from Torian Ins. agcy. - Hays, Welfare, <sup>Welfare &amp;</sup> General Fund | 519-520 |
| Claim from Clyde's Plumbing - refund  | 519     |
| Claim from Valley Wrecking - removal of Cit. House <sup>etc.</sup> annex            | 520     |
| Claim from Feigel Const. Co. for paving Oak Grove Rd.                               | 520     |
| Claim from Feigel Const. Co. for Mt. Pleasant Rd.                                   | 520     |
| Claim from George Ryan Co. on Lincoln & Tugway Sewer                                | 524     |
| Claims - Vandever Dodge for repairs - Evansville Blue Print                         | 530     |
| W. H. Allen for Ruston La. Bridge - Trapp Bridge & Lem Becke                        | 530     |
| Deig Brothers for Allen Lane over Locust Creek                                      | 530     |
| Claim from Condit & Fosse for architects fee  | 538     |
| Claim from Feigel Const. Co. - Koring Rd. Est. #2                                   | 538     |
| Claim from Robert T. Taylor Corp. - Burkhardt Rd                                    | 539     |
| Claim from Richard Mussmeyer for trip to Indpls.                                    | 539     |
| Claim from key motors for 2 trucks  | 540     |
| Claim from Browning Ferris Industries   | 547     |
| Claim from Torian Agency for Bond of Jack Harness                                   | 547     |
| Claim from Terminal Warehouse - Storage of machines                                 | 547     |
| Claims from Elmer Umbach & Wm. Kublenochmitt - refunds                              | 547     |
| Claim from Melvin Werner for new license  | 547     |
| Claim from Southern Railroad, discussed   | 549     |
| Claim from J. H. Rudolph from last year.  | 549     |
| Claim from Feigel Const. Co. & George Ryan  | 549     |
| Claim from John Singer & Mrs. Mussmeyer for mileage                                 | 549     |
| Claim from Rommie's Marathon Station for oil filter                                 | 563     |
| Claims from Mrs. Mussmeyer & Mrs. Singer for traveling expenses                     | 563     |
| Claims for refunds on Benton, Troutman & Barnett                                    | 564     |
| Claim from Welborn Hospital (referred to Co. attorney)                              | 569     |
| Claim from Sheriff's Dept. for meals of prisoners                                   | 570     |
| Claim for refund from Thomas Johnson  | 572     |
| Claim approved for Mrs. Phillips, Investigator in German trip.                      | 574     |
| Claims from City of Evansville - Co share of Dept's.                                | 583     |
| Claims from Robert Taylor, Feigel Const. & W. H. Allen                              | 584     |
| Claim for Refunds on permits  | 586     |

|     |   |  |
|-----|---|--|
| 593 | Claim from Engineer Associates Inc. for engineering services          |  |
| 594 | Claim from Terminal Warehouse for rental of storing voting machines   |  |
| 596 | Claim for refund on plumbing license                                  |  |
| 601 | Claim from G. H. Allen for Structure #122 - Old Mt Vernon Hwy         |  |
| 614 | Claim from Robert Matthews for lock set of Election Bldg.             |  |
| 614 | Claim from Evansville Wet Heat to furnish boiler feed tank - Pleasant |  |
| 614 | Claim from Browning - Ferris Industries for dumpster service          |  |
| 614 | Claims from Torian agency   |  |
| 614 | Claim from Sheriff for meals of the prisoners.                        |  |
| 615 | Claim from Gas Co. for relocated facilities                           |  |
| 627 | Claim from So. R.R. Co. from 1971                                     |  |
| 627 | Claim from Feigel Constr. Corp. for road work.                        |  |
| 635 | Claim from Terminal warehouse for rent of voting machines             |  |
| 635 | Claims from Torian Insurance Co.                                      |  |
| 636 | Claims on Contractors approved for E.A.R.C.                           |  |
| 636 | Claim for refund - Wm. Trainer  |  |
| 638 | Claims from Feigel Constr. Co. - Oak Shore & Middle Mt Vernon Rd.     |  |
| 638 | Claim from Robert Traylor - Burkhardt Rd.                             |  |
| 638 | Claims from G. H. Allen for Old Mt Vernon Hwy & Smith's Diamond Rd.   |  |
| 644 | Claim from Browning - Ferris Industries - dumpster service.           |  |
| 645 | Claims - tax refund of T.W. George Estate.                            |  |
| 645 | Claim from Feigel Constr. Co. on last years (1973) contract.          |  |
| 653 | Claim from Engineers Assoc. - Eickhoff Rd.                            |  |
| 653 | Claim from Howard Ogley for refund                                    |  |
| 653 | Claim from Sheriff for meals of the prisoners.                        |  |
| 653 | Claim from Haynie travel service for refund trip ticket               |  |
| 653 | Claim from Heldt - Monroe Co - last years (1973) bill.                |  |
| 657 | Claim from G. H. Allen for Structure #122                             |  |
| 657 | Claim from Feigel Constr. Co. for Oak Shore Rd                        |  |
| 657 | Claim from Sieg Brothers Constr. Co. for Allens Lane                  |  |
| 665 | Claims from James Shrode, Anna Joeckel, Herman & Irene Cooper R/w     |  |
| 665 | Claim from G. H. Allen for Trapp Rd. Bridge.                          |  |
| 666 | Claim from Engineer Assoc. for Eickhoff Rd. project.                  |  |
| 212 | Claim from Torian Insurance Agency - workmans Comp.                   |  |

## COMPLAINTS

|   |     |
|---|-----|
| Complaint on property at 1735 S. Kentucky Ave.                  | 46  |
| Complaint of rocks on Old State Road needs Topsoil.             | 60  |
| Complaint by Mr. Delaney on Tailors not paying taxes            | 81  |
| Complaint on bridges in German Township.                        | 155 |
| Complaint on Wallenmeyer Rd.                                    | 169 |
| Complaint on Lyle Road  | 181 |
| Complaint by Harry Thompson on River Road                       | 201 |
| Complaint by Mr. Moser on hole in Darmstadt Rd.                 | 217 |
| Complaint of open ditch by Mr. Alfred Martin                    | 256 |
| Complaint by Mr. Mussmeyer on Vandever-went fix car             | 275 |
| Complaints on Road striping                                     | 317 |
| Complaint from resident on Boehne Camp Rd - plant               | 340 |
| Complaint from Sylvester Stutz - water problem                  | 342 |
| Complaint on Purchasing Dept.                                   | 356 |
| Claims on the Evansville Association for Retarded Center        | 365 |
| Complaint by Commissioner Willner on Curtis Const. Co           | 372 |
| Complaint by Mr. Irvin Stahl - wants ditch cleaned              | 375 |
| Complaint by Lloyd Seifert on lack of concern in spraying weeds | 393 |
| Complaint by Mr. Stahl on holes on outer Lincoln Ave.           | 420 |
| Complaint of problem of raw septic tanks - Mr. Clements         | 421 |
| Complaint on Drainage on Ward Road                              | 457 |
| Complaint of bad holes on outer St. Joe Ave.                    | 506 |
| Complaint of truck damage to N. Shore Street                    | 523 |
| Complaint of rubble on Green R. Rd from houses burned           | 604 |
| Complaint & comment on Green R. Rd                              | 624 |
| Complaint of Oil Drilling near University Hgts.                 | 627 |

## CORRESPONDENCE

- 199 certificate of deposit - County Treasurer  
 212 Checks received from Dumes Bros. for batteries they bought.  
 220 Checks received for payment of taxes - Hancock Trucking.  
 229 Tupman Cemetery controversy  
 316 Certificate of guarantee on Goedde Plumbing for E.A.R.C.  
 470 Check received from U.S. Dist. Ct on Violation of Antitrust Law  
 484 Carpeting needed for Hillcrest - Washington.  
 525 Check received from Schroeder Express Co for damages.  
 583 Check received from Bucyrus Erie to repair road

CORRECTIONS:

- 20, Correction made in amount of bid.  
 21, Correction of polling place & incorrect address.  
 100 Corrections & charges made on encumbered money.  
 136 Correction in minutes of Commissioners  
 220 Corrected Bond on Bituminous materials  
 474 Correction of effective date on appointment of Don Stucki - Budette Park  
 567 Correction made of previous minutes.

# Cuts In

|   |     |
|---|-----|
| Waterworks requests to cut into Darnstadt Rd.   | 319 |
| waterworks requests - to cut into O'Hara Drive  | 319 |
| Ind. Bell Telephone Co - old State Road   | 319 |
| Ind Bell Telephone Co - to cut into Church Lane   | 327 |
| waterworks to cut into Miller Rd.   | 334 |
| waterworks to cut into Red Bud Lane + Holly Drive   | 334 |
| waterworks to cut into Diefenbach Rd.   | 334 |
| waterworks to cut into Schenk Rd  | 334 |
| waterworks to cut into Petersburgs + Whetstone Rd   | 334 |
| Ind Bell Telephone Co to cut into Seib Road   | 340 |
| Gas Co. to cut into Red Bud Lane, Holly Hill Drive  | 340 |
| waterworks Sept - to cut into Berry Drive   | 340 |
| Ind Bell telephone Co to cut into Owensville, Baseline, Volkman                             | 346 |
| So Ind Gas + Elec. Co to cut Evergreen Acres + Phone Co to cut <sup>Green</sup> N. River Rd | 354 |
| Phone Co. to cut into Seib Road   | 366 |
| Phone Co. on Schlenker Rd, Browning, Laubecher, St Joe etc                                  | 371 |
| Phone Co. to cut into Hillsdale + Boonville - New Harmony                                   | 377 |
| waterworks Co. to cut into middle Mt. Vernon Rd   | 377 |
| Gas Co to cut into Olivia's Street.   | 377 |
| Phone Co. to cut into Boonville - New Harmony Rd  | 430 |
| Ind Bell - Schisler Rd / Ind Bell - Lexington / Ind Bell - Boonville Hwy                    | 467 |
| Ind Bell - Dogwood St. / waterworks on Burkhardt Rd.  | 467 |
| Ind Bell - Boehm Camp Rd / waterworks - Burkhardt Rd.                                       | 472 |
| Ind Bell - Fischer Rd + Kuebler Rd  | 480 |
| waterworks - Folz Lane + Mesker Park Drive  | 480 |
| Ind Bell - to cut into Green River Rd + St. Joe Rd.   | 491 |
| Ind Bell - to cut into Duesner Rd + Hillview Drive  | 514 |
| waterworks to cut into Happer Road  | 520 |
| Indiana Bell requests permission to cut into Adler Rd.                                      | 530 |
| waterworks requests permission to cut into Felstead + Reser                                 | 530 |
| waterworks requests permission to cut into Murrenbern Rd                                    | 538 |
| Indiana Bell requests permission to cut into St Joe Rd                                      | 538 |
| cut in was made + repairs are needed by Vonderake Plumbing                                  | 540 |
| Telephone Co to cut into Bayou Creeks.  | 563 |
| Telephone Co to cut into Lynn, Miffet Lane + Heddon Rd                                      | 572 |
| waterworks requests to cut into Walnut Rd, Radio Ave + Park Rd                              | 572 |
| Indiana Bell to cut into Mosquito Rd + Red Bank Rd.   | 584 |

Cuts In Con't.

- 361 Phone Co to cut into Owensville Road
- 381 Ind Bell to cut into Allens Lane
- 381 Gas Co to cut into Laura Lane
- 392 Ind Bell, to cut into Mill Road
- 392 waterworks Dept to cut into Kimber Lane, Eissler & Jobs Lane & St Joe.
- 84c waterworks Dept to cut into Kings Hill Drive.
- 84c Gas Co. to cut into Meadow View Drive
- 411 2 from Ind. Bell to cut into Eichhoff Rd & Ruston Lane
- 458 from waterworks - Petersburg Rd. & Barbary da... Ind. Bell.
- 482 Ind. Bell, to cut into Jobs Lane
- 489 Cuts In permit agreement with Gas Co.
- 496 waterworks on Middle Mt Vernon Rd & Sarmstadt Rd.
- 496 Telephone Co requests to cut into Kuebler Rd.
- 504 waterworks requests to cut into Hogue Road.
- 524 Ind Bell Telephone Co. requests permission to cut into Outer St. Joe.
- 615 Cuts In of Ind Bell on Wimber, waterworks on Brigden Rd. &
- 615 O'Hara Drive to install water service.
- 628 Ind. Bell requests permission to cut into Klatzville Rd.
- 638 waterworks Dept requests permission to cut into Cross Bow.
- 664 Indiana Bell to cut into Hogue Rd, Baseline & Marenholz.
- 664 waterworks Dept. to cut into Growning Rd.
- 212 Indiana Bell to cut into Meier Rd.
- 212 water Co to cut into Hillsdale Rd.

## CUTS-IN

|   |     |
|---|-----|
| cuts-in from waterworks - Old Hwy 62, Harmony Way,                              | 5   |
| cuts in from Telephone Co. to cut into Green River Rd.                          | 5   |
| cuts in from Telephone Co. - St. Geo. Ridgetop + Seminary Rd.                   | 29  |
| cuts in from waterworks, - on Yobel Ave.  | 35  |
| cuts in from Gas Co. - on East Chestnut   | 45  |
| cuts in from waterworks - Mt Pleasant + Darmstadt Rd.                           | 51  |
| cuts in from waterworks to cut into Oak Grove + Birch St.                       | 60  |
| cuts in from Indiana Bell to cut into County Line Road.                         | 60  |
| cuts in from Gas Co on Kramer Rd + from Telephone Co. on Darmstadt              | 98  |
| cuts in from waterworks to cut into Wedgewood.                                  | 106 |
| cuts in from waterworks to cut into Laubscher Rd.                               | 109 |
| cuts in from waterworks to cut into Mt. Pleasant Rd.                            | 114 |
| cuts in from Gas Co. to cut into Valley Down Sub.                               | 121 |
| cuts in from Telephone Co. to cut into Petersburg Rd                            | 121 |
| cuts in from Telephone Co to cut into Eickhoff Rd.                              | 121 |
| cuts in from water Co. to cut into Allens Lane                                  | 131 |
| cuts in from Telephone Co to cut into Old Bonnville Hwy                         | 131 |
| cuts in from Gas Co to cut into Wortman Rd + Saratoga, Hunter                   | 131 |
| Telephone Co on Bergdoll Rd, Schenk Rd + Darmstadt <sup>trace + cross box</sup> | 141 |
| Gas Co to cut into Kings Drive + Hillside Circle                                | 141 |
| Telephone Co. to cut into Boyle Lane  | 148 |
| Gas Co to cut into Evergreen acres  | 148 |
| Telephone Co. to cut into Wortman Road  | 167 |
| waterworks, Dept. to cut into Old Bonnville Hwy.                                | 195 |
| Telephone Co to cut into Koring Road  | 204 |
| Telephone Co - on outer St. Joe + waterworks on Hillsdale Rd                    | 212 |
| waterworks - <del>Oak Grove Rd</del> Darmstadt + Schenk Rd.                     | 222 |
| Ind. Bell telephone - Oak Grove Rd. - Yobel + Garrison                          | 222 |
| Gas Co - Weiss Road   | 224 |
| Ind. Bell Telephone Co. - Old Bonnville Hwy.                                    | 257 |
| Ind. Bell Telephone Co - Smith Diamond Rd.                                      | 258 |
| Ind. Bell on Ceelless Rd + old State Road                                       | 275 |
| Gas Co to cut into Shady Valley Drive.  | 275 |
| Ind. Bell - Buente Rd, Bonnville - New Harmony, Browning + Evergreen            | 285 |
| waterworks - Middle Mt Vernon Rd -  | 285 |
| waterworks - Aspen Drive  | 295 |
| held up. - Ind. Bell Telephone Co - Bonnville - New Harmony Rd                  | 295 |
| Ind. Bell Telephone Co - Birch Drive  | 309 |

## CHANGE ORDERS

- 98 for placing 6" drain tile under Twickingham drive.
- 172 Extra work agreement - decrease - Melody Hills sub.
- 180 Change order on Comprehensive Mental Retardation Center.
- 204 Change order for Twickingham Drive signed.
- 204 Extra work agreement #1 Boudette Park
- 213 Extra work agreement on Boudette.
- 239 Change order of J & S Electric Co. facility at Boudette Park
- 332 Change order for E.A.R.C.
- 336 Change order for E.A.R.C. Con't.
- 435 Change orders for Korff Rd + Kuebler Rd.
- 471 Change orders - New Shen R. Rd / + Bridge - Weinbach Ave
- 475 Change Orders for Evansville Assn Retarded Children
- 601 Change Order for Oak Grove Rd.

## CIVIL DEFENSE: 9,

- 464 Civil Defense - on site assistance action report.

Cuts In Con't

658. waterworks Dept. requests permission to cut into Schutte Rd.

## COMMENTS

|   |        |
|---|--------|
| Comment on rumor of firing Road Inspector                     | 3, 22, |
| Comments on Printing Bids                                     | 22,    |
| Comments on facility for Brudette Park bids.                  | 38     |
| Comments on bids for Heddon Road Drainage Improvements        | 40     |
| Comments by Mr Biggerstaff on Heddon Rd. drainage.            | 44     |
| Comments on dangerous intersection - Pollack & Tuquay.        | 45     |
| Comments on bills in legislature.                             | 53     |
| Comments on methods of wiping off well-fair lines on property | 53     |
| Comments on cost of project for re-surfacing roads.           | 61     |
| Comments on the billing process at Pleasantview Rest Home     | 61     |
| Comments on Special Deputies on Sheriff's Dept.               | 64     |
| Comments on Barker Ave. project                               | 100    |
| Comment on Poor Relief by Bob Olsen                           | 101    |
| Comment on Soil & Conservation by Auditor                     | 103    |
| Comments on gasoline prices, discussed                        | 113    |
| Comments on proposed county projects                          | 115    |
| Comments on Bohne Camp property                               | 116    |
| Comments on Alcoholic Help remodeling old Bohne Bldg          | 116    |
| Comment on roller needed by Highway Dept.                     | 122    |
| Comments on easement at Golf Course                           | 132    |
| Comments on closing time of county offices                    | 134    |
| Comments on Purchasing  | 134    |
| Comments on cuts in & backfill.                               | 167    |
| Comments on old records at old Court House                    | 184    |
| Coliseum repairs needed                                       | 188    |
| Comments by Commissioner Willner on Incorp of Dainstadt       | 224    |
| Comments on obtaining surplus equipment                       | 425    |
| car given to Co. Surveyor by Mr Holz - Supt of Co. Bldg       | 541    |
| Comments on Road Projects by Paul Kenney                      | 622    |
| Comments on County-wide Parks District                        | 637    |

CONSOLIDATION:

- 16, Merging of City & County Departments discussed.
- 17, consolidation resolution approved in principle
- 34, consolidation meeting scheduled
- 42 Consolidation agreements signed
- 94, Question on Consolidation.

- 426 County Building Code - updating proposed
- 484 Council of Governments discussed, etc. 488
- 578 Cost proposal for recreation plan.
- 612 Council of Governments requests transfer of funds <sup>also requested</sup>

- 541 Condemnation of St. Joe discussed
- 527 Condemnation suits - 3 tracts of land on St. Joe
- 389 Check received for damages on the old jail & Sheriff's home.
- 381 Check received from Ins. Co. for damage to Graff Rd by <sup>corn</sup> picker
- 103 Combined report of Pleasantview Rest Home.
- 252 Codes of Vanderburgh Co.
- 338 County liable for tuition of welfare children
- 347 condemnations on L & Morepass discussed
- 392 Comprehensive zoning ordinances available
- 458 Condemnation suits filed against the county.

**C**

|   |            |
|---|------------|
| County property sold 31-42-7  | 52-66      |
| Conditions of county owned property                                     | 142        |
| County owned property - list being made                                 | 175,187    |
| County owned property sold - 298  |            |
| County owned property sold - 31-42-3 - 300                              |            |
| property sold - 21-74-7, 12-18-13, 12-18-14, 24-45-6, 22-73-12          | 307        |
| property sold - 12-115-2, 22-68-14, 21-78-7, 21-67-3, -                 | 307        |
| property sold - 22-77-2   | 308        |
| property sold - 21-59-23 - Georgia Benson                               | 314        |
| property sold - 21-55-17 - M. Julian                                    | 314        |
| property on St. Joe discussed   | 330        |
| property sold - 24-29-5 to George Taylor                                | 355        |
| property sold - 21-19-11 & 24-30-5 to Evansville Ins. & Financial       | 355        |
| property on St. Joe Ave. sold to Joseph Freeman (3 parcels)             | 374        |
| properties - 32-40-17, 32-40-18 & 32-40-19 sold to Earl Daffney         | 379        |
| property sold - 22-77-26 - Bruce Julian                                 | 408        |
| property sold - 28-56-6 to James & Edna Wilhite (later withdrawn)       | 413<br>418 |
| County-owned surplus property - no bids                                 | 427        |
| County-owned surplus property discussed                                 | 433        |
| Property 33-65-15 discussed as to ownership                             | 575        |
| property sold - 22-77-4 to Chester Barnett - 27-62-11 to Wilbur Cravens | 575        |
| 34-164-20 sold to Dallas Hughes - 33-4-12 sold to Harold Marks          | 576        |
| 20-86-18 sold to James Hove - 14-41-15 sold to Harold Baker             | 588        |
| 24-30-2 sold to Bob Hoff  | 588        |
| County property looked over by McCole of Gas Co. for land owed them     | 592        |
| Question of ownership of 33-65-15 - Jerry Meese                         | 614<br>620 |
| Discussion of 12-12-5 - (sold to Leo Beck Jr)                           | 622        |
| 22-77-22 & 22-77-23 purchased by Charles Jackson                        | 632<br>630 |
| Closings - Deed given to Mr Beck on 12-11-55                            | 632        |
| Closing for the Christmas Holiday - <del>January</del>                  | 70         |
| Closing Time changed for Commissioners for summer                       | 288        |
| <del>Relative that</del>  |            |
| County owned surplus property re advertised                             | 659        |

**D**

## Sarmstadt Incorporation

- 116 Petition to Incorporate Sarmstadt  
133 application approved  
141 Statutes pertaining to petition presented  
145 tentative hearing date set  
146 hearing date set  
215 Discussion of  
224 Comments by Commissioner Willner - 235  
247 Question of Authority of Area Plan in making survey on Sarmstadt Inc.  
253 Status of proposed Sarmstadt Inc.  
289 Public Hearing on Sarmstadt  
290 Sarmstadt Law Suit on tap, as to if they could impose it.  
605 Dividend received from Insurance Co.

- 163 Dumpsters - 182, 184, 205, 234, 238, 485, 540  
203 Ditch - Harper  
213 Drainage Problem - Boonville - New Harmony Rd.  
436 Drainage Problem - Burkhardt Rd.  
461 Drainage Control discussed  
515 Drainage Problem at State Rd. 57 + Boonville - New Harmony Rd.  
580 Dumpsters Removal approved  
634 Drainage problem on S repl Drive.  
636 Drainage problem at Boonville - New Harmony intersection

## DISCUSSIONS

|   |          |
|---|----------|
| Discussion of tire stripping expansion joints                         | 13,      |
| Discussion on joint purchasing of Welfare & the Rest Home             | 109      |
| Discussion on sewer bed needed at Pleasantview Home                   | 110      |
| Discussion of claims from Burkett Watson - violation of price control | 131      |
| Discussion of buildings at Boehne                                     | 143      |
| Discussion of roller needed for Hwy. Dept.                            | 149      |
| Discussion of drainage problem on Tupperman Rd.                       | 178      |
| Discussion of condemnation on L & N. overpass.                        | 347      |
| Discussion of Purchasing Dept.  | 358      |
| Discussion of roads to Inland Marina - Mr. Reekin                     | 840      |
| Discussion of utility companies problems                              | 428      |
| Discussion on Purchasing for 1974                                     | 428      |
| Discussion of rents owed to the city                                  | 474, 481 |
| Discussion of trash on county roads                                   | 495      |
| Discussion of Licensing Powers of the county                          | 495, 500 |
| Discussion - Mr. Hotz doesn't have enough gas allotment               | 498      |
| Discussion on County Board of Finance                                 | 506      |
| Discussion on Coroner's car - 508,                                    | 506      |
| Discussion of leaves of absence of county employees                   | 509      |
| Discussion of salt spreader for the county                            | 516      |
| Discussion of County Licensing Powers                                 | 516      |
| Discussion concerning uniforms for Co. Hwy. employees                 | 530      |
| Discussion of Quit Claim Deed to Mr. Hooe                             | 534      |
| Discussion of problem on N. Grove St.                                 | 535      |



**D**

|   |  |
|---|--|
| Dedication of the L & N Underpass at Darmstadt Rd.                    | 148  |
| Serial Order from Public Serv. Comm. - grade crossing -               | St 221   |
| Dispute on Tappan cemetery  | George<br>1244   |
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392 Extra work agreement - addition of Koring Rd & cost over contract

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504 Four-River Resource Conservation Development Project.

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458 Grant from L & H + Evansville Food Dist. Inc.

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**K**

K



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- 544 Letter from Browning-Ferris Industries
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- 570 Letter from Brinks - Higher cost to County
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- 597 Letter sent to Welfare Dept for houses to be razed.
- 610 Letter from L & N Railroad, requesting to close Petersburg Rd for 2 days
- 620 Letter sent to State Fire Marshall - will follow Recommendations
- 625 Letter of appreciation from Paul Fowler - Ind State University
- 638 Letter from Citizen on Massage Parlors.
- 660 Letter from Rockford Map Publishers Inc. requesting names & addresses
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- 183 Letter from Mr. Mussmeyer to So. RR on Oak Grove Rd.
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- 254 Letter from Tom Pugh on Evergreen Acres
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| 196 | Monthly Report - County Highway                            |
| 199 | Monthly Report - County Clerk                              |
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- 186 Melody Hills subdivision - plans presented
- 214 Meeting place changed - April 30, 1973
- 253 Meeting date changed in May of 1973.
- 337 Meeting on new building code for Vand. Co.
- 84A Mandate to transfer funds
- 426 Meeting date set a day late because of a holiday.
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- 514 Next two meetings a day late due to Lincoln & Washington Birthday
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- 667 Meeting set with Levee Authority on Pigeon Creek

**M**



**Mc**





**N**

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| 450 | Notice for Hearing - Utility Development                                 |    |
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177 Problem on T.B. care

178 Problem of drainage on Tupsman Road.

178 Problem of weight load on bridge.

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218 Problem of sewer at Golf Course

336 Problem with installing culverts

337 Project - Green Thumb project

339 Plans for Allens Lane approved

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367 Problem in Voters Registration - needs graphotype

459 Problem on Parcel of Property

512 Public Hearing on new voting machines held in Jacksonboro

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527 Plans approved for improvements of Burdette Park.

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| Purchasing                                 |                    |
| Purchasing discussed                       | 493, 446, 134, 444 |
| Special meeting on purchasing              | 452, 137, 168, 174 |
| Payment received for Mc-Trism              | 259                |
| Question of food in purchasing             | 431                |
| Discussion on purchasing -                 | 438, 473           |
| Purchase Orders to be encumbered - Co Hwy. | 472                |

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| Public Hearing on Darmstadt - proposed Incorp.       | 208 |
| Public Hearing on Darmstadt - proposal of Inc.       | 257 |
| Public Hearing for establishing rate for Bridge Fund | 342 |

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- 23, Question on pay of Mr. May.
- 92 Question on employment of men in Engineer's Office.
- 220 Question of qualifications of planner for Area Plan
- 460 Quarterly Bids opened on Groceries, Dairy & Bakery
- 631 Question on leave of absence of Co. Employee
- 640 Questionnaire from State Hwy. Commission

Question on Highway money

191

Question on top bill (word by R. O. Williams)

614

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| 344      | Restraining Order - Freeze Dry Products Reports                         |  |
| 20,      | Report by field examiner on State Bd. of Accounts -                     |  |
| 45,50    | Report by Mr. Crooks on Residential Building Code                       |  |
| 60       | Report by Mr. Peters on Budget Road                                     |  |
| 78       | Report of annual operation from State Bd. of Accounts.                  |  |
| 82       | Report by Mr. Peters on work not done right by Phone Co.                |  |
| 85       | Report by Mr. Walpe on serop <sup>also</sup> & seeds refused            |  |
| 101      | Report of the Pleasantview Rest Home                                    |  |
| 103      | Combined report of Pleasantview Rest Home                               |  |
| 157      | Report of Co Hwy - also inventory sheet - also absentee list            |  |
| 158      | Report of progress on Evansville Comp. Retardation Center.              |  |
| 204      | Report from Jay Welch on Old State Rd.                                  |  |
| 213      | Mr. Mussmeyer presented list of proposed bridges                        |  |
| 213      | Mr. Willard presented a report on extra cost - trash detail             |  |
| 217      | Annual report - Dept of Public Welfare                                  |  |
| 223      | Report from Mr. Willard - absentee list + list of obsolete oil filters. |  |
| 223      | Mr. Hotz reported on demolished buildings at Boehne Hospital.           |  |
| 260, 251 | Report from Mr. Crooks - property on St. Joe                            |  |
| 253      | Mr. Hotz reported on walk tube placed at Alcoholia Hosp. Inc.           |  |
| 259      | Report from Mr. Willard on absentee's                                   |  |
| 259      | Traffic Engineering Report - St. Wendell Road                           |  |
| 267      | Report from Mr. Willard on absentees.                                   |  |
| 276      | Report by Mr. Willard on absentees at Co. garage. 287, 297,             |  |
| 296      | Report by Mr. Mussmeyer - subdivision on Ceerless Road                  |  |
| 302      | Allocation status, report on R. & S. Funds.                             |  |
| 316      | Project summary report approved   |  |
| 316      | Six months report of traffic Director submitted                         |  |
| 319      | Mr. Willard submitted work summary for June 1973.                       |  |
| 320      | Mr. Hotz on St. Joe - avenue  |  |
| 320      | Mr. Pugh on Code Revisions  |  |
| 323      | Report of Indiana Crop & Livestock                                      |  |
| 326      | Report from Mr. Willard on absentees at County garage. 328              |  |
| 335      | Report by Mr. Willard on lawn mower.                                    |  |
| 335      | Report by Mr. Willard on absentee's at Co Garage.                       |  |
| 336      | Report on repairs of Struch-Hendricks Road.                             |  |
| 350      | Report on Kember Lane   |  |
| 351      | Report on Spry Rd   |  |

# Roads and Streets Con't.

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| Edgewater Estates & Estate Drive                               | 304      |
| Browning Road Estates  | 310      |
| Evergreen Heights  | 310      |
| Hebrdink Lane  | 313      |
| Cloverlawn Subdivision 331, 341,                               | 315, 325 |
| Old State Road overpass  | 318      |
| Korff Rd. project  | 318      |
| Evergreen Heights  | 318      |
| Schmitt Lane   | 318      |
| Baseline Road  | 319      |
| St. Joe ave  | 319      |
| Burkhardt Road   | 323      |
| Sharon Drive & Hoing Road                                      | 324      |
| Oak Grove Rd   | 326      |
| Jugway & Long Rd.  | 327      |
| Agathon Drive  | 328      |
| Pollack & Jugway Rd.   | 329      |
| Bonville & New Harmony Rd.                                     | 329      |
| Lincoln & Jugway Rd. Drainage & old Henderson resurfacing      | 333      |
| #6 School Road - Complaint of cattle getting sick              | 340      |
| Hoing Road - drainage problem                                  | 340      |
| Peacocks Lane - complaint of clogged ditch                     | 340      |
| Hillsdale  | 341      |
| Spry Road - Complaint of dirt                                  | 341      |
| Roads that have been accepted given to Co. Attorney            | 348      |
| Kimber Road report   | 351      |
| Spry Road report   | 351      |
| Bergdoll Rd. - L+N is tied up in Right of way                  | 355      |
| Industrial Park plans presented                                | 355      |
| Cloverlawn Subdivision petition on Right of way                | 361      |
| Middle Mt. Vernon Rd.  | 375      |
| LongAce Drive - soybeans are harvested, can construct ditch    | 391      |
| Green River & Division - Mr. Carroll wants assurance of accept | 395      |
| Oak Grove Rd improvement, 437                                  | 433      |
| Martins Lane - 550   |          |
| County Line Road - 550.  |          |
| Eichoff Road discussed - 554 -                                 |          |
| Saratoga Drive Complaint - 555 + 556                           |          |



## ROADS AND STREETS

|   |          |          |
|---|----------|----------|
| Moffet's Lane accepted for County maintenance   | 5        |          |
| Charles Lane accepted for County maintenance    | 5        |          |
| Serious problem on Twickingham Drive.           | 12       |          |
| Drainage problem on Boonville - New Harmony Rd. | 19       |          |
| Twickingham Drive limited to local traffic.     | 31       |          |
| Request to accept Englet Lane.                  | 58       |          |
| Street plans adopted for Valley Downs           | 81       |          |
| Repair of voting machines approved              | 145      |          |
| River Road discussed                            | 160      |          |
| Road Striping discussed                         | 166      |          |
| Riverview Road                                  | 214      |          |
| Middle Mt. Vernon Rd.                           | 223      |          |
| Schmitt Lane.                                   | 240      |          |
| Oak Grove Rd.                                   | 241      |          |
| Shady Hill Subdivision                          | 241      |          |
| Middle Mt. Vernon Road                          | 244      |          |
| Old State Road                                  | 286,     | 274, 250 |
| Twickingham Drive                               | 250      |          |
| <del>Ch</del> Heerdink Lane.                    | 250      |          |
| Mosquito Road name changed to Darmstadt Rd.     | 252      |          |
| Edgewater Drive & E. State Drive                | 258      |          |
| Goebel Lane                                     | 259      |          |
| Graff Road                                      | 259      |          |
| Schissler Road                                  | 267, 293 |          |
| St Wendell Road - resolution on speed limit     | 267      |          |
| Baumgart Road drainage problem                  | 269, 276 |          |
| Kern Rd & Laurel Ave.                           | 271      |          |
| Heerdink Lane                                   | 275, 286 |          |
| Graff Road                                      | 275      |          |
| Larch Lane                                      | 276      |          |
| Twickingham Drive                               | 286, 293 |          |
| Bugdol + Smith Diamond Rd                       | 287      |          |
| Boonville - New Harmony Rd                      | 287      |          |
| Hitch Peters & Lynch Rd                         | 287      |          |
| Graff Road                                      | 288      |          |
| Eichele Drive                                   | 294      |          |
| Vernon Wood Place Lot 7                         | 302      |          |
| Harper Heights & Village Acres                  | 304      |          |

## Requests

- 191 Request to be considered for engineering job - Andy Easley
- 194 Request from F.O.P. for voting machine
- 196 Request by Mr Nussmeyer for permission to proceed bridge jobs.
- 202, 197 Request - sidewalks needed at Alcoholic Center -
- 197 Request from farm bureau - to use County's rail tracks -
- 201 Request for new road sign on new road.
- 201 Request for cannon to be placed in museum
- 202 Request from F.O.P. for voting machine
- 202 Request to install pipe - Jerry Wells
- 203 Request to waiver funds from Allen County
- 204 Request from Southern RR - Crossing at Oak Grove Rd.
- 205 Request from Farm Bureau to use siding.
- 211 Request from Harrison County for F.A.S. funds.
- 212 Request from Mr Volpe, for mileage account.
- 217 Request of County to pay costs RR - patrol cars - car washing garage
- 219, 218 Request to purchase property - Jack Turner
- 237 Request to rent Mo-trim from the county
- 237 Request to send report of Scheneman to state
- 274 Request of Judge to use perox machine
- 296 Request for maintenance of Valley Down Subdivision.
- 322 Request to accept section of road from State
- 322 Request from Miss Feldhaus of N.Y.C. for work for youths.
- 323 Request for permit to use traction machines from Patten Eng. Co.
- 330 Request from Mr. Sauer to borrow roller from Hwy. Dept.
- 361 Request from Mr. Lloyd to check bridge at Eagle Slough.

## RIGHT OF WAYS:

- 10, Right of way grant from Mr. Winstead on Claremont ave.
- Right of way grant - Heddon + Voight Road.
- 183 Problems in purchasing R/w on Old State Rd.
- 190 Mr Nussmeyer has 2 R/w on Old State Road
- 287 Right of way Buyer named - Burgdorf + Smith + Diamond
- 295 R/w for easements for bridges - Weinbock + old Green R.R.
- 310 R/w Buyer - Jim Shrode - Bonville - New Harmony.
- 334 R/w dedication - West Side Christian Church

# Requests - Con't.

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| Request of Grand Rail on St. Joe. Ave.  | 241 |
| Request permission to have Co. attorney's help in <sup>collecting</sup> taxes.      | 244 |
| Request for maintenance of Edgewater Dr & E. State Dr.                              | 258 |
| Request from Hank Sauer to use grade all.   | 270 |
| Request for use of grader by Levee Authority  | 281 |
| Request for payment from Contractors Sheet Metal Co.                                | 308 |
| Request for Radio from Traffic Engineering  | 309 |
| Request for gas allowance - Mgr. at County Garage                                   | 311 |
| Request from firefighters to rent voting machine                                    | 315 |
| Request from Petty Geophysical Eng. Co. for use of roads.                           | 315 |
| Request from Illinois Central Gulf RR. to close road                                | 337 |
| Request from Amoco Co to conduct survey.  | 342 |
| Request from Demo Central Committee.  | 344 |
| Request for Mr. Willard to prepare list of prices. Cottage                          | 344 |
| Request from Mrs Angermeier on forms to be first sent to his office                 | 363 |
| Request of Mrs Tim Sodd for Comm. to sign check for damage to Crit. House           | 374 |
| Request of Mr. Vanstone for the county to approve money for legal aid               | 374 |
| Request from Mr. Van Stone as to what standards needed on road                      | 381 |
| Request for additional phone in treasurers office.                                  | 84B |
| Request for extension in opening golf course at Pleasantville                       | 84B |
| Request permission to construct concrete structure - <sup>Kenneth</sup> adler       | 84C |
| Request for appeal of \$,000 by Crescenton Brune                                    | 408 |
| Request to pave Miller Rd by Mr. J. Huber   | 410 |
| Request to accept summertime lane from Mr. Brodemier                                | 410 |
| Request from Sheriff Riney to erect stop sign at Elm <sup>&amp; west</sup> Franklin | 413 |
| Request of use of forms for trustee receipts  | 418 |
| Request of Com for all departments to prepare specifications                        | 426 |
| Request for signs to be erected at Plaza Park School                                | 432 |
| Request for maintenance for Guthrie Way & Harmony Homes                             | 441 |
| Request to advertise for bridges - <sup>Tripp</sup> Rd & Ruston                     | 450 |
| Request made to state concerning trash problem                                      | 462 |
| Request for use of Boehne Bldg. for Displace Inc.                                   | 464 |
| Request for officeholders to inform him when storing supplies                       | 472 |
| Request for new car - Coronet   | 474 |
| Request by Co. Clerk to purchase marriage Certificates                              | 481 |
| Request by Mr Willard to buy salt - 483   | 481 |
| Request for payment by Gas Co - Mt. Vernon Rd                                       | 483 |
| Request by Mr Willard to attend Area Road School                                    | 483 |

## Roads & Streets - Con't.

- 375 Autumn Lane - new street
- 380 Autumn Lane - Request for maintenance.
- 410 Green River Rd + Division - wants assurance of them being accepted
- 459-460 Acceptance of Westhaven Hills Sub + Valley Downs Sub.
- 483 Middle Mt Vernon Rd - Problem in account
- 506 Eichhoff Road project commented on - 605
- 515 North Green River Rd in need of repair
- 515 Jobs Lane - Question as to if it is county accepted
- 560 Martins Lane - Drainage + trash problem
- 594 Green River Road ditches discussed
- 605 Keeneland Court + Saratoga Drive
- 614 Plans submitted for Eichhoff Rd.
- 626 Eichhoff Road discussed
- 627 Middle Mt Vernon Rd. - Question on plan to finish curve
- 644 New Road - Drainage problem
- 645 Seib Road - Tile stopped up by neighbor.
- 646 Evergreen Acres + Old State Estates
- 646 Bridgeway Drive - Curtis Const. Co. needs to replace pipes.
- 647 University Heights - Street Plans
- Requests
- 558 By Mr Bunning to accept Evergreen Acres + Old State Estates
- 588 Request by Mrs Bowen of H.U.D for emp to travel.
- 623 Request for installations of signs on Sh. R. Rd.
- 627 Request for fishing permit at Polkue Lake.
- 632 Request of Auditor to Par all county budgets for 1975 in by June 10 1974
- 640 Request by Mr. Flittner to help in getting driveway cuttings
- 666 Request by Mr Willard to get specs for salt spreader.
- 666 Request for Public Recreation money by Mrs. Jarboe
- 211 Request of funds by Harrison County

# Reports

|  |      |
|--|------|
| Mr Willard presented absentee list for Hwy Emp, a check from Auto owners Ins. for reimbursement for budge damage, reported that waterworks Rd. was completed & he is going to Ft. Campbell to get surplus, also said there is problem with R/W on Senger Rd. | 421  |
| Mr Willard submitted reports of absentees & Co Hwy Dept <sup>for October 73</sup>  | 421  |
| Mr Nussmeyer presented an old bill from Southern Railroad for 1,114.49   | 433  |
| Mr Willard presented roads to be surfaced, report of oil mat roads to be done & list of absentees.   | 437  |
| Mr Crooks reported on proposed ordinance on erosion control  | 438  |
| Report By Mr. Hotz on giving plaque from Amer <sup>historical</sup> to society   | 438  |
| Reports from Area Plan   | 449  |
| Report on absentees of Co. Hwy. Dept.  | 467, |
| Report by Mr. Crooks - to attend meeting   | 461  |
| Progress Report on E.A.R. C.   | 475  |
| Report from Veteran Service Officer for 1973   | 482  |
| Mr Willard reports on salt for icy roads   | 480  |
| Mr Pugh reports on survey for Building Codes   | 480  |
| Report by Mr. Schoad on speaking system for Com. meeting   | 484  |
| Yearly Report of Co Hwy Dept for 1973, submitted   | 491  |
| Mr Willard presented absentee report of Jan 7-14, 1974   | 491  |
| Mr Willard reported he contacted dealers & no salt available   | 491  |
| Report by Mr. Hotz on county property on Green River Rd.   | 493  |
| Progress report on Eichhoff Road   | 495  |
| Progress Report on Old State Road  | 496  |
| Report on bridges  | 496  |
| Report by county attorney on cases against county  | 506  |
| Absentee Report of Co. Hwy. employees  | 521  |
| Report by Robert Willner on working men on trash detail  | 531  |
| Report by Bill Judd on St. Wendell.  | 531  |
| Report by Herman Hotz on land at Green River Rd.   | 531  |

- 462 Proposed Rates set for welfare Dept.
- 489 Request of acceptance of Anthony Duvi
- 491 Request for funds by Co. Surveyor
- 492 Request for tax codes by Co. Assessor
- 496 Request of funds by Surveyor for Feb Council call on bridges
- 498 Request from Mrs. Harness to attend meeting.
- 506 Request by M. Willard on repair of radio's.
- 511 Request from election Board to travel
- 512 Request of Co. Attorney to travel to Indianapolis Ind
- 514 Request permission to travel - Co. att.
- 526 Request to use county lots for gardening (Oakdale - Sweetser Project)
- 536 Request from Mary Brown of G.O.G. to travel.
- 545 Request from Joe O'Way for use of voting machine.
- 545 Request from Sressback of Auditorium to attend meetings
- 570 Request from M. Sressback to change meeting attendance
- 580 Request of change in telephones - area Extension office
- 581 Request by West Side Christian Church to widen Upper Mt. Vernon Rd.
- 598 Request by Mrs. Harness to travel.
- 654 Comments on Co. roads.
- 654 Culvert on Bridgewater Road
- 654 Problems on New Road
- 654 Evergreen Acres & Old State Estates
- 655 Boonville - New Harmony Rd
- 655 Reis Lane & Mel Road
- 656 Jugway Road - Problem of drainage
- 656 University Heights - drainage problems - 657
- 664 New Green River Rd - speed limit reduced
- 664 Request for removal of Patch material at 41 & Old State
- 664 Seib Road - tile stopped up.

REQUESTS

|  |          |
|--|----------|
| Request for 4-way stop at Boon-New Harmony + Old State Rd.           | 10       |
| Request for 4-way stop at Boerne Camp + Hogue Rd.                    | 11, 17   |
| Request from Sheriff Riney for cage for interviews                   | 16       |
| Request for Road Maintenance by Bonnie Spock.                        | 18       |
| Request by Dennis Minton to be considered for Auctioneer             | 19       |
| Request from Feigel Constr. Co. on checks release.                   | 2/22     |
| Request for approval of Harmony Homes - plans                        | 29       |
| Request for painting of crosswalks                                   | 34       |
| Request to be placed on Council call.                                | 34       |
| Request from M. Buttol to remove dumpsters at Budette Pl.            | 50       |
| Request for acceptance of Englist Lane.                              | 58       |
| Request for county to fund Physical Education program                | 68       |
| Request for acceptance of Kirkwood Drive.                            | 69       |
| Request for additional space.  | 70       |
| Request of community services  | 78       |
| Request from Prosecutor for Telephone                                | 79       |
| Request by Mr Volpe on schedule of Revenue funds                     | 82       |
| Request to encumber funds for next year (1973)                       | 85       |
| Request for bond renewal of treasurer + employees                    | 92       |
| Request for bond renewal of Hargy Superior Co. Recorder              | 92       |
| Request to advertise to repeal budget of Bldg Comm                   | 94       |
| Request made by Comm. Asking for people to state names +<br>Business | 102      |
| Request for acceptance of Englist Lane.                              | 106      |
| Request from Co. Recorder, to do business with Nat'l City<br>Bank    | 114      |
| Request for disclaimer from Bank of Mr. Bob Hamilton                 | 121      |
| Request from Co. Clerk to continue banking with Old Nat'l            | 124      |
| Request from Co. treasurer to close offices at 4 PM                  | 124      |
| Request by Attorney's for Mr Powell to sell Property - Fine St.      | 153      |
| Request of speed limit on Oak Grove Rd by Mr. Lawrence               | 153      |
| Request permission to attend Road School                             | 158      |
| Request for playground in University Heights                         | 171, 174 |
| Request to lay pipe on Woodland Hills Drive                          | 173, 182 |
| Request by Andy Easley to be considered for engineering job          | 176      |
| Request by Comm Schaad for several to go to Indongulis               | 176      |
| Request to change name of road (Mosquito Rd)                         | 182      |
| Request from Coliseum chairman for help in repairs                   | 188      |
| Request on repair of roads (Kern + Laurel Rds)                       | 190      |
| Request permission to go to Indpls. (Barber Ave. project)            | 190      |

REPORTS

MR. BIGGERSTAFF: 10, 60, 68, 81

Mr. Messinger - 92, 115, 120, 142, 155, 249, 275, 284, 310, 353

MR. CROOKS: 6, 34, 40, 82, 93, 123, 133, 143, 149, 184, 191, 234, 276, 311, 356, 372, 461

Mr. Maslin - 205

Mr. Hotz 34, 93, 133, 158, 174, 184, 196, 206, 234, 305, 372, 382,

Traffic Engineer - 196, 227,

MR. HARNESS: 52, 61, 82, 150, 260, 268, 275, 305, 311, 328.

MR. KOCH: 4, 62, 106, 136, 167, 185, 233, 260, 268, 278, 287, 288,

Mr. Ludwig - 132,

MR. WILLARD: 397, 6, 29, 111, 123, 133, 143, 166, 173, 191, 196, 234, 242, 249, 287, 355, 378, 382,

Mr. Foster - report - permission from Lady - to cut trees at Collock + Inquary 45, 52, 66, 70,

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| Receivings papers received on Kelt Inc.                                | 352      |
| Release of Easement from Phone Co.                                     | 360      |
| Report of Mr Pugh on reassessment of land values                       | 363      |
| Report of Mr. Hotz on Court House Annex 393,                           | 378      |
| Report of permits issued from Bldg. office                             | 397      |
| Report by Mr Hotz on installation of fire extinguisher at Pleasantview | 397      |
| Report by Mr. Harness on Christmas entertainment at Pleasantview       | 840      |
| Report by Mr Crooks on St. Joe property                                | 840      |
| Right of way buyer named for widening Burgdolt Rd.                     | 424      |
| Report of Hwy Dept absentees - by Mr Willard                           | 425      |
| Report by Mr. Judd on strapping roads                                  | 426      |
| Report - Bridge Inspection Survey Report from State                    | 430      |
| Report of removal of stop signs at Daintons Rd                         | 431      |
| Report by Mr. Crooks - Mo. report of Bldg. permits.                    | 492      |
| Annual Report by traffic Director on materials used - 1973             | 505      |
| absentee Report of Co Hwy emp for Jan 21-28 - 1974                     | 505      |
| Report from Sheriff's office on damages to Schutte Rd.                 | 525      |
| Report from Mr. Judd - St Wendell - St. Joe Rd.                        | 525      |
| Report from Jack Willard on roads to be resurfaced                     | 539      |
| Report from Mr Judd on Old State Rd + Baseline Rd                      | 541      |
| Report from Mr. Hotz on 4 houses on Green River Rd                     | 541      |
| Release of Claim approved, releasing Bucyrus Erie                      | 570      |
| Recording System to be installed - Commissioners Hearing Room          | 573      |
| Annual Report submitted by Dept of Civil Welfare                       | 626      |
| Report on absentees by Mr Willard of Co. Hwy. Dept.                    | 636      |
| Report of the Building Commission                                      | 637      |
| Report on hospital beds as surplus by Mr Hotz                          | 637      |
| Report on absentees of Co Hwy Dept.                                    | 653, 644 |

- 516 Request from Mr Judd for list of roads being repaired
- 518 Request for stop signs in St. Joe Indiana
- 518 Request from Center township assessor to travel to conferences
- 519 Request to use county lots for gardening
- 521 Request for separate card made on Green R. Rd & <sup>road</sup> Hebble by Surveyor
- 524 Request from church for bus of Boehne Hospital
- 524 Request from Co. Hwy for radio's for trucks.
- 528 Request from Prosecuting attorney for trip - pre-trial.
- 539 Request from Co. Surveyor - permission for 2 men to travel - <sup>road</sup> school
- 540 Request in need of new belt for belt loader by Co. Garage
- 596 Request by Mr Crooks to travel to Purdue
- 626 Request from Bendix United Geophysical Corp. to do vibrations on roads
- 634 Request from Conrad Baker Foundation.
- 634 Request to use voting machines for election of officers
- 633 Request from United Geophysical Corp. to make survey of roads.
- 652 Request for Public Recreation
- 661 Request for claim for taxes by Auditor on parcel of ground.
- 212 Request for mileage from Mr. Volpe - Indianapolis on local ~~with~~ <sup>to</sup> ~~the~~ <sup>the</sup> ~~city~~ <sup>city</sup>

## RESOLUTIONS

|  |          |
|--|----------|
| Resolution on construction of Mental Retardation Center                              | 1        |
| Resolution on 40-hour work week upheld.  | 7        |
| Traffic control resolution signed - Sirepel + Mels Drive                             | 14       |
| Traffic control resolution signed - Boonville - New Harmony Old State                | 18       |
| Revised traffic control resolution approved.   | 25       |
| Resolution on accepted roads submitted.  | 51       |
| Resolution on county accepted roads.   | 81       |
| Resolution on abandonment of part of Old State Rd.                                   | 164      |
| Resolution to condemn parcels of property  | 295      |
| Resolution on incorporating roadways   | 338      |
| Resolution by Anchor Industries  | 343      |
| Traffic Resolution signed by Commissioners   | 466      |
| Resolution of Comprehensive Emp. + Training Act adopted                              | 567      |
| Resolution on traffic control of stop signs - <sup>valley</sup> <del>Boonville</del> | 595, 643 |

## RESIGNATIONS

|  |     |
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| Retirement notification from M. Koch, road inspector | 172 |
| Resignation of County Surveyor - George Wanda        | 359 |
| Resignation of Airport Auth member - Jan Lockhart    | 377 |
| Resignation letter from Jack Willard of Co. Hwy      | 530 |

## RE-ZONINGS

|               |   |
|---------------|---|
| 16, 72,       | Renus J. + Mary R. Hollander                          |
| 20,           | Kocolene Oil Corp.                                    |
| 23,           | Robert F. + Ruth G. Martin                            |
| 42,           | Jack Lewis Jr.  |
| 82,           | Citizens Realty + Insurance Co.                       |
| 103           | Susan K. Flittner                                     |
| 105           | Citizen's Realty + Insurance                          |
| 111           | Arthur + Thelma Karch, Gladys Grimm + Anna B. Gasaway |
| 139           | William + Bertha Senning                              |
| 139           | Karch, Grimm + Gasaway                                |
| 222, 214, 180 | Marion G. Seig - 231                                  |
| 222, 214, 180 | Georganna Thurmond - 230                              |
| 248, 195      | Kauai Corp.   |
| 231           | Comments on Rezoning Petitions -                      |
| 284           | Leo + Leona Baumgart                                  |
| 365           | John + Louise Habermel                                |
| 396           | Laverne C + Betty Spindler                            |
| 84A           | William + Bertha Senning                              |
| 410           | John + Louise Habermel                                |
| 471           | Bussing Const. Co. Menoche Inv. to Area Plan          |
| 479           | Rezoning of Laverne + Betty Spindler withdrawn.       |
| 489           | Rezoning Petition of Bussing Const. Co. withdrawn.    |
| 609           | Oscar + Josephine Folz. - 651                         |
| 652           | Ninn Milling Co.                                      |

**R**

|   |             |
|---|-------------|
| Repeal article of Zoning ordinance  | 29          |
| Renewal of bonds for employees.   | 96          |
| Rejection of bids for county for 1973 (due to consolidation)              | 99          |
| Revenue Sharing regulations   | 203         |
| Revenue Sharing report  | 275         |
| Revenue Sharing allocation June 1, 1973 to June 30, 1973                  | 279,280     |
| Revenue Sharing discussion  | 284,<br>355 |
| Refund on Building Permit to Jim Patton                                   | 443         |
| Refund on Permit to McConnell Plumbing Co.                                | 451         |
| Radios needed by Cor. Hwy Dept for trucks                                 | 524         |
| Reimbursement Check from Environmental Protection Agency                  | 568         |
| Resume submitted for Exec. Sec. for Area Plan (referred to Area Plan 570) |             |
| Beydolt & Hitch's Peters Rd plans also money on Eschhoff                  | 615         |
| Oak Grove Rd - Road being built   | 620         |
| Keeneland Cir & Saratoga Dr. on Traffic problem                           | 620         |
| Evergreen Acres & Old State Estates                                       | 618         |
| Upper Mt. Vernon Rd   | 619         |

R

**S**

## Streets + Roads

- 5 Moffet's Lane accepted for Co. Maintenance.
- 5 Charles Lane accepted for Co. maintenance
- 12 Serious problem on Twickingham Drive.
- 19 Drainage problem on Boonville - New Harmony Rd.
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- 145 Problem of trash on Morton Avenue
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- 148 Lynch Road - seeding + fertilizing
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- 151 Discussion on River Road.
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**w**

*work summary submitted for County Highway*

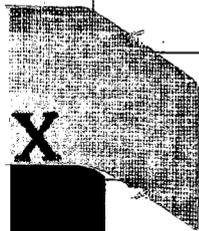
34

W



**X**

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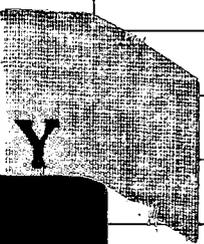




**Y**

427

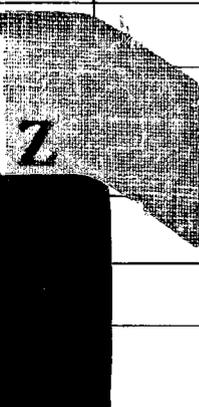
*Youth appreciation week*





**Z**

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COUNTY COMMISSIONERS MEETING  
OCTOBER 2, 1972

The regular meeting of the County Commissioners was held on Monday, October 2, 1972, at 9:30 a.m. with President Buthod presiding.

Deputy Sheriff Paul Bass opened the meeting, this being the first meeting of the month.

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

RE: COUNTY-OWNED PROPERTY DEEDED TO THE CITY REDEVELOPMENT COMMISSION

Mr. Wes Bowers presented a Quit Claim deed from Vanderburgh County to the City of Evansville for use and benefit of the Department of Redevelopment, on property located in the Beverly Heights Renewal area and owned by the county. These parcels include the following codes:

- |           |           |           |
|-----------|-----------|-----------|
| 34-171-13 | 34-172-42 | 34-173-9  |
| 34-171-10 | 34-171-34 | 34-174-3  |
| 34-172-26 | 34-173-12 | 34-174-20 |
| 34-172-47 | 34-173-11 |           |

The City proposed to pay the county, the appraisal value of this property. Mr. Bowers presented the Commissioners, a check in the amount of \$6,045.00 for this sale of land to the Redevelopment Commission. He also presented a closing statement on each parcel of property. He said the only reduction that was made from the appraised value was the \$30.00 per lot.

Commissioner Stofleth moved that the deed be accepted and that the check for \$6,045.00 be passed to the Auditor, along with the closing statements, also that Mr. Bowers furnish the Auditor with copies of the appraisals on these parcels, in order that they may be filed with the Auditor, and made part of the record.

Commissioner Willner seconded the motion. So ordered.

RE: SALE OF COUNTY-OWNED SURPLUS PROPERTY - DISCUSSED

Mr. Curran Miller said he met with Mr. Hotz, at Boehne Hospital, and they checked over the equipment, and Mr. Hotz gave Mr. Miller a list of the items for sale. They also discussed a tentative date, that of October 18, 1972, for the sale to be held at 10:00 a.m. but he then realized that legal requirements would have to be considered.

Mr. Stephens said he would check on this and contact Mr. Miller. Mr. Miller was instructed to prepare a contract, in the usual form. Approval was given, last week, for the employment of the services of Mr. Miller, to auction off the surplus items, together with a 1959 Burrough's machine from the Auditor's office, pending the acceptance of Mr. Miller. Mr. Swain was asked to look at the last contract, as a change or two had been made in his standard form.

RE: RESOLUTION ADOPTED AND BIDS AWARDED

Mr. Fosse presented the following resolution:

Minutes of the Board of County Commissioners, Vanderburgh (October 2, 1972)  
Evansville Association for Retarded Children, Inc. (September 28, 1972)

BE IT RESOLVED, that the following low bids for the construction of Evansville Comprehensive Mental Retardation Center be accepted and it is the intent of the Board of County Commissioners, Vanderburgh County, and Evansville Association for Retarded Children, Inc. at Evansville, Indiana, to award contracts to the following low bidders listed. The award of contracts to the following low bidders listed is contingent upon approval of the Part 4 application for State funds by the Indiana State Board of Health and the Department of Mental Health.

BE IT FURTHER RESOLVED, that J. Ken Nicholson be authorized and instructed to issue letters of notification of intent of award of contract contingent upon approval of the Part 4 application for State funds by the Indiana State Board of Health and the Department of Mental Health to the following listed low bidders for construction of the Evansville Comprehensive Mental Retardation Center as follows:

GENERAL CONSTRUCTION Key Construction Company, 2201 Covert Avenue,  
Evansville, Indiana.

Low Base Bid \$796,490.00

PLUMBING WORK Goedde Plumbing & Heating, Inc. 1401 Buchanan Road,  
Evansville, Indiana

Low Base Bid \$83,860.00

HEATING, VENT, AND AIR CONDITIONING Kuebler Heating & Air Conditioning,  
1207 East Virginia, Evansville, Indiana

Low Base Bid \$198,642.00

ELECTRICAL Swanson-Nunn Electric Company, 420 S.E. Eighth St.  
Evansville, Indiana

Low Base Bid \$103,433.00

Certifications were also enclosed and signed. One by Mr. Maurice J. Keller, the President of the Evansville Association for Retarded Children, the other by Mr. James M. Buthod, the President of the Vanderburgh County Commissioners, in that Commissioner Stofleth moved, on the recommendation of Mr. Jones, to adopt the resolution and award the bids, in accordance with the recommendations made.

Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

Two claims were presented to the Commissioners, from Condict & Fosse, Architects. One in the amount of \$1,897.80, as reimbursable expenses per Article 5 of Owner-Architect Agreement for the Evansville Association for Retarded Children. The other claim in the amount of \$7,782.00, on Architect's fee that is now due for the Evansville Association for Retarded Children. Commissioner Stofleth moved that these two claims be approved. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES...APPOINTMENTS

VOTERS REGISTRATION OFFICE

|                  |                   |        |             |              |
|------------------|-------------------|--------|-------------|--------------|
| Nancy L. Kleiman | 4807 Norbourn Way | Typist | \$15.00 Day | Eff: 9-27-72 |
| Gloria Evans     | 1369 E. Chandler  | "      | "           | "            |
| Ruth Porter      | 508 S. New York   | Clerk  | "           | 10-2-72      |

MAINTENANCE & COAT CHECK

|             |               |           |          |             |
|-------------|---------------|-----------|----------|-------------|
| Helen Boyce | 1413 S. Grand | Part-time | 1.75 Hr. | Immediately |
|-------------|---------------|-----------|----------|-------------|

VANDERBURGH COUNTY HIGHWAY DEPT.

|             |                    |            |          |         |
|-------------|--------------------|------------|----------|---------|
| Urban Kahre | 11113 Darmstadt Rd | Paint Shop | 3.25 Hr. | 10-2-72 |
|-------------|--------------------|------------|----------|---------|

EMPLOYMENT CHANGES...RELEASES

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

|             |                     |             |          |         |
|-------------|---------------------|-------------|----------|---------|
| Urban Kahre | 11113 Darmstadt Rd. | Equip. Opr. | 3.40 Hr. | 9-30-72 |
|-------------|---------------------|-------------|----------|---------|



Mrs. Sauer said that in regard to the signs that Mr. Koch referred to, there is an ordinance that was passed in April, on speed limit, only, that the signs haven't been put up because they don't have the signs and the other ordinance's were passed only about two weeks ago and she talked to Mrs. Guthrie and told her that they would be put up as soon as the ordinance was prepared. She said that she has told Mr. Koch, also, but that he is hard of hearing and doesn't pay attention.

The County Attorney's were instructed to proceed with the opening of bids.

RE: REPORT OF MR. KOCH

Mr. Koch submitted the following report:

1. Safety on the HiWay: Mud on HiWay, clogged ditches B. Construction adjacent or across county Hiway as on Darmstadt and Old State Road. The L & N Railroad project. Means need be taken that the contractor keep surface of county Hi Way clear of midor clay. C. Bleeding HiWay: Many of our black top and chip and seal - tar coming thru leaves large slick spots, rain makes them all the more slicker. In winter, ice and snow form and have had one such accident, school bus was hit by car skidding sideways. That was last winter. D. Such spots need to be roughened - mentioned before during the hot weather fine chat on same roll with heavy roller - Now may need to use flame thrower to soften the tar, at any rate the matter needs urgent attention.
2. Limbs extending onto or over hang the Hiway. School buses height from 12 to 14 feet. Limbs hit windshield and blinker lights. Side hit by limbs extending over side of road. One such now on wortman road west of Old State Road, some 500 feet and overhang on top of knoll. Bus No. 6, operated by Milan Silke, following his bus on this narrow road, could not pass, noted he swung to the far left to avoid striking the hanging limb. One such occasion, another car approached him from the west, stated that he nearly had a head on. Such spots are all the more hazardous. This limb could be cut with a tall tree limb cutter. Should have such in garage as S.I.G. & E. Co. utility men use, can cut up to 1 1/2 or 2 inch limb. Heavy duty type.
3. Hornet and wasps nests in tree limbs. Some bus could strike and such on Wertman Road and Old State Road. Could Sheriff staff remove with shot gun. Such could fly into bus and cause heavy stings and many are poisonous. Check on same.
4. Blind corners: County Engineer Sam Biggerstaff received a call from Mrs. James Gest of 4225 Mesker Park Drive. Found Hi knob at curve, brush and weeds extend onto edge road, block more of the road. Fast driving not aware of the curve until on same swerve and on several occasions off the road into their wire fence filled with cattle and ponies. They asked the knob be cut down and road made wider at this point. Another in same area by home of George Bachett of 4418 Mesker Pk. Dr. Bad curve, nabors installed some guard posts. Road needs be made wider, also black top at their mail box. An urgent matter also.
5. Urgent need of road center and shoulder lines: Noted that Mayor Lloyd and City Attorney noted that the city striping machine could be used by the county. City operator would handle same and no doubt county could reimburse them for the paint and time. This is most vital to school bus routes to enable the average driver to be able to keep his distance. Also night driving White line indicated edge of road with many of our road edge hidden with grass and weeds and drip off's from 3 inches to, in some cases, 3 feet and more. Very hazardous. This too should be a must.
6. Federal and state governments and all veterans organizations are pleading for employers hire returned vietnam veterans. This includes both male and female, as armed forces have skilled many with varied clerical background. The men with heavy equipment background operators air corps has many such that build hasty air fields well trained in all types of heavy road equipment. Full data from Indiana Employment office and local industry has long been giving them a helping hand.

In regard to the striping of the roads, Mr. Willard said that Mr. Judd has the striper, but that he has no attachment for marking the edge of the road, but that he would paint the center lines.

Commissioner Stofleth said this was discussed previously and the Traffic Dept. has a striper, that they will let the county use it but the County must purchase the paint.

The Commissioners are trying to find which would be the least expensive, to contract the work out or to borrow the striper and buy the paint. This job was contracted out previously.

RE: CUTS-IN

Mr. Biggerstaff presented the following cuts-in for the approval of the Commissioners:

The Waterworks requested permission to cut into Old Highway 62, in order to install water main extension from Hillside Drive to Nurrenburn Road.

The Indiana Bell Telephone Co. requested permission to cut into Harmony Way, from 2107 Harmony Way to Rose Avenue to provide additional telephone facilities to the area.

Commissioner Stofleth moved that these cuts-in be approved, upon the recommendation of the County Engineer. Commissioner Willner seconded the motion. So ordered.

RE: ROADS ACCEPTED FOR COUNTY MAINTENANCE

The following affidavit was presented to the Commissioners by Mr. James Samuel Moffett:

The undersigned, James Samuel Moffett, being first duly sworn and upon oath, says that this Affiant is a resident of Vanderburgh County, State of Indiana; that this Affiant of his own personal knowledge knows that the road commonly known as MOFFETT'S LANE and being a certain road which commences at the Kansas Road in the Northeast quarter of the Northwest quarter of Section 27, Township 5 South, Range 10 West, in Vanderburgh County, Indiana, and running South and East therefrom, has been used by the public as a county road or highway for at least twenty (20) years prior to the first day of January, 1962, and that the use by the public has been unrestricted, without limitation of any kind or nature; that this Affiant does now respectfully request that the County Commissioners of Vanderburgh County accept said road for maintenance as being a county highway or road in general use by the public for a period of at least twenty (20) years prior to the first day of January, 1962.  
Dated this 30th day of September, 1972.

Commissioner Buthod said that he understands that it is the obligation of the Commissioners to keep this road in the same condition that it is accepted in, but to get it on the road inventory, there should be something a little more definite on it.

Mr. Biggerstaff said that he would get a legal description of the road.

Commissioner Stofleth moved that Moffet's Lane be accepted by the county for maintenance, in accordance with a determination of Right of Way, to be furnished by the County Engineer and included on the road inventory. The affidavit is being filed in support of this action. Commissioner Willner seconded the motion. So ordered.

The following request was received last week but action was deferred, and acted upon today: This request was from Charles Gullede.

The undersigned, being first duly sworn and upon oath says: that this Affiant is a resident of Vanderburgh County, State of Indiana; that this Affiant, of his own personal knowledge, knows that a road commonly known as Charles Lane, which said road is located within said county, has been used by the public as a County road or highway for at least twenty years prior to the 1st day of January, 1962 and that the use by the public has been unrestricted and without limitation of any kind or nature; that this Affiant does now respectfully request that the County Commissioners of Vanderburgh County accept said Charles Lane for maintenance, as being a County Highway or road in general use by the public for a period of at least twenty (20) years prior to the 1st day of January, 1962.

Commissioner Stofleth moved that Charles Lane be accepted by the County for maintenance, in accordance with a determination of Right of Way, to be furnished by the County Engineer and included on the road inventory. The affidavit is being filed in support of this action. Commissioner Willner seconded the motion. So ordered.

RE: TITLE SHEET FOR PLANS SUBMITTED

Mr. Biggerstaff presented the front sheet for plans of the structures for Weinbach Avenue, Green River Road and New Green River Road, to the Commissioners for their approval.

He said that these structures were in connection with Eagle Slough and if Eagle Slough isn't built, these structures won't be built either. Commissioner Stofleth moved that the title sheet for the plans, be approved. Commissioner Willner seconded the motion. So ordered.

RE: APPROVAL OF DITCH CLEANING

Mr. Biggerstaff said that he received a letter in August from Mr. Chandler, in regard to a ditch around BonnieView Drive and Burkhardt Road. He said that it was cleaned about six years ago and saplings are growing in it, and this is causing problems East of BonnieView Drive. He said that the Commissioners had asked him to obtain bids, and he has only received one, and this was from Floyd Staub, who said he would clean the ditch for 80¢ per foot or a fixed price of \$1,000.00.

Mr. Biggerstaff said that Mr. Staub would have to take his spoil bank and level it off, and he thought this to be a fair price.

Commissioner Buthod said that he would like a letter of specifications, as to the work that is involved.

Mr. Biggerstaff said that he would prepare the specifications for Mr. Staub to sign. He also said that he would have the contract ready next week.

Commissioner Stofleth moved that the ditch be cleaned by Mr. Staub, at 80¢ per foot, not to exceed \$1,000.00. Commissioner Willner seconded the motion. So ordered.

RE: MR. WILLARD

Mr. Willard said that the shop towels at the County garage has been costing \$40.00 per hundred pounds and he has talked to White Swan Laundry, and found that he could get shop towels at 3¢ a piece, and that they are picked up and laundered each week, also that if one is lost, it costs 7¢ to replace it. Mr. Willard thought he could issue each employee with a couple of towels at a time, and keep the rest locked up.

Commissioner Stofleth moved that the Superintendent of the County Garage be permitted to contract with White Swan Laundry for a supply of shop towels. Commissioner Willner seconded the motion. So ordered.

REQUEST FROM COUNTY BUILDING COMMISSIONER

Commissioner Buthod said the Commissioners had a request from Mr. Crooks, to be placed on Council Call for request of funds being transferred, in order that he might continue as County Building Commissioner for the rest of the year.

This matter was placed on the Council call.

RE: MR. CROOKS

Mr. Crooks said he hasn't heard anymore on the property of Mr. & Mrs. Kissel, that was purchased by the County.

Mr. Swain said he has the abstract, also that the County didn't buy as much of the property as he thought, that they didn't buy the garage.

Mr. Crooks will contact Mr. Swain for further information on this matter.

RE: BIDS OPENED AND CONTRACTS AWARDED

There was only one bid for the sandblasting and painting of the Olympic pool in Burdette Park, and this bid was from Connie Garnett Contractors, in the amount of \$14,057.11. This bid was in order as to form.

Commissioner Stofleth moved that the contract be awarded to Connie Garnett for this job. Commissioner Willner seconded the motion. So ordered.

There was only one bid for the Addressograph machine that is needed in the Auditor's office, and this was from the Addressograph-Multigraph Corp. of Louisville, Kentucky, in the amount of Lease purchase over a three-year period, contingent upon appropriation of necessary funds during the second and third years of the contract:- \$13,960.56 payable not before January 2, 1973, or upon delivery of equipment; and, \$13,960.56 on the first annual anniversary date in 1974, and \$13,960.56 on the second annual anniversary date in 1975.

These payment terms are accepted with the understanding that if such payments are not made by the County as provided in this Bid agreement, upon ten days written notice, Addressograph-Multigraph Corporation may retake possession of this equipment, without judicial process and retain all amounts paid to it.

One Addressograph machine and three Graphotypes are included in the terms of this agreement.

Mr. Stephens said that the bid included a bond but not a certified check. It was later found that a resident agent had countersigned for the Company. Commissioner Stofleth moved that Addressograph-Multigraph Corporation be awarded the contract for the Auditor's Addressograph machine. Commissioner Willner seconded the motion. So ordered.

A joint bid was received for transporting the voting machines and necessary equipment from the warehouse to the voting places on Monday, November 6, 1972, prior to 6:00 P.M. and returning same to warehouse on Wednesday, November 8, 1972. They were from Adco Moving & Storage Co. Inc., Belmont Moving & Storage, Inc., Evansville Transfer & Storage Co. Inc., Geiger Transfer & Storage Co. Inc., Kinder Moving & Storage Inc., Nunley-Gardner, Inc., and Shetler Moving & Storage, Inc. The amount of the bid was \$37.50 for those machines to be moved within the city and \$42.50 for those machines to be moved outside of the city. It was noted that they failed to enclose a performance bond.

Commissioner Stofleth moved that the contract be awarded to the various companies, subject to the submission of a performance bond. Commissioner Willner seconded the motion. So ordered.

RE: 40-HOUR WORK WEEK

Commissioner Buthod said there seemed to be some question as to if the County offices are to stay open until 5:00 P.M. today. He said according to the terms of the resolution adopted on September 5, 1972, by the County Commissioners, the effective date was October 1, 1972, so he would assume that the various offices would comply with the resolution that was adopted and would remain open until 5:00 P.M.

RE: DATE OF NEXT MEETING SET

Commissioner Buthod stated that since next Monday, October 9, 1972, will be a legal holiday, the County Commissioners meeting will be next Tuesday, October 10, 1972.

Meeting recessed at 10:30 A.M.

PRESENT

COUNTY COMMISSIONERS

James M. Buthod  
A. J. "Ted" Stofleth  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe

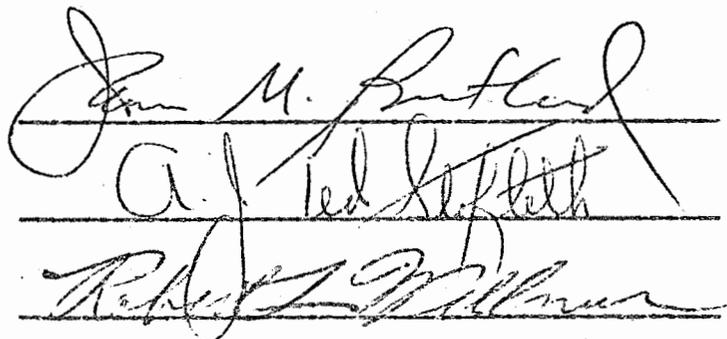
COUNTY ATTORNEY'S

Thomas Swain  
William Stephens

REPORTERS

A. Jackson  
C. Leach  
T. Edwards  
G. Clabes  
S. Clark

Secretary: Margie Meeks



BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
OCTOBER 10, 1972

The regular meeting of the County Commissioners was held on Tuesday, October 10, 1972, at 9:30 a.m. with President Buthod presiding.

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

RE: PROGRAM OF MEDICAL EDUCATION PROPOSED

Dr. Patrick Corcoran appeared on behalf of the Evansville Center for medical education which is a component of Indiana University School of Medicine. Dr. Corcoran said they have been given a grant by the Division on Alcoholism of the State Department of Mental Health, to conduct a program of medical education on alcohol, and it must become operational by mid-January, in order to re-apply for approval of a second grant. He said that the Department of Mental Health has given approval of utilizing Mr. Volpe, the County Auditor, as the fiscal purchasing agent for the funds that will be used.

Commissioner Buthod said that he has no objections, as long as the procedures are worked out.

Commissioner Willner asked how long this program would take.

Dr. Corcoran said they expect the offer of probable funding to be for three years.

Mr. Volpe said he is doing the same thing for Alcoholics Help Inc. and for the Youth Corp., in that he also volunteered to do the accounting work for them and will now do the same for Dr. Corcoran. He said that this mainly means that he can get in on the New York Life Insurance policy, at their expense, and that they are participating in the Insurance plan of the county.

Commissioner Stofleth moved to approve the proposal of Dr. Corcoran. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

TREASURER'S OFFICE

Bea Phillips R.R.4 Slate Rd. Estra Clerk \$15.00 Day Eff: 10-5-72

SHERIFF'S OFFICE

James E. Brinkman 2533 Adams Ave. Prob. Co. Police \$7,500 Yr. 10-1-72

RE: EMPLOYMENT CHANGES....RELEASES

COUNTY BOARD OF REVIEW

Monica Mindrup 2105 Hercules Clerk \$15.00 Day Eff: 10-6-72  
Karen Staack 1401 N. Red Bank " " " "

SHERIFF'S DEPARTMENT

Daniel Kleiman 2317 Pollack Ave. Co. Policeman \$8,500 Yr. 9-30-72

RE: MONTHLY REPORT....CLERK OF THE CIRCUIT COURT

The report of the Clerk of the Circuit Court was submitted for the month of September. Report received and ordered filed.

RE: MONTHLY REPORT....COUNTY TREASURER

The report of the County Treasurer was submitted for the month of September. Report received and ordered filed.

RE: QUARTERLY REPORT...JUSTICE OF THE PEACE

The quarterly report of the Justice of the Peace, Paul Luster, was presented to the Commissioners. Report received and ordered filed.

RE: REPORT OF PLEASANTVIEW REST HOME

The report of the Pleasantview Rest Home was presented to the Commissioners for the month of September, 1972. Commissioner Stofleth moved that this report be approved. Commissioner Willner seconded the motion. So ordered.

RE: PROJECTED CONSTRUCTION COST RAISED

A claim from Condict and Fosse Architects was presented and approved last week, but Mr. Volpe again presented them in order to bring to the attention of the Commissioners, the fact that the projected construction cost has been raised from \$1,000,000.00 to \$1,182,425.00. Commissioner Buthod said this should be a hard number, as the bids have been let.

RE: CLAIMS

A claim was presented in the amount of \$9,000 for the postage meter, which is to be signed by the Postmaster. Commissioner Stofleth moved that this claim be allowed. Commissioner Willner seconded the motion. So ordered.

A claim was presented from John Munger in the amount of \$25.00 for viewers fee in the vacation of Reininga Road. Mr. Volpe said that this would be paid from the account of awards, indemnities, etc. Commissioner Stofleth moved this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: CIVIL DEFENSE

Mayor Lloyd and Mr. Cavanaugh appeared before the Commissioners, as did Dr. Peirce and Dr. Crick of Indiana University. Mayor Lloyd said this is a historic occasion because it is the first time ever, that the City of Evansville and Vanderburgh County, through the cooperation and hard work of Indiana University Division of Continued Education, and the cooperation of a number of Departments of City & County government, as well as a number of private agencies, have compiled an emergency operations plan. He also said that there is now an inventory of county equipment.

Mr. Cavanaugh said that work was done basically to do-ordinate the City and County efforts in the event of any type of emergency. He said this plan puts everyone in their place, to do their best, with maximum efficiency, in event of an emergency in the City of Evansville or in Vanderburgh County. He presented the plans to the Commissioners.

Commissioner Buthod said this is the most concrete thing he has seen in some years and thought it a tremendous accomplishment to have this available.

The resolution that the Commissioners were asked to adopt was on page 2 of the plans submitted, and the approval on page 15 and page 149.

Commissioner Stofleth moved to approve, sign, and adopt the resolution of Civil Defense emergency operation, as they appear on Pages, 2, 15, & 149. Commissioner Willner seconded the motion. So ordered.

Commissioner Buthod said the Commissioners recognized that this was the work of a great number of people, in addition to the people present, and he wished to express their thanks to all people who co-operated in the preparation of this plan.

Mr. Cavanaugh questioned who would be their agent in the event the Commissioners couldn't be reached.

Commissioner Stofleth moved that the agent, in line of succession in the County, as in line B & C, Item 2, on page 15..that line B be the County Auditor and line C be the County Highway Engineer. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR 4-WAY STOP

The following letter was received by the Commissioners from Mrs. Thomas Steele:

Gentlemen:

Subject: Intersection of Boonville-New Harmony Road and Old State Road.

This intersection was recently changed by the request of "Area Plan" and evidently no member of that committee travels in our territory. This intersection is one of many dangerous intersections in our county but it seems to us in the area that the danger could be minimized by making this intersection a "four-way stop", using flasher lights, etc. Would you please investigate the possibility of reverting this intersection to a four way stop? Thank You. Mrs. Thomas Steele.

Mrs. Steele was present today to see what could be done, and presented the Commissioners with a petition signed by the residents in the area. Commissioner Willner said that this was a dangerous intersection. He said that he would be in favor of putting this on the Federal Aid Grant and having this intersection changed grade-wise at the earliest convenience. He said that the problem originated because Boonville-New Harmony Road does have a grade to climb and in the winter time, it is impossible to stop and this was the reason the stop signs were changed.

Mrs. Steele said that a four-way stop would possibly slow down traffic.

Mr. Biggerstaff said that a person can't see on Boonville-New Harmony Road and thought that maybe a four-way stop would keep someone from getting seriously hurt, although the road grade should be changed. He said it would take at least a year to get Federal aid.

Commissioner Buthod said that the residents are more aware of the problems in the area, since they drive on the roads.

Commissioner Stofleth moved that an ordinance be prepared for presentation at the next meeting, making this interstate a four-way stop and that the Engineer be directed to proceed with preliminary plans for the improvement of the intersection. Commissioner Willner seconded the motion. So ordered.

RE: MR. BIGGERSTAFF

Mr. Biggerstaff said that Mr. Nussmeyer asked him to prepare a claim, as he would like to be paid the balance on his estimate #4 on the Volkman Road bridge, instead of waiting until the account is transferred from the Accumulative Bridge Fund to the Volkman Road bridge. The amount is \$13,094.58. He said that when Mr. Nussmeyer signed the contract, it read that the money was available and he has to borrow money to proceed with his work. This matter is on the council call for this month.

Commissioner Buthod said it would be the responsibility of Mr. Volpe, if he wanted to pay it, subject to reimbursement.

Commissioner Stofleth moved that payment be made from the Highway Department, in the amount of \$13,094.58, subject to reimbursement. Commissioner Willner seconded the motion. So ordered.

RE: RIGHT OF WAY GRANT

Mr. Biggerstaff presented a Right of Way Grant from Mr. Roy Winstead on Claremont Avenue. He said this was held up, as was the Realtor's claim, as they didn't have approval from the state on the structure. He said they have now received approval on the Claremont Avenue bridge so he would like to submit the Right of Way Grant to the Commissioners for approval.

Commissioner Stofleth moved that the Right of Way Grant be accepted, subject to approval of the County Attorney, the claim therefore be paid and the claim from Rickard Realty Inc. be paid in the amount of \$250.00. The amount of the claim for the Right of Way Grant being \$1,255.00. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR FOUR-WAY STOP

Mr. Biggerstaff said that he had a request for a four-way stop at Boehne Camp Road and Hogue Road. He said they propose a crosswalk at the school and he didn't know why they didn't propose a stop sign in the same place because it reads in the uniform code traffic book, that stop signs were used at the crosswalks. He said this crosswalk would be for the children to cross the street at Hogue Road.

A reporter, Alice Jackson said that a person cannot see the signs until he is right on them.

Commissioner Stofleth moved that the County Attorney's be directed to prepare an ordinance for a four-way stop at this intersection.

Commissioner Buthod said he didn't know if there were enough cars outside of school hours to warrant a four-way stop and he would like this matter tabled until next week, so he will have a chance to look this situation over.

Commissioner Stofleth withdrew his motion. This matter will be tabled until next week.

RE: MEETING DATE CHANGED

Commissioner Buthod will celebrate his Twenty-Fifth Wedding Anniversary, and thanks to his children, he and his wife were given a three-day weekend at French Lick, for a present, so he is agreeable to have the Commissioners meeting next Tuesday, since he will be out-of-town on Monday. He said that the other Commissioners could have the meeting on Monday without him, but that the Robert Martin re-zoning comes up next week and he thought he should be present. He said that the re-zoning could, however, be postponed until the following week.

After some discussion, it was decided by the Commissioners, that the next regular meeting will be next Tuesday, October 17, 1972.

County Attorney, Tom Swain, said that he will be on vacation next week.

RE: MERGING OF CITY AND COUNTY DEPARTMENTS

Judge Lensing reported on the efforts of consolidation by saying that the County Council has considered several consolidation ordinances that were submitted and the first was the consolidation of Weights and Measures and that Mr. Miller of the County Council made one suggestion, and that was that paragraph 4 in the contract provides that the City pays 58% and the County pays 42%, and they would like to add, "that this percentage shall be re-evaluated every year at budget time." He also said that Mr. Arthur Aarstad suggested that the ordinance be approved in principle and he thought that when these budgets are submitted for evaluation, that it would be advisable for a member of the County Council to sit in on these meetings.

Mr. Stephens said that there will be a meeting Thursday, on this, and he will recommend that an addendum be placed in the ordinance on the evaluation at budget time, and the other suggestion could be approved, but wouldn't have to be in the ordinance.

Commissioner Buthod said if these two contracts were in order, subject to the one correction, he would be in favor of a resolution, adopting them in principle, subject to approval of the contract.

Commissioner Stofleth moved to approve the merging of the City and County Building Commission and the Department's of Weights and Measures of the City and County, in accordance with the contracts and subject to modification, and final approval by the County Commissioners, of the exact language in the contract. Commissioner Willner seconded the motion.

Commissioner Willner asked if he wasn't correct in that Mr. Cox said that from five to six personnel could be alleviated from the Building Commissioner's office, and he saw where an appropriation for personnel is being asked for on the Council Call. He said he will be watching this procedure and see that there is savings in consolidation.

Mr. Crooks said he has asked for the funds which were available, and it was a question of transferring it from one department to another within the Building Commission, and the only thing here was wanting the retention of an individual that he wanted to keep after the consolidation.

Commissioner Buthod said they are taking the first of several historic steps toward increased efficiency and it is on a three year contract basis, so there will be an opportunity to evaluate the performances and he is glad that something is finally being done.

Mr. Munger wondered how soon the other contracts can be expected.

Commissioner Buthod said they are all in draft form, but the difficult one is the Purchasing Department and there will be a meeting on this Thursday. He also said that the County Council is in favor of the consolidation of all six departments, in principle. He also said these contracts must be approved by the City, County, and the Attorney General of Indiana.

Mr. Munger wondered if this would cause a problem as to the dead line on running specifications for next year's supplies.

Mr. Stephens said this is why the meeting will be held Thursday.

Mr. Munger said he would like to commend all those responsible for starting consolidation, on behalf of the Chamber of Commerce.

Commissioner Willner said there are a lot of questions in his mind on the consolidation of the City and County garages, but he is sure there isn't anything that can't be worked out.

Mr. Munger wondered if these contracts were going to be voted on now.

Commissioner Buthod said the motion has been made and seconded, but he would call for a record vote on these two contracts. The vote being unanimous in the affirmative, the motion carried.

RE: SERIOUS PROBLEM ON TWICKINGHAM DRIVE

Mr. Willard said he is having trouble with Twickingham Drive and he doesn't know what to do. He said that he has already placed two barricades out there. Mr. Biggerstaff said the pavement was breaking up and he hoped it was only over the sewer trenches. He said they had concrete manhole cones that were set over the manholes and apparently when they built the street, the grade came above the top of these manhole cones so they laid bricks on the cones and put the casting on top of the bricks so there was a void between the casting and the cones and eventually the water seeping through the cracks, caused the erosion of the sub-grade of the street and washed it down the sewer. He said this is a hazardous condition.

Commissioner Buthod said if Mr. Biggerstaff could give some specific approach to this problem, maybe on a long term basis, they could get some Federal or State money, as he thought this would be a reconstruction job.

Mr. Biggerstaff said that he would see what he could find out and that he would prepare the plans.

Commissioner Buthod said he was afraid someone would fall through the street. He said in the meantime, he would like to serve a blanket authority from the Commissioners to Mr. Willard, that on any report of hazard or hole, that he go out there immediately to barricade it, without the necessity of checking with them.

The Commissioners agreed that this procedure should be followed.

RE: PROPOSAL APPROVED

Mr. Biggerstaff presented a proposal from Mr. Floyd Staub, as he was requested to do last week, for the cleaning of an open drain which begins at Bonnie View Drive and East Oak Street and runs North approximately 650 feet, then west about 450 feet to Burkhardt Road.

He submitted a price of 80¢ per lineal foot with a limit of \$1,000.00, as ordered by the Commissioners.

Commissioner Stofleth moved to approve the agreement. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORT

Mr. Willard presented the monthly report of the County Highway garage for the month of September. Report received and filed.

RE: MR. PUGH

Mr. Pugh asked Mr. Biggerstaff if there was any program under the County Highway, to tire strip these expansion joints.

Mr. Biggerstaff said he didn't know if there was any equipment to do this.

Mr. Munger said that the county recently loaned the City a weed cutting device and that perhaps the City could loan the county their tiring device.

Mr. Biggerstaff said that he didn't know if the City had one either.

RE: MR. HARNESS

Mr. Harness presented an application for the admission of Mollie Ramsey, from the Department of Welfare, to the Pleasantview Rest Home. Commissioner Willner moved, on the recommendation of Mr. Harness, that this admission be approved. Commissioner Stofleth seconded the motion. So ordered.

Mr. Harness presented an application for the admission of Eva McKenney, from the Pigeon Township, to the Pleasantview Rest Home. Commissioner Willner moved, on the recommendation of Mr. Harness, that this admission be approved. Commissioner Stofleth seconded the motion. So ordered.

RE: APPEALS PRESENTED

Mr. Volpe presented the appeals which he has set up, and asked that the Commissioners approve them next week, in time for the County Council meeting. The appeals are as follows:

|                              |             |   |
|------------------------------|-------------|---|
| Airport Authority.....       | \$83,000,   | which actually goes before the Council and not before the Commissioners.                              |
| Armstrong Twp. Assessor..... | \$345.00,   | for Extra Help  |
| Scott Twp. Assessor.....     | \$500.00,   | for Part Time Help  |
| County Assessor.....         | \$4,120.00, | for Fifth Deputy in Auto Excise Tax   |
| Coop. Ext. Service.....      | \$1,000.00, | for Traveling Expense   |
| Commissioners.....           | \$3,000.00, | for Telephones, Mr. Volpe recommended appeal of this amount that was cut by the Tax Adjustment Board. |

Mr. Volpe also recommended an appeal of rent for the building. He said that although there is no objection to the rent allowed, there is still a court order that must be taken into account, so he suggested that amount be appealed, on the theory that the money should be raised before it is spent. He said this arises from the court case where they stood their ground and said they believed the people should have authority over their own tax money. He said that he withheld the entire amount of the Tax Adjustment Board cut because the City & School weren't about to co-operate, so now that they have been sustained, they owe the Building Authority 55% of the \$28,000. He said he talked to Mr. Ruston who said the County owes \$14,100.24. These appeals will be taken up next week by the Commissioners.

Attorney Tom Swain asked what happened about the cut of the Drainage Board Attorney's.

Mr. Biggerstaff said that he is taking care of the appeal on this.

RE: MEMO ON CLOSING TIME OF THE AUDITORIUM

The following memo was received by the Commissioners, from Mr. Dressback:

We are in receipt of a Memo wherein County offices are "Recommended" to stay open until 5 P.M.

It is my firm belief this should not apply to our building as we are not on regular workweek schedule. You will recall sometime ago we turned in time sheets on all our salaried people and we were averaging 52-60 hours a week. We work, many nites from 5 P.M. to 2 A.M., are generally open on all holidays, and in general, put in many more hours than regular County workers.

Robert Stadium closes each day @ 3:30 P.M. and, unless notified to the contrary we will continue closing at 4 P.M.

Commissioner Stofleth moved that the County Auditorium be permitted, subject to a forty-hour work week, to close at 4:00 P.M.. Commissioner Willner seconded the motion. So ordered. Mr. Dressback will be notified of this action.

RE: POOR RELIEF

Joe Matthews..R.R.13, Denzer Road..German Township, Mrs. Phillips, Investigator. Mr. Matthews asked for help on his wife's medical bills. The hospital bill is \$1,289.00. The doctor bill is \$139.00. Mr. Matthews works on a farm and makes \$30.00 to \$34.00 per week. He has two children, ages 11 & 12. His wife is still under the doctor's care.

Mrs. Phillips said that in reviewing this case, she found that Mr. Matthews is 73 years of age and his wife is 59, that they have two children in the home that have lived there since birth but there are no legal custody papers for these children, and because she had to figure this as a two family home. The children have a mother living in the city, who has two other children and she receives Aid for Dependent Children for them.

Mr. Matthews said that the children are his wife's great niece and nephew. Mrs. Matthews said that the Matthew's live in their home, rent free, and that he received \$2,059.20 in Social Security. She said if there were some way that the Matthews could receive custody of these children, there would possibly be help available..Mr and Mrs. Matthews' utilities are also furnished, but he said that he paid his telephone bill, as he had to have a private line, because of his wife's condition.

Mrs. Phillips said that she has talked with the doctor and was told that Mrs. Matthew's was excessively overweight and until she loses some of this weight, she will continue to have medical problems. She also talked to Welfare and found that they had paid \$1400.00 on a hospital bill some years back, part of which is still in a collection agency. They have been turned down by Welfare, also because the children aren't legally theirs.

Mrs. Phillips said that if these children were legally adopted by the Matthews, they could receive A.D.C. and also Social Security under Mr. Matthews. Commissioner Buthod said that this was something that needed to be worked out, because he hated to see people who are making the effort to take care of children, having this problem.

This matter was taken under advisement.

Mr. Stephens suggested they talk to the Welfare and have them institute a petition and have the children made wards of the court and placed in this home. Commissioner Buthod asked Mr. Matthews to explain this to the Children's Mother, as this is the only way for them to be helped. He also suggested that the Trustee and Mr. Matthews talk to Donna Rae Hagedorn of legal aid, that he was sure that she could make a recommendation to help them.

Commissioner Stofleth so moved that they see Miss Hagedorn. Commissioner Willner seconded the motion. So ordered.

RE: APPRAISER APPOINTED

Mr. Bruce Mominee expressed interest in county owned property in Parkland Annex, Lot 2, Blk. 2, code 31-42-7 .

Commissioner Stofleth moved that James R. Pearson be appointed appraiser for this property. Commissioner Willner seconded the motion. So ordered.

RE: TRAFFIC CONTROL RESOLUTION SIGNED

A resolution by the Board of Commissioners of Vanderburgh County established stop signs for motor vehicles at the intersections of Drexel drive and Mels Drive. This resolution was previously approved and presented today for the signatures of the Commissioners.

Meeting recessed at 11:00 a.m.

PRESENT

COUNTY COMMISSIONERS

COUNTY AUDITOR

COUNTY ATTORNEYS

REPORTERS

James M. Buthod  
A. J. "Ted" Stofleth

Lewis F. Volpe

Thomas Swain  
William Stephens

A. Jackson C. Leach  
S. Clark G. Clabes  
T. Edwards

Secretary: Margie Meeks

*(Handwritten signatures of James M. Buthod, A. J. "Ted" Stofleth, and Lewis F. Volpe)*  
\_\_\_\_\_  
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
OCTOBER 17, 1972

The regular meeting of the County Commissioners was held on Tuesday, October 17, 1972, at 9:30 A.M. with President Buthod presiding.

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

RE: EASEMENTS PRESENTED

Mr. Fosse presented utility easements for Rights-of-Way, concerning the Evansville Association for Retarded Children project. He said that the County Attorney has examined them.

Attached to each easement was a letter granting expenditure of funds for relocating either the telephone or electrical lines. Also enclosed were letters explaining their methods of procedure. The money being part of that which was allocated for the construction of this project.

The Telephone Co. granted authorization of \$2,575.87 and the Gas Co. granted authorization of \$3,129.00.

Commissioner Stofleth moved that grant of easements be approved, to the Indiana Bell Telephone Co. and the Southern Indiana Gas & Electric Co. Commissioner Willner seconded the motion. So ordered.

RE: BID FORMS SIGNED

Bids were awarded last week for the construction of the Evansville Mental Retardation Center and were presented to the Commissioners, at this time, for their signatures. They are Key Construction Co. for the general contractual work, Kuebler Heating & Air Conditioning Co. for the heating, vent and air conditioning work, Goedde Plumbing & Heating Inc. for the plumbing work, and Swanson Nunn Electric Co. for the electrical work.

RE: MONTHLY REPORT

The monthly report of the Evansville Association for the Retarded Children, for the month of September, was submitted to the Commissioners. Report received and ordered filed.

RE: APPEAL OF BUDGETS APPROVED

There was the matter of an appeal of the county budgets as cut by the Tax Adjustment Board, that was presented to the Commissioners last week. Action was deferred on these until today.

Commissioner Willner moved to approve the appeal. Commissioner Stofleth seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

VOTERS REGISTRATION OFFICE

|                   |                      |       |         |     |               |
|-------------------|----------------------|-------|---------|-----|---------------|
| Lucille Elliott   | 3920 New Harmony Rd. | Clerk | \$15.00 | Day | Eff: 10-14-72 |
| Betty Omer        | 1052 Madison         | "     | "       | "   | 10-13-72      |
| Ann Nolen         | 1640 E. Indiana St.  | "     | "       | "   | 10-16-72      |
| Frances Schwartz  | 5307 Winding Way     | "     | "       | "   | "             |
| Virginia Robinson | 909 Meyer            | "     | "       | "   | "             |
| Mary Stewart      | 1719 Monroe          | "     | "       | "   | "             |
| Betty Teague      | 501 E. Delaware      | "     | "       | "   | "             |
| Linda Delano      | 1514 E. Delaware     | "     | "       | "   | 10-14-72      |
| Helen Spencer     | 1600 Schutte Rd.     | "     | "       | "   | 10-13-72      |
| Jane Staples      | 1510 E. Morgan       | "     | "       | "   | 10-16-72      |
| Jeanie Edwards    | 400 S. Barker        | "     | "       | "   | "             |

COUNTY TREASURER'S OFFICE

|                        |                    |           |         |     |               |
|------------------------|--------------------|-----------|---------|-----|---------------|
| Marjorie Keeney        | 2013 Ridgeway      | Ex. Clerk | \$15.00 | Day | Eff: 10-11-72 |
| Peggy J. Atherton      | 2618 Vogel Rd.     | "         | "       | "   | 10-12-72      |
| Patricia A. Lutterbach | 2911 Mesker Pk.Dr. | "         | "       | "   | "             |

C.O.G. TRANS. & DEVELOPMENT STUDY

|                 |                |           |            |     |               |
|-----------------|----------------|-----------|------------|-----|---------------|
| Richard T. Kuhn | 950 Blue Ridge | Planner I | \$6,850.00 | Yr. | Eff: 10-10-72 |
|-----------------|----------------|-----------|------------|-----|---------------|

RE: EMPLOYMENT CHANGES....RELEASES

C.O.G. TRANS. STUDY - Marilyn Fleig Bryce Apts. Planner I \$8,000 Yr. Eff:8-31-72

VOTERS REGISTRATION OFFICE

|                     |                 |       |             |               |
|---------------------|-----------------|-------|-------------|---------------|
| Ruth Porter         | 508 N. New York | Clerk | \$15.00 Day | Eff: 10-13-72 |
| Cornelia Gastenveld | 1113 W. Del.    | "     | "           | "             |
| Agnes Stinnett      | 1155 Vann Ave.  | "     | "           | "             |

VANDERBURGH COUNTY HIGHWAY

|                 |                |                |          |
|-----------------|----------------|----------------|----------|
| Steven A. Kuehn | Road Inspector | \$5,500.00 Yr. | 10-15-72 |
|-----------------|----------------|----------------|----------|

RECORDERS OFFICE

|                |                     |        |                |          |
|----------------|---------------------|--------|----------------|----------|
| Jane A. Wilkie | 6617 Kratzville Rd. | Deputy | \$4,672.32 Yr. | 10-16-72 |
|----------------|---------------------|--------|----------------|----------|

RE: POLLING PLACES SUBMITTED

Polling places were submitted for the General Election to be held on November 7, 1972.

Commissioner Stofleth moved to approve the polling places, as presented, in order that they may be advertised. Commissioner Willner seconded the motion. So ordered.

Mrs. Sauer was asked to communicate with the School Corporation, in that these polling places have been adopted.

RE: ALLOCATION STATUS REPORT

An allocation of highway funds was presented to the Commissioners by the County Auditor from the State Auditor, in that the allocation for the month of October is \$26,612.57 and the current balance available is \$556,660.49. Report received and ordered filed.

RE: REZONING PETITION....R. J. & MARY R. HOLLANDER

The premises affected by this petition are situated on the south side of Upper Mt. Vernon Road in the Southwest Quarter of the Southwest Quarter of Section Eighteen Township Six South, Range Eleven West.

The requested change is from Agriculture to CIB and the proposed land use is for a tavern.

Commissioner Stofleth moved that this petition be referred to the Area Plan Commission, on first reading. Commissioner Willner seconded the motion. So ordered.

RE: COUNTY HEALTH INSURANCE PROGRAM

Commissioner Buthod said that the Commissioners have been looking at the County Health Insurance program with the people from New York Life and he thought that this matter should be brought to the attention of the County Council before any action is taken. The meeting of the County Council will be held tomorrow night.

RE: REQUEST FROM SHERIFF RINEY

The following letter of request was received by the Commissioners from Sheriff Riney:

Gentlemen:

I am requesting a hearing on Monday, October 16, 1972, on a request for the building of an additional cage for interviews.

We have five County Courts, the number of prisoners we have, pre-sentence investigations, Lawyer consultations, parole officers investigations, Welfare investigations and other investigations with the prisoners, we are having delays in being able for these Agents to interview these prisoners because of lack of facilities. Of course, we are receiving complaints from the Agents because of the delays.

This additional interview cage will permit more than one Agency to talk with prisoners at the same time, therefore, preventing delays not only for the Agents but my department as well.

I sincerely hope you will grant this request as it is very necessary to our operation and will give us the means to give better service to the Agencies involved. Sincerely yours, Jerry E. Riney.

Attached to this letter was a proposal from C.G. Ruston, the manager of the Building Authority, to furnish labor and material to erect a cage for the sum of \$358.00. This price did not include the table used by the attorneys. Commissioner Stofleth moved that the cage be approved, subject to available funds. Commissioner Willner seconded the motion. So ordered. Mr. Volpe checked and found that there is about \$3,000 in the account of repairs to buildings.

RE: FOUR-WAY STOP APPROVED

There was a request for a 4-way stop on Boehne Camp Road and Hogue Road last week. This matter was continued until today, to give the Commissioners time to look at this intersection.

Mr. Biggerstaff recommended that this be a 4-way stop, if there was a crosswalk. Commissioner Buthod said he had a call from Mrs. Dauble on this problem. Commissioner Stofleth said that he also had a call and it was from Mr. Lutz of the County Council. He said that he had talked to Mr. Williams, the Principal of Perry Heights School, who is also requesting this 4-way stop. Commissioner Buthod said since the safety of children are involved here, he thought they should authorize this action. Commissioner Stofleth moved that Hogue Road and Boehne Camp Road intersection be made a 4-way stop. Commissioner Willner seconded the motion. So ordered.

Commissioner Buthod thought they should adopt the recommendations for all the traffic control devices shown in the recommendation of the Area Plan Commission, plus making this intersection a 4-way stop. Commissioner Stofleth amended his motion to add that the other signs be erected, as well as the 4-way stop. Commissioner Willner seconded the amended motion. So ordered.

The County Attorney was instructed to prepare an ordinance and Mrs. Sauer was asked to call Mrs. Dauble to inform her of this action.

RE: MEETING SCHEDULED

Mr. Volpe said he has agreed to withhold from all county employees who wish to join the Police Credit Union. He said there will be a meeting tomorrow morning, in his office, at 9:00 a.m. for all department heads, to tell them how to approach the situation.

RE: LETTER FROM LEWIS BROTHERS BAKERIES

A letter was received from this bakery, stating that they had purchased a parcel of land from Mr. Charles English on St. Joe Avenue, next to K-Mart store and said there is talk about making St. Joe Avenue four lanes and that they wanted a break in the median for two driveways to enable north-bound traffic to enter the driveway.

Mr. Biggerstaff said that the median is broke in front of K-Mart. Commissioner Buthod said that he can't see breaking the median every place that there is an establishment, that it might as well be a four-lane street, and let the people turn wherever they have the courage to. He also thought they should talk to Mr. Lochmueller or the City Traffic Engineer about this, as this is something that needs to be looked into. Mr. Biggerstaff said that he would ask for some plans.

RE: CLAIM RETURNED

Mr. Willard presented a claim for payment of uniforms that had been ordered by the County Highway employees.

Mrs. Sauer was instructed to return the claim along with a copy of the minutes of June 5, 1972, showing that the county assumed no responsibility in the payment of these uniforms.

Commissioner Buthod reviewed this problem, in that sometime ago, the Commissioners authorized the approval for the County Highway employees to participate in this service, if they so desired, if they paid for them, themselves, and it was made clear at that time, that the county would not pay for these uniforms.

RE: CONSOLIDATION

Mr. Stephens presented the resolution which he prepared, that the Commissioners approved, in principle, the joint formation of the Building Commissions and the Weights & Measures offices, and he said that he would present the proposal

to the County Council tomorrow night and that if they approve it, he will bring it to the Commissioners meeting, next week. The Commissioners then signed the resolution for the formation of the Weights & Measures and the Building Commission offices. Mr. Stephens said that he has the contract prepared for purchasing, but wants to get the approval of the County Council first, then will present it to the Commissioners.

Mr. Stephens said that if the Council approves the resolution in the formation of the Building Commission and the Weights and Measures offices, he will present the contract for their approval at the next Commissioners meeting.

RE: TRAFFIC CONTROL RESOLUTION SIGNED

Mr. Stephens presented a traffic control resolution on establishing stop signs at Old State Road and Boonville-New Harmony Road, for the signatures of the Commissioners, as the resolution was approved at last week's meeting.

RE: CLAIMS

Mr. Biggerstaff presented three claims for work done in Phases I & II on Red Bank Road. The amount of the claims are \$28,975.89, \$2,051.00, and \$1,582.44. He said that this work has been completed and approved. Commissioner Stofleth moved that these three claims be approved. Commissioner Willner seconded the motion. So ordered. These claims were from Feigel Constr. Co.

RE: AUTHORIZATION TO ADVERTISE FOR BIDS

Mr. Biggerstaff presented a "Notice to Bidders" and specifications for the repair of concrete streets in Melody Hills Sub-division. He said that he included a note so the contractors would know about what to expect, as he said that it was a little hard to determine the quantities and expects to spend about \$25,000 on the first phase of this project. Commissioner Stofleth moved to approve the specifications for the resurfacing of Twickingham Drive in Melody Hills Sub-division and authorized the Auditor to advertise for bids. Commissioner Willner seconded the motion. So ordered.

RE: RIGHT-OF-WAY GRANT

Mr. Biggerstaff presented a Right-of-Way grant. He said they looked at the drainage problem on Hedden and Voight Roads and that some Right-of-Way is needed from Sarah & William Hughes, that he has the plans ready and requested that the Commissioners appoint a Right-of-Way buyer. Commissioner Stofleth moved that Don Cox be appointed as the Right-of-Way buyer. Commissioner Buthod seconded the motion. So ordered.

Mr. Biggerstaff said that another Right-of-Way is coming up, as he just talked to the contractor and they are going to set the bridge out on Mr. Pleasant Rd. next week and in order to widen the road, they will possibly need some more Right-of-Way at that point and asked that a buyer be appointed so they can proceed with this project. Commissioner Stofleth moved that Bob Rickard be appointed as Right-of-Way buyer. Commissioner Buthod seconded the motion. So ordered.

RE: REQUEST FOR ROAD MAINTENANCE

Mrs. Bonnie Ipock requested maintenance for a road on the East side of the West Side Drive-In Theater. She said there are three drives that come into this road and said that she lived there for 15 years and nothing has ever been done to this road. She also said that this isn't a county accepted road, but should be.

Commissioner Buthod explained that the highway repair money does not come from property taxes, that it comes from the gasoline taxes and the state gives the county their share of the total gasoline tax money and auto registration fees and this money can only be used on accepted roads. He said it may be that this road should be accepted and maintained in it's present state. Commissioner Stofleth said that Mr. Biggerstaff has some affidavits that must be signed on this road, stating that it has been there for so many years, in order for the maintenance of it to be considered. This must also be done before any money can be spent on it. Mrs. Ipock said that she would be glad to sign the affidavit.

RE: CUTS-IN

Mr. Biggerstaff presented a cuts-in from the Telephone Co. requesting permission to cut into Green River Rd. to place telephone conduit and manholes. Commissioner Stofleth moved to approve the cut-in. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF THE BIDS FOR THE CENTRAL FACILITIES AT BURDETTE PARK

The following bids were presented to the Commissioners:

GENERAL CONSTRUCTION WORK - (Division "A")

|                            |                    |                              |
|----------------------------|--------------------|------------------------------|
| Key Construction Co.       | Base Bid -\$54,747 | Supplementary Bid - \$15,000 |
| Bill Nix Construction Co.  | Base Bid -\$38,431 | Supplementary Bid - \$16,988 |
| Deig Brothers Construction | Base Bid -\$42,980 | Supplementary Bid - \$18,077 |

MECHANICAL WORK (Division "B")

|                         |                    |                              |
|-------------------------|--------------------|------------------------------|
| Sandleben               | Base Bid -\$3,320  | Supplementary Bid - \$15,010 |
| Kuebler (Improper Bond) | Base Bid -\$3,100  | Supplementary Bid - \$16,233 |
| Midwest                 | Base Bid -\$12,425 | Supplementary Bid - \$ 7,350 |
| Deig Brothers           | Base Bid -\$10,675 | Supplementary Bid - 12,103   |

ELECTRICAL WORK (Division "C")

|                              |                                 |                      |
|------------------------------|---------------------------------|----------------------|
| Swanson-Nunn (Improper Bond) | Base Bid <del>-\$11,290</del> ✓ | No Supplementary Bid |
| Corbett                      | Base Bid -\$9,118               | No Supplementary Bid |
| Ja-Lo                        | Base Bid -\$8,168               | No Supplementary Bid |

Commissioner Stofleth moved that the bids be taken under advisement for one week. Commissioner Willner seconded the motion. So ordered.

RE: BOONVILLE - NEW HARMONY ROAD

Mr. Biggerstaff said that a Mr. Elfrich called him on a drainage problem, just east of Browning Road on the north side of the Boonville-New Harmony Rd. He said that he went out and looked at it and didn't think it a great drainage problem because there are culverts across the road, above and below him, but he would like to pipe his front yard and said he would buy the pipe if the County would install it. Mr. Biggerstaff said he thought it would benefit us because it would give us more shoulder at that point. He also said that there is rip-rap needed down stream from this area, also possible extensions on pipe that crosses the road because at that point we have maybe a foot of shoulder and it drops down about 2 1/2 or 3 feet, and it needs to be fixed. This matter will be taken up next week.

RE: DENNIS MINTON

Dennis Minton of Minton Auction Service, asked when the surplus items to be sold, were advertised, and why Mr. Curran Miller seemed to get all sales, while there were other auctioneers in town.

Commissioner Stofleth said that Curran Miller was present at the time and Commissioner Buthod said that he didn't know that anyone else was interested, so Curran Miller got the job, but that if Mr. Minton was interested, he would certainly be considered.

Mr. Minton thanked the Commissioners and said that he would like to be considered.

Meeting recessed at 10:20 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u> | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEY</u> | <u>REPORTERS</u> |
|-----------------------------|-----------------------|------------------------|------------------|
| James M. Buthod             | Lewis F. Volpe        | William Stephens       | C. Leach         |
| A. J. "Ted" Stofleth        |                       |                        | S. Clark         |
| Robert L. Willner           |                       |                        | A. Jackson       |
|                             |                       |                        | C. Cooper        |

Secretary: Margie Meeks

\* correction made in next meeting.

*James M. Buthod*  
*A. J. "Ted" Stofleth*  
*Robert L. Willner*

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BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
OCTOBER 23, 1972

The regular meeting of the County Commissioners was held on Monday, October 23, 1972, at 9:30 a.m. with President Buthod presiding.

The minutes were approved, subject to one correction, and the reading of them dispensed with.

RE: CORRECTION

The amount of bid submitted last week by Swanson Nunn Electric Co. for the Electrical Work on the Central Facilities at Burdette Park was incorrectly typed in last week's minutes. It should have read \$11,290.

RE: CLAIM

A claim was presented to the Commissioners, from Sheriff Riney, for the meals of the prisoners, in the amount of \$4,381.00. Commissioner Stofleth moved that the claim be allowed. Commissioner Willner seconded the motion. So ordered.

RE: RE-ZONING PETITION DELAYED

Commissioner Buthod explained to those present in the interest of the Re-zoning Petition of Robert & Ruth Martin, that Mr. Ed Johnson has asked for about twenty minutes delay on this petition, in order to get some information from his office.

RE: RE-ZONING PETITION

Petitioner of this Rezoning Petition is Kocolene Oil Corporation. Premises affected are situated on the west side of U.S. Highway 41 North, by the intersection of U.S. Highway 41 North and Old State Road. The requested change is from A to C-1B. The proposed land use is to raze the existing structure and construct a new Kocolene gasoline station thereon and also continue the present use of the southern end of the property for advertising billboards. Proof of Publication for notification was filed on this petition at this time by Mr. Marchand. Commissioner Willner moved that this petition be referred to Area Plan Commission, on first reading. Commissioner Stofleth seconded the motion. So ordered.

RE: FIELD EXAMINERS REPORT

A report was presented on the State Board of Accounts, Field Examiners Report on the Southwestern Indiana and Kentucky Regional Council of Governments. Mr. Volpe said that he has examined this report and everything is in order. Commissioner Stofleth moved to approve, receive, and file this report. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES...APPOINTMENT

COUNTY TREASURERS OFFICE

Susan Fischer R.R.5 St. Joe Ave. Extra Clerk \$15.00 Day Eff: 10-23-72

RE: EMPLOYMENT CHANGES...RELEASED

VANDEBURGH COUNTY HIGHWAY

Arthur A. Staiger 1110 Phelps Ave. Sign Dept. Lead Man \$3.25 Hr. Eff: 10-23-72

RE: LETTER FROM THE BOARD OF WORKS

A letter was received by the Commissioners from Mr. Henry Sauer, President of the Works Board. It read as follows:

Gentlemen:

The Board of Public Works wish to thank you for your generosity in so far as permitting us to utilize your Grass Mower; would there be any way possible to extend the loan for approximately two (2) months? Having access to the Mower has certainly contributed to the beautification of our Fair City! Respectfully, Henry E. Sauer.

Commissioner Stofleth moved that the Board of Public Works be permitted to use the Grass Mower for an additional two months, providing that it isn't needed by the County Highway Superintendent. Commissioner Willner seconded the motion. So ordered.

RE: CORRECTION OF POLLING PLACE AND CORRECTION

Commissioner Buthod stated that the polling place of Ward 4...Precinct 12, has been changed to Delaware School (4 - 10) located at 700 N. Garvin St., also that Ward 6...Precinct 27 would have the same polling place that was listed, but that the address was incorrect. The address should be 1901 N. Fourth Avenue.

Commissioner Stofleth moved that the polling place be approved and the correction made, also that these changes be advertised, according to law, by the Auditor. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST OF CHECK RELEASE

Feigel Construction is asking for the release of a certified check for \$1,000.00 which they filed with the County, in lieu of a bond, for any damage to Bergdolt Road, that might have occurred as a result of their hauling dirt from the Bergdolt Road barrow pit site to Route #41 construction site, State Highway Contract - R-8313. This check was filed on December 30, 1970. This matter was deferred until Mr. Willard is present.

RE: CONTRACT DISCUSSED

Commissioner Buthod said that there is a contract to be awarded on the construction of Central Services facility at Burdette Park, and the County doesn't have a sufficient amount of money, nor will they have the sufficient amount next year, to complete the entire project. He said that the low base bid for the General Construction of the facility is \$38,000.00 and that Mr. Gerst, the Architect was asked to revise the work, by taking some of the work from the Base Bid and placing it in the Supplemental Bid, thereby making the Base Bid work come to about \$40,000.00 or within the appropriations, this year. He suggested that the awarding of these contracts be tabled until further information is obtained and the contracts are prepared.

RE: LETTER FROM MRS. DEVOY

A letter was received from Mrs. Devoy, the manager of Burdette Park, pertaining to roads and other areas that need the services of the County Highway Department. She said that the road to the office is in terrible condition and should be re-worked before winter, that she would like for it to be black-topped, but said that if this is impossible, she will furnish the rock for it, from her budget, if the county would furnish the services. She also said that they could make use of the stump cutter owned by the county, as the stumps are unsightly. She said that the road in back of cabin #13 will have to be closed if it isn't repaired.

Commissioner Buthod said that these are county roads and that Mrs. Devoy understands that the county is short of money this year, and he thought that some of these things can be taken care of without the expenditure of a lot of money.

This letter was referred to Mr. Willard, to see what he can do, within his budget. Mr. Willard was asked to make recommendations on these problems.

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RE: CUT-INS

Cuts-In were presented and referred to Mr. Biggerstaff. They were from the Telephone Company.

RE: AUTHORIZATION TO ADVERTISE

Mr. Biggerstaff presented the front sheet of the plans for the Heddon Road drainage improvement project, as well as the "Notice to Bidders", in order to advertise for bids.

Commissioner Stofleth moved that the plans be approved and that the Auditor be authorized to advertise for bids. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZATION TO ADVERTISE

Mr. Biggerstaff presented the "Notice to Bidders" for the removal of existing pipe structure under Mels Drive at Drexel Drive and replacing it with 45 feet of 24 inch R.C.P. or 30" C.M.P.

Commissioner Stofleth moved to approve the "Notice to Bidders" and authorized the Auditor to advertise for bids. Commissioner Willner seconded the motion. So ordered.

RE: COMMENTS ON PRINTING BIDS

Mr. Volpe said he has a little concern about the contracts with the City on purchasing and that the largest savings possible, under the purchasing agreement are in the County printing bids. He said he talked to Mr. Hudson and was told that if the County continued to purchase from private firms, that we must still advertise for bids, meaning there would be no savings so he talked with the Commissioners and believed the only way to go is to have the City actually purchase these things and the County purchase under the intergovernmental purchasing act, from the city, thereby assuring us that we will get the savings that we contemplate and hope for.

Commissioner Buthod said that he thought there was some misunderstanding in the whole set-up.

Mr. Stephens said to do away with the advertising and the County would just appoint the City as their agent.

Mr. Volpe said he didn't think this procedure was contemplated at the meeting on Thursday., that it was contemplated that the County would have purchase orders of their own, and that the County would do the purchasing. He said that he wanted to write the checks to the City, as this would eliminate the advertising for bids. He also said there should be a meeting as soon as possible, as Bill Cravens' last day for setting up for advertising is Nov. 5th.

RE: CHECK TO BE RETURNED TO FEIGEL CONSTRUCTION CORP.

Feigel Construction Corp. has requested that the County return their check for \$1,000 that they have been holding in lieu of bond for damage to Bergdolt Road, as previous stated in these minutes. This matter was deferred until Mr. Willard was present. Mr. Willard, now being present, said that the work was completed and that the check can be released.

Commissioner Stofleth moved that this check be returned to Feigel Construction Corporation. Commissioner Willner seconded the motion. So ordered.

RE: CLARIFICATION

Commissioner Buthod said he made a fairly clear position, previously, on Mr. John Koch, the Road Inspector, yet he thought he noticed last week, the approval of an appointment of Mr. Steven A. Kuehn as Road Inspector and word is out that Mr. Kuehn was employed to replace Mr. Koch. It was explained that Mr. Kuehn was in fact, released from the County Highway Department and he went on the Fire Department.

Commissioner Buthod said there has been no appointment made and he hoped this would set Mr. Koch's fears at rest, as he knew that Mr. Koch was concerned.

4. 00003  
RE: MR. HARNESS

Mr. Harness presented three applications for the admission of Faulkner C. Willis, Calvin E. Jones, and Carol D. Woods, to the Pleasantview Rest Home. Commissioner Stofleth moved, upon the recommendation of the Home Superintendent, that these applications be approved for admission. Commissioner Willner seconded the motion. So ordered.

RE: QUESTION ON PAY OF MR. MAY

Mr. Volpe said that in the Council meeting in September, Mr. Crooks came in for a special appropriation to hire a gentleman in the County Revenue and it was turned down, however, at that time, he told the County Council, in his opinion, this could have been done innocently on Mr. May's and Mr. Crook's part and that they probably should pay Mr. May for the 3 weeks he has worked, and they went along with it, but only with that, then in the October meeting, Mr. Crooks came back to hire Mr. May again and on October 18, the Council agreed, however, according to the payroll submitted, Mr. May, knowing he was not on the payroll and Mr. Crook's knowing this also, employed Mr. May for this whole period which he was not on the payroll and Mr. Volpe presented a mileage claim from Mr. May for mileage for the period that Mr. May was not employed, so he thought these things should be brought into conformity with the law, because he was definitely not employed during this period.

Mr. Crooks said that when the application was made for County Council, it was made retroactive to the paid up time on the other application and it was his understanding that this agreement did reflect back to the end of the other payment.

Mr. Volpe said a person cannot be hired retroactive, that they are hired from the day that the County Council says that they are hired.

Mr. Crooks said he wasn't aware of this procedure.

Mr. Volpe said that during the period before the Council approved his employment, the County was open to a claim for workmens compensation if the man had been hurt, and yet the Council had nothing to say about it and the County could have found themselves paying out a lot of money to a man that wasn't even employed.

Commissioner Buthod said the County has enough problems without anticipating or inventing them.

This matter was referred to the County Attorney's for their opinion.

Commissioner Buthod said that the State Board of Accounts would have the final say on anything, but sometimes explanations can be made to them. He thought that if the man did work, he should be paid, and on the other hand, they are all under obligation to keep their paper work caught up with their physical work, so this matter will have to be checked into further.

RE: RE-ZONING PETITION\_\_\_ Robert F. & Ruth G. Martin

Commissioner Willner requested that someone from the Area Plan Commission be present and that he bring their file on this petition. Mr. Rafferty answered this request and brought the file.

Premises affected on this petition are situated on the Northwest side of Middle Mt. Vernon Road, formed by the intersection of Conrad Kirchoff's Lane.

The requested change is from A and R-1B to R-2. The proposed land use is for apartments.

Mr. Johnson read a letter from the President of Indiana State University, express his feeling of this petition, in that he thought this a desirable project.

Mr. Johnson said that he talked with Mr. Biggerstaff and found this area to be drainable and said that any plans must go through the Drainage Board before any permits are issued and that he had submitted a covenant that no work will be done until a sanitary sewer is available. He also said that he was glad that Area Plan was present to agree to the fact that their study does call for different types of dwelling density in the area.

Mr. Johnson thought this petition should be approved.

Commissioner Willner said he thought Mr. Martin made the statement previously, that there was a plan for this project, filed with the Area Plan Commission, and that he would like to see it.

Mr. Rafferty submitted the plan.

It was stated that the road and culvert were placed there according to specifications.

Mr. Martin said he thought the reason for the remonstrators was because they thought the apartments would be facing them but the map was found to be in error.

Mr. Dave King, who lives on Middle Mt. Vernon Road, presented a petition of 154 people who object to this petition because Mr. Martin hasn't presented detailed building plans, as all they have seen is the plot plan and they are afraid of low-cost structures which will deteriorate and substantially decrease in value through the years, thereby decreasing value in the present area and the residents had to adhere to strict building restrictions on their property and now these restrictions are being overturned to destroy the type of neighborhood they have chose to live in and this is basically why a Master Plan is needed. He said that Mr. Martin stated that the Master Plan will have completed its 28th hearing before the people, the rough drafts and maps, by March of 1973, and in June, the plan will be published and presented. He urged the Commissioners to wait in acting on this petition until after the Master Plan has been developed. He also said that President Rice is in favor of these apartments because if apartments are placed in the area, he won't have to worry about furnishing housing for the 20% of the students who are not commuters.

Commissioner Buthod summarized by saying he has spent a great deal of time on this petition, also that restrictions are voluntary and the only way to restrict land is to buy enough land and impose restrictions on it and this is permissible, but in talking about constitutional rights, start off with the concept that zoning, in itself, was attacked as a violation of rights, the basic concept being that every one is entitled to use his property as he sees fit, so long as he does not deliberately injure his neighbor and this concept became somewhat archaic as society intensified and for a number of years have recognized the constitutionality of zoning, provided it's not exercised arbitrarily or capriciously by proper authorities, so the real invasion of constitutional rights in traditional american governmental theory is the existing of zoning, as such, also he is, by physical philosophy, a conservative, and he isn't for the overstepping by public bodies and officials, of the authorities which are legitimately vested in them by clear-cut statutes. He thought that as long as there is already 80 acres of land that is zoned R-2 in the area, that the zoning of this additional tract which is contiguous to R-2, would enable the developer to reduce the density and alleviate the problem of trying to make a very high density use because he has more land to spread out on.

He said the other problems that are customarily run into, in rezonings for high tensity development, are already present here. He also said this area is only about 1200 feet from Posey County line, where there is no zoning and it's hard telling what might be there in the future. He said he must take a position on this, that if no action is taken, this would automatically be re-zoned and he thought there were safeguards and the residents must be alert to the plans being filed and maintain liaison with other County officers who are given the control of development. He thought this to be good zoning. Commissioner Stofleth moved that the petition of Robert F. & Ruth G. Martin be approved and re-zoned from A to R-2. Commissioner Buthod seconded the motion. The vote being in the affirmative by majority, with Commissioner Willner voting "no". The motion carried.

Commissioner Buthod said that he hoped that he has made his position clear and that it wasn't an arbitrary one.

RE: POOR RELIEF

JOAN PENDERGRAST...615 Washington Avenue...Pigeon Township...Mrs. Martin Investigator.

Mr. Olsen said that a gentleman came in the Trustee's office and said that Mrs. Pendergrast was withdrawing her application for relief. No further action taken.

BESSIE WATERMAN...Pigeon Township...Mrs. Russel, Investigator.  
 Mrs. Waterman said that she was knocked in the head and that her purse was stolen with her glasses in it and she asked for help in getting a new pair of glasses.  
 Mr. Olsen said that this was a marginal case, that Mrs. Waterman was on a widow's pension and he thought that she could afford to buy her own glasses and pay for them on time.  
 Mrs. Waterman said that she was working at Robby's, but hasn't worked for the last three weeks. She said that she could go back to work if she had her glasses.  
 Mr. Olsen said they have to draw a line somewhere.  
 Mrs. Waterman said that she pays \$85.00 per month rent and the only income that she has is her pension.  
 Commissioner Stofleth moved that the Pigeon Township Trustee be requested to pay for the glasses. Commissioner Willner seconded the motion. So ordered.

ARLEY HARDIN...910 Governor...Pigeon Township...Mrs. Anslinger, Investigator.  
 Mr. Hardin gave his address as 3610 Stringtown Road, when admitted to the hospital, which is Center Township. He has asked the Trustee to pay the hospital bill. He isn't working at all and has been out of work for 1 1/2 years. He is the father of six children who live with their mother in Kentucky. He and his wife are separated.  
 Mrs. Anslinger said that his address is really on N. Third Avenue at the home of Ruth Weir. His hospital bill is \$540.40. He said that he was on the job at manpower for a couple of hours, when he had a seizure. He said the reason the address on Stringtown was given, was because he was visiting his brother for a couple of days and this is where he lives.  
 Mr. Olsen said that according to the Commissioner in Warrick, a person isn't a resident if he doesn't pay rent and is just visiting friends and Mr. Hardin doesn't pay rent. His previous address was 910 Governor St.  
 Commissioner Buthod said he didn't think the Commissioners were in a position to make any decision at all until more information is obtained. He suggested this case be referred back to the Trustee.  
 Commissioner Stofleth moved that this case be referred back to the Trustee, for more information. Commissioner Willner seconded the motion. So ordered.  
 Commissioner Buthod told Mr. Hardin that he could call the hospital and tell them that the Commissioners are considering his case.  
 Commissioner Buthod said they would hear the case again whenever Mr. Olsen was ready.

RE: REVISED TRAFFIC CONTROL RESOLUTION

Mr. Stephens said that the Commissioners had, earlier this year, authorized the County Attorney's to make a search of all the county records concerning the stop signs, the yield signs and speed limit signs that have been passed by the County Commissioners. He said that this survey has been done and he has consolidated within one new resolution, one which repeals all existing resolutions for traffic and re-enacts this one which is a codification of the existing laws.  
 Commissioner Buthod suggested that the Commissioners adopt this resolution and whoever the Commissioners are next year, can try to go in the other area, to try a codification of the county ordinances.  
 Commissioner Stofleth moved that this master traffic control resolution of Vanderburgh County be approved.  
 Commissioner Willner asked if any of them needed to be repealed.  
 Mr. Stephens said he thought there was. He said he was going to give copies to the Sheriff and the Area Plan and have them look it over and he was sure that some of them weren't even posted. He thought this resolution should be passed, then if there are any that should not be, they can be repealed by amendment. He said that some of the ordinances were clearly wrong, as they were written, and up until now he has had a question in his mind as to if they were even legal.  
 Commissioner Willner seconded the motion and asked for a copy of the resolution.  
 The vote was in the affirmative, unanimously. The motion carried.

Meeting recessed at 10:53 a.m.

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PRESENT

COUNTY COMMISSIONERS

James M. Buthod  
A. J. "Ted" Stofleth  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEYS

William Stephens  
Thomas Swain

REPORTERS

C. Leach  
A. Jackson  
S. Clark

Secretary: Margie Meeks

*James M. Buthod*  


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*A. J. "Ted" Stofleth*  


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*Robert L. Willner*  


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 BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
OCTOBER 30, 1972

The regular meeting of the County Commissioners was held on Monday, October 30, 1972, at 9:30 a.m. with President Buthod presiding.

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

RE: LETTER FROM U. S. DEPT. OF INTERIOR

A letter was received from the United States Department of Interior, requesting park inventory. Commissioner Buthod said that it appears to him that the Plan Commission has done a great deal of work in this area and could very easily fill out this form so it was referred to the Plan Commission.

RE: CLAIM AND APPRAISAL

A claim was submitted by James R. Pearson for appraisers fee of \$45.00, in appraising the County owned, surplus, real estate at 2500 N. Baker Ave. Parkland Annex, Part of Lot 2, Block 2. His appraisal report was attached to claim.

Commissioner Stofleth moved that the claim be allowed and authorized the Auditor to advertise for sale of this property. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES...APPOINTMENTS

VANDEBURGH COUNTY HIGHWAY

John Singer      2424 W. Illinois St.      Road Inspector      \$5500 Yr.      Eff: 10-31-72

RECORDERS OFFICE

Deborah Thomas      2458 Pollack      Deputy      \$4672.32 Yr.      Eff: 10-23-72

PLEASANTVIEW REST HOME

|               |                 |            |              |               |
|---------------|-----------------|------------|--------------|---------------|
| Mary Caldwell | 700 Senate Ave. | Aide       | \$315.00 Mo. | Eff: 10-26-72 |
|               |                 | Extra Help |              |               |

RE: EMPLOYMENT CHANGES...RELEASES

PLEASANTVIEW REST HOME

|               |                 |         |              |               |
|---------------|-----------------|---------|--------------|---------------|
| Lola Catiller | 1308 N. Main    | Aide    | \$335.00 Mo. | Eff: 10-19-72 |
| Dotty Reed    | 11600 Parks Rd. | N. Aide | \$335.00 Mo. | Eff: 10-19-72 |

RE: PUBLIC NOTICE FROM THE DEPARTMENT OF THE ARMY

The following notice was received from the Louisville District of the Corps of Engineers in Louisville, Kentucky:

TO WHOM IT MAY CONCERN:

NFO MEMBERS DOGTOWN GRAIN RELOAD ASSOCIATION INC., R.#1, Evansville, Indiana 47712, has applied to this office for a permit, subject to Section 10 of the River and Harbor Act of 1899, to construct a barge loading facility. The site of the proposed work is on the right bank of the Ohio River, 798.4 miles below Pittsburgh, Pennsylvania, in Vanderburgh County, Indiana.

Information in this office and the accompanying plans, as submitted by the applicant, indicate that this facility will consist of a conveyor system and a 26 ft. by 195 ft. floating dock. The conveyor system will be a 24" covered belt with a 20" catwalk beside the structural steel mounted on 3 steel towers. The towers will rest on concrete piers which are to be installed on the bank 20 ft., 33 ft., and 65 ft. from the river at normal pool elevation of 338.0. The conveyor belt and catwalk will extend over the river approximately 14 ft. and to an elevation of 383.0. The floating dock

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will be fixed to two 6 ft. by 6 ft. concrete piers by a 10" diameter pipe on the downstream end and a 10" pipe and catwalk on the upstream end. This facility will be used for loading whole farm grains exclusively.

No dredging or filling will be required.

The decision as to whether a permit will be issued will be based on an evaluation of the impact of the proposed work on the public interest. Factors affecting the public interest include, but are not limited to, navigation, fish and wildlife, water quality, economics, conservation, aesthetics, recreation, water supply, flood damage prevention, ecosystems, and, in general, the needs and welfare of the people. Written statements on these factors will be accepted in this office until close of business 20 November 1972, will become a part of the record, and will be considered in determining whether it would be in the best public interest to grant the permit.

FOR THE DISTRICT ENGINEER:

Signed W.N. Whitlock, Ass't. Chief, Opr. Div.

Received and filed.

RE: PERFORMANCE BOND APPROVED

A performance bond was submitted by Connie Garnett Contracting Inc. in the amount of \$14,057.11 for the sandblasting and painting of Olympic Swimming Pool in Burdette Park. Commissioner Stofleth moved that the Performance Bond of Connie Garnett be accepted. Commissioner Willner seconded the motion. So ordered.

RE: APPRAISER APPOINTED

Mr. Volpe related to the Commissioners that Mr. Larry Bourland is interested in purchasing a parcel of County-owned property, namely; Lot 16, Block 71 of Evansville Industrial Addition, Tax Code 18-160-16, and that an appraiser is needed to appraise this property. Commissioner Stofleth moved to appoint Robert Goff as appraiser for this property. Commissioner Buthod seconded the motion. So ordered.

RE: INFORMATION ON PROGRAM RECEIVED

A letter with materials and additional information was presented to the Commissioners from the School of Public and Environmental Affairs of Indiana University, on the operation of the Indiana Intergovernmental Personnel Act Program that is underway for the coming year. Also enclosed was the application form for project funding. Commissioner Buthod said that this is probably worth studying by the in-coming Commissioners. Received and filed.

RE: PLANS ACCEPTED FOR ANTHONY ESTATES

Mr. Anthony Faccone presented plans and the following letter to the Commissioners:

Gentlemen:

Attached are two plans drawn by the Ohio Valley Engineers to the City. These plans show a proposed street that will service my Subdivision, Anthony's Estates located at 5713 Ward Road. I assure you that all drainage will continue to drain to existing ditch that meanders to Licking Creek. In as much as I live and will be near this addition until it is complete as to improvements, I also assure you that I will not add to the erosion of any adjacent property. The pavement will be 24 feet wide constructed with a 6" stone base and 2" H.A.C. surface as shown on the plans.

Thank you for your cooperation in the approval of these plans.

Yours truly, Anthony Faccone

Mr. Biggerstaff said that he and Steve Smith have both examined the plans, that this involves six six lots, and he recommended approval of them.

Commissioner Stofleth moved that the plans for Anthony's Estates be approved. Commissioner Willner seconded the motion. So ordered.

RE: APPROVAL REQUESTED FOR HARMONY HOMES STREET EXTENSION PLANS

The following letter was presented to the Commissioners from John R. Neidig, President of Harmony Homes, Inc., as well as the plans for this project:

Dear Sir:

This letter is to advise that Harmony Homes, Inc. would appreciate approval on installing the following in West Haven Hills Subdivision, which is a subdivision west of Red Bank Road, in Vanderburgh County.

1. Extension of Meadowlark Lane through the intersection of Caren Drive with a 6 inch plain concrete street and curb 29 ft. wide. A 12 inch and an 18 inch storm sewer to be installed with 2 curb inlets at the corner and the storm sewer to extend under Caren Drive.

2. Extension of Magnolia Drive through the intersection of Caren Drive with a plain concrete street and curb 29 ft. wide. Three storm sewer curb inlets to be connected with the present storm sewer which extends under Caren Drive.

3. Extension of West Haven Drive through the intersection of Caren Drive with a plain concrete street and curb 29 ft. wide. A Beehive inlet would be installed at a point between Lots 22 and 35 and the storm sewer would extend south with a 15 inch sewer 125 ft. and 18 inch sewer under Caren Drive.

The above will be installed by the plans which are designed by Ohio Valley Engineers and which are enclosed.

We have met with the County Engineer, Sam Biggerstaff, and he is aware of these plans, and has advised that we send this letter and plans for approval. Sincerely, John R. Neidig.

Commissioner Stofleth moved to approve the plans of West Haven Hills, for the storm sewer and street plans of Section B and C. Commissioner Willner seconded the motion. So ordered.

RE: CUTS-IN

The following cuts-in were submitted for the approval of the Commissioners:

Request from Indiana Bell Telephone Co. to cut into St. George Road to bury telephone cable.

Request from the Indiana Bell Telephone Co. to cut into Ridgetop Drive to direct bury telephone cable.

Request from the Indiana Bell Telephone Co. to cut into Seminary Rd. from Duesner Rd. south along the east berm, to bury telephone cable.

Mr. Biggerstaff recommended approval of these cuts-in.

Commissioner Stofleth moved that these cuts-in be approved. Commissioner Willner seconded the motion. So ordered.

RE: WORK PERFORMED AT BURDETTE PARK

Commissioner Buthod said that Mr. Willard reported that all of the work that was requested to be done at Burdette Park has been performed except for cutting out tree stumps which will be done this winter. He told Mr. Willard that he was sure that Mrs. Devoy would be very grateful.

RE: MR. HARNESS

Mr. Harness presented an application for the admittance of Paul V. Trainum to the Pleasantview Rest Home. Commissioner Stofleth moved to approve this applicant for admittance, on the recommendation of the Administrator of the home. Commissioner Willner seconded the motion. So ordered.

RE: ARTICLE OF ZONING ORDINANCE REPEALED

Commissioner Buthod said that the provisions of zone districts C-4 in the City and C-1B in the County which is the broad general commercial areas,

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there is a provision in the zoning code prohibiting outside sales, except in some limited categories such as boats, trailers, and cars. He said he has talked to the Plan Commission and they are willing to have this section repealed both in the City and County. The discount centers conduct truckload sales and outside garden sales and this provision is apparently not needed. He said that it does happen that he represents a developer and he does have an interest in seeing this repealed, that he has talked with the Commissioners and the Plan Commission and it is their feeling that this section of the ordinance is not needed. It is Article 16, Section 3, Sub-section 3 of the County Zoning Ordinance.

Commissioner Buthod explained that he would have to disqualify himself, since he does have a conflict of interest. He therefore retired from the chair.

Commissioner Stofleth moved to repeal Article 16 of Section 3, Sub-section 3, of the County Zoning Ordinance. Commissioner Willner seconded the motion. The vote being in the affirmative by both, Commissioner Stofleth and Commissioner Willner. The motion carried.

RE: BIDS ON CERTIFICATE OF DEPOSIT

Mr. Tilford presented bids from three banks for \$1,000,000.00 to be deposited in a Certificate of Deposit, to be dated today, with a maturity of 60 days. The invitational bids are as follows:

National City Bank ----- 5.17% per annum  
 Citizens National Bank-- 4.85% per annum  
 Old National Bank ----- 5 1/4% per annum

Commissioner Willner moved that the money be deposited in the Old National Bank at 5 1/4%, this being the high bid.

Commissioner Stofleth seconded the motion. So ordered.

Mr. Munger asked how the \$50,000 interest would be dispursed after the 60 days.

Commissioner Buthod said that it would go into the County General Fund.

Mr. Munger asked if it would go to reduce the tax rate for next year.

Mr. Tilford said that he sure hoped that it would.

Commissioner Buthod said that Mr. Munger would have to take this up with the Council as the Commissioners has no jurisdiction over this at all.

Mr. Munger asked if there couldn't be a resolution from the County Commissioners, that this money be used on the 1973 county tax rate.

Commissioner Buthod said he thought this to be presumptuous of the Commissioners and he thought the fiscal affairs of the County, except for the things the Commissioners want to spend money on within their jurisdiction, he thought the Commissioners should refrain but he did agree with the principle, but thought the position of the Commissioners should be that if they want to, they can appear at the next council meeting.

Mr. Volpe said that Charlie Burke of the State Board of Tax Commissioners has control of this and he has always gone over it with Mr. Burke.

Mr. Munger stated that he wanted to raise the possibility, due to the fact that the county dollars to be expended in 1973 are approximately 4% more than 1972 and this is compared to 2% more for the city tax rate in dollars spent and 3% more in the school tax rate.

Commissioner Buthod said he thought they would have to look back three or four years for comparison as to net increases because the inheritance tax refund was applied to last years tax rate.

RE: MEETING OF COUNCIL CALLED

Mr. Volpe said he has called a Council meeting for the evening of November 8, 1973, at 7:00 p.m., on the Revenue Sharing and thought the Commissioners should attend this meeting.

Commissioner Buthod thought the entire community should be involved in this Revenue Sharing Program, in accordance with suggestions that have been made, with broad representation.

RE: SPECIFICATIONS PRESENTED FOR STATION WAGON

Mr. Paul Seitz presented specifications for a station wagon for the Welfare Department for which money is available.

The specifications were referred to Commissioner Willner, in order that he might check the specifications to see that they are open to all bidders. Direction to advertise will be given at next week's meeting.

Meeting recessed to hold the Drainage Board meeting, since the bids for repairing the streets in Melody Hills couldn't be read until 10:00 a.m.

RE: TWICKINGHAM DRIVE LIMITED TO LOCAL TRAFFIC ONLY

Commissioner Stofleth said he has had several comments on Twickingham Drive and it is known that this street is undermined with large holes under the street and he thought these people that live out there, need some recognition. He said he understood that there are heavy trucks traveling that street.

Mr. Willard said they are concrete trucks that are hauling concrete and that they should be using Ward Road.

Commissioner Stofleth asked if this street couldn't be closed for the present time.

Commissioner Buthod said he thought they could close anything where traffic safety is involved and they might be very remiss in exposing themselves to a law suit, knowing of the condition on Twickingham Drive, and not closing it to heavy traffic.

Mr. Biggerstaff said that the redi-mix company's should be notified that they shouldn't use Twickingham Drive.

Commissioner Stofleth moved that the company's hauling concrete be notified to not use this street until such time as it is repaired.

Mr. Biggerstaff said he could ask the contractors to put in the specifications for barricades and signs of "local traffic only" could be placed on them.

Commissioner Stofleth amended his motion, in that Twickingham Drive is to be open to local traffic only. Commissioner Willner seconded the motion. So ordered.

RE: BIDS OPENED FOR REPAIR OF STREET

The following bids were submitted for the repair of concrete streets in the Melody Hills Subdivision:

|   |             |
|---|-------------|
| Robert F. Traylor Corp.....                   | \$23,550.00 |
| Deig Bros. Lumber & Construction Co. Inc..... | \$21,210.00 |
| Municipal Engr. & Construction Corp.....      | \$26,025.00 |
| Feigel Construction Corp.....                 | \$23,968.50 |
| Southwest Engineering Inc.....                | \$26,232.50 |
| Fred L. Johnson Construction Co.....          | \$20,437.50 |

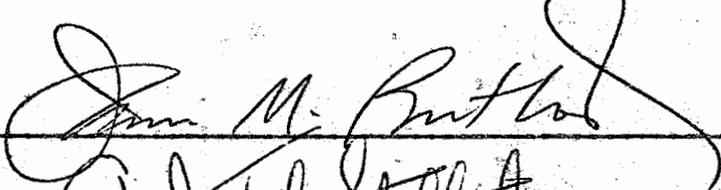
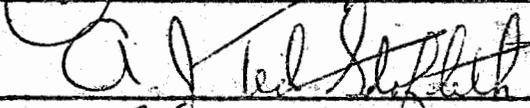
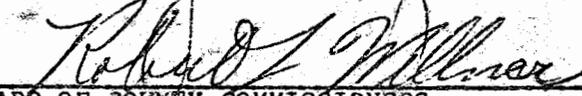
Commissioner Stofleth moved that these bids be taken under advisement for one week, and referred them to Mr. Biggerstaff so that he can check the specifications. Commissioner Willner seconded the motion. So ordered.

Meeting adjourned at 10:15 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u> | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEY'S</u> | <u>REPORTERS</u> |
|-----------------------------|-----------------------|--------------------------|------------------|
| James M. Buthod             | Lewis F. Volpe        | Thomas Swain             | A. Jackson       |
| A. J. "Ted" Stofleth        |                       | William Stephens         | C. Leach         |
| Robert L. Willner           |                       |                          | G. Clabes        |

Secretary: Margie Meeks

  
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 BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
NOVEMBER 9, 1972

The regular meeting of the County Commissioners was held on Thursday, November 9, 1972, at 9:30 a.m. with President Butthod presiding.

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

RE: MONTHLY REPORT

The monthly report of the Pleasantview Rest Home was presented to the Commissioners for the month of October, 1972. Commissioner Stofleth moved that this report be approved. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES...APPOINTMENTS

VOTERS REGISTRATION OFFICE

|                   |                      |            |         |              |
|-------------------|----------------------|------------|---------|--------------|
| Betty Omer        | 1052 Madison Ave.    | Extra Help | \$30.00 | Eff: 11/4/72 |
| Betty Omer        | 1052 Madison Ave.    | " "        | "       | 11/7/72      |
| Gloria Evans      | 1369 E. Chandler     | " "        | "       | "            |
| Edwina Hancock    | 804 Ravenswood Dr.   | " "        | "       | "            |
| Essadee Detroy    | 907 W. Iowa St.      | " "        | "       | 11/4/72      |
| Edna M. Anderson  | 1629 Division        | " "        | "       | 11/7/72      |
| Madge Roehm       | 410 Miller Rd.       | " "        | "       | "            |
| Vera Kingsbury    | 2120 E. Gum          | " "        | 15.00   | "            |
| Mary T. Hofmann   | 500 Olmstead         | " "        | "       | "            |
| Jeanette Phillips | 1010 Negley Ave.     | " "        | "       | "            |
| Herschel Seifert  | 5612 Spring Lake Dr. | " "        | "       | "            |
| Helen Spencer     | 1600 Schutte Rd.     | " "        | "       | "            |

RE: EMPLOYMENT CHANGES...RELEASES

VOTERS REGISTRATION OFFICE

|                   |                   |            |         |              |
|-------------------|-------------------|------------|---------|--------------|
| Joyce Abshire     | 918 N. Helfrich   | Extra Help | \$30.00 | Eff: 11/7/72 |
| Virginia Robinson | 909 Meyer Ave.    | " "        | 15.00   | "            |
| Charles Allender  | 3007 Division St. | " "        | "       | "            |

VANDERBURGH COUNTY PROSECUTOR'S OFFICE

|                 |                |        |              |              |
|-----------------|----------------|--------|--------------|--------------|
| Sigmund Labhart | 123 Locust St. | Deputy | \$10,000 Yr. | Eff: 11/1/72 |
|-----------------|----------------|--------|--------------|--------------|

RE: LETTER FROM MR. BILL CARTERS

The following letter was received in reference to 6611 Kremer Road:

Gentlemen:

We have had a contractor do considerable ditch work in front of our home (\$440.00) due to a present 24" culvert not handling the water from a 43 acre tract of land across the road from our home, and the water must cross under the road in front of our home.

The ditch has been partly dug out (west side - across the road from our property), but not continued beyond the 24" culvert to handle any of this water which therefore must cross the road and washed a huge ditch in our yard. The property owners to the east of our property, James Bozarth's have had water enter their basement, garage, and driveway and road is flooded and washed out with holes and in constant need of repair.

Mr. Sam Biggerstaff, Surveyor, and his crew, gave the contractor proper elevations for concrete guttering, and the ditch has been made very large with concrete guttering and sodding to help stop washing out of our yard and handle this water.

We attempted to purchase land from party on the west side of the road (43 acres draining) to effectively handle the water by a medium size ditch on the west side of road but were not interested. This could have helped ease the 24" culvert drainage and have taken the water further down the road into direct access to a creek.

The County Surveyor suggested a 36" to 48" under-road culvert be put in to replace the present culvert which is rusting out. The road is also caving in around the old culvert and becoming a hazard.

Would you please help us on this situation. We would be most happy to meet with you on this situation. We would like to keep the new road surface intact if at all possible. Very truly yours, Bill G. Carters

This letter was referred to the County Engineer's office.

RE: NOTICE OF PETITION TO SELL REAL ESTATE

A notice of petition to sell real estate was presented to the Commissioners, informing them that William R. Wynn, as Personal Representative of the Estate of Harlin Wynn, deceased, has this day filed in the office of the Clerk of said court his verified amended petition for the sale of real estate at 1912 N. Fifth Avenue, Evansville, Indiana. County Attorney Stephens said that he has taken care of this petition. Petition received and ordered filed.

RE: SPECIFICATIONS PRESENTED

Specifications on a station wagon for the Welfare Department were presented at last week's meeting, and were referred to Commissioner Willner in order for him to check the specifications, to see that they were open to all bidders. Commissioner Willner reported today, that he had talked with Mr. Work on this, as to whether the deluxe model was needed and the only thing that Mr. Work could tell him was that they had a deluxe model and wanted another one.

Commissioner Buthod wondered what savings could be had by going to a standard model.

Commissioner Willner said there would probably be from \$800.00 to \$1,000.00 savings by going to a standard model.

Commissioner Stofleth suggested this matter be delayed and have Mr. Work appear before the Commissioners, to explain his reasons for wanting the deluxe model.

Commissioner Buthod said he thought this should be done as the object of the county vehicles is for transportation, and not for luxury, also that deluxe models aren't bought for other county offices.

This matter will be taken up at next week's meeting.

RE: CLAIM

A claim was submitted by Robert A. Goff for the appraisal of a vacant lot on Werner Avenue known as tax code 18-160-16 in the amount of \$45.00. His appraisal report was attached.

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

RE: BID TABULATION SHEET FOR CENTRAL SERVICE FACILITY AT BURDETTE PARK

Commissioner Buthod said there wasn't enough money to cover the entire bid on this project so it was to be broken down further.

County Attorney Swain said they were discussing as to how to work out the contract and suggested this matter be deferred as the original contract was written with a \$2,000 base bid and a \$15,000 change order, so it was broken into a Phase I and Phase II, with the understanding that there was no money for Phase II.

RE: MR. WILLARD

Mr. Willard presented the requisitions for supplies of the Highway Department for 1973 in order to advertise for bids.

Commissioner Buthod said they are running into problems on these yearly bids, that yesterday he was in Indianapolis and dropped off copies of the contracts, in the Attorney General's office, on purchasing that the Commissioners have approved but not executed. He said he hoped that the Attorney General's office

would give them a preliminary review so that, as they came against the deadline for the advertising, assuming the council and the Commissioners pass it in final form, that they won't run into any stumbling block in Indianapolis. He said he didn't know whether they would have to wait for a formal submission, also that if the county is to buy through the city, the advertising is a waste of time and money, and on the other hand, since there is a statutory mandate to advertise for the bids, it seems probable that we should go ahead and advertise and they don't have to accept any bids if they get the consolidation through.

Mr. Volpe said that he understands that the county will continue to advertise for food, mild and bakery products. He said that everything must be advertised for, unless the county buys from the city and we are in a time situation right now. This is also true on the printing bids. The Auditor was directed to proceed with the advertising for the Highway supplies, the Quarterly bids, and the printing bids.

RE: WORK SUMMARY SUBMITTED FOR COUNTY HIGHWAY

Mr. Willard submitted the work summary for the county highway for the month of October, 1972, also an absentee list of an employee from October 31, 1972, through November 3, 1972, and has no reason for this. Mr. Willard said that he would write a letter to the steward on this matter. Work Summary received and ordered filed.

RE: REQUEST FOR PAINTING OF CROSSWALKS

Mr. Willard submitted a work summary for the County Highway Department for the month of October, 1972, also an absentee list of an employee, from Oct. 31, through Nov. 3, 1972, and has no reason for this. Mr. Willard said that he would write a letter to the steward on this matter.

RE: REQUEST FOR PAINTING OF CROSSWALKS

Mr. Willard said there is a 4-way stop on Boonville-New Harmony Road and they want the crosswalks painted for the children at the school for them to cross the street. The City has offered to paint these crosswalks at no expense to the county. Commissioner Stofleth moved that the county accept the offer of Mr. Judd, of the City, to paint the crosswalk striping. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO BE PLACED ON THE COUNCIL CALL

Mr. Willard asked to be placed on the next Council call, since they were short in their estimate of salaries for the balance of the year, and he would like for the money to be transferred from the contractual account to the salary & wage account.

This request had the wrong number of pays on it for the balance of the year. Commissioner Stofleth moved that this be placed on the council agenda, as soon as it is cleared with the Auditor, as to the amount needed. Commissioner Willner seconded the motion. So ordered.

RE: MR. HOTZ

Mr. Hotz reported that the receipts for the sale of the county-owned surplus property at Boehne Hospital, amounted to \$2,520.25.

RE: MEETING SCHEDULED

Commissioner Stofleth said there will be an open meeting tonight, in the council chambers, in relation to consolidation and the public is invited to attend.

Commissioner Willner said he understood that the city council is calling this meeting but he doesn't have the final draft.

Mr. Stephens said that the county council will meet tonight with the city council.

RE: MR. CROOKS

Mr. Crooks said that he would like to dispose of the house on outer St. Joe Avenue and wondered if new appraisers would be needed or could he use the appraisal that was previously made. He requested that the Auditor be permitted to advertise for the sale of this house.

Commissioner Buthod said if the county sells real estate that is appraised at over \$1,000.00, they must get authority from the county council. Mr. Biggerstaff said he didn't think the county would get much for this house. Mr. Stephens said that since the appraisal wasn't broken down, a new appraisal would be needed as the garage was probably included in the appraisal price, and it was found that the county just bought the house. Commissioner Willner thought the appraisal was broken down. The County Auditor was instructed to find who the appraiser was as well as the amount of the appraisal and if the appraisal wasn't broken down, have him re-appraise this property. This information will be given to the County Attorney's.

RE: CONTRACT AWARDED

The following bids were submitted last week, for the repair of streets in the Melody Hills Subdivision and were taken under advisement.

|   |             |
|---|-------------|
| Robert F. Traylor Corp.....                   | \$23,550.00 |
| Deig Bros. Lumber & Construction Co. Inc..... | \$21,210.00 |
| Municipal Engr. & Construction Corp.....      | \$26,025.00 |
| Feigel Construction Corp.....                 | \$23,968.50 |
| Southwest Engineering Inc.....                | \$26,232.50 |
| Fred L. Johnson Construction Co.....          | \$20,437.50 |

Mr. Biggerstaff said that Fred L. Johnson was the low bidder and there was a typographical error on his bid, so he told Mr. Johnson to send the Commissioners a letter of correction, to be filed with his bid. The error was that barricades should have read \$18.00 under the unit price column instead of \$360.00 which was the extended price, but this won't change the total amount of bid. Commissioner Stofleth moved to accept the bid of Fred L. Johnson, subject to correction of the unit price on Item 6 from \$360.00 to \$18.00. Commissioner Willner seconded the motion. So ordered.

RE: CUTS-IN

A cuts-in was submitted by the Waterworks, requesting permission to cut into 1510 Yokel Avenue for water main extension to provide service. Mr. Biggerstaff recommended approval of this cuts-in. Commissioner Stofleth moved that this be approved. Commissioner Willner seconded the motion. So ordered.

RE: POOR RELIEF

Mrs. Cornett...1318 Parrett St....Pigeon Township...Mr. Willett, investigator. She was supposedly refused help on extraction work by the trustee, but no one was present in this case, so no action could be taken.

RE: MR. BIGGERSTAFF

Mr. Biggerstaff presented the following letter from William J. Ritzert:

I, William J. Ritzert, owner of property thus P.T. S.E. N.W. 35-5-10 of Vanderburgh County.  
From a given point, corner section stone center of ditch, in which ditch runs due East to Fenlick Creek.

I, William J. Ritzert will be responsible for spraying with weed or bush killer and mowing each year as long as I'm owner of this property. But not responsible for erosion, land fill, excavation of ditch, and any land fill from excavation of Airport and property owners that drain into this ditch.

Commissioner Buthod thought this to be fair enough. Mr. Biggerstaff said he would get the Commissioners a price list, that Mr. Ritzert had Mr. Manfred Stahl at \$15.00 an hour, which is a pretty reasonable price and he will have Mr. Stahl to write the Commissioners a letter on this.

RE: OPENING OF BIDS AND AWARDING OF SAME

The bids were presented for the removal of existing pipe structure under Mels Drive at Drexel Drive and replacing it with 45 feet of 24 inch R.C.P. or 30" C.M.P. They are as follows:

|                           | Corrugated Pipe | Concrete Pipe |
|---------------------------|-----------------|---------------|
| D. K. Parker Co. Inc..... | \$2,399.10      | \$2,321.10    |
| John Mans Inc.....        | \$1,996.86      | \$2,038.80    |

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|                                     | Corrugated Pipe | Concrete Pipe |
|-------------------------------------|-----------------|---------------|
| Deig Bros. Lumber & Constr. Co..... | \$1,893.30      | \$1,905.30    |
| Municipal Engineering & Constr..... | None            | \$2,597.75    |

All bids were in order and Mr. Biggerstaff recommended the use of concrete pipe, considering the small amount of difference in the bid between the cost of the corrugated pipe and the concrete pipe.

Commissioner Stofleth moved to award the contract to Deig Bros. Lumber & Construction Co. for the concrete pipe on Mals Drive at Drexel Drive, subject to the extension of the bid. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BIDS FOR THE HEDDON ROAD DRAINAGE IMPROVEMENT

The following bids were submitted:

|   | Base Bid   | Alternate I |
|---|------------|-------------|
| John Mans Inc.....                      | \$6,728.00 | \$3,800.00  |
| Municipal Engineering & Constr. Corp... | \$7,114.80 | No Change   |
| Deig Bros. Lumber & Constr. Co. Inc.... | \$9,505.60 | \$3,800.00  |
| Priest Hazelwood & Son Inc.....         | \$6,732.00 | \$1,000.00  |

The bid bond of Priest Hazelwood & Son Inc. is not signed by the President of the Corporation, therefore it is in improper form.

Commissioner Buthod said he was concerned about these bids since Municipal Engineering has "no change" on Alternate I, and it isn't clear as to what they mean. The County Engineer was asked to check on this.

Commissioner Buthod recommended to the new Commissioners, to find out from the Air Pollution people before the bids are let, as to whether burning is permitted or not. If burning is permitted, there would be a savings here, & the county could apply for the permit instead of the contractor. These bids were taken under advisement for a period of one week.

The meeting recessed at 10:25 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u>             | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u>          | <u>REPORTERS</u> |
|---|-----------------------|----------------------------------|------------------|
| James M. Buthod<br>A. J. "Ted" Stofleth | Lewis F. Volpe        | Thomas Swain<br>William Stephens | C. Leach         |

Secretary: Margie Meeks

*James M. Buthod*  
\_\_\_\_\_  
*A. J. "Ted" Stofleth*  
\_\_\_\_\_  
*Thomas Swain*  
\_\_\_\_\_  
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
NOVEMBER 14, 1972

The regular meeting of the County Commissioners was held on Tuesday, November 14, 1972, at 9:30 a.m. with President Buthod presiding.

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

RE: SPECIFICATIONS DISCUSSED

The specifications on a station wagon for the Welfare Department were previously presented, but there was a question as to why Mr. Work wanted a deluxe model, since a standard model would save the county some money. Mr. Work appeared before the board today, and explained that by the time the prices are wholesaled out to him on bid, the car may run some \$65.00 to \$80.00 more than the cheapest model and there is more difference than this amount in the quality of the interior. He said this vehicle is used at the home as a basic vehicle as well as the use of it as a truck. Mr. Work said that he understood there was a question raised about the electric tail gate window, and it happens that none of the three major automobile manufacturers build a ten-passenger wagon without an electric tail gate window, as a matter of safety precaution.

Commissioner Buthod said that he didn't remember this question being raised. Mr. Work said that you can't buy a full sized wagon with as small as a 300 inch engine. The smallest one is that of Chevrolet, and this is 350, Ford is 351 and Plymouth is 360. He said that they all recommend the 400 engine in their big wagon. He said the big engine will actually operate cheaper because it isn't working as hard. He said the large engine would wholesale about \$20 to \$25 on the extra cost.

Commissioner Willner thought that there would be from \$600.00 to \$800.00 difference between the standard and deluxe model.

Mr. Work said that there was no way for there to be this much difference between the standard and deluxe models, that maybe \$100.00 difference at the outside on a big engine and the deluxe model.

Commissioner Stofleth asked Mr. Work if he would receive a reduction on a standard model.

Mr. Work said yes, but even though the cars they now have are several years old, they are worth a whole lot, that a two year old wagon in the deluxe line will be worth about \$500.00 more on the resale market, so he thought the deluxe model a good deal.

Commissioner Willner said that if there is a question on price of these vehicles, then they should bid it both ways.

Commissioner Stofleth moved to ask the Auditor to advertise for bids on both models.

Mr. Work said that he would re-work the specifications so there can be an alternate bid.

Commissioner Willner was asked to look over the specifications after they have been re-written.

Commissioner Willner seconded the motion of Commissioner Stofleth.

Mr. Work said that he will re-submit the specifications next week, also that he was concerned in running out of time.

Commissioner Buthod thought that this was something that could have been avoided if the county had a purchasing agent., and God willing, the county will have one next year and there won't be these time shortages.

RE: MONTHLY REPORT....E.A.R.C.

The monthly statement of income and disbursements for the Evansville Association for retarded children for the month of October, 1972, was submitted. Report received and ordered filed.

00038

RE: MONTHLY REPORT....CLERK

The monthly report for the Clerk of the Circuit Court for the month of October, 1972. Report received and ordered filed.

RE: MONTHLY REPORT...TREASURER

The County Treasurer's monthly report for the month of October, 1972, was presented. Report received and ordered filed.

RE: APPOINTMENT CHANGES...APPOINTMENTSCOUNTY TREASURER'S OFFICE

|               |                      |             |             |               |
|---------------|----------------------|-------------|-------------|---------------|
| Karen Staack  | 1401 N. Red Bank Rd. | Extra Clerk | \$15.00 Day | Eff: 11/10/72 |
| Dixie Bullock | 1409 Shanklin        | " "         | " "         | 11/14/72      |

RE: QUESTION ON SPECIFICATIONS FOR OFFICE SUPPLIES

Commissioner Buthod said that the specifications for office supplies were presented with a note, suggesting that it be required that the supplier of the office supplies be required to make deliveries to the respective departments requisitioning or ordering materials within two (2) working days after receipt of purchase order.

Mr. Butterfield requested that this change be made, Mr. Volpe stated.

Commissioner Buthod said that he thought this was an attempt to close specifications, that the county has had an out-of-town firm which gave the county much lower costs than has ever been realized before, and the idea of delivery of office supplies within two days being delivered, excludes any out-of-town supplier.

Commissioner Willner said that there have been a few complaints on the out-of-town supplier.

Commissioner Buthod said that since he had found out about this company, he has purchased supplies from them and has received two and three days delivery, and hasn't had any trouble, and the savings are very substantial.

Commissioner Stofleth moved to change the period of time for delivery for office supplies to within 15 working days after receipt of the purchase order. Commissioner Willner seconded the motion. So ordered.

The specifications had previously required the supplies to be delivered within 30 days from date of order.

RE: COMMENTS ON FACILITY FOR BURDETTE PARK BIDS

Agreements were approved on the project of construction of the central service facilities for Burdette Park; JaLo Electric Co. Inc. for the electrical work, Sandleben Plumbing & Heating Co. for the Mechanical work, and Bill Nix for the general construction work.

Commissioner Buthod stated that Phase I is the demolition of existing building, installation of footings and foundation walls, exterior walls including all outside wall covering, overhang windows and doors, all interior bearing walls, all wood beams, wood roof deck and skylight, insulation, built up roofing and all metal flashing. Phase II will be the remainder of the work necessary to complete the project which is not included in Phase I. It is agreed and understood that the work covered under Phase II is subject to appropriation of available funds, and when funds are available, the contractor shall receive a written order to proceed with the work. He said that he understands that since the Phases for this project has been changed, there is some reluctance on the part of the contractors to go ahead with the work.

Architect, Bob Gerst, said that there is a little discrepancy, in that the last sentence of Phase II reads that the work is subject to appropriation of available funds and that when they are available, the contractor shall receive a written order to proceed with the work and that the contractors are concerned that this written notice can come anytime, even as late as next summer, and due to trade contracts being renewed in April and that their bids are supposed to include this completion time of 120 calendar days.

He said they accepted a base bid and a supplementary bid to try to split the cost up so they could enter into contracts for the amount of dollars that are now available and to then get the other funds that would be available after the first of the year.

County Attorney Swain said all of the additional funds would not be available the first of the year. He also said when they file the change order, they have the whole bundle.

Mr. Gerst said they could have included the supplementary bid by writing a change order in the amount of the supplementary bid if they had entered into a contract just for the amount of the base bid.

County Attorney Swain said all they did was take some money out of the base bid and put it back in the supplementary bid but the price was the same.

Commissioner Buthod said they advertised for bids and are willing to execute the contracts and if the contractors feel that they don't want to execute the contracts, then they have an argument, as they don't have all the money and it is a question of not letting the contracts or either letting them on this basis.

Commissioner Stofleth suggested calling the construction company's that had low bids.

Mr. Gerst explained the contractors position and said there is \$40,000 available now to enter into a contract to get the project started and an additional \$30,000 should be available after the first of the year and he asked if there was any reason why the mechanical and electrical contractors couldn't be given notice after the first of the year to proceed with their work.

Commissioner Buthod said he and Commissioner Stofleth shouldn't do anything to foreclose any options that the incoming Commissioners might have but this thing has to be worked out.

Mr. Gerst said there is some talk of the possibility of another \$8,000 that is still in the encumbered funds.

Commissioner Buthod said that the contractors want notification sometime the end of January and if worse comes to worse and if it turns out that the job can't be completed and the contractors were to be excused from performance and it had to sit there until funds could be found, he wondered if the building would be far enough along that it would be reasonably safe from the elements.

Mr. Gerst said the building would be enclosed.

Commissioner Buthod said the reason he was wondering was because if the additional money has to be appropriated, it would take some time.

Mr. Sandleben explained how long it would take to order the materials and have them delivered and said if the contracts were signed today, they would release purchase orders tomorrow and the equipment would be delivered by the end of December or the middle of January.

Commissioner Buthod wondered if it would be possible to even re-draft the contracts, since they could go ahead and order the equipment as they are going to buy it anyway, then reimburse them. He wondered what % of the supplemental bid is labor, if the labor in the combined bids is \$12,000 or more on the supplemental bid, the labor component, then they would be safe in telling them to order the equipment and if worse comes to worse the equipment can be stored in a warehouse until the county can get the money to complete the job.

There was a question as to if the state might knock out the \$30,000.

Mr. Volpe said the state has never looked at expenditures, except on appeals.

Commissioner Stofleth suggested this be placed on the Council Call for January 17, 1972.

Commissioner Buthod said they will have to repeal the \$12,000 from another budget.

Mr. Gerst said if the base bids could be left as they are and with the \$30,000 pick up all the mechanical and all the electrical work and take the additional and let Bill Nix put in the floor slab, then all the mechanical and electrical work would be done which would just leave the interior work to be done.

Commissioner Buthod said the Commissioners could conceivably give notice on the 24th of January to proceed with the work and wondered if the contract could be modified to read that at the contractors option, that if notice is not given before the 24th of January, the contractor may be relieved of further liability by giving notice within 5 days. He said that he is trying to figure out some way to go ahead, as the odds are, they will be able to do it, but the Commissioners cannot let a contract against funds that have not been appropriated.

Commissioner Willner said it would be his recommendation to approve the general contracting, up to the slab, then the slab and all mechanics can be put in later.

Commissioner Buthod suggested that the date set for notice to proceed on the mechanical and plumbing work be January 15 and for the general construction work on February 1st.

Commissioner Stofleth moved that the contractors for the plumbing and heating work will be given notice by January 15th to proceed and that the general contractor can be excused of performance in the event that the funds are not available and notice is given by February 1st, 1973, subject to the approval of the State Board of Accounts and approval of the wording, as engrossed by the County Attorney, also that the labor charges will be adjusted to reflect any increases in labor. Commissioner Willner seconded the motion. So ordered.

The Commissioners executed the agreements. Mr. Gerst will modify the contracts in accordance with the motion and turn them over to the County Attorney's.

Mr. Gerst wondered if there was any reason why on January 15th, they couldn't have Mr. Nix put in the floor slab - only- as this will enable the plumber to do his work and this would be included in the amount of the \$30,000. This was approved.

RE: CUTS IN

Cuts-in were presented and referred to Mr. Biggerstaff.

RE: COMMENTS ON BIDS FOR HEDDON ROAD DRAINAGE IMPROVEMENTS

Bids were received last week for the Heddon Road Drainage Improvement of which John Mans Inc. was low if burning was permitted and Municipal Engineering was low bidder if the burning was not permitted. John Mans bid was \$6,728.00 and Municipal Engineering's bid was \$7,114.00. He said they have run into another problem, in that the Right of Way buyers can't get in to talk with the man that owns the property across from the location of the project so the Commissioners will probably have to decide if they want to proceed with condemnation or what other action they might want to take. He also said the Air Pollution board have made changes in their policy and the county should apply for an application which will cost \$25.00, and since the project can't be started until this is done, suggested that action be deferred on the bids until they see if a burning permit will be issued, and in the meantime he can proceed with the acquisition of this Right of Way.

Commissioner Buthod said that Mr. Rich, the appraiser and Right of Way purchaser should give the appraisal to the Commissioners and the County Attorney will write a letter on behalf of the Commissioners to the property owner, of an offer for the Right of Way and if refused, can proceed with condemnation. The bids were tabled for the present time. The permit to be applied for and the clause that the contract will be required to indemnify the county against any violations of the pollution statutes and regulations, should be added. The \$25.00 to be taken from Highway Contractual. Mr. Biggerstaff said he would get the necessary papers.

RE: MR. CROOKS

Mr. Crooks said that in reference to the real estate on St. Joe Avenue, it was the impression of Mr. Rich that no appraisal was made originally on this property,

and no record could be found where one was made. Mr. Crooks said he called Mr. Swain to determine if an appraisal was needed in order to sell it. Mr. Swain was going to check on it.

RE: RENEWAL OF AGREEMENT APPROVED

The renewal of a cooperative agreement between Vanderburgh County Soil and Water Conservation District and the County and the Soil Conservation Service, which is a renewal of the original agreement for the period of January 1, 1973, to December 31, 1973, was submitted for approval.

Commissioner Willner moved to approve the renewal of this agreement. Commissioner Stofleth seconded the motion. So ordered. This was referred to Mr. Pugh for proper signatures and to be given to the County Auditor for filing.

RE: LETTER FROM THE DEPARTMENT OF THE ARMY

A letter was received from the Army Department, advising the Commissioners of the available services of the U.S. Army Corp. of Engineers for flood control and flood plain, through the Soil Conservation office and others. Commissioner Buthod said he thought we were quite aware of all these services and the services of the Drainage Engineer and of Mr. Pugh. This was referred to the County Attorney's. Mr. Pugh said they are doing a soil survey at the present time in a problem area on Haddon Road.

RE: LETTER FROM THE STATE BOARD OF HEALTH

A list of documents and information from the State Board of Health, relative to the Retarded Children's Center, which are certain copies of bids and awards, etc. that are being taken care of by the architects was presented to the Commissioners. Received and ordered filed.

The meeting recessed at 10:30 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u>                                  | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEY'S</u>         | <u>REPORTERS</u>                    |
|--|-----------------------|----------------------------------|-------------------------------------|
| James M. Buthod<br>A. J. "Ted" Stofleth<br>Robert L. Willner | Lewis F. Volpe        | Thomas Swain<br>William Stephens | G. Clabes<br>S. Clark<br>T. Edwards |

Secretary: Margie Meeks

*James M. Buthod*  
\_\_\_\_\_  
*A. J. Stofleth*  
\_\_\_\_\_  
*Robert L. Willner*  
\_\_\_\_\_  
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
NOVEMBER 20, 1972

The regular meeting of the County Commissioners was held on Monday, November 20, 1972, at 9:00 a.m. with President Buthod presiding.

RE: CONSOLIDATION AGREEMENTS SIGNED

The meeting then moved to the Mayor's meeting chambers where the County Commissioners met jointly with the City officials for the purpose of signing agreements of consolidation of various governmental offices.

Mayor Lloyd said that to his knowledge, this is the first opportunity that the City and County have entered into the inter-local agreements which are statutorily authorized. He said that if the function of government, either at the city or the county level is to provide for the delivery of services which people are unable to provide for themselves at the lowest possible cost, then it seems to him that they are embarking on a new era of co-operation between the city and county for the mutual benefit of the residents of both, the city and county, and while Weights and Measures and the Building Commissioners office and the Traffic Engineers Department and Purchasing Department, which are the first four Departments to be jointly combined are but a small part of total government, still it is expected that considerable savings will be accomplished within these four areas and that services will be provided more efficiently and more economically. He paid particular credit to the committee's on both the city and county that worked on the consolidation of department measures, particularly to John Cox, the corporate council of the city; to Earl P. Chandler representing the man-power area planning Commission; Bob Miller, the Deputy Controller; Jesse Dunville, the City Clerk who represented the city; Sam Biggerstaff, the County Surveyor; Bill Stevens, the County Attorney; Florence Bruck, Chief Deputy in the Treasurer's office and to the County Auditor, Lewis Volpe, who represented the county.

The agreements for the consolidation of the offices of Weights and Measures, Building Commissioner, Traffic Engineering, and Purchasing were then signed by the city and county officials.

Commissioner Buthod said that he considered this consolidation to be one of the highest priority projects that could conceivably be had and he was personally delighted and a little emotional to be participating in this first step of consolidation.

Commissioner Stofleth said that he was sure that with the signing of the merger for the purchasing department, he thought that much more than the anticipated \$50,000 would be saved by both the city and the county.

Mr. Cox said that the two dates for implementation which they have proposed for the joint works is July 1, 1973, and for joint maintenance, January 1, 1974.

The Commissioners meeting then continued in the Commissioners meeting room.

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

RE: CLAIM

A claim was submitted by Sheriff Riney for the meals of the prisoners in the amount of \$5,190.50.

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

RE: REZONING PETITION...JACK LEWIS JR.

Premesis affected are situated on the west side of N. St. Joe Avenue, a distance of 483.5 feet south of the corner formed by the intersection of Allen Lane. The requested change is from C-1A to C-1B.

The proposed land use is for a retail store selling bakery goods and distribution point for route salesmen of Bunny Bread products. An affidavit of service was also filed along with the petition. Commissioner Willner moved that the petition of Jack Lewis Jr. be referred to the Area Plan Commission for first reading. Commissioner Stofleth seconded the motion. So ordered. Commissioner Stofleth said that the Area Plan meeting was postponed until December.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

VANDERBURGH COUNTY CLERK

Dorothy Lietz            832 S.E. Riverside            Cashier    \$4,987.56    Eff: 11/16.72

PLEASANTVIEW REST HOME

Mary Caldwell            700 Senate Ave.            Aide            \$315.00 Mo.    Eff: 11/18/72  
 Jenetta Brown            700 Senate Ave.            Ex. Aide & Cook    315.00 Mo.    Eff: 11/20/72

REGISTRATION OFFICE

|                   |                    |       |             |               |
|-------------------|--------------------|-------|-------------|---------------|
| Thelma Raley      | 9001 Petersburg    | Clerk | \$15.00 Day | Eff: 11/20/72 |
| Peggy Roehm       | 1100 S. Parker     | "     | "           | "             |
| Jane Staples      | 1510 E. Morgan     | "     | "           | "             |
| Fannie Peaugh     | 921 W. Iowa St.    | "     | "           | "             |
| Nancy Kleiman     | 4807 Norbourne Way | "     | "           | "             |
| Wandalee Cain     | 1601 Melrose       | "     | "           | "             |
| Gloria Evans      | 1369 E. Chandler   | "     | "           | "             |
| Elizabeth Omer    | 1052 Madison       | "     | "           | "             |
| Virginia Robinson | 909 Meyer          | "     | "           | "             |
| Frances Schwartz  | 5307 Winding Way   | "     | "           | "             |

VAND. COUNTY HIGHWAY DEPT.

Mrs. Alice Lee            5111 Nolan Ave.            Payroll Bk. Kppr. \$5,600 Yr.    11/16/72

RE: EMPLOYMENT CHANGES...RELEASES

VANDERBURGH COUNTY CLERK

Dorothy Lietz            832 S.E. Riverside            Deputy    \$4,882.56    Eff: 11/15/72  
 Mary Hatfield            4997 Sycamore St.            Cashier    4,987.56    "

PLEASANTVIEW REST HOME

Mary Caldwell            700 Senate Ave.            Aide-Ex. Help    \$315.00 Mo.    Eff: 11/17/72  
 Mary Sweeney            700 Senate Ave.            Cook            315.00 Mo.    11/16/72

VAND. COUNTY HIGHWAY DEPT.

Nadine Oliver            701 S. Craig Ave.            Payroll Bkpr.    \$5,600 Yr.    11/16/72

Commissioner Willner asked for a clarification on the appointment of Alice Lee as Payroll Bookkeeper for the county highway dept. Commissioner Stofleth said she had been working at City Garage and transferred to the County Garage.

RE: CLAIM

A claim was received from the Building Authority for the balance of the rent which was due on June 30, 1972, in the amount of \$30,000. Mr. Volpe said this amount has been approved. Commissioner Stofleth moved to approve this claim. Commissioner Willner seconded the motion. So ordered.

RE: COUNTY ATTORNEYS UNABLE TO ATTEND MEETING

Commissioner Buthod said that he had a call from County Attorney Swain who said that he had to be in Terre Haute this morning. He also said that County Attorney Stephens had to go to St. Louis to be with his daughter who is under going an operation, so neither are able to be present at today's meeting.

RE: STATUS OF COUNTY BIDS

Commissioner Buthod said that subject to the opinion of the County Attorney's, he didn't think the county would need to bid for items now. Mr. Volpe explained that several bids were advertised for, last week, and we will have to advertise for printing bids this week under normal circumstances and wondered if we should discontinue this practice.

Commissioner Buthod said they should probably talk to Mr. Hudson on this matter as it is in sort of limbo at the present time, until they find out what they have done is absolutely legal.

Mr. Volpe asked if the purchasing contract read that the county purchase directly from the city now, as this has quite a bit to do with the printing bid. He then read the statute, in part, that was handed him in that: "It shall be the duty and the function of the joint purchasing agent to centralize all of the purchasing wherever possible and practical for the City of Evansville and the County of Vanderburgh." He explained that if the county buys from the city, the county don't have to advertise in large classes, that the county can then buy one item at a time and he said that 60% of the entire savings is in the purchasing.

Commissioner Buthod read, that the city and county enter into this agreement upon the assumption that the interlocal co-operation act contemplates by the execution of this agreement by the governmental unit parties involved that the present statutory provisions for the advertising for and acceptance of any and all bids and entering into contracts with such successful bidders by the county of vanderburgh and all statutory penalties imposed upon said Commissioners for negligently or willfully failing to comply in part or entirely with such statutory contractual procedures has been pre-empted and supplemented and the present statutory contractual procedures for the awarding of contracts for all governmental purchases made by the said county of vanderburgh, together with all disgressionary or mandatory responsibilities fiscal or otherwise, therefore shall be transferred to a said joint purchasing agent, thereby relieving said Board of Commissioners individually or collectively from any further responsibility, therefore. He said this is the purpose of the act and he thought the State Board of Accounts would be unduly mechanistic in saying that it makes any difference at all, if they purchase directly or not, as he didn't think it made any difference how they comply with it mechanically and the provision of setting up a separate agency, is what he has been clamoring for throughout the last two years.

RE: AUTHORIZED TO ADVERTISE FOR BIDS

Mr. Work was asked last week to re-work the specifications on the station wagon for the Welfare Department with a request for alternate bids so that the prices of different models can be compared. He re-submitted the specifications at this time.

Commissioner Stofleth moved to approve the specifications and authorized the Auditor to advertise for bids, according to the specifications.

Commissioner Willner seconded the motion. So ordered.

Commissioner Willner was asked to study the new specifications.

Mr. Volpe said it would be his job to advertise for anything for the rest of this year.

RE: CLAIM

Mr. Biggerstaff presented a claim from Elmer & Maude Davis in the purchasing of Right of Way for the widening of Green River Road, in the amount of \$8,000, also a deed for said property.

Commissioner Stofleth moved that the claim be approved and the deed be accepted. Commissioner Willner seconded the motion. So ordered.

RE: MR. BIGGERSTAFF

Mr. Biggerstaff said that in connection with the property on Heddon Road where bids were previously opened for drainage improvement, Mr. Rich was the Right of Way purchaser on this property, and couldn't get to talk with the property owner, as was discussed last week.

Commissioner Buthod said that the County Attorney's should make up an offered letter and send it to the property owner by certified mail, giving them the information on this matter and include the instrument. He said that Mr. Biggerstaff should give Mr. Swain a letter on this.

RE: REAL ESTATE ON ST. JOE AVENUE

Commissioner Stofleth asked Mr. Rich if he had made an appraisal of the real estate on St. Joe Avenue that was previously owned by the Kissel's. Mr. Rich said he didn't think there was ever a formal appraisal made on it. It was thought that there must have been an appraisal made in the past. Commissioner Stofleth moved to appoint Mr. Rich to make an appraisal of this property which excludes the garage, as it wasn't purchased by the county. Commissioner Butthod seconded the motion. So ordered.

RE: CLAIM

Mr. Biggerstaff presented a claim from D.K. Parker Co. Inc. for repair to Heckle Road Bridge #88 in the amount of \$9,108.00. Commissioner Stofleth moved that the claim be approved, subject to the appropriation of funds and the County Auditor shall hold the claim until the money is cleared. Commissioner Willner seconded the motion. So ordered.

Commissioner Stofleth said there were a couple of wrecks at this location recently, and asked Mr. Biggerstaff if he had any idea why. Mr. Biggerstaff said there was very fast traffic on Green River Road and that there was also a problem on the east side, as there is a very narrow culvert there.

RE: COMMENTS ON DANGEROUS INTERSECTION

Commissioner Butthod said they should get the location of Pollack and Fuquay Road under study again, as this is a dangerous intersection, and it was in the "Hot Line" item of the newspaper yesterday that someone was complaining that nothing had been done and in the paper this morning he read where there was a bad accident at this location.

RE: MR. FOSTER

Mr. Foster, from the county garage, was present at today's meeting, instead of Mr. Willard, since Mr. Willard is on vacation. He said that he had obtained permission, in writing, from a lady at the location of Fuquay Road and Pollack Avenue, to let the county cut some of her trees down that are obstructing the view of the area for the traffic.

RE: CUTS-IN

Mr. Biggerstaff presented a cuts-in from the Southern Indiana Gas & Electric Co. requesting permission to cut into East Chestnut Street, Lot #41 in Plaza Terra Section B, to provide gas service to same. Commissioner Stofleth moved to approve the cuts-in, on recommendation of the County Engineer. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE FOR BIDS

Mr. Biggerstaff presented a "notice to bidders" for the installation of a 48" bituminous coated corrugated metal pipe 105 feet in length on Old State Road 0.9 mile north of Mt. Pleasant Road. He said the plans are ready on this project. The specifications were approved by unanimous consent and the Auditor was authorized to advertise for bids.

A short recess was called.

RE: MR. CROOKS

Mr. Crooks presented the following information to the Commissioners:

Subject: Residential Building Code - Vanderburgh County

The Administrative Building Council of the State of Indiana has promulgated a mandatory statewide 1 and 2 family building code which replaces the Vanderburgh County Residential Building Code, Article VII. This code became compulsory November 1, 1972. It is recommended the County Code be changed to agree with the statewide requirement by:

1. Repeal Article VII except Section 7.17 Garages.
2. Adopt the "One and Two Family Dwelling Code" 1972 Edition promulgated by the Administrative Building Council of Indiana which was approved March 30, 1972.

It was the recommendation of Mr. Crooks, that the Commissioners present this to the County Attorney's for proper procedure.

This matter was referred to County Attorney Stephens in order for him to prepare an ordinance.

Commissioner Buthod said that Mr. Crooks might mention to Mr. Stephens his thought to consider an automatic continuing recognition by the county, by ordinance, that provisions of the state code would, in any event, as from time to time, properly promulgated, supersede the provisions of the county building code.

Mr. Crooks will give the Commissioners a report on this, if possible, next week.

Mr. Crooks was told that a Right of Way purchaser was approved for the St. Joe Avenue property and if he had any questions, he could contact Mr. Rich.

RE: COMPLAINT ON PROPERTY

Mr. Crooks said that by way of the Mayor's "Hot Line", he learned that there is a house located at 1735 S. Kentucky Ave. which has been complained about and he has learned that this property is up for delinquent taxes from two years back, but the county hasn't aquired the title as yet and he wondered what action should be taken.

Commissioner Buthod said that Mr. Crooks could inspect it and institute condemnation procedures. He was advised to get with the County Attorney's on this matter.

RE: POOR RELIEF

William Jack Cathers...1014 Vine St...Pigeon Township, Bob Olsen, Investigator. Mr. Willett was also present from the Pigeon Trustee's office. Mr. Gathers has asked for rent to be paid. The Trustee has paid one month's rent.

Two employees of the Human Relations Commission were also present and spoke on behalf of Mr. Cathers.

Mr. Olsen said that Mr. Cathers wasn't a resident of Indiana, he thought him to be a resident of Illinois, that he took up residence with a Mrs. Minnie Marshall who is now residing at the Pleasantview Rest Home. Mr. Olsen said that in December of 1971, Mr. Cathers made a false and fradulent affidavit by saying that he and Mrs. Marshall were married, also that he told Welfare that she was his sister. He said that eventually, Mrs. Marshall came in and said they took Mr. Cathers to jail in Belleville Illinois and she wanted to go to Pleasantview. Mr. Olsen said that when Mr. Cathers came back, the Trustee gave him temporary aid and gave him room and board for 30 days at 1014 Vine St. to help him get on his feet.

Mr. Cathers said he worked steady at washing cars for Ron Bender at a gas station. Mr. Cathers had lived previously in East St. Louis. He is 47 years of age. He has signed up with the State Employment agency.

Commissioner Buthod thought that Mr. Cathers had established his residence here and the problem is that of providing help at the present time. Mr. Cathers thought he would find work in a couple of weeks.

Commissioner Stofleth moved that the Trustee give Mr. Cathers two weeks room and board and that he not come back. Commissioner Willner said that this is one of the cases that could be helped if there were an employment program. He suggested that the Trustee try to help Mr. Cathers in finding employment. Commissioner Willner seconded the motion. So ordered. The representative of Human Relations said that they have the community action program and he would try to help.

The meeting recessed at 10:15 a.m.

PRESENT

COUNTY COMMISSIONERS

James M. Buthod  
A. J. "Ted" Stofleth  
Robert L. Willner

Secretary: Margie Meeks

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEY

REPORTERS

G. Clabes C. Leach  
A. Jackson S. Clark

*James M. Buthod*  
*A. J. "Ted" Stofleth*  
*Robert L. Willner*  
BOARD OF COUNTY COMMISSIONERS

INTER-LOCAL GOVERNMENTAL AGREEMENT  
VANDERBURGH COUNTY-CITY OF EVANSVILLE  
CHAPTER SIX  
JOINT PURCHASING DEPARTMENT

WHEREAS, the City of Evansville and the County of Vanderburgh wish to create a Joint Purchasing Department.

WHEREAS, the City of Evansville has operated a central purchasing agent.

NOW, THEREFORE, the parties do enter into this Inter-Local Governmental Agreement creating a Joint Purchasing Agency known as the Joint Purchasing Agency, Vanderburgh County - City of Evansville upon the following terms and conditions:

1. DURATION: This agreement is for a period of three (3) years and shall be automatically renewed for periods of three (3) years, unless either party hereto gives the other party written notice of its intent to terminate this agreement, which written notice shall be received by the other party no later than one (1) year before the expiration or termination of this agreement.
2. PRECISE ORGANIZATION: The Joint Purchasing Agency may consist of four (4) people. There shall be a chief purchasing agent whose duties and responsibilities shall be to direct and supervise the operations of the Joint Purchasing Agency. There may be an assistant purchasing agent who shall report to the chief purchasing agent. There may be one secretary and one clerk. The chief purchasing agent shall be the city purchasing agent. The County hereby employs the purchasing agent of the City as the Joint Purchasing Agent.
3. PURPOSE OF THIS DEPARTMENT: It shall be the duty and function of the Joint Purchasing Agency to centralize all of the purchasing wherever possible and practical for the City of Evansville and the County of Vanderburgh.
4. FINANCING: The Joint Purchasing Department may be financed as follows: The City of Evansville may contribute Seventy-Five Percent (75%) of the budget of this department. The County of Vanderburgh may contribute Twenty-Five Percent (25%) to the budget of this department. The budget for this department shall be submitted to both the Common Council of the City of Evansville and the Council of Vanderburgh County. The City and County Councils or a committee of said Councils shall meet in concert for the consideration of the budget, or an amendment thereto, of this department. Vanderburgh County shall transfer the said Twenty-Five Percent (25%) to the Controller of the City of Evansville, the Controller of the City of Evansville shall recognize vouchers and pay vouchers only

according to the procedure set out for cities of the second class in paying of vouchers and only according to the budget as passed by the County of Vanderburgh and the Common Council of the City of Evansville.

5. PROPERTY OWNERSHIP AND TERMINATION: All property transferred by each of the parties shall be cost accounted and the party transferring said property shall retain title thereto; This department shall have the right to use and possession of said property. Upon termination, the party transferring said property shall have said property returned to them or be credited with the value of said property less depreciation. All new property purchased shall be owned jointly by the parties in the percentage that each party contributes to the budget. The City contributing Seventy-Five Percent (75%) of this budget, is the owner of Seventy-Five Percent (75%) of the property now in the possession of this department, and County of Vanderburgh contributing Twenty-Five Percent (25%) of the budget of this department, is the owner of Twenty-Five Percent (25%) of the property of this department. In the event of the termination of this Agreement, the parties shall by appropriate means, distribute the property of the department on the basis of the percentages hereinabove set out, and the value of the property shall be the actual cash value of the property. Appropriate means shall include but not necessarily be limited to, one party buying the interest of the other party in the properties of the department, or a sale of the properties, either in total or in part. All properties to be transferred upon the termination of this agreement shall be first appraised by three disinterested appraisers as appointed by the Superior or Circuit Court in Vanderburgh County, and the procedure as established by the City of Evansville for the sale of surplus property.
  
6. FISCAL AND LEGAL RESPONSIBILITY: The City of Evansville and the County of Vanderburgh, the latter acting by and through its legally constituted Board of Commissioners, enter into this Agreement upon the assumption that the Inter-Local Cooperation Act, (Acts 1957, Ch. 118, Sec 1 et seq., as amended) contemplates by the execution of this Agreement by the governmental unit parties involved that the present statutory provisions for the advertising for and the acceptance of any and all bids and the entering into contracts with such successful bidders by the County of Vanderburgh, acting by and through its Board of Commissioners, and all statutory penalties imposed upon said Commissioners for negligently or wilfully failing to comply, in part or entirely, with such statutory contractual procedures, has been pre-empted and supplemented; and, the present statutory contractual procedures for the awarding of contracts for all governmental purchases made by said County of Vanderburgh, together with all discretionary or mandatory responsibilities, fiscal or otherwise, therefore, shall be transferred to said Joint Purchasing Agency, thereby relieving said Board of Commissioners, individually or collectively, from any further responsibilities therefor.
  
7. AMENDMENT: This chapter of this agreement may be amended in total or in part, without affecting the other chapters of this agreement. Such amendment

shall be attached hereto, made a part hereof, and added to this chapter as an addendum of this chapter; provided, however, the budget of this department and the percentage allocation of the respective parties shall be reviewed by the parties annually in the preparation of the budgets of the City and of the County.

8. EFFECTIVE DATE: This agreement shall be effective as of January 1, 1973.

DATED THIS 20 DAY OF November 1972.

CITY OF EVANSVILLE

BY Russell G. Lusk  
MAYOR OF THE CITY OF EVANSVILLE

ATTEST:

[Signature]  
CITY CLERK

COUNTY OF VANDERBURGH

BY [Signature]  
COUNTY COMMISSIONER

[Signature]  
COUNTY COMMISSIONER

[Signature]  
COUNTY COMMISSIONER

ATTEST:

[Signature]  
AUDITOR

COUNTY COMMISSIONERS MEETING  
NOVEMBER 27, 1972

The regular meeting of the County Commissioners was held on Monday, November 27, 1972, at 9:35 a.m. with President Buthod presiding.

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

RE: MR. CROOKS

Mr. Crooks said that he has had no report, as yet, on the appraisal of the property on St. Joe Avenue that was previously owned by the Kissel's.

Commissioner Buthod explained that the appraisal report will be presented to the Commissioners by Mr. Rich, when it has been completed.

Mr. Crooks said that he has initiated condemnation procedures on the property on South Kentucky Avenue. He said that this property is now a sales office for a used car lot.

Mr. Crooks also said that he has discussed the changing of the Residential Building Code with Attorney Stephens and the need for an ordinance for same.

RE: MILEAGE CLAIM

A mileage claim and payroll schedule was presented from Mr. Paul May. At the County Council meeting of November 15, 1972, Mr. Crooks asked about the Building Inspectors job. He had asked that this man be on payroll Sept. 22, but the ordinance was not passed until October 18th, so the question was the pay for the period between those two dates.

As was also stated in the minutes of the November 15th meeting, that Mr. Volpe stated that this was turned down on Sept. 20th council meeting. At that time he said this gentleman has been working three weeks and probably thought that the job did exist and he suggested the council pay him for those three weeks, which they did, but it was plain to him that he would work only until Sept. 22nd, and then not be on the payroll. However, he remained on the payroll, even though both he and Mr. Crooks understood he should not have. When Mr. Crooks came back in October the council passed the ordinance but said nothing about it being retroactive. Mr. Volpe continued by saying that he could not envision any emergency so great that a person must be employed before the county council knows about it and secondly, this man did know specifically that he was not employed, and thirdly this is opening the back door for employment practices that he thinks could be a little shady because someone could hire somebody and three weeks later come up with a sob story and get by with it and he personally feels this is back door stuff.

At the same meeting, Councilman Miller said he was well aware of the situation and he thought the loss of employment for Mr. May was due to an oversight of one of the council members and he thought it would be proper to make a motion to this effect. Councilman Lensing moved that the salary be paid retroactive from October 18, back to September 22nd. Councilman Miller seconded the motion. The motion passed with five members voting for approval.

The claim is in the amount of \$81.76.

Commissioner Stofleth moved that the claim be allowed. Commissioner Buthod seconded the motion. He said that he hoped that this sort of thing doesn't happen again.

RE: LETTER OF REQUEST

The following letter was received by the Commissioners, from James M. Buthod, as President of the Vanderburgh County Park Board:

Gentlemen:

This is a request to have the three dumpsters at one of the entrances to Burdette Park removed. While we do appreciate the fact that these facilities are needed in the county, the use and abuse of the dumpsters here is not compatible with the concept of a scenic park and picnic area.

Mrs. Devoy, the manager of Burdette Park, had prepared this letter at the direction of the Park Board, for Mr. Buthod's signature.

Commissioner Buthod said that these dumpsters have been terribly abused.

He said that another location will need to be found for them as they are needed in this area. The letter was received and ordered filed.

RE: BILL FROM ENGINEER'S ASSOCIATES

Engineer Assocaite's sent a bill for the study of the St. George overpass in the amount of \$400.00.

After some discussion, Mr. Swain said that the first meeting they had was to get permission to cross, then the Public Service Commission had it for some time, then they gave an order saying that they would like to have a hearing on the justification of an overpass or underpass and it was re-set for a hearing. He said they went for a second hearing and at the end of it, they asked for time to file an, after hearing exhibit.

However, no claim was submitted, so no action can be taken at this time. Mr. Swain said that he would mail it back to them and request that they submit a claim.

RE: CLAIM FOR POSTAGE

A claim was submitted for 500 postcards in the amount of \$30.00 to be used in sending reminders to non-profit organizations to file for their exemptions. Commissioner Stofleth moved that this claim be allowed. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGE... APPOINTMENT

PIGEON TOWNSHIP ASSESSOR

Helen Pipes                      401 E. Iowa St.    Deputy              \$15.00 Day              Eff: 11/27/72

RE: HEALTH INSURANCE

Commissioner Buthod said that the Commissioners will take up the recommendation of Mr. Becker at next week's meeting and that this will be done in conjunction with Mr. Schaad and Mr. Ossenber, the incoming Commissioners, as to the Health Insurance, and that it has been the recommendation that the county will probably switch to Golden Rule Insurance, for the reason of savings in cost and the co-ordination with the city program.

RE: RESOLUTION SUBMITTED

Commissioner Buthod said that County Attorney Stephens has been doing a survey on accepted roads and has proposed a resolution of the Board of Commissioners of the County of Vanderburgh Repealing prior resolutions and ordinances, adopting a master list and accepting certain county roads for maintenance and prescribing a uniform procedure for the future acceptance of public roads for maintenance. This resolution was received and filed.

RE: CUTS-IN

Mr. Biggerstaff presented a cuts-in from the Waterworks Dept. requesting permission to cut into Mt. Pleasant Road and Darmstadt Road to install a water line on Darmstadt to L & N Right of Way. Commissioner Stofleth moved upon the recommendation of the County Engineer, to approve this cuts-in. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

The following claims were presented to the Commissioners by Mr. Biggerstaff for Right of Way on the Mt. Pleasant Road Bridge Project. The easements were also presented:

Melvin & Thelma Greer.....\$283.50  
Ida Winzeler.....\$283.50  
Donald, Anova, Claude & Andra McCamish.....\$283.50  
Benjamin E. Buente Jr..Attorney for Benjamin & Ruth Buente, William T. & LaMerle Teare, E. Ray & Mary A. Bawel, also Gervase & Marie Schenk.....\$283.50

A claim was also submitted by Rickard Realty, Inc. for appraisals and negotiations of Right of Way for reconstruction of a bridge on Mt. Pleasant Road. 4 Appraisals @ \$50.00 and 4 parcels negotiated @ \$200.00, the claim being in the amount of \$1,000.00. Commissioner Stofleth moved on the recommendation of Mr. Biggerstaff, to approve these claims and to accept the easements. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner asked if the county would now repair the approaches to the Mt. Pleasant Road Bridge.

Mr. Biggerstaff said that this is part of the contract that was awarded to D.K. Parker, but that he would like for Mr. Foster to place barricades at the four corners of the new bridge since it is 8 feet wider than the old bridge and this will suffice until the weather permits Mr. Parker to complete the project.

RE: MR. HARNESS

Mr. Harness reported that on Thanksgiving Day, the residents of the Pleasantview Rest Home, were invited to F's Steak House for a delicious dinner and were entertained by the Shrine Circus clowns and Festus was there to greet them. He also said that Carl Vaughn was there as Santa Claus. They also had a police escort and drove down the main street mall. Everyone enjoyed it. He said that on Friday, they were the guests of Brother Van at the Bible Center for another delicious meal and each resident was given a wrapped gift and \$1.00. Mr. Harness said that he thought it would be nice if the Commissioners would send a letter to these two groups of people expressing their thanks and appreciation for the interest shown in the Pleasantview Rest Home. The Commissioners secretary was asked to send the letters, expressing the deep appreciation of the Commissioners.

RE: COUNTY PROPERTY SOLD

Real Estate owned by Vanderburgh County was declared as "surplus" by the County Commissioners of Vanderburgh County, and was offered for sale at a public auction which was held this morning in the Auditor's office. The purchaser was Mr. Dallas Hughes of 401 W. Buena Vista, at the price of \$1,000. This real estate is known as Part of Lot 2 Blk. 2, Parkland Annex, commonly known as Vacant Lot at 2500 N. Baker Ave. The tax code of this lot is 31-42-7; the lot is 162 1/2 feet by 645.

The County Attorney was directed to prepare a deed.

RE: BIDS ON CERTIFICATE OF DEPOSIT

Mr. Tilford presented bids from three banks for \$1,000,000.00 to be deposited in a Certificate of Deposit for one month. The invitational bids are as follows:

- National City Bank.....4.50%
- Citizens National Bank..... 4.91%
- Old National Bank..... 5% (high bid)

Commissioner Willner moved that the County Treasurer invest the \$1,000,000.00 in the Old National Bank. Commissioner Stofleth seconded the motion. So ordered.

The County Attorney's were instructed to proceed with the opening of the bids for the Highway Supplies and for the Groceries for Hillcrest-Washington Home and the Pleasantview Rest Home.

RE: MR. FOSTER

Mr. Foster reported that the county has cut down the trees at the intersection of Pollack Avenue and Fuquay Road. He said that the property owner will give the county the Right-of-Way and that Mr. Biggerstaff will send someone out to talk with her.

RE: OPENING OF THE BIDS

The only bid received on the Groceries for the Pleasantview Rest Home and Hillcrest-Washington Home was from Federal Produce Co. Inc. Commissioner Stofleth moved that this bid be taken under advisement. Commissioner Willner seconded the motion. So ordered.

The following bids were received:

Tires & Tubes...Reis Tire Sales Inc. Commissioner Stofleth moved that this bid be taken under advisement. Commissioner Willner seconded the motion. So ordered.

Chemicals for Burdette Park....Ulrich Chemical Co...Commissioner Stofleth moved to take this bid under advisement. Commissioner Willner seconded the motion. So ordered.

Janitorial Supplies....Amclean Corp....Commissioner Stofleth moved to take this bid under advisement. Commissioner Willner seconded the motion. So ordered.

Motor Oil...Busler Enterprises Inc.

Mr. Volpe explained that Mr. Busler already has his bonds posted in the Auditors office, from his previous bids. Commissioner Stofleth moved that this bid be taken under advisement. Commissioner Willner seconded the motion. So ordered.

Motor Oil for Diesel Engines....Busler Enterprises....Commissioner Stofleth moved to take this bid under advisement. Commissioner Willner seconded the motion. So ordered.

Transmission Gear Lubricant....Busler Enterprises Inc. Commissioner Stofleth moved that this bid be taken under advisement. Commissioner Willner seconded the motion. So ordered.

Hydraulic Oil....Busler Enterprises Inc....Commissioner Stofleth moved that this bid be taken under advisement. Commissioner Willner seconded the motion. So ordered.

Grease....Busler Enterprises Inc....Commissioner Stofleth moved that this bid be taken under advisement. Commissioner Willner seconded the motion. So ordered.

Road & Pea Gravel....Evansville Crushed Stone Co..Evansville Materials Inc. Commissioner Stofleth moved to take this bid under advisement. Commissioner Willner seconded the motion. So ordered.

Paint...Kares Paint Store....Commissioner Stofleth moved that this bid be taken under advisement. Commissioner Willner seconded the motion. So ordered.

There was a bid on Metal Pipe from Allmetal of Indianapolis, but was unopened.

RE: COMMENTS

County Attorney Swain said that Greg Server called him and asked if there were any items which he thought the county would like to have by way of bills in the legislature on a pre-filing basis and Mr. Swain said that he would like the sentiments of the Commissioners on the law suits. He said that a municipal corporation is required to have a 60 day notice.

He said they get a lot of suits where the lawyers wait conveniently for eight months and sue the county. He wondered if he could request to put in a bill that would require a pre-requisite notice for the county, just as a municipal corporation, as there should be some conditional notice for the county, prior to a suit.

The Commissioners agreed to this.

Commissioner Buthod thought the proper place for this notice to be sent would be to the County Auditor's office.

Mr. Swain also said there is a statute for Marion County which gives them authority to set weight limits on county highways and wondered if this authority could be added to other counties.

Commissioner Buthod said he thought this would be a good idea if a mandatory provision was put in for the County Council to appropriate money to buy scales, but that so far they have been unable to talk the Council into it.

Mr. Volpe suggested some method of wiping off welfare liens on property. He said if an old person with, say a \$4,000 house, will get welfare and before he dies he might have \$15,000 worth of welfare against the \$4,000 house, then the county takes it over for non-payment of taxes after the man has passed away and there are no heirs and the way the law reads now, we cannot sell that \$4,000 house unless the purchaser pays off the \$15,000 lien.

Mr. Stephens said the Welfare Department has been opening estates for people like this and they sell the property through the estate and pay off the lien to the extent of amount they get for the property.

Mr. Swain then asked whatever happened to the proposed amendment to the zoning ordinance. He said that he had copies of it and that he would like to be heard.

Commissioner Buthod said he hadn't seen them but sure would like to.

Mr. Swain said it reads like it was put together by a committee.

Commissioner Buthod said the whole zoning code for the city and the county needs to be thoroughly re-vamped and a little bit of thinking done on it.

Meeting adjourned at 10:20 a. m.

PRESENT

COUNTY COMMISSIONERS

James M. Buthod  
A. J. "Ted" Stofleth  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEYS

Thomas Swain  
William Stephens

REPORTERS

C. Leach  
B. Thompson  
A. Jackson  
S. Clark

Secretary: Margie Meeks

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*A. J. Ted Stofleth*

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*Robert L. Willner*

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BOARD OF COUNTY COMMISSIONERS

00055

COUNTY COMMISSIONERS MEETING  
DECEMBER 4, 1972

The regular meeting of the County Commissioners was held on Monday December 4, 1972, at 9:40 a.m. with Vice President A.J. "Ted" Stofleth presiding.

The meeting was opened by Bailiff Protem, Thomas Swain, this being the first meeting of the month.

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

Commissioner Buthod has been in the hospital, so is unable to be present today.

RE: OBSERVATION

Mr. Volpe said that under the provision of Burns 26-607 forward, he was calling a special meeting of the County Commissioners at 9:30 a.m. on December 15 and each working day thereafter until the end of the year, at which time he will require that Commissioner Stofleth state as to whether he is gainfully employed by the City or not, and if he answers in the affirmative or fails to answer, will declare his seat vacated.

Commissioner Stofleth answered by saying that on December 15th, he will still be a County Commissioner which is a part-time job and that he can spend some time at the stadium during his leisure time, without pay, if he so desires.

He asked Mr. Volpe if this answered his question.

Mr. Volpe said that it did, but that the call still stands.

RE: HEALTH INSURANCE

Mr. Becker, the Agent of Record, said that at the request of the County Commissioners he has submitted a letter to them, after reviewing the City and County Health Insurance program and that New York Life has advised him that the 1973 rate would be \$23.82 for a single plan and \$38.58 for a dependent unit. This would make the total of a family plan to be \$61.40. He said this represents an increase of \$6.78 on a single plan and \$17.50 on a family plan. At the present time the city Insurance program is costing \$15.43 for single and \$42.54 for a family plan. This represents a difference in cost of \$7.89 for single and \$17.84 more for the county Insurance program, compared to the city. He thought the county program was somewhat better than the city program, but doesn't feel that it is worth the additional amount. He said this would call for an increase in the county budget of a rather substantial amount of money. He said he has talked to Golden Rule and they have advised him that they would let the county employees enroll at the same rate that the city employees are now paying. He thought this was a very attractive offer and that the county should take advantage of this opportunity.

Mr. Becker pointed out that he has no financial interest in this, that he serves strictly as an advisor.

Judge Dietsch said that he has one or two employees with the court who has a tremendous financial burden with their husbands, medically speaking, and he was wondering what the effect would be on the coverage of their insurance. He said that he was assured by the Golden Rule representative, this morning, that there would be no problem in this respect, in the case of a Mrs. Norbury, one case that was in question.

Mr. Bob Barthel, the Agent of Record for Golden Rule, said he checked with his company on Mrs. Norbury and they stated that the Golden Rule would pick up a claim of this nature, that pre-existing conditions will be picked up according to their policy.

Commissioner Willner asked if her present illness was covered the same as the coverage of New York Life.

Mr. Barthel said that he didn't know since he didn't know the specific plan of New York Life, but that in this case, the Golden Rule will cover 80% of the medical expenses for one illness up to \$15,000 under major medical, with a \$50.00 front-end deductible. He said that if an employee has a claim and don't go to the hospital, after the \$50 expense for that given illness, 80% of the expenses will be paid. If the employee goes to the hospital, \$1,500 of the basic expenses will be paid, no deductible, and after this is paid, 80% of remaining expense will be covered up to a total cash outlet of \$15,000.

Mr. Peter Barkley, the Regional Manager of the Golden Rule, said they will take up pre-existing conditions providing that they had coverage with New York Life.

Mr. Becker said that the City and the School Corporation are both covered by Golden Rule Insurance Company and that Insurance is based on large numbers, the larger the number, the better, the rate. He said the average worker in the county is older than the average worker in the city, which would make the experience higher than the city program and he thought to come in under the same rates, that he doubted that it would be adequate so it is just a matter of giving it a trial. He also said that every company that has written the county up in the last four years has lost money.

Commissioner Willner said that his interpretation of Insurance is that if he were personally insured by New York Life, he would expect to get the same experience that all the policy holders, over the country, had, but he finds that this isn't true.

Mr. Barkley said the county's experience is on their own, that they are not lumped in with the city, but are extended the same program that the city has. He said he doesn't know what it will be next year.

County Attorney Swain was given a copy of the proposed policy.

Mr. Biggerstaff said that when the county changed to New York Life, he had an employee who ended up paying all the bills entailed in his wife's pregnancy and now have employees in the same situation and he wondered how they would be covered. He asked that County Attorney Swain check this carefully.

Mr. Barkley said that it would be in their policy that pre-existing conditions will be covered to the limit of the policy for those persons, providing this policy is replaced without interruption.

Mr. Work said he was very concerned about the Health Insurance since there are some 150 people covered under the Welfare Department, and he was concerned as to if there would, at least, be comparable coverage as to what they now have.

Mr. Becker said that the coverage isn't as comparable but that there isn't a lot of difference, but that the city is pleased with the program, which is a program that the county can afford rate-wise.

Mr. Stephens asked if there could be an endorsement in the policy that the county would receive notice of any changes made for the following year.

Mr. Barkley said the county would receive adequate notice, also that when the rates were increased in the city, they also raised the benefits.

Mr. Becker said the Insurance year program should probably run from July 1 to July 1, and in this way they would know by budget time what it would be and could set up the proper amount of money.

Mr. Sauer asked if it would be possible to take the rate guarantee, which would be much better, and to give the Commissioners a rough idea of what the Insurance might be, so they could put it in the budget in June.

Mr. Barkley explained that there wouldn't be enough experience to do this, but will work with the Commissioners in giving them as much information as they can.

Mr. Barthel said that he represents several Insurance Companies but that he hasn't seen one yet where the claims can be settled with one phone call as is the case with the Golden Rule.

Commissioner Willner asked if the representative of New York Life had been notified of this meeting.

Mrs. Sauer said that she hadn't notified him.

Commissioner Stofleth took this matter under advisement. He said that Commissioner Buthod was hopeful that he could be here Thursday morning in order to be present at which time a decision will be made on the insurance.

RE: EMPLOYMENT CHANGES...APPOINTMENTS

SUPT. OF COUNTY BUILDINGS

|               |               |            |              |
|---------------|---------------|------------|--------------|
| Paul Johnson  | 110 Welworth  | Extra Help | Eff: 12/4/72 |
| Dennis Gentry | 1122 McArthur | " "        | "            |

VOTERS REGISTRATION

|                |             |       |             |          |
|----------------|-------------|-------|-------------|----------|
| Essadee Detroy | 907 W. Iowa | Clerk | \$15.00 Day | 11/30/72 |
|----------------|-------------|-------|-------------|----------|

PROSECUTOR'S OFFICE

|                       |                  |        |              |         |
|-----------------------|------------------|--------|--------------|---------|
| Terry Ross Noffsinger | 633 S. Bennighof | Deputy | \$10,000 Yr. | 12/1/72 |
|-----------------------|------------------|--------|--------------|---------|

RE: EMPLOYMENT CHANGES....RELEASES

VOTERS REGISTRATION

|               |                |       |             |          |
|---------------|----------------|-------|-------------|----------|
| Fannie Peaugh | 921 W. Iowa    | Clerk | \$15.00 Day | 11/29/72 |
| Jane Staples  | 1510 E. Morgan | "     | " "         | 12/1/72  |

RE: LETTER OF RECOMMENDATION

A letter was received by the Commissioners from Steve Smith, the Drainage Engineer, as follows:

Gentlemen:

This is to inform you that the pipe that Mr. Joseph A. Mayer wants to install under Clary Circle in Century Square Sub-Division is properly sized.

It is my recommendation that he be granted permission to install this pipe.

Commissioner Willner moved that permission be granted. Commissioner Stofleth seconded the motion. So ordered.

RE: CLAIM

A claim from Mills - Wallace & Associates, the Architectural & Engineering Service, was presented to the Commissioners for work on the building at Burdette Park in the amount of \$3,686.00.

Commissioner Willner moved to take this claim under advisement. Commissioner Stofleth seconded the motion. So ordered.

RE: LETTER OF APPRECIATION

The following letter was received by the Commissioners:

Gentlemen:

On November 17, 1971, we wrote you requesting your attention to Lynch Road improvements.

We are most appreciative for your immediate response and the positive action that you took to satisfy our request.

We are proud of the results that you have accomplished. It is a genuine pleasure for us to say we like your management team. Thank you very much. Signed by Creasey Co. Inc. Custom Tool & Mfg. Inc. Dale Sales Co. Evansville Food Distributors Inc. Federal Produce Co. Inc. Flair Molded Plastics Inland Container Corp. Moll Tool & Plastics Corp. National Material Corp. Ralston Purina Co. Smith & Butterfield Springfield Wire Time Ulrich Chemical & Wayne Supply Co. Letter received and filed.

RE: REQUEST FOR ACCEPTANCE OF ROAD

The following letter was received by the Commissioners from Mr. Michael J. Clouser.

Dear Sir:

We are writing this letter to ask you to make our lane a county maintained road. There are three houses with large families on this road and it has been well traveled and used by many taxpayers for much longer than twenty years.

The families living on this road have complained they cannot even get deliveries made because of the poor shape of the road, such as the Courier & Press, bread and milk trucks, and even Parcel Post deliveries.

Our lane is named Englert Lane and turns left off of Big Cynthiana Road as you travel north out of Evansville.

We know of several other lanes in our area that are maintained by the county and only have one house for a short time.

We have never asked for anything from the county before but we would sure appreciate your immediate attention to this well-traveled poor road. The letter was signed by a number of residents in the area. He wrote, Thank you very much and we will all be anxiously waiting your decision.

Commissioner Stofleth asked Mr. Biggerstaff to set a date and he would go out with the Superintendent to take a look at the road.

RE: CLAIM FOR VOTING MACHINES

Commissioner Stofleth said he understands that the voting machines have been delivered, that 6 were purchased, No's. 155,368 - 155,373 inclusive at \$2,375.00 each. The claim is in the amount of \$14,250.00.

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

Commissioner Willner said he thought the Commissioners should check on the problem that was in a news article, in that the voting machines were damp while stored in the warehouse and they are having trouble keeping them maintained.

Commissioner Stofleth said this should be checked on immediately and that the Insurance Company carrier should be notified. He asked Mrs. Sauer to check into this matter to see what damage has been done to the machines.

RE: CLAIM FOR ELECTION SUPPLIES

A claim was submitted by Mr. O'Day for the picking up of the Election supplies in the amount of \$33.40.

The Election Supply Account is out of money and the Auditor wanted permission from the Commissioners to pay this from their budget. Mr. Volpe said that they could mandate the money but would like to take it out of something that is already appropriated.

Commissioner Willner moved that this claim be paid from the Commissioners Travel Fund. Commissioner Stofleth seconded the motion. So ordered.

RE: AMENDMENT TO THE COUNTY ZONING ORDINANCE

Mr. Rafferty presented an amendment for the County Zoning Ordinance. County Attorney Swain said that he would like the opportunity to look at the ordinance. This matter was taken under advisement for one week. Mr. Rafferty was told he could go ahead and advertise for public hearing.

RE: PROPERTIES FOR TAX PURPOSES

The following properties were bid into the county on December 6, 1971 and deeded to Vanderburgh County on December 4, 1972:

|           |   |      |
|-----------|---|------|
| 34-165-34 | Avondale Sub Lts. 7,8,9, & 43, Blk. B         | 1-A  |
| 21-59-7   | Youngloves Enl. L 12 & 15 1/4 ft. L 13 Blk. 2 | 3-A  |
| 21-67-3   | Southern Enl. 19 1/2 ft L 4 Blk. 16           | 4-A  |
| 22-70-6   | Oakdale 23 ft L 7 Blk. 4                      | 5-A  |
| 22-73-2   | Oakdale L 22 Blk. 1                           | 6-A  |
| 22-73-10  | Oakdale L 31 & 32 Blk. 1                      | 7-A  |
| 22-73-12  | Oakdale L 35 Blk. 1                           | 8-A  |
| 22-76-19  | Kronenbergers Add. L 25 Blk. 1                | 9-A  |
| 23-91-68  | Journal News Place L 18 (Imp. Only)           | 10-A |

|         |   |      |
|---------|---|------|
| 24-29-5 | Bullens Sub A. Walnut St. Add. L 5        | 11-A |
| 24-30-5 | Walnut St. Add. L 15 & Adj. 15 ft of L 16 | 12-A |
| 24-35-6 | Rietman & Schulte's Add 5 ft L 6 Blk. 5   | 13-A |

OIL PRODUCTION

|       |   |      |
|-------|---|------|
| 95115 | Center O. Laubscher Comm. Lease 1902 W.I. 8750000 | 14-A |
|-------|---|------|

PERRY OUT

|       |  |      |
|-------|--|------|
| 95625 | .28750 W.I. Elizabeth Mesker Lease No. 40092<br>6-7-11 68.75 Acres | 15-A |
|-------|--|------|

The following properties were bid into the county on December 4, 1972.

|           |  |      |
|-----------|--|------|
| 34-90-1   | Imp. only on Vanderburgh County Property         | 1-A  |
| 34-164-20 | Avondale L 49 & 50 Blk. A                        | 2-A  |
| 34-165-20 | Avondale Sub Lts 7,8,9 & 27 Blk. B               | 3-A  |
| 14-5-7    | Maplewood L 7                                    | 4-A  |
| 14-41-15  | Park Place L 17 Blk. 6                           | 5-A  |
| 15-10-33  | Rosedale Pt. L 34 Blk. 2                         | 6-A  |
| 16-6-15   | Trimble Add. Pt. L 106 Blk. 1                    | 7-A  |
| 16-9-14   | Trimble Add. Pt L 15 Blk. 4                      | 8-A  |
| 19-24-8   | Carpenter Tract Pt L. 2                          | 9-A  |
| 20-86-18  | Upper Enl. Pt L. 22                              | 10-A |
| 21-60-1   | Elliotts Enl. L 5 Blk. 7                         | 11-A |
| 21-66-20  | Southern Enl. L 25 Blk. 9                        | 12-A |
| 22-76-23  | Kronenbergers Add. L 29 Blk. 1                   | 13-A |
| 22-77-4   | Kronenbergers Add. L. 6 Blk. 2                   | 14-A |
| 22-83-27  | Imp. Only on Pt. NE SE Sec. 32-6-10              | 15-A |
| 23-14-16  | Columbia Add. E 1/2 L. 36 Blk. 13                | 16-A |
| 24-30-2   | Walnut St. Add. 12 1/2 ft L. 12 & 6 1/4 dt L. 13 | 17-A |
| 24-36-46  | Rietman & Schultes Add. L. 8 Blk. 7              | 18-A |
| 24-46-3   | Gordon's Add. L 3 Blk. 3                         | 19-A |
| 24-46-8   | Gordon's Add. L 8 Blk. 3                         | 20-A |
| 27-62-11  | Wiltshire L 13 Blk. 1                            | 21-A |
| 29-98-5   | Lamasco L. 8 Blk. 20                             | 22-A |
| 33-4-12   | Hopkins Tr. 102.5 Ft. Pt. L. 5                   | 23-A |
| 33-12-17  | Homestead Pt. L. 24 Blk. 4                       | 24-A |
| 33-16-12  | Pt. NE NW Sec. 21-6-10                           | 25-A |
| 33-65-13  | Garden Acres Pt. L. 31                           | 26-A |
| 33-65-15  | Garden Acres Pt. L. 27                           | 27-A |

OIL PRODUCTION: Armstrong Township

|       |  |      |
|-------|--|------|
| 95029 | 1000000 R. W. Kuehn Lease No. 4458<br>Pt. SE Sec. 31-4-11 84 Acres | 28-A |
|-------|--|------|

Center Out

|       |  |      |
|-------|--|------|
| 95050 | .812500 W.I. In Builtman Lease<br>Sec. 20-5-10 113 Acres | 29-A |
| 95068 | Laubscher Comm. Lease 1902 Oil on hand                   | 30-A |
| 95069 | .8750000 W.I. Stucki Emil Lease Pt. SE 1/4 NE 1/4        | 31-A |

Perry Out

|         |  |      |
|---------|--|------|
| 95449   | .002083 R.I. Suspense<br>.012817 W.I. Suspense McCarthy Lease 3709<br>Pt. NW Sec. 32-6-11          | 32-A |
| 95461-A | .012817 W.I. Suspense McCarthy Unit Lease No. 3710<br>Pt. NW Sec. 32-6-11 39 & .81 Hundreths Acres | 33-A |
| 95557   | .28750 W.I. Wm. B. Schiffer Lease No. 40090<br>Sec. 7-7-11 70 Acres                                | 34-A |

RE: CLAIM & EASEMENT

A claim was presented to the Commissioners in favor of William and Sarah Mewes for the purchase of 10,495.29 square feet of Right of Way for Heddon Road Drainage, also an easement. The amount of claim is \$500.00 Mr. Biggerstaff said that the work on Heddon Road can now be awarded on bids that were received several weeks ago, along with the contract, the question of whether they could burn or not burn.

Commissioner Stoffleth has received a letter from Mr. Clausheide stating that they will be aloud to burn.

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Mr. Biggerstaff said the low bid was that of John Mans in the amount of \$6,728.00, with burning permitted.

The other bids submitted with burning were from Priest Hazelwood in the amount of \$7,032.00, Municipal Engineering, \$7,114.00 and Deig Brothers in the amount of \$9,505.60.

It was noted that Priest Hazelwood had their bid as \$6,732.00 but with correction in the addition, it was found to be \$7,032.00.

Commissioner Willner moved that the bid be awarded to John Mans in the amount of \$6,728.00. Commissioner Stofleth seconded the motion. The vote being unanimous in the affirmative, the motion carried.

Commissioner Willner moved that the claim from William and Sarah Mewes in the amount of \$500.00 be approved and that the easement be accepted, in accordance with the County Attorney. Commissioner Stofleth seconded the motion. So ordered.

RE: MR. BIGGERSTAFF

Mr. Biggerstaff said Mr. Johnson had the contract to lay a ditch on Twickingham Drive and has found an underground ditch and thought pipe should be installed in the sub-drain along the west side. He has received a proposal on this from Mr. Johnson in the amount of \$5,415.00 for 1000 feet and he thought this seemed a little high. He said this wouldn't have to be done along with the work, that it could be done after the other work was done. He said this would come under highway contractual. He said that bids can be taken later on it if money is available.

RE: CUTS-IN

Mr. Biggerstaff presented the following cuts-in:

The waterworks requested permission to cut into Oak Grove Road to install a water line.

The Waterworks requested permission to cut into 1300 Burch Drive to install a 8" sprinkler service at Wabash Plastics, Inc.

The Indiana Bell Telephone Co. requested permission to cut into County Line Road to bury a telephone cable.

Commissioner Willner moved upon the recommendation of the County Engineer, to approve these cuts-in. Commissioner Stofleth seconded the motion. So ordered.

Mr. Veneman of the Telephone Co. was present on a cuts-in that was presented last week, requesting permission to cut into Peters Road. He said they had previously asked for approximately 870 feet but found that they only need 300 feet off the Right of Way and is asking for a change in the cut. He said he would replace everything to its present condition. Commissioner Willner moved that the change be approved and asked Mr. Veneman to keep the road as clean as possible. Commissioner Stofleth seconded the motion. So ordered.

RE: COMPLAINT

Mr. Biggerstaff said he had complaints of rock that was placed on Old State Road, as the limestone sticks to the cars when it is wet. This is railroad fill and it should be tapered out. He said that he will contact the railroad.

RE: MR. PETERS

Mr. Peters said the Gas Co. put a ditch on Burgdolt Road which is 40 feet. They went approximately six feet with the fill and while doing this they brought the road to 20 feet and vehicles can't make it. He wondered if they had a permit to do this.

Commissioner Willner moved that the County Engineer look into this and report his findings to the Commissioners. Commissioner Stofleth seconded the motion. So ordered.

RE: MR. FOSTER

Mr. Foster said he had been contacted by the Penn Central R.R. on the bridge on St. Joe Avenue, on the problem that they have a head protruding above the flooring and wondered if he could get permission to put two or three inches of blacktop on it, also a speed limit sign.

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Mr. Biggerstaff said if the county did this, it would then be a problem of the county, also that this would detract from the strength of the bridge. Commissioner Stofleth said if Penn Central wants the bridge blacktopped, they should do it themselves. Commissioner Willner moved that the bridge remain it's present condition, as far as the Commissioners are concerned. Commissioner Stofleth seconded the motion. So ordered.

RE: COMMENT ON COST OF PROJECT

Commissioner Stofleth received a note from the Auditor, stating that the cost for resurfacing various county roads with cold mix that was awarded to J. H. Rudolph Co. was more than the anticipated cost of \$104,000.00, that the total amount is \$164,287.94. This work was on time and material basis so the exact amount of project wasn't known. \$83,694.33 has already been paid and \$80,593.61 is yet to be paid. Mr. Volpe said he wanted this information on record and that the claim will be paid.

RE: MR. HARNESS

Mr. Harness said he had a call from Torian Insurance Agency on the buildings at Pleasantview Rest Home, as to the insurance. He said that two barns and the grainery building should come down and he thought no insurance was needed on them, that insurance was just needed on the other buildings. Commissioner Stofleth said if anyone were injured, it would be the County's responsibility and he thought to discontinue the fire insurance, but to keep the liability. Commissioner Willner moved to discontinue the Fire Insurance on the two barns and the Grainery. Commissioner Stofleth seconded the motion. So ordered. Mr. Harness was asked to come up with a recommendation on getting rid of these buildings.

RE: COMMENT ON BILLING PROCESS

Commissioner Willner said there had been some discussion as to the billing process of Pleasantview Rest Home and the billing of the individual townships on rates, and wondered if anything had been done about it. County Attorney Swain said he thought this should be settled before the end of the year.

RE: INSURANCE PROPOSAL REQUESTED

Commissioner Willner told Mr. Southwood, who is the representative for the New York Life Insurance Co., that a meeting had been set up for Thursday morning on the Insurance problems and asked him to come up with their price on a comparable policy as that being offered by the Golden Rule, that the city has now. Mr. Southwood said he would see what he could do and that he would be at the meeting.

RE: OPENING OF THE BIDS

STATION WAGON FOR THE WELFARE DEPT.

Only one bid was submitted and that was from Key Motors Corp. in the amount of \$2,827.74, with trade, for a station wagon with smaller engine and \$2,868.01 for the de luxe model, with trade. Commissioner Willner moved to take this bid under advisement. Commissioner Stofleth seconded the motion. So ordered.

INSTALLATION OF PIPE ON OLD STATE ROAD

The following bids were received for the Heddon Road Drainage Improvement:

|   |            |
|---|------------|
| Deig Bros. Lumber & Construction Co. Inc. | \$7,798.00 |
| John Mans Inc.                            | 5,451.00   |
| Municipal Engr. & Construction Corp.      | 6,570.00   |
| D. K. Parker Co. Inc.                     | 6,185.55   |

Commissioner Willner moved that these bids be taken under advisement and referred to Mr. Biggerstaff for checking. Commissioner Stofleth seconded the motion. So ordered.

SANITARY SUPPLIES

Only one bid was received on sanitary supplies and that was from Kor-X-All in the amount of \$4,560.95.

Commissioner Willner moved to take this bid under advisement. Commissioner Stofleth seconded the motion. So ordered.

PRINTING BIDS

|                                   |             |
|-----------------------------------|-------------|
| CLASS I.....Burkert Walton.....   | \$20,413.00 |
| CLASS II....Burkert Walton.....   | 18,982.00   |
| CLASS III...Smith & Butterfield.. | 21,056.78   |
| CLASS IV....Moser.....            | 4,387.21    |
| CLASS V.....Moser.....            | 14,648.95   |

Commissioner Willner moved to take these bids under advisement. Commissioner Stofleth seconded the motion. So ordered.

ALUMINUM PIPE

One bid was received on aluminum pipe for the year of 1973, from Aluminum Culverts .

Commissioner Willner moved to take this bid under advisement. Commissioner Stofleth seconded the motion. So ordered.

RE: POOR RELIEF

Ruby Opperman of 115 E. Columbia St. in Pigeon Township was to appear today but Mr. Olsen appeared and said that no application had been made in this case so no action could be taken at the present time.

RE: MR. COOK'S REPORT

Highly dangerous corner at Pollack and Fuquay Road. This corner has been under discussion since 1969. There was one death and several serious accidents. The last one brought a law suit against the owners of trees in the area. Mr. Foster has now cut down trees in the area with the owners permission, however, the dangerous corner with the unguarded slope remains. A temporary guard rail needs to be installed, as there is a drop-off and with the coming snow, a driver will be unable to see the danger. This problem should have been corrected long ago.

Another dangerous corner is at the corner of St. Joe and Allen's Lane. There is a very bad dip there and the trucks from the terminal need to back up to make the turn from St. Joe onto Allen's Lane and this blocks traffic. There are hanging and falling tree limbs on Old Henderson Rd, and small trees that are a hazard should be cut down.

Sand could be placed on the new chip and seal. This would keep the cars from picking it up.

He notices that the new installed side timbers haven't been treated before they were installed. In a short time they will rot and will need to be replaced. Old bridge timbers should be moved from under the bridge. This causes uneven water flow and when water shifts will tend to washout the bridge and supports. This is the third request for the removal of a heap of chat and large rock at the intersection of Old Henderson Rd. & Bayou Creek Rd. Large cracks on Old Henderson Rd. should be sealed before road starts dropping off and needs repairs.

Meeting recessed at 10:57 a.m.

PRESENT

COUNTY COMMISSIONERS  
A. J. "Ted" Stofleth  
Robert L. Willner

COUNTY AUDITOR  
Lewis F. Volpe

COUNTY ATTORNEY  
Thomas Swain  
William Stephens

REPORTERS  
S. Clark A. Jacks  
G. Clabes C. Leach

Secretary: Margie Maeks

*James M. Burt*  
\_\_\_\_\_  
*Robert L. Willner*  
\_\_\_\_\_  
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
DECEMBER 11, 1972

The regular meeting of the County Commissioners was held on Monday, December 11, 1972, at 9:30 a.m. with President Buthod presiding.

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

RE: COMMENTS ON SPECIAL DEPUTIES

Commissioner Buthod said he had numerous calls over the week-end with respect to the creation of the Sheriff's Auxiliary and was requested to allow time this morning on this subject.

Mr. Sidney Berger, chairman of the bar association's bill of rights committee, said that he was speaking for this committee as well as the citizen's and tax payers. He called attention to the Burns statute which gives the Commissioners the responsibility of approving any Deputy Sheriff who is appointed for any emergencies and he understood that the Sheriff has announced that he is going to appoint some deputies as part of what seems to be secret police to function in the county and the Commissioners will have the responsibility of approving it. He said that a secret police is foreign to our society, that it is a professional matter and there is a great danger in the hazards of a lot of "pistol packing, trigger happy" deputies operating in the community. He said that the spring quarter of Indiana has abolished governmental unity and if any of these men go out and shoot or hurt someone by mistake, the county Commissioners, as representatives of the county, will be liable for a suit, also this will set law-enforcement back 50 years and there is a big danger of these men, when going out in the field, of bungling the job, thereby may lose evidence and instead of assisting in law enforcement, may do just the opposite. He pointed out the dangers of civil liberties in that there are a lot of times when people impersonate police officers and this will be open season for them. He respectfully asked the Commissioners to consider this matter and not approve it.

Mr. Jerry Baugh, president of the Evansville chapter of the Civil Liberties Union, said he agreed with all that Mr. Berger had said. He said that Burns Statute 49-2821 gives to the Vanderburgh County Sheriff's Merit Commission, the authority for the appointment of all Deputy Sheriff's within the county and that Mr. Riney has apparently indicated that these will be Auxiliary Sheriff's and he can find no reference to an Auxiliary Sheriff. He has found reference to other things, specifically to Deputy Sheriff's, Assistant Sheriff's and then there is a term called "any law enforcement officer" and he wondered if these men would be considered as "any law enforcement officer", if so, the provisions of the Indiana Stop & Frisk Act which specifically gives to any law-enforcement officer, the right to stop any citizen who he believes may be about to commit a crime. He also questioned as to whether these part-time volunteers were going to be given this kind of authority, whose only justification can be that it would be based on their experience and he tried to find out what experience they had, but the newspaper article read that the Sheriff said he knew what he was looking for in the men but didn't say what. He said we are trying to get more and better law enforcement but this is not what we are looking for. He said that we don't need a secret police force. We need to know who these men are and what they are going to do, what qualifications must they possess and to whom are they responsible, the county or to the incumbent Sheriff. He said that there are serious legal questions here. He asked that the Commissioners who have the responsibility in this area, to take every action necessary to insure that if we go into anything of this nature, that it be done with thought and with anticipation of problems that are obviously going to arise.

Mr. Walter Hopkins, an associate professor at Indiana State University Evansville and President of the PACE group, was accompanied by more than half a dozen other persons as he appeared to announce the organization's opposition to the special deputy force. He said that he feared that justice was repudiated by the force. He said that PACE is interested in a wide range of criminal justice matters and while many of their arguments are the same as those presented by Mr. Berger and Mr. Baugh, they are concerned as to the duties of these officers have not been restricted and they don't know what the men are likely to be engaged in and it could be that they are likely to take the law into their own hands, the fact that they won't be paid means we won't have much leverage over their conduct.

Commissioner Buthod thanked everyone for coming and said that he was sure the Commissioners would consider both their legal responsibilities and their personal convictions in arriving at a decision as to whether or not to exercise such jurisdiction as they may or may not have and he thought this matter required a good deal of study and he was sure that neither the present Commissioners or the incoming Commissioners will treat the matter with less importance than it deserves.

This matter was taken under advisement.

RE: HEALTH INSURANCE FOR COUNTY

Mr. Southwood of New York Life said that last year the Commissioners asked him to inform them if there would be an increase in rates and what it might be, three months in advance, so in October of last year, they met and were given the figures. He told them at that time that if there were any questions, they would answer them and would be willing to revise the plan. He said they evidently didn't see fit to contact him.

Commissioner Asked Mr. Southwood not to be critical, but to just give the facts of the merits of their plans.

Mr. Southwood said he needs to find out which plan they are talking about as there are two plans and he wasn't advised as to which plans they wanted figures on.

Mr. Becker said they wanted figures on the \$15,000 policy.

Mr. Southwood said there were two prices, the price that was involved last year was a family plan that was \$42.54 and he now understands that the plan on \$15,000 is \$47.40 for the family plan of which the city is paying 89% of the cost so it is only costing the employee \$5.00 per month. He said in the county they have 16% of the family plan, also that the life insurance that New York Life bid on two years ago and didn't get, was given to Mr. Becker and now Mr. Becker is a City Councilman and he wondered if the life insurance would be involved in this also, he just wanted facts and figures in order to give them figures. He wondered if the Commissioners were going to give the same opportunity to the County employees, which means that they are going to pay most of the family plan cost, just like the city is paying for the city employees, and if they are successful, can they have the Life Insurance, If so, they are interested, but if they aren't going to make it on this kind of basis he isn't real sure that New York Life is interested because something is wrong here. He wondered why they didn't ask for figures before, why they went to the Golden Rule Insurance Co., as New York Life is the prime carrier.

Commissioner Buthod said the rate went to \$61.40 which is a tremendous increase over the original policy.

Mr. Southwood said the plan is far superior and that the \$15,000 plan of the Golden Rule only pays the first \$1,500 of cost, then it is on a 80-20 basis and the plan of New York Life has no limit to the basis of what it will pay. He said if the Commissioners will give him a figure and tell him that they are going to pay 89% or a portion of it for the family unit, everyone who has a single plan, he assured them, would go to the family plan and this will double the cost.

Commissioner Stofleth read part of a letter written by Mr. Givens, to the effect that Vanderburgh County employees retain the same medical plan that is enforced. The new rates effective on January 1, 1973, will be \$23.32 for a single employee and \$30.58 for the dependent unit. The reason for the increased rate to cover the expected loss for 1973. He said that Mr. Southwood did very wrong in getting this insurance.

Mr. Southwood said they got it on the recommendation of three members who belong to the Association of the C.L.U.

Commissioner Stofleth said Mr. Southwood expected increase losses each year because the rates are going up.

Mr. Becker said all policies do have some limitations. He said the portion to be paid by the county will be entirely up to the Commissioners, that the city pays a certain portion of the employees cost. He said that there is a

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difference in fringe benefits between the city and county, but at this date he didn't see how they could change because the budget for 1973 has been approved. He asked that the Commissioners also consider, after some of the departments have been consolidated, as to which benefits the employees will be eligible for, the city or the county. He again stated that he has no financial interest in this major medical program, that he only gave his opinion on this matter.

Commissioner Buthod said he was interested in the statement made by Mr. Southwood, in that it would be illegal to give a combined bid.

Mr. Southwood said that he was told by their attorney's that if the departments were legally consolidated, they could, but as it is set up now, they cannot give a combined bid.

Mr. Barkley said the city rate was not increased last year and that all they were doing was offering the same plan to the county that was offered to the city. He said the premium proposed for the county is \$15.43 for the single plan and \$42.54 for the family plan.

Mr. Southwood said these weren't the figures he received.

Commissioner Buthod asked that the representatives have the figures for the Commissioners next week and asked the incoming Commissioners if they wanted to get into this matter a little further, as they would be the ones to get the complaints.

Mr. Becker said he had checked with Mr. Noelting before he left office and the Controllers office and they were both pleased with their program. He said that the city program is available to the county if they want it.

Mr. Charles Whobrey of the Teamsters Union, said his only concern was the people at the county garage, who they represent. He said the premium of New York Life is a little higher but it seems to be the consensus of their membership that the benefits are considerably better with New York Life and he would hope that they wouldn't be changed, also that it is no concern of theirs as to which company carries the insurance.

After further discussion, Commissioner Willner said in his experience with insurance, the first thing the person must tell the company is what insurance he wants before he knows how much it will cost him, that they have failed to do this, and if they are going to use the city plan as a spec, they should be given to all the Insurance Company's in order that they can bid on it.

Mr. Southwood asked that the Commissioners take another 30 days and give them the plan as to what benefits they want.

Mr. Olsen of the Pigeon Trustee's office, said he thought the present policy carried by the county was a good one and asked that the Commissioners think twice before getting rid of it.

Commissioner Stofleth asked Mr. Becker if this matter were continued for 30 days, would it cause a cancellation of the insurance.

Mr. Becker said "no" but he wondered if they would stay at their old rate for this period of time.

Mr. Southwood said he would call the company and see if they would carry the county insurance at the same rate for another 30 days.

Mr. Becker said he has served as consultant for the last four years and as far as he is concerned his term expires as of January 1, and that he is now serving as City Councilman. He thanked the Commissioners for the courtesy that has been extended him.

Commissioner Buthod said the Commissioners appreciated all that Mr. Becker has done during the time he has served as Agent of Record.

Mr. Becker said that under the family plan the city pays \$37.54 per month and the employee pays \$5.00, and on the single plan, the city pays \$14.43 per month and the employee pays \$1.00. On the county plan, at present, the county pays \$16.53 per month and the employee pays \$27.37 for the family plan and the county pays \$16.53 for the single plan and the employee pays 1¢. He said there should be some consolidation of plans on insurance and of how they are going to handle it, since there will probably be more offices merging the first of the year.

Mr. Barkley said the Golden Rule has two plans, both under the same company, that the Police Department, the Fire Department, and the Water Department has a separate plan. He said that Mr. Becker called him and asked if he would be willing to extend a plan to the county and he said he would. He also said that the Commissioners wouldn't get a big rush of companies to give proposals on this particular program that they wanted and he is willing to extend the program to the county, on their own experience, as they have nothing to go on.

This matter was taken under advisement.

Commissioner Buthod said that all interested parties would be notified as to when it will be taken up again, in order to learn more about it.

RE: CLAIM FROM CONDUCT & FOSSE

A claim from Conduct and Fosse, Architects, was presented, in the amount of \$1,430.00 for services rendered for the Evansville Association for Retarded Children. This is Bond Issue money.

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

RE: CLAIM FROM MILLS AND WALLACE ASSC. INC.

A claim from Mills-Wallace & Associates Inc. was presented for Architectural and Engineering Services for the Central Services Building for Burdette Park in the amount of \$3,686.00 which is 75% of the Total A-E Fee.

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

RE: CLAIM FROM ENGINEER ASSC. INC.

A claim from Engineer Associates Inc. was presented for engineering services rendered in the study of the St. George Rd. overpass at New York Central R.R. in the amount of \$400.00.

Mr. Swain said that this amount is the standard architects fee. This is St. George Road money.

Commissioner Stofleth moved that this claim be approved subject to the availability of funds. Commissioner Willner seconded the motion. So ordered.

Mr. Foster signed the claim.

RE: CLAIM FROM JOHN MANS INC.

A claim was received from John Mans Inc. for dragline work on Lynch Road in the amount of \$352.00.

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

RE: CLAIM FROM CONNIE GARNETT CONTRACTING INC.

A claim was received from Connie Garnett in the amount of \$6,000.75, for sandblasting the swimming pool at Burdette Park, as per contract.

Mr. Biggerstaff explained that other work needs to be done as part of the contract and this will be done next summer. Commissioner Stofleth moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS FROM DON COX AND ROBERT GOFF

Claims were presented from Don Cox and Robert Goff in the amount of \$800.00 each for services rendered in appraising and buying Right of Way for widening Green River Road from city limits to Pigeon Creek. These appraisals were for the properties owned by Lambert, Hansen, Perry and Davis.

Mr. Biggerstaff said that this ends the purchases from the city limits to Pigeon Creek that the Commissioners might want to think about the Right of Way past the creek, as the purchasing of these properties will take place next year.

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

RE: PROPOSED DEED

A deed was presented to the Commissioners for their approval in conveying part of Lot Two, Block two, in Parkland Annex, Tax Code 31-42-7 to Dallas Hughes.

Commissioner Stofleth moved to approve the deed and forward it to the owner. Commissioner Willner seconded the motion. So ordered.

RE: PETITION TO WITHDRAW FUNDS

A petition to withdraw funds in redevelopment against Arthur Clardy, Etal, for condemnation was presented to the Commissioners. This matter was referred to the County Attorney.

RE: MONTHLY REPORTS

The monthly report of the County Treasurer for the month of November was presented to the Commissioners. Report received and ordered filed.

The monthly report of the Pleasantview Rest Home was presented by Mr. Harness for the month of November. Commissioner Stofleth moved that this report be approved. Commissioner Willner seconded the motion. So ordered.

RE: INVITATIONAL BIDS REQUESTED

Mr. Volpe said that he has asked the three banks to submit invitational bids on the Revenue Sharing money in the amount of \$600,000.00, at 9:00 a.m. tomorrow morning.

RE: MONTHLY REPORT

The monthly report for the Vand. Co. Clerk of the Circuit Court for the month of November, was presented to the Commissioners. Report received and ordered filed.

RE: LETTER FROM TERMINAL WAREHOUSE.

The following letter was received from John B. Culley, Executive Vice-President of the Terminal Warehouse:

Gentlemen:

We are herewith submitting the following proposal with respect to a lease to your commission of the Real Estate located at 915-919 Main Street in Evansville, Indiana, known as a part of the 6th floor of the Terminal Warehouse Company, Incorporated of Evansville, Indiana. We offer to lease to your commission approximately 5,000 square feet more or less of the above mentioned premises at a rate of \$500.00 per month, payable in monthly installments. We agree to furnish heat and lights in the area at no additional cost to you. It is understood that ingress and egress to the 6th floor will be allowed and that the facilities for loading and unloading trucks will be allowed at no additional cost.

This proposal does not purport to cover all of the terms and conditions of an agreement, but is written for the purpose of indicating the willingness of this Company to lease the property in question.

Commissioner Stofleth said there has been some criticism from one of the mechanics at the facility as to the coldness of the place and that it was damp and six machines had been rusted.

Mrs. Sauer had contacted Mr. Knight who suggested better lighting of a room and repairing the roof.

Mr. Parker said this all occurred on election day, that he found that the roof had been kicked in five times, that someone had deliberately done this but that the roof has since been repaired. He said that a window was also out. He said that this floor is heated but by being so large, it wouldn't be as warm as elsewhere. He said that anytime that something isn't right, all they need to do is to tell him about it. He said the damage was deliberate action. He said that his only interest is to provide the space needed. He thought he had been giving the county a reasonable rate.

Commissioner Stofleth said he thought the service was as good as expected, and moved that the \$100.00 per month rent raise be approved. The rent will be \$500 per month, effective January 1, 1973.

Commissioner Buthod said he thought it impossible to pay any way other than on a monthly basis, since there isn't enough in the budget to pay it and they will have to run the account down and appropriate \$1200 in July, at Budget time. Commissioner Buthod seconded the motion. The vote was unanimous in the affirmative. The motion carried.

RE: CUTS IN

Some cuts-in were referred to Mr. Biggerstaff for checking and the following cuts-in were presented to the Commissioners by Mr. Biggerstaff for their approval:

6.083

The So. Ind. Gas & Electric Co. requested permission to cut into Arrowhead Drive on the west side of Arrowhead Drive in Echo Hill to provide gas service to 9 lots (9 to 17, inc. in Echo Hill Subdivision

Ind. Bell Telephone Co. requested permission to cut into Peters Road to bury a telephone feeder cable.

The Waterworks Dept. requested permission to cut into Crossbow to install 8" water line from Hunters Trace N. on Crossbow.

The Waterworks Dept. requested permission to cut into 7518 thru 7606 Meadow View Drive to install 6" water line.

Commissioner Stofleth moved that these cuts-in be approved upon the recommendation of the county engineer. Commissioner Willner seconded the motion. So ordered.

RE: CONTRACT AWARDED FOR STATION WAGON

There was only one bid submitted last week on the station wagon for the Welfare Department and this was from Key Motors in the amount of \$2,827.74, with trade, for a station wagon with the smaller engine and \$2,868.01 for the Deluxe model with trade.

Commissioner Willner said he checked with the other company's as to why they didn't bid. He said that they evidently didn't see the ad in the newspaper. Mr. Work said that Kem Motors, Kenny Kent and Key Motors were all notified. He said that if it were re-advertised, to keep in mind that there will be a price raise.

Commissioner Stofleth moved to award the contract to Key Motors for the DeLuxe model at the cost of \$2,868.01. Commissioner Willner seconded the motion. So ordered.

RE: CONTRACT AWARDED FOR PIPE ON OLD STATE ROAD

The following bids were submitted last week for the installation of a 48" bituminous coated corrugated metal pipe 105 feet in length on Old State Road 0.9 miles North of Mt. Pleasant Road:

|   |            |
|---|------------|
| Daig Bros. Lumber & Construction Co. Inc. | \$7,798.00 |
| John Mans Inc.                            | 5,451.00   |
| Municipal Engr. & Construction Corp.      | 6,570.00   |
| D. K. Parker Co. Inc.                     | 6,185.55   |

The low bid was that of John Mans.

Commissioner Stofleth moved to award the contract to John Mans for this project. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR COUNTY TO FUND PROGRAM

Commissioner Willner said it has been brought to his attention that the Evansville School Corp. has quit funding the Child Physical Education program in the total County and the City has now picked it up for the schools within the city and the principal's of the county schools are asking the Commissioners if they would fund the Physical Education program for the six schools outside the corporate city. This is for an instructor, assistant instructor and a janitor, one night a week. They are asking for \$2,280.00 to fund this program for next year and he would like to see this done, but there may be a legal problem, also a question as to if the money is available.

Mr. Volpe said since this comes under recreation, it may be a source of Federal Revenue expenditures.

Commissioner Buthod said he thought this an appropriate use for the money and that this should be placed on the Council Call.

The Commissioners recommended the funding of this program to be approved.

Mr. Volpe said that he would place it on the Council Agenda, also that the Commissioners will meet with the Council that evening. He said the function of the Commissioners is, as the executive to certify to the Secretary of the Treasury, if necessary, that what the Council does, is within the guidelines.

RE: MR. BIGGERSTAFF

Mr. Biggerstaff presented an application from the L & N R.R. for placing their crossing on Old State Road, and he said that some type of surface should be placed over existing stone base and that the hump in the road should be straightened. He noted this on the application.

RE: CLAIM FROM MUNICIPAL ENGINEERING

Mr. Biggerstaff said that at the request of Mr. Swain, he went out and checked the Hillcrest Home, with Mr. Buttrum, who did a considerable amount of work on the boilers and heaters out there, that were installed, and the County apparently owes Municipal Engineering \$8,526.84 which is the amount of the claim presented, and these bills started out in October of 1971. He said that apparently the bids were for a certain amount of work and when the company went out there, they were ordered to do other work, so it ran into more money. He said he checked the account and there is \$1,898.00 in this account.

Mr. Hotz said he has other bills to be payed from this account but Sam wondered if maybe the Commissioners would want to give Municipal Engineering some prior consideration.

Commissioner Buthod said that this money was previously refused by the Council, subject to being checked out by County Attorney Swain.

Mr. Volpe said that this matter will be placed on January's Council Call.

Commissioner Buthod asked Mr. Hotz to check his bills and the amount in the account, as they want to pay Municipal Engineering as much as they can before the first of the year.

Commissioner Stofleth moved to approve the claim of Municipal Engineering in the amount of \$8,526.84, subject to the availability and approval of funds. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM OHIO VALLEY ENGINEER'S

Mr. Biggerstaff said he had received a letter from Ohio Valley Engineer's relative to the Barker Avenue underpass and they have asked the American Testing Corp. of Indianapolis, for an estimated price on floor drills etc. The estimate was from \$2,970.00 to \$3,715.00, which would be the responsibility of the Commissioners and it would be his recommendation that these tests be made. They would be doing this on sub-contract and it is usually left up to the Engineering Co.

Commissioner Stofleth moved that the bearing tests be done. Commissioner Willner seconded the motion. So ordered.

RE: LETTER- REQUESTING ACCEPTANCE OF ROAD

The Commissioners received a letter from Mr. Biggerstaff on the acceptance of Kirkwood Drive, as follows:

Gentlemen:

Kirkwood Drive is dedicated as a public right-of-way by the recorded plat of Kirkwood No. 2 Sub-division. The South 520 feet of this right-of-way has been paved with a 6 inch, uniform thickness, plain cement concrete for a width of 28 feet between curb faces.

The above work was done in compliance with the Vanderburgh County Standard Sheet Specifications dated 1954 and it is recommended that this street be accepted as part of the Vanderburgh County Highway System and maintained in the manner that it was constructed.

Mr. Biggerstaff said that he has checked this out and everything is satisfactory. Commissioner Stofleth moved that Kirkwood Drive be accepted as a county maintained road. Commissioner Willner seconded the motion. So ordered. The Commissioners passed a resolution on this, the final form to be approved by the County Attorney's.

RE: INVITATIONAL BID...FROLICH CREEK EXTENSION

Mr. Quentin Stahl submitted the following bid, dated November 27, 1972:

I will dredge the above mentioned ditch for \$15.00 per machine hour but not to exceed \$605.00. Located at the North end of Heddon Road and runs East to Frolich Creek.

Commissioner Stofleth moved that the offer be accepted. Commissioner Willner seconded the motion. So ordered.

RE: AGREEMENT RECEIVED TO CUT TREES DOWN

An agreement was received with Laura Gehlhausen's signature, as follows:

This agreement is between Vanderburgh County Highway Department and Mrs. Laura Gehlhausen gives us permission to cut three trees at the intersection of Fuquay Road and Pollack Ave. One tree facing Fuquay Road and the other two trees facing Pollack Ave. Trees to be cut and hauled away. Stumps to be cut to the top of the soil. Also, low overhanging limbs on other trees down Pollack Avenue are to be cut.

Mr. Foster said that some trees were cut but when men went out to make a survey, they asked that additional trees be cut down, so she has agreed to this.

Commissioner Willner asked if the Commissioners had received a reply from L & N on the crossing on Old State Road, as to if the bridge was accepted by them. Mr. Biggerstaff said the preliminary plans were accepted by them and thought that the final plans had been sent to them. He said that letters have been sent to the utility company's to find out the relocation of the lines so the project is moving right along.

RE: MR. FOSTER

Mr. Foster said he had talked to Mr. Sigler of the Pennsylvania Railroad, about the St. Joe Avenue bridge and said that they are still working on it.

RE: CLOSING FOR HOLIDAY

Commissioner Buthod said that the City is closing at 12:00 noon on Friday, December 22, 1972, for Christmas and it has been asked that the County do the same.

Commissioner Stofleth moved that all county offices close at 12:00 noon on Friday, December 22, 1972. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES...VOTERS REGISTRATION

|            |                                  |       |             |              |
|------------|----------------------------------|-------|-------------|--------------|
| Appointed: | Karen Staak 1401 N. Red Bank Rd. | Clerk | \$15.00 Day | Eff: 12/5/72 |
|            | Peggy Atherton 2618 Vogel Rd.    | Clerk | 15.00       | 12/11/72     |
| Released:  | Essadee Detroy 907 W. Iowa St.   | Clerk | 15.00       | 12/8/72      |

RE: POOR RELIEF

Keith Logsdon...420 Adams Ave....Pigeon Twp..Mrs. Anslinger, Investigator. Mr. Logsdon asked for medical assistance and was refused. Mrs. Anslinger said that Mr. Logsdon lived with his parents. She referred him to the Area Training School and he quit because it was boring and it wasn't a challenge to him. She couldn't see why he couldn't find work. His hospital bill is \$762.50. He said that he had been a brick layer's helper but the work is slack now. He has no insurance. He has signed up at the unemployment office. He was told that the hospital would take small payments. The Commissioners asked Mrs. Anslinger to help Mr. Logsdon all she could. Commissioner Stofleth moved that this case be referred back to the Trustee. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR ADDITIONAL SPACE

A request was presented to the Commissioners from Area Extension for additional space and the Mayor has signed as far as the city is concerned and it was asked that the matter have the same consideration of the Commissioners. Commissioner Stofleth suggested approving this letter, thereby speeding up the process. Commissioner Stofleth moved that the space be allocated. Commissioner Willner seconded the motion. So ordered.

Meeting recessed at 11:10 a.m.

PRESENT

|                             |                       |                         |                     |
|-----------------------------|-----------------------|-------------------------|---------------------|
| <u>COUNTY COMMISSIONERS</u> | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u> | <u>REPORTERS</u>    |
| JAMES M. BUTHOD             | LEWIS F. VOLPE        | THOMAS SWAIN            | G. CLARES S. CLARK  |
| A.J. "TED" STOFLETH         |                       | WILLIAM STEPHENS        | C. LEACH A. JACKSON |
| ROBERT L. WILLNER           |                       |                         |                     |

*James M. Buthod*  
*Robert L. Willner*  
 BOARD OF COUNTY COMMISSIONERS

Secretary: M. Meeks

COUNTY COMMISSIONERS MEETING  
DECEMBER 15, 1972

A special meeting was called by Mr. Volpe, the County Auditor, for 9:30 a.m. this morning for the purpose of requesting a statement from Commissioner Stofleth as to whether or not he is gainfully employed by the City. Mr. Volpe had said that if Commissioner Stofleth answered in the affirmative or failed to answer, he would declare the Commissioner's seat vacated.

Commissioner Willner opened the meeting.

Commissioner Willner asked Mr. Volpe if he had talked to the City Controller and if it were possible that Commissioner Stofleth be paid for two jobs.

Mr. Volpe said that he had talked with the Deputy City Controller, Bob Miller and that he stated, that under no circumstance would County Commissioner Ted Stofleth be paid out of City funds prior to the first payroll in 1973, nor for any work done prior to 1973.

Commissioner Willner asked if this was an official statement made to Mr. Volpe, personally.

Mr. Volpe said that the statement was made to him personally, in the presence of several witnesses.

Commissioner Willner said that this takes care of the problem for the next fifteen days.

Mr. Volpe said that the thing that we feared might happen and that the County Attorney's said would happen, will not happen.

Commissioner Willner said that Commissioner Buthod had stated that the Commissioners were in session without recessing for the entire month and that Mr. Volpe could not call this meeting. He said that he didn't read the statute this way.

Mr. Volpe said that if you put three different lawyers in a room, you would get four different opinions.

Commissioner Willner said that it read that, the County Auditor may call a special session if given six days notice.

Mr. Volpe said this is right and he took it to mean exactly what it said.

Commissioner Willner wondered if the bad weather was the reason that the other two Commissioners weren't here or wondered if they were boy-cotting the meeting.

Mr. Volpe said that this was an interesting question but he would say that they would have had less of an excuse, if it were a sunny day.

RE: CLAIM

A claim from Sheriff Riney for the meals of the prisoners in the amount of \$4,693.00 was approved for payment.

Commissioner Willner said that Mr. Volpe will state, in official capacity, as to what took place today.

The meeting recessed at 9:40 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u> | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEY'S</u> | <u>REPORTERS</u>      |
|-----------------------------|-----------------------|--------------------------|-----------------------|
| Robert L. Willner           | Lewis F. Volpe        |                          | C. Leach<br>G. Clabes |

Secretary: M. Meeks

  
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
DECEMBER 18, 1972

The regular meeting of the County Commissioners was held on Monday, December 18, 1972, at 9:35 a.m. with President Buthod presiding.

The minutes of the meeting held on December 11, 1972, were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: APPOINTMENT MADE

Commissioner Buthod entertained a nomination for the vacant seat of the late Donald Davis, to the Evansville-Vanderburgh Plan Commission. Commissioner Stofleth moved that Alfred M. Nowling be appointed to fill the unexpired term of Donald Davis on the Evansville-Vanderburgh Area Plan Commission. Commissioner Buthod seconded the motion. So ordered. Mayor Russell Lloyd introduced Mr. Nowling to the news media. He is President of the Pyle Electric Enterprises Inc. The vote being in the affirmative by the majority, with Commissioner Willner abstaining. Commissioner Buthod congratulated Mr. Nowling and said he hoped that Mr. Nowling would find the service on the Plan Commission to be interesting and rewarding as well as very helpful to the community. His term will expire on December 31, 1975.

RE: RE-ZONING PETITION .....R. J. & MARY HOLLANDER

This petition has been approved by the Area Plan Commission. The premises affected are situated on the south side of Upper Mt. Vernon Rd. and commonly known as 9800 Upper Mt. Vernon Road. The requested change is from A to C-1B. The present and proposed land use is for a tavern. Commissioner Buthod asked if there were any remonstrators. There were none. Mr. Johnson appeared for the petitioners and said there were no remonstrators at the Area Plan meeting. He said that Dutch & Mary's tavern has been at this location for 26 years. Commissioner Stofleth moved that this re-zoning be granted. Commissioner Willner seconded the motion. So ordered. Commissioner Buthod told Mr. Johnson that the Commissioners would furnish him with a copy of the ordinance.

RE: RE-ZONING PETITION.....SUSAN K. FLITTNER

The premises affected in this petition are situated on the north side of Hillsdale Road. The requested change is from A to R-0. The proposed land use is for an office building and testing facilities for small electrical devices. Commissioner Buthod told Mr. Marshand that unless there were objectors here, this petition would be approved on first reading. There were no remonstrators so it was taken by consent that this petition be approved on first reading and referred it to the Area Plan Commission for further action and recommendation.

RE: RE-ZONING PETITION.....JACK LEWIS JR.

This county rezoning petition was approved by the Area Plan Commission. Premises affected are situated on the west side of N. St. Joe Avenue. The requested change is from C-1A to C-1B. The proposed land use is a retail store selling bakery goods and also as a distribution point for route salesmen of Bunny Bread Products. There being no remonstrators, Commissioner Stofleth moved that this re-zoning be granted. Commissioner Willner seconded the motion. So ordered. The Commissioners secretary will furnish Mr. Marshand with a signed copy of the ordinance.

RE: DISCUSSION ON THE PROPOSAL OF SPECIAL DEPUTIES

Commissioner Buthod said the Commissioners have previously heard the report on this proposal by the Indiana Civil Liberties Union, the Bill of Rights Committee of the Evansville Bar Association and the PACE group. He received an opinion letter dated December 15, 1972, addressed to the Board of Commissioners,

This letter was from the County Attorney. It read as follows:

Re: Special Deputy Sheriff Organization

Gentlemen:

At your request the undersigned submits the following opinion concerning the legality of the proposed establishment of a Special Deputy Sheriff Organization by the Vanderburgh County Sheriff.

The following legal authorities were consulted in arriving at the opinion rendered herein:

Burns' Indiana Statutes, Section 49-1002  
 1944 Attorney General Opinion No. 402  
 1967 Attorney General Opinion No. 13  
 Burns' Indiana Statutes, Section 49-2821  
 Burns' Indiana Statutes, Section 49-504  
 Mathena V. Losey (1929), 88 Ind. App. 634, 165 NE 253  
 1965 Indiana Attorney General Opinion No. 44  
 Burns' Indiana Statutes, Section 49-2804  
 Burns' Indiana Statutes, Section 10-4738

Section 49-1002 provides that the Sheriff may appoint the number of full or part-time deputies as may, in his judgment, be necessary for the proper discharge of his duties, subject to the approval of the County Commissioners. This statute also fixes the compensation of such deputies. A 1944 opinion of the Indiana Attorney General states that this Statute does not apply to "emergency deputies" appointed under Section 49-504. A 1967 Indiana Attorney General Opinion states that this Statute applies to a County Treasurer as well as a County Sheriff and a County Treasurer can appoint more deputies than allowed by law but if such additional deputies wish to be paid from public funds then their appointment must be approved by the County Commissioners.

Section 49-2821 is a part of the Statute creating a Sheriff's Merit Board. This particular Section creates a "County Police Force" whose members shall be employees of the County and whose salaries and numbers shall be determined by the Merit Board.

Section 49-504 states that "for the purpose of promoting the public safety and more properly conserving the peace, repressing, preventing and detecting crime, and apprehending criminals, the Board of Commissioners shall have the authority to determine the number of Deputy Sheriffs or assistants and shall provide for their compensation, which may, in any emergency, be required for such purposes". This Section further provides that such Deputy Sheriffs or their assistants shall be selected and appointed by the Sheriff subject to the approval of the Commissioners as to their number. Such persons shall have the same power as are possessed by Sheriffs under present Indiana law. Further, this Section provides that such Deputy Sheriffs shall have their compensation and expenses fixed by the Commissioners and they shall be paid out of the general funds of the County. When the "emergency" is over, the Commissioners may reduce the number of such Deputies according to their discretion. A 1929 Opinion of the Indiana Appellate Court holds the purpose of this Statute is to provide for increased manpower during emergencies. A 1965 Opinion of the Indiana Attorney General says that the above Statute does not prohibit a Sheriff from appointing Deputies who can serve without compensation.

Section 49-2804 provides for the duties of the Sheriff to include the power to "appoint Deputies" and "be responsible for their acts as such".

Section 10-4738 provides for the securing of permits to carry firearms by private citizens by application through the offices of the County Sheriff.

All of the present Indiana statutory law regarding the determination of the number of Sheriff's Deputies likewise make provision for their compensation from public funds. There are no statutory provisions for the appointment of volunteer Deputy Sheriffs who serve without pay from public funds. It also follows there are no statutory provisions for regarding the powers of such volunteer Deputies. The single authority for the appointment of Deputy Sheriffs without compensation is the 1965 Indiana Attorney General Opinion mentioned above.

It is the undersigned's opinion that the present law of Indiana does not preclude the Vanderburgh County Sheriff from determining the number of and the appointment of Deputy Sheriffs who are to serve without compensation from public funds. Accordingly, the following recommendations are made:

1. In the event it is proposed that such volunteer Deputies will be armed then such volunteer Deputies should apply for and secure a permit to carry a firearm as provided by present Indiana laws regulating permits to carry firearms by private citizens.

2. A sufficient comprehensive liability policy should be secured for such volunteer Deputies with the County of Vanderburgh as a named insured.

Another letter was received from Keith Parmenter and it read as follows:

Sirs:

I wish to express my strongest protest against the ENTIRE concept of any or all of the following unpaid, unknown, improperly (locally) trained Sheriff's civilian deputies force. I further strongly object to the belief that these "deputies" would be used only in limited areas of responsibilities, as this can be easily extended and enlarged into an unlimited police state.

This "idea" is completely out of line with the character, spirit and congruity of modern approach to law enforcement. It is ambiguous, too general in scope and is an infringement on the rights of all citizens. The concept is an unnecessary device to assist law enforcement officials.

I sincerely do NOT believe that the Vanderburgh County citizens need or want this type of "Big Brother" assistance in the Sheriff's Department.

I DO Believe that this special force of civilian deputies is an excessive, unwarranted and uncalled-for attempt to enforce the law.

To equate this special force of civilian deputies to the Civil Defense Police is to beg the question of what is reasonable, suitable and proper; furthermore there is no way to logically express this equation.

A letter was also received from Dr. Lester E. Johnson, Chairman of the Community Awareness Committee, as follows:

Dear Sir:

The members of the Community Awareness Committee would like to register our opposition to County Sheriff Jerry Riney's proposed plan to establish a secret voluntary police body. We feel that this type of police squad would not be in the best interest of human relations and may actually serve as a detriment to bettering the relations with the black community.

The secret police are reminiscent of Nazi Germany, the Vigilantes, and the night riders of the KKK, all of which are points of irritation to the black community and many other citizens.

Commissioner Buthod said he has heard and read objections of the proposal and has stated the position of the County Commissioners, in that they don't believe they have any jurisdiction to determine whether or not the Sheriff appoints additional unpaid deputies, nor do they believe that it is necessary for him to secure the permission of this body, it is an open question as to what the police powers of such appointees might be. It is the recommendation of the County Attorney's that these special deputies be required to secure Insurance and gun permits, as any other citizen would need to do and having covered these points and not having given Sheriff Riney the opportunity to present his position, he thought it appropriate to call on Sheriff Riney at this time, to explain his proposal.

Sheriff Riney said he has made a study over a period of time, regarding this special deputy group and have wanted to start this program prior to this time. He said some of the people are apparently mistaken as to what this program is meant to be and is apparently his fault. He said it is definitely not a secret organization, that this is something being put together to help the Vanderburgh County Sheriff's office, in which he does not have enough personnel to fulfill their duties in Vanderburgh County, and these men will be trained properly so that in cases of emergencies such as a disaster of a plane wreck, tornado, flash flood, etc. and these people will come to his aid in such an emergency. He said there are many counties in Indiana that have this program, that Marion County has an 85 man force. He said many counties couldn't get along without these special deputies. He said there has apparently been a mistake made over this being a secret organization, as it will not be a secret organization and the names of these special deputies will be made public on December 28, 1972. He said this group is being formed to help Vanderburgh County, to help in case of an emergency and he wants to train them ahead of time.

Mr. Munger, representing the Chamber of Commerce, said he has been watching the efforts of the Sheriff, in trying to form this special deputy force and in view of his explanation, asked if these special deputies will not be used unless there is an emergency.

4.  
The Sheriff said they would be used in an emergency or when he deemed necessary, as these people will be trained in jail work, communications, and in most cases will come in to relieve his regular men so they can go out in the field.

Mr. Munger said the Attorney General has given his opinion and the next person to give an opinion may give a different one. He said that it has been seven years since an opinion has been secured and he suggested to the Sheriff that the opinion of the present Attorney General be sought and that it be utilized in further resolution of this question before people are appointed to serve on this special deputy force.

Commissioner Buthod thought that the more important point to be covered in any request for an additional opinion would be the extent of police powers of such special deputies.

Mr. Munger said it seemed to him that the people of this county have spoken clearly and he rather doubted that one man's opinion stated in 1965 should outweigh the opinions of what seems to be the mass reaction.

Sheriff Riney said he could fill the room with people who are for this program.

Commissioner Buthod said that he had received calls, also from people who are encouraging this program but he thought that this to be a sensitive question and that the only proper way to get an answer would be through a declaratory judgment action in one of the trial courts of general jurisdiction. He said this is a matter between the Sheriff of Vanderburgh County and the citizens of Vanderburgh County, because the statute does not give the Commissioners power, except in emergencies which the Commissioners declare and define, have anything to say about it, so he suggested that this Board, far from shirking its duties and responsibilities in trying to get into this matter, is in effect, acting responsible and saying, "we were elected, the Sheriff was elected and this is the Sheriff's responsibility because we do not now see, nor can we now define a state of emergency in this county that would justify our authorizing additional deputies to be compensated for, by public funds," so it boils down to him, in that moral questions exist between the Sheriff, as a duly elected officer and the citizenry. He said they have simply attempted to provide a forum here for the expression of views and he thought this the limit of the Commissioners. He said he thought the Commissioners would stay in session as long as there was a point of view to be expressed, but he doesn't think the Commissioners contemplate on taking any positive action because they think it is beyond their power to do so.

Commissioner Stofleth asked what kind of firearms would be permitted for these men to carry with a permit.

Sheriff Riney said the permit is strictly for a sidearm.

Dr. Lester Johnson, Chairman of the Community Awareness Committee, which is a group of black professional, business & technical persons, voiced opposition in that they feel that basically the concept is contrary to democratic policies, also they are aware that historically, massive police forces have been a detriment to the black community. He said this proposal has aroused great concern and suspicions because of its usage and membership, that they find it quite unnecessary. They wondered what emergencies the Sheriff anticipated.

Sheriff Riney said he doesn't know what the next emergency will be, but if there is one, his only course of action would be to appoint people who know nothing about it. He said he would like to train these officers so that when they are needed, they will be ready. He said that by getting these volunteers, it would be a savings to the taxpayers.

Mr. Jerry Chambers of the Chamber of Commerce, agreed that an opinion should be sought from the present Attorney General as to what powers these special deputies would have.

Sheriff Riney refused the request, stating that the Attorney General wouldn't answer such a request, and even if he did, it would take nine months to a year to do it.

County Attorney Swain said these people are asking for a moral opinion and they won't get a moral opinion from the Attorney General.

Another member of the Community Awareness Committee asked what criteria would be used in selecting these special deputies and could he be one.

Sheriff said that the people selected to be special deputies are business people and that they will be special deputies, part-time. He said if this gentleman qualified, he could be a special deputy.

Mr. Nowling said the report mistakenly got out that this would be a secret force, but that the Sheriff isn't requesting anything he can't do now and all he wants to do is to name the people he wants to train for this job, and he should be congratulated.

Mr. Meredith asked if the next Sheriff would continue this practice. He also asked how such a thing could be controlled, and if the Sheriff found that he didn't have enough men, would he select more.

Sheriff Riney said he could only speak for himself and during his term, these men would be appointed on a year to year basis. He said he guessed it was his fault that it got out that this would be a secret force, because he wasn't ready to release their names at that time and said this will be made public on Dec. 28th.

Commissioner Buthod said that the Commissioners must be careful as a body and must restrain themselves from taking any position as it appears from the opinions that are available to them, they have no jurisdiction to control the Sheriff's actions in any manner, in this matter. He thanked everyone for attending this meeting to give their viewpoints.

Dr. Johnson thanked the Commissioners for setting up this forum.

Commissioner Willner said that since the news media brought this problem to the fore front, and it was in everyone's mind, he tried to ask as many people as he could, if they were in favor or against this plan, and he found that the people were more interested in what happened to the person after he was arrested, not in the enforcing body.

Sheriff Riney assured Mr. Munger that this force wouldn't be a burden to the tax payers.

Commissioner Buthod said he could see good arguments on both sides and that he was relieved that the Commissioners didn't have to make a decision in this matter, but he does feel that if these Sheriff's organizations, which are multiplying, apparently in response to a very real need, are to be continued, then the answer isn't to be found in the Attorney General's opinion, and it is not to be found in the decisions of the court. It is to be found in some well considered legislation, duly presented and adopted by the General Assembly, providing for the responsibility's, duties, and authority of such organizations and he would like to see the Sheriff's Organization, in conjunction with those who are deeply concerned with Civil Rights, to work out a bill for the Indiana General Assembly, presented and instead of trying to warp an association into the frame-work of existing law, to provide a specific law covering this type or organization so we know exactly where they are. He said that this is his own personal view and has nothing to do with his official position. He again thanked everyone for attending and giving their opinions.

RE: MEETING CHALLENGED

Commissioner Buthod and Commissioner Stofleth challenged County Auditor, Lewis Volpe's authority to call a special meeting which he had called and held on December 15, 1972. This meeting was to determine Commissioner Stofleth's status as a commissioner and manager of Roberts Stadium.

Commissioner Buthod said that the statute reads that the Board of Commissioners opens it's meeting on the first Monday of each month and continues so long as the Board, in its disgression, determines that the business of the county requires. He said the Commissioners are in special session and the Auditor is simply the secretary of the Board of Commissioners and he has no vote and no authority, that all work must be done by majority vote of the Commissioners and as far as he is concerned, there was no convening of any special session on December 15, 1972. He said that the acts reportedly taken at this time were not the acts of the Commissioners. He said he would not consider the minutes one way or another. He also said that a claim from Sheriff Riney, for the meals of the prisoners was supposedly approved by Commissioner Willner and that one Commissioner cannot act.

Commissioner Stofleth asked Mr. Volpe how he got the authority to pay Curt John, his new deputy, on an hourly basis, when it must first go before the County Council.

Mr. Volpe said that Mr. John is not going to be paid above the amount allowed but the dollar amount is only going to be used to de-escalate his pay below the monthly amount allowed by the council and he can work out a formula to pay a man less than allowed and this is what he is doing.

Commissioner Buthod said he isn't going to interfere in the operation of Mr. Volpe's office and the employment or release of his deputy is entirely the business of Mr. Volpe as far as he is concerned.

Commissioner Willner said he would like the opinion of the County Attorney's, as to if the County Auditor can call a special meeting. He said he read the statute and to him, it was very plain in saying that the Auditor may call a special meeting, if given six days notice.

Commissioner Buthod said not if they are already in session and no special meeting can be called as long as the regular session continues.

County Attorney Stephens said the claim approved was invalid because it was not approved at a legal meeting.

Commissioner Stofleth moved that the claim of Sheriff Riney for the meals of the prisoners in the amount of \$4,693.00, be approved. Commissioner Buthod seconded the motion. So ordered.

RE: LETTER OF REQUEST

Commissioner Buthod said that the Commissioners received a letter from the City of Evansville, dated December 12, 1972, requesting permission to install one row of parking meters in a public parking area, east of 9th street. Mr. Dunville said this has been discussed previously and he must get the approval of the City, the County, and the School Board, since they are all tenants of the Building Authority.

Mr. Dunville said these 23 meters will be for people coming to the center and will give better public use of the building. He said the Mayor has approved this and the School Board meets tomorrow.

Commissioner Buthod said this is a start in the right direction, this will be at no cost to the county and only the installation cost to the city. He thought it a good idea to place parking meters in the two front rows of the parking lot across from the Civic Center for the public and mark the rest off in lots with the parking closer to the center costing more per year, and the farther away, the less the cost.

Commissioner Stofleth moved that permission be granted, subject to the determination of percentage the county is entitled to.

Mr. Dunville said the meters will be checked by the Meter Dept.

Commissioner Willner said he disliked parking meters very much, as this isn't a law enforcement procedure, it is a money making proposition.

Mr. Munger asked if this could be put off until the new Commissioners take office, that it looks like the casual visitor to the center is asked to foot part of the bill and the office holders aren't asked to pay anything.

Paul Kinney, Chairman of that advisory Committee, said the people that come to the Civic Center doesn't have a place to park and in many cases, two hours on a parking meter isn't enough time, he agrees with Commissioner Willner on free parking for visitors but said that the employees of the Civic Center would park here immediately.

Mr. Dunville thought the meters should be tried to see what can be done to help the parking problem.

Commissioner Buthod said he thought the appropriate approach would be to say that the funds, after expenses, would go to the Building Authority for application in reduction of component of the rental. He wondered if it couldn't be approved for a trial rental period.

Commissioner Stofleth supplemented his motion that this plan be approved on a six month trial period from today. Commissioner Buthod seconded the motion. The vote was in the affirmative by majority, with Commissioner Willner voting "no".

RE: LETTER FROM BUILDING AUTHORITY

A letter was received from the Evansville-Vanderburgh County Building Authority, setting forth the proposed fixed and additional rental at \$555,000 and \$540,950 for variable rental, which will become due and owing as of December 30, 1972. This was referred to the County Attorney's and upon their approval, referred to the County Auditor.

RE: EMPLOYMENT CHANGES ... APPOINTMENTS

COUNTY AUDITOR

Curtis A. John      1615 N. St. Joe      Chief Deputy      \$4.00 Hr.      Eff: 12/15/72

COUNTY SURVEYOR

Thomas Norton      921 Canterbury Dr.      Rodman      \$5,200 Yr.      Eff: 12/18/72

RE: EMPLOYMENT CHANGES... RELEASE

COUNTY AUDITOR

William Wittekindt      Browning Road      Chief Deputy      \$8,200 Yr.      Eff: 12/8/72

RE: REQUEST OF COMMUNITY SERVICES

The following letter was received by the County Commissioners from the Episcopal Community Services of Southwest Indiana:

Dear Commissioners:

I am requesting the use of the City Council Chambers, Room 303 of the City-County Administration Building, for Saturday mornings beginning January 13, 1973 and continuing through the 1973 session of the General Assembly.

In 1971 and 1972 the Council of Churches and the Community Council sponsored a Saturday morning program from 10:00 a.m. to 11:30 a.m. entitled, "The People Meet Their Legislators." We felt it was a successful method of communication between the people and their elected officials in the General Assembly.

We plan to continue this program during the 1973 General Assembly. In practical terms we would want to reserve the City Council Chambers for Saturday mornings from 9:00 a.m. to 12:00 noon beginning January 13 through February 25, and perhaps into March depending on the availability of the legislators. Signed Joseph J. Dunne, who is now with the Episcopal Community Services. Commissioner Buthod said that this also requires the approval of the City and the Building Authority.

Commissioner Stofleth moved that permission be granted for them to use the Council Chambers. Commissioner Willner seconded the motion. So ordered.

RE: ANNUAL OPERATION REPORT

An annual operation report request was received from the State Board of Accounts, as follows on Form 16-1962:

TO: ALL COUNTY HIGHWAY DEPARTMENTS, COUNTY AUDITORS AND BOARDS OF COMMISSIONERS      FROM: KENNETH R. BEESLEY  
STATE EXAMINER

Public Law No. 103, 1971, amends IC 8-17, providing records to be kept relating to highway maintenance.

This law requires all county highway departments to make a report for 1972, before February 15, 1973, in order to receive regular highway account distributions timely.

This law also provides:

"On March 1 following the operational report year, the State Board of Accounts shall prepare a certified list of municipalities which have complied with the terms of this chapter.

The Auditor (of state) is directed to withhold the distribution of Motor Vehicle Highway account funds from any municipality not appearing

on the State Board of Accounts certified list until its annual operational report is certified."

Highway supervisors and boards of commissioners are reminded to observe the date for filing the report to insure continued receipt of distributions. Report received and ordered filed.

RE: REQUEST FROM THE PROSECUTOR

Prosecutor Brune submitted the following letter to the Commissioners:

The Prosecutor's office is in dire need of an additional "Call Director" telephone. There are presently four such phones in the office, however that number is proving inadequate, due to the volume of calls received into our office each day and also the increase in our secretarial staff.

We would certainly appreciate favorable action on this request at your earliest convenience.

Commissioner Stofleth moved that the telephone be approved. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORT

The monthly report was received on the Evansville Association for Retarded Children for the month of November of 1972. Report received and ordered filed.

RE: LETTER FROM DR. BYRON WRIGHT

A letter was received from Dr. Wright, Vice President of Business Affairs at Indiana State University, concerning some suggested improvements in the plans and designs for the interchange of Eichoff Road and State Road 62. This request was referred to Mr. Biggerstaff.

RE: LETTER FROM MRS. BRENNER

The following letter was received by the Commissioners from Mrs. Brenner:

My name is Mrs. Brenner. We live at 8116 Old Boonville Hwy. Since last April I have tried everything to get the culvert in front of our house fixed. Nothing has been done yet. We have 6 acres behind our house that we can't even use and we pay taxes for this. The county drains their water through a short ditch into our land and it floods all of it. Our land is as important to us as everybody else's out here. If you don't fix it why should we pay taxes for your water. The man who owns the land across the road drains his 80 acres into our land and won't fix it. The soil conservation office says we can't stop his drainage. His field tile is laid in our ditch and is all broken. The pressure builds up and blows holes in our land and floods. So with your water and his water we have a reservoir. We would like to know when something is going to be done about it. We have taken pictures of the water pouring through the drain and how high it gets. We would like something done immediately.

Mr. Biggerstaff said her problem is that this was basically a farm at one time and the man tiled his fields and his laterals were picked up by trunk lines and were dumped into this ditch and what he thought happened was that the lower end of the field tiles have been broken and when this water comes down the hill, it can't get out in the ditch so it boils up on her property. He said this wasn't a county problem, however, the culvert under Old Boonville Highway was a county problem and it is being worked on, so he don't know what he can do to help her. He suggested she go to the upper end of her farm with a backhoe and break all the field end at that point and the water wouldn't come in on her land.

RE: CUTS-IN

Cuts-In were presented and referred to Mr. Biggerstaff.

RE: COUNTY HEALTH INSURANCE

Commissioner Buthod said the Health Insurance had been reviewed and he asked if there were any comments to be made or any further questions.

Commissioner Willner said he received a letter saying that New York Life would extend their coverage until February 1, 1973.

Commissioner Buthod read the letter from them and it read that they would do this only if the county intends to stay with New York Life Insurance Co.

Mr. Volpe said if an opinion wasn't made for one firm or the other immediately, he thought they should consider the fact that it would be impossible to withhold on December 30, which is the normal practice and they would have to withhold on January 15, 1973, and he thought the company should know this.

Commissioner Buthod said he felt that the County had to do something and its finances are limited.

Commissioner Stofleth moved that the County Health Insurance Program for the coming year of 1973, obtain the services of the Golden Rule Insurance Co. Commissioner Buthod seconded the motion. The vote being in the affirmative by majority with Commissioner Willner voting "no".

Mr. Volpe asked if the Commissioners would pass a schedule for him to put into effect as to what the employee and the county will pay.

Commissioner Buthod said he thought it to be the prerogative of the Council to set these costs.

Mr. Volpe said the Commissioners have set the cost for the last two years.

Mr. Kinney said the Council didn't actually set the cost but they did pass a different type of Insurance for the County Highway employees. He said that, however, two years ago the council passed a program whereas the county would pay the cost of a single plan and the employees would pay the difference if he wanted a family plan. He said if they went into a program where the premiums would be higher than in 1972, the money would not be there to pay the premiums.

Mr. Volpe asked if they didn't think the entire county should be treated the same.

Mr. Kinney said he realized this problem and if the union had not reached an agreement, they would have not passed this particular thing and this should have been brought up in September.

Commissioner Stofleth said they figured the total number of employees at the garage which is 56 and the cost is \$672.00 per per year, per person, the total being \$29,568.00 to New York Life and for the Golden Rule per person, was \$457.00 or total of \$20,108.00 with a savings of more than \$9,000.

Mr. Becker said he thought Mr. Volpe had a very good point in that the Commissioners need to arrive at a conclusion. He said in the past, the county has let their employees pay \$16.53 toward a family plan and he didn't know if at budget time, it was based upon the county picking up all but \$5.00 per month, so he pointed out that there might be some discrepancies in the budget if the county goes to the same program the city has.

Commissioner Buthod said the plan will be on the same procedure with the exception of the County Highway employees and their plan will be that as approved by County Council.

Commissioner Stofleth moved that with respect to the single plan that the County assume all of the premium except \$1.00 per year and that the County employees pay the cost of the dependent unit with the exception of 1¢ per month and with respect to the Co. Hwy. employees, the county will pay all but \$1.00 of the monthly cost of the single plan, and all but \$5.00 of the monthly cost of the dependent unit.

Mr. Becker said the family plan costs \$42.54 and the city is presently paying \$37.54 per month and the employees is paying \$5.00 per month and on the single plan the cost is \$15.43 and the city pays \$14.43 and the employee pays \$1.00. Commissioner Buthod seconded the motion. The vote being unanimous in the affirmative. The motion carried.

Mr. Barthel of the Golden Rule, said he didn't know if it was the function of the Commissioners or not but they had a big job ahead of them and wondered if it would be possible to set up a meeting Wednesday or Thursday with the Department Heads so that the program can be explained and they can be given the cards to take back to their respective offices for enrollment. Mr. Volpe will set up this meeting.

Mr. Becker said he feels that all County employees should be treated alike and if this program is adopted to this point, what the Commissioners will be doing is giving every County employee the same break that every City employee has.

Commissioner Buthod said the plan can be modified later.

RE: COMPLAINT BY MR. DELANEY

Mr. Harry DeLaney said he is a tailor from Hong Kong and he does have a license and pays sales tax. He said he now lives here and wants to stop the tailors that are staying outside the city limits, that don't buy a license and don't pay sales tax.

Commissioner Buthod said the sales tax applies to them, that they just aren't paying it, and he doesn't know what the Commissioners can do about this as they don't have the authority that the city has. He said this is an unfortunate situation. Commissioner Buthod said that the Commissioners will look into this and contact him.

RE: HAMILTON GOLF COURSE DELAYED

Mr. Shrode, Attorney representing Bob Hamilton, said that the golf course is within 40 days of completion, but a spring seeding will delay the opening until May of 1974. He requested an extension of the opening date under the contract. He told of the problems they had in getting legislation passed to allow the contract between the county and Mr. Hamilton, rezoning procedures, and the difficulty in removing oil spills from part of the course. Mr. Shrode said the only thing remaining now is final fine grading, installation of greens and seeding. He said if the weather clears by April 1, the course will be completed by June 1. He also said that Mr. Hamilton wants the delay now because he wants it to be the best complex in Indiana.

The Commissioners took the request under advisement for one week. Commissioner Buthod said if it was the will of the other Commissioners, the County Attorney's should prepare the appropriate document and submit it for action next week.

Mr. Volpe asked Mr. Shrode if the original lease had been recorded. Mr. Shrode said he will prepare the lease and give it to the County Attorney's so it can be recorded.

RE: MR. BIGGERSTAFF

Mr. Biggerstaff presented an extra work agreement #3, on Volkman Road Bridge, for additional pipe which is an increase of \$260.50.

Commissioner Willner moved that the change order be approved. Commissioner Stofleth seconded the motion. So ordered.

Mr. Biggerstaff said he would present the final wrap-up on the Volkman Road Bridge next week, and it is considerably higher than the bid contract that was let to Southwest Engineering, as there was an error in back-fill.

Mr. Biggerstaff presented a letter from the Indiana State Highway Commission in regards to the returning of part of Old State Road to Vanderburgh County. It is 775 feet which lays directly at the interchange of I 64. He said nothing is wrong with it and it should be accepted.

Commissioner Stofleth moved that this part of Old State Road be accepted by the county for maintenance. Commissioner Willner seconded the motion. So ordered.

RE: RESOLUTION ON COUNTY ACCEPTED ROADS

County Attorney Stephens presented a resolution of the master list of the County accepted roads for maintenance, setting forth the procedure for the adopting of roads.

Commissioner Stofleth moved to adopt this resolution. Commissioner Willner seconded the motion. So ordered.

RE: STREET PLANS ADOPTED

Mr. Elmo Dockery presented the plans for a sub-division called Valley Downs, which consist of the streets, Spring Valley Road, Autumnwood Way, Saratoga Drive, Crossbow Lane, Hunters Trace, Deer Trail, Ripplewood Lane, Kings Run, Printers Alley, Foxwood Lane, Fox Trough Way, Pirate's Alley, & Rockingham Way.

Mr. Dockery requested the approval of the street plans and the storm sewer. He said they also have the sanitary sewer with these plans but this will be taken up by the Board of Works. Mr. Biggerstaff recommended the approval of these plans.

Commissioner Stofleth moved that these plans be adopted. Commissioner Willner seconded the motion. So ordered.

RE: MR. HAROLD PETERS

Mr. Peters said that the Telephone Co. has been laying telephone lines and haven't been doing this work according to the specifications.

Commissioner Buthod said the utilities are required to inform them as to when the work is to be done, so an inspector can be there.

Mr. Peters also asked what was found out about the road out there, where the water was being shoved the opposite way. He wondered if they were going to give him a new culvert for his ground.

Commissioner Stofleth said the county doesn't furnish culverts and that he and Mr. Biggerstaff can work on this together.

RE: MR. HARNESS

Mr. Harness presented an application for the approval of the admission of Melvin Mofield to the Pleasantview Pest Home.

Commissioner Stofleth moved, on the recommendation of Mr. Harness, that the application be approved. Commissioner Willner seconded the motion. So ordered.

RE: MR. CROOKS

Mr. Crooks said that with consolidation, the City Attorney has determined that one common bond be used for the city and county, and he presented the new form. The bond was referred to the County Attorney's for execution, a copy of which should be sent to the Auditor's office for filing.

RE: SCHEDULE ON REVENUE FUNDS

Mr. Volpe asked if the schedule on the use of Revenue Funds can be pre-printed in the resolution, as it would save a lot of time.

The Commissioners agreed this could be done.

RE: RE-ZONING PETITION...CITIZENS REALTY & INSURANCE

Premises affected are situated on the East side of Oak Hill Road. The requested change is from A to R-1. The proposed land use is for single family housing.

Commissioner Buthod said he has, in the past, represented Citizens Realty & Insurance Co. so he disqualified himself.

Commissioner Stofleth moved that this petition be approved on first reading and referred to Area Plan. Commissioner Willner seconded the motion. So ordered, with Commissioner Buthod abstaining.

RE: APPRAISAL REPORT

Appraiser, Emerson S. Reid, filed an appraisal report on 2 parcels of vacant land at Burdette Park, located on Nurrenbern Road.

This appraisal is required by HUD in connection with the purchase of reimbursement on Burdette.

The original contains photographs and the other copy contains a xerox of the photographs.

Commissioner Buthod agreed that the original copy be forwarded to the Area Plan Commission and that the process of application be continued.

A claim was also filed, to be acted on at next week's meeting.

RE: DEED PRESENTED

County Attorney Swain presented a deed from Vanderburgh County which was conveyed to Wilbur W. Cravens and Mary C. Cravens.

Commissioner Stofleth moved that the deed be approved and that it be forwarded to Mr. & Mrs. Cravens,

The meeting recessed at 11:35 a.m.

PRESENT

COUNTY COMMISSIONERS

James M. Buthod  
A. J. "Ted" Stofleth  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEYS

Thomas Swain  
William Stephens

REPORTERS

G. Clabes  
S. Clark  
A. Jackson  
C. Leach

Secretary: M. Meeks

*James M. Buthod*  
\_\_\_\_\_  
*A. J. Ted Stofleth*  
\_\_\_\_\_  
*Robert L. Willner*  
\_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
DECEMBER 27, 1972

This special meeting of the County Commissioners is being held on December 27, 1972, at 3:00 p.m. with President Buthod presiding.

RE: DECEMBER SETTLEMENT

Mr. Volpe presented a schedule on erroneous taxes to be sent to State with the December Settlement. Commissioner Stofleth moved to execute, President Buthod seconded. So ordered.

RE: POOR RELIEF

President Buthod said this meeting was called to consider help for Miss Margaret Mayes on an emergency basis. Mr. Willett said she was not denied help, that he has not seen her since November 22, 1972, he said he made a home investigation and she said her rent was paid up until December 1, 1972. She has a 1 month old child and wouldn't tell who the father is, but he found out from the Prosecutors office. She said her boyfriend would be back. Mr. Willett said he told her when she was one month behind in her rent to come back, she was back there this morning and she was asked if she had filed for CBOW or ADC. He said he couldn't give assistance unless she has filed for one or the other.

Miss Mays is 17 years old and she pays \$23.50 a week rent and that includes her utilities. She has received an eviction notice on December 28, 1972. Mr. Willett said they have to have an eviction notice signed by a J.P. but Mr. Buthod said he doesn't know if this is the law or not. Commissioner Stofleth said he is not about to see a 1 month set out on the street. Mr. Buthod said the landlady can't pay the utilities without the rent money.

Miss Mays said she has applied for ADC and has filed action against the father of the baby with the prosecutor. She said her family lives here but are unable to help her. Father Rohletter said he has been helping many cases like this and he can help some but cannot take on all the cases. Commissioner Stofleth asked if he thought if the Trustee paid \$50.00 would the landlady allow her to stay, and Father Rohletter said he would pay the difference.

President Buthod ask Miss Mayes if she finished High School and she said no.

Commissioner Stofleth moved that she be granted one months rent, President Buthod seconded the motion. So ordered.

The meeting recessed at 3:24 p.m.

PRESENT

COUNTY COMMISSIONERS

James M. Buthod  
A.J. "Ted" Stofleth

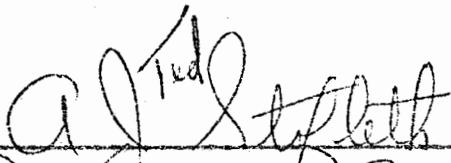
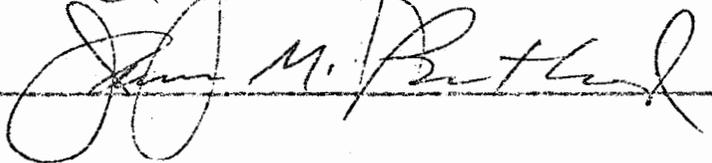
COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEYS

REPORTERS

T. Edwards  
A. Jackson

*Ted*  
  


BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
DECEMBER 26, 1972

The regular meeting of the County Commissioners was held on Tuesday, December 26, 1972 at 9:30 a.m. with President Buthod presiding.

The Minutes of the meeting held on December 18, 1972, were approved as engrossed by the Auditor and the reading of them was dispensed with.

President Buthod said that Mr. Shaad had informed them that at 10:30 a.m. Monday, January 1, 1973, there will be a formal swearing in of the newly elected County Officers, including the new Commissioners in these chambers followed by a meeting at 11:00 a.m. at which the appointments will be announced. The regular business meeting will be at 9:30 a.m. Tuesday, January 3rd. Mr. Shaad said to make the meeting Wednesday, January 3, 1973 because their Attorneys are out of town on Tuesday. President Buthod also said that Mrs. Marsha Smith will replace Mrs. Sauer as secretary to the Commissioners. He said Mrs. Smith has been the Law Librarian for the past three years.

RE: REZONING PETITION FOR WILLIAM F. & BERTHA F. SENNING

Premises affected are situated on the northwest side of Woods Avenue and being 222.8 feet south of the intersection formed by Woods Avenue and Upper Mt. Vernon Road. The request is from Zone M-1 to M-2. For Proposed land use to manufacture adhesive chemical cement and processing chemicals and raw materials. President Buthod ask if there were any remonstrators, being none, Commissioner Stofleth moved they refer the petition to Area Plan. Commissioner Willner seconded, So ordered.

RE: ADDITIONAL INSURANCE FOR E.A.R.C.

A claim was presented to the Commissioners to Monarch Insurance for Additional insurance coverage due to Owner's Protective Coverage in the amount of \$264.00. Mr. Volpe said he was not sure just which account this is paid out of, whether it comes out of a Grant, Bond Issue or whay, he also said he is not certain even if they billed the right party. Mr. Stofleth suggested they postpone it until the next meeting. The other Commissioners agreed.

RE: MANDATE TO TRANSFER FUNDS

President Buthod said the Mandate was signed by the County Election Board addressed to the Auditor, the Mandate reads as follows:

You are hereby Ordered and Directed, by the Vanderburgh County Election Board, by the authority vested therein, pursuant to Burns Indiana Statutes, Section 29-3101, as follows:

To transfer from Vanderburgh County  
General fund account to Vanderburgh  
County Election Board account #21-104  
Sixteen hundred thirteen dollars and  
Ninety-three cents. (\$1613.93)

said funds being required by the Vanderburgh County Election Board for legal expences incurred by said Board in the General Election, 1972.

Dated this 19th day of December, 1972.

Mr. Volpe said the Statue quoted does not have anything to do with anything what they say it does. He wonders if they have the authority to mandate. President Buthod daid this is a claim for Ole J. Olsen, Jr. Mr. Buthod said he thinks the mandate is directed to the Auditor and they cannot approve the funds until they are transferred. He feels the County Council has to transfer the funds, and as far as he is concerned there is nothing before the Commissioners at this time. President Buthod said let it show that the mandate referred to the County Attorney, by request of the County Auditor for continuence. County Attorney Thomas Swain sent Mr. Volpe a note telling him not to honor the mandate.

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RE: CLAIM FROM ICE, MILLER, DONADIO AND RYAN

This claim is for County wide government of studies for attorney fees, Mr Volpe said the County Council just approved this the other night, Mr. Stofleth moved the claim be approved, Mr. Willner seconded. So ordered.

RE: TREASURES OFFICE

The following letter was received by the County Commissioners from Mr. Frank Tilford, County Treasurer.

Gentlemen:

I herewith submit a request to have an extention telephone in the County Treasurer's Office moved from the counter to a secretary's desk.

This request involves no monthly increase. The only charge will be an installation fee of about \$15.00.

Thank you for your consideration.

Commissioner Stofleth moved that the request be granted, Mr. Willner seconded, So ordered.

RE: CLAIM FROM EMERSON REID

This claim is for reappraisal on the New Burdette Park Property in the amount of \$500.00. This is the appraisal for getting the HUD funds. Commissioner Stofleth moved the claim be allowed, Commissioner Willner seconded, so ordered.

RE: CLAIM FOR ADDITIONAL RENT

This claim has been referred until January 3, 1973, because as of now there is no appropriation for this, The Commissioners agreed to let the new Commissioners sign it.

RE: HAMILTON GOLF COURSE

President Buthod said they had previously requested an extention on the opening of the new golf course at Pleasantview. He said the request was for the opening to be delayed until May of 1974, Commissioner Stofleth moved that the extention be granted. Commissioner Willner said in reading the lease the rent doesn't come due or payable until July 1, 1973 and the bottom line says that no funds are due until the golf course or a portion of it is open to the public so he doesn't have any money to pay except the \$600.00 annual due, so he doesn't feel there is anything here for action at this time. Mr. Willard Shrode at this time said he wanted to thank at least two of the Commissioners. He said the golf course is not costing the tax payer one nickle, and the hold up was the Governmental Board that refused to grant a Burn Permit. This cost to the contractor is over \$100,000.00 by asking for this delay. Mr. Willard said if they will read the lease they will notice there is a clause in there that says if it can't be completed due to circumstances and reasons beyond his control or by reasons of a governmental authority he is automatically entitled to an extention. Mr. Buthod said it is very unfortunate that these circumstances ocured but as he said last week he has been on top of this situation all year long on an allmost daily bases, and in working in trying to get the necessary burn permits, he feels that every effort was made to get the course ready on time. President Buthod said he will second the motion to grant the extention of the time for opening the golf course until May, 1974, and ask the County Attorney to work with Mr. Willard in preparing an appropriate amendment to the lease. Mr. Stofleth ask Mr. Buthod to take a vote, Mr. Stofleth voted yes, Mr. Willner voted no, Mr. Buthod voted yes.

RE: ORDINANCE

President Buthod said this is something very close to his heart. The first one, when he first took office 4 years ago he said one of his goals was to have a comprehensive sub-division code adopted in the County. A Code which would be strict and would give protection to home buyers. After 4 years of negotiating and working with builders, area plan commission and so forth the ordinance reads as follows:

AN ORDINANCE PROVIDING FOR THE CONTROL OF THE SUBDIVISION OF LAND AND THE APPROVAL OF PLATS AND REPLATS OF LAND WITHIN THE JURISDICTION OF THE BOARD OF COMMISSIONERS OF EVANSTON, ILLINOIS.

A hearing was held by the Area Plan Commission and this ordinance was approved and recommended to the County Commissioners for adoption. Commissioner Stofleth moved that the ordinance be adopted, Mr. Willner seconded the motion, President Buthod voted yes.

The second ordinance which is proposed is some redefinitions of various zonings and it is important to, as we were talking on the problems of plan unit development. Such as apartment complexes, it was suggested earlier this year in connection with the proposed development near ISUE of Mr. Greise and Mr. Traylor, that they zone the first floor one thing and other floors something else, so we decided why to try to warp something into an existing framework when it is easier to change the framework, so these amendment contain among other amendments the concept of a plan unit development which is new to our zoning thinking here and provide that in a plan unit development that certain commercial uses are permitted as part of the overall development. Commissioner Stofleth moved that the ordinance be adopted, Commissioner Willner said he doesn't believe he has had the chance to look this over, at least he can't recall it. Mr. Buthod said various copies had been submitted over a period of time. Mr. Willner said he would like a little time if possible even though it is close to the end of the year, but he would like to check this over unless they wanted to go on with it. Mr. Buthod said he would like to take it up, since there is a short meeting Friday to encumber funds and vote on this admendment.

RE: MR. REEKIN

Mr. Reekin said they had no high water entrance to Inland Marina, he said with temporary ramps they have an entrance but it is a lot of trouble putting in and taking out these ramps. What they would like to due, at their own expence is to fill in with land fill and extend water works road south,, Mr. Biggerstaff agrees with Mr. Reekin and they said it could be completed with 45 days, Mr. Reedin said also the road would not have to be completly closed. Mr. Buthod asked if they wanted to get started this spring and Mr. Reekin said they wanted to get started just as soon as the water went down. Commissioner Stofleth moved that the request be approved and Commissioner Willner seconded the motion. So ordered.

RE: MR BIGGERSTAFF

Mr. Biggerstaff said he has a letter from Kenneth Adler, The letter reads as follows:

I, Kenneth Adler, request permission to scnstruct a concrete structure, part of which will be on the right-of-way at bridge on Mann Road in Armstrong Township. This will be built according to Soil Conservation plans.

At present the water is undermining the wing wall and the other is cracked and leaning. This concrete structure will support the leaning wing wall and stop the undermining of water.

President Buthod asked Mr. Shaad if he would like to see this with Mr. Willner, but Mr. Willner said he had already seen it. Mr. Willner moved for approval, Commissioner Stofleth seconded. So ordered.

RE: CUT-INS

The following cut-ins were presented to the Commissioners for approval:

Request from Waterworks to cut into Kings Hill Drive to install an 8 inch water line.

Request from Southern Ind. Gas & Elec Co. to cut into Meadow View Drive to provide gas service to 5 lots (1, 2 and 6 in block 5 and 19 and 20 in block 4) of Evergreen Heights Sub.

Commissioner Willner moved that the cut-ins be approved, Commissioner Stofleth seconded the motion. So ordered.

RE: CLAIM ON VOLKMAN ROAD

A claim for Southwest Engineering Inc. on Volkman Road Bridge was presented to the Commissioners for approval. The total costs for Construction was \$82,454.52. Mr. Biggerstaff said we previously paid \$54,869.46. There is a balance due of \$27,585.06. He said there is presently \$14,712.16 in account #191-54 which is the Volkman Road Bridge account. So there will be an unpaid balance of \$12,872.90. It will have to come before the County Council to appropriate this money. Mr. Biggerstaff said before he ask the Commissioners to approve this claim, he should ask for recommendation of the differences in all contrasting items and this should be part of the Auditors record. Commissioner Stofleth moved the claim be approved, Commissioner Willner seconded the motion. President Buthod asked for a motion to approve the claim for \$14,712.16, the entire balance remaining in the account. Commissioner Stofleth moved, Commissioner Willner seconded, so ordered.

RE: STEVEN SMITH

Mr. Smith said he had a question on insurance, He said he and his wife are expecting a baby in March, He said he talked to Mr. Southwood of New York Life and he said they would not cover the pregnancy because the County has changed Insurance Company's. President Buthod because of things like this he feels the County made the right decision. He also said the Courts may have something to say about this. President Buthod said he thought Mr. Smith would get paid one way or another, whether it is by Golden Rule or whatever because there is no waiting period. County Attorney read over the policy from New York life and said the way he reads it they will have to pay.

RE: MR JACK HARNESS

Mr. Harness said he would like to report to the Commissioners that the residents at the Pleasantview Rest Home certainly had a nice and enjoyable Christmas. They had 25 scheduled events at the home in the month of December, he said there were 511 wrapped gifts passed out to the residents, each man got 8 wrapped gifts, and each lady got 10. On December 22, there were 2 students namely Susie Steele and Dale Dossett from Central High School who presented them with an envelope containing \$354.50, this money was from the seniors student council and the junior Civital Club. This money is to be used at the home as they see fit. Mr. Harness thinks it would be nice if they received a thank you from the Commissioners. Mr. Buthod said he thought so to. Mr. Stofleth said he thought it would be nice if they received a letter from Mr. Harness to, and Mr. Harness said they would receive a letter from him. Mr. Harness also said he would like to say to the outgoing Commissioners "Thank You" for giving given him the opportunity to work the two jobs he has held with their direction. To say the least, they have been interesting. Mr. Buthod said they would like to say thank you for his excellent service in those jobs.

RE: MR. CROOK

Mr. Crook said he only had one order of business and that is the Kessel property located on St. Joe Avenue at Locust Creek. He said it was up to Mr. Volpe to advertise it. Mr. Biggerstaff brought the appraisal and Mr. Volpe was instructed to advertise it. The Property was appraised by Mr. W.E. Rich.

RE: CLAIM FOR McCRAY, CLARK., STATHAM AND McCRAY

County Attorney Thomas Swain presented a claim to the Commissioners for Marjorie A. Shannon VS L & N Railroad in the amount of \$589.83, they were employed as special council in this case. Mr. Swain said he would recommend paying it. President Buthod said he thought the bill was unreasonably low. Commissioner Stofleth moved the claim be allowed, Commissioner Willner seconded the motion. So ordered.

The meeting recessed at 10:21 a.m.

PRESENT

COUNTY COMMISSIONERS

James M. Buthod  
A.J. "Ted" Stofleth  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEYS

Thomas Swain

REPORTERS

G. Clabes  
S. Clark  
A. Jackson  
C. Leach

00085

COUNTY COMMISSIONERS MEETING  
DECEMBER 29, 1972

This special meeting of the County Commissioners was held on the 29th day of December, 1972 with President Buthod presiding.

The minutes of the previous meetings held on December 26th and 27th were approved as engrossed by the Auditor and the reading of them dispensed with.

RE: MEMORANDUM OF AGREEMENT

President Buthod said they have been requested to execute for the coming year, the renewal of the agreement with the Teamsters Union and the County Highway garage. Mr. Whobrey presented the agreement and President Buthod said it had been reviewed by the County Attorneys, the incoming Commissioners and seems to be approved by everyone. Commissioner Stofleth moved that the agreement be approved, President Buthod seconded. So ordered.

RE: REQUEST TO ENCUMBER FUNDS

President Buthod said the funds have been obligated. Mr. Volpe presented the lists to each of the Commissioners, he said the Highway list had just been handed to him and he encumber them to. Total amounts are as follows:

|                                |              |
|--------------------------------|--------------|
| COUNTY REVENUE.....            | \$ 97,762.92 |
| BOND AND SINKING.....          | 1,695.01     |
| COUNTY CUMULATIVE BRIDGE.....  | 306,697.01   |
| CRIME CONTROL FUNDS.....       | 53,875.57    |
| AREA PLAN COMMISSION.....      | 743.54       |
| AREA TRANSPORTATION.....       | 56,617.27    |
| GENERAL DITCH IMPROVMENTS..... | 19,490.88    |
| 197 ROAD AND STREET FUND.....  | 835,554.13   |
| COUNTY HIGHWAY DEPARTMENT..... | 11,979.09    |

RE: LEWIS F. VOLPE

Mr. Volpe said that on the xerox machine, we moved into a new category of useage which puts us on a lower per unit basis. For exactly the same money that we have been paying he got a collator, so he attached the collator to the xerox machine. He thinks what they could do since the City has been talking about some kind of a print shop and we've got this thing here plus a multi-graph and a few other things, that we could inter into some kind of talks with the City.

President Buthod said they had a question brought up by Mr. Volpe, It seems Trenton Corporation bought 3 parcels of land at a tax sale, on August 11, 1971. Trenton Corporation is not claiming its money back but in view of the recent history in City Court, Trenton has decided to play Leroy, they don't want the deeds and they are refusing the deeds to the property. President Buthod said he doesn't know what to say about this because if this sale was voided then there would have been two years passed and it was now passed to the County and we would get the job of tearing down the houses. He said he doesn't want this either. He thinks they ought to turn it over to the County Attorneys and see whether Trenton Corp. can get out of this deal or not. He is not at all sure this is a complete sale and he don't think they can decline the responsibility by simply refusing the deeds. But they have done so and will continue to do so unless this matter is settled. But with the current drive and actual jail sentences being given, what this means if it gets started is that the County is going to be tearing down everything. Mr. Buthod said he feels it is a rather complex question of law and it should be a matter for the County Attorneys. Mr. Volpe said he has it in writing that they refused the deeds.

RE: ORDINANCE

Wayne Rafferty said he was there about the ordinance admendment that Mr. Willner wanted to look over. Commissioner Stofleth said a motion was made and seconded at the December 26th meeting. A vote was taken and is as follows: Commissioner Stofleth, yes, President Buthod, yes, Commissioner Willner not present.

Commissioner Stofleth said he was curious as to why Mr. Abe Ludwig was at the meeting and he said he just wanted to say what a good job the Commissioners had done.

Mr. Charlie Whobrey said he would like to express his appreciation in the matters that have come before the Commissioners in the past. He feels that they have acted very fairly. He also said he would like to thank Mrs. Sauer and Mr. Volpe for their help whenever they needed it.

RE: EMPLOYMENT CHANGES

APPOINTMENTS

Co. Highway Dept.      Jerry Linzy      Asst. Supt.      \$8,000.00      Jan. 1, 1973

RELEASES

Allen Foster      RR8 Box 435 B      Asst. Supt.      \$8,000.00      Dec. 19, 1972

Meeting recessed at 9:55 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u>         | <u>COUNTY AUDITOR</u> | <u>COUNTY AUDITOR</u> | <u>REPORTERS</u>                    |
|-------------------------------------|-----------------------|-----------------------|-------------------------------------|
| James Buthod<br>A.J. "Ted" Stofleth | Lewis F. Volpe        |                       | C. Leach<br>G. Clabes<br>A. Jackson |

*James H. Conroy*  
 \_\_\_\_\_  
*Bob Linnard*  
 \_\_\_\_\_  
*Robert J. Willner*  
 BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
JANUARY 1, 1973

A special organizational meeting of the Board of County Commissioners was held at 11:00 a.m. this first day of January, 1973.

Meeting was called to order by Commissioner Robert Willner.

RE: ELECTION OF PRESIDENT

Mr. Schaad nominated Mr. Ossenberg as President of the County Commissioners for the year of 1973. Commissioner Willner seconded the nomination....so ordered, by consent.

RE: ELECTION OF VICE PRESIDENT

Mr. Ossenberg nominated Mr. Schaad as Vice President of the County Commissioners for the year of 1973. Commissioner Willner seconded the nomination....so ordered, by consent.

Commissioner Willner moved that the minutes of December 29th. be approved as engrossed by the Auditor and the reading of them dispensed with. Commissioner Schaad seconded the motion. So ordered.

RE: LEGAL HOLIDAYS FOR 1973

January 1.....New Years Day  
February 12.....Lincoln's Birthday  
February 19.....Washington's Birthday  
April 20.....Good Friday  
May 28.....Memorial Day  
September 3.....Labor Day  
October 8.....Columbus Day  
November 12.....Veterans Day  
November 22.....Thanksgiving  
December 24.....Christmas Eve  
December 25.....Christmas Day  
December 31.....New Years Eve

These are the holidays that have been established and confirmed by the County Commissioners, to be observed by the county offices during the year of 1973.

RE: APPOINTMENTS MADE BY COMMISSIONERS FOR THE YEAR OF 1973

COUNTY COMMISSIONERS

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

LAW LABRARY

Doris Gaiser

PLEASANT VIEW SUP'T

Jack Harness

EXECUTIVE ASSISTANT

Marsha Smith

COUNTY BUILDING SUP'T

Herman Hotz

COUNTY ATTORNEYS

Thomas Swain  
William Stephens

COUNTY HIGHWAY SUP'T

Jack Willard

AUDITORIUM

Doyle Dressback

VETERANS SERVICE OFFICER

Clyde Oviatt

COUNTY JAIL PHYSICIAN

Dr. Paul W. Steele

PLEASANTVIEW PHYSICIAN

Dr. Robert Walter

AREA PLAN COMMISSION

Bob Schaad

BURDETTE PARK BOARD

Tom Ossenberg  
Emily Combs Fowler

LICENSE EXAMINING BOARD

Tom Ossenberg

MUSEUM BOARD

James A. Sanders

INSURANCE

Agent of record for Life Insurance.....Gerald T. Dauble  
 Agent of record for Accident and Health Insurance...Bob Barthel  
 All others.....Hahn & Becker Agency, Inc.  
 Torian Agency  
 Monarch Insurance Agency

CLAIMS

The following claims were presented to the Commissioners for approval:  
 Vanderburgh County Clerk: Public Official Bonds in the amount of \$352.00  
 Vanderburgh County Surveyor: Public Official Bond in the amount of \$18.00  
 Vanderburgh County Clerk: Public Official Bond in the amount of \$88.00  
 Vanderburgh County Clerk: Cash to start New Year in the amount of \$200.00  
 Commissioner Shaad moved that the above claims be approved, Commissioner Willner seconded the motion. So Ordered.

RE: EMPLOYEES FOR 1973

The County Employees for 1973 are as follows:

AUDITOR

Alice McBride  
 Peggy Powless  
 Willetta G. Freihaut  
 Dona Reherman  
 Vera M. Reimann  
 Margaret Meeks  
 Sylvia Williams  
 Janice Decker  
 Marian Ellsperman  
 Maisie Collins  
 Mildred Fuquay  
 Georgia Benson  
 Bettye Cason  
 Evelyn McCoy  
 Ruth K. Wilhite  
 Lily LeBlanc  
 Bette Carrigan  
 Zerline Wentzel  
 Martha Schenk  
 Carolyn Ransburgh  
 Ruth L. Calhoun  
 Martha Calkin  
 Doris Jean Wilkey  
 Helene Sprinkles  
 Estella Moss  
 Curtis John

COUNTY CLERK

Merle Anderson  
 Dorothy Buente  
 Lorraine Dean  
 Joyce Fields  
 Frances Gates  
 Imogene Haney  
 Colleen Hilgeman  
 Deborah Hunter  
 Genice Newman  
 Patricia Patton  
 Beatrice Phillips  
 Ruth Porter  
 Rose Smith  
 Jane Wilke  
 Judith Edwards  
 Sharon Boardman  
 Barbara K. Bruner  
 Florence Hess  
 Nancy Kleiman  
 Helen Reke  
 Bernice Woodall  
 Dorothy Jean Schaefer  
 Shirley Jean Cox  
 Helen Kuebler

TREASURER

Florence Bruck  
 Mary Schimmel  
 Erma Dean Kingston  
 Carolyn Seib  
 Sylvia Reutter  
 Constance Laubscher  
 Jean Sills  
 Dixie Bullock  
 Lucille Yestingsmeier  
 Josephine Christman  
 Virginia Parrish  
 Julia McGuire  
 Helen Krietemeyer  
 Harriett Higdon  
 Katharine Harker  
 Virginia Seybold  
 Elsie Fae Shirley  
 C. Glenn Meeker

PROSECUTOR

William J. Brune  
 Terry R. Noffsinger  
 Jerry Atkinson  
 Ronald Freson  
 James L. Kiely  
 Douglas Knight  
 Robert W. Lensing  
 David V. Miller  
 James M. Redwine  
 Steven L. Bohleber  
 Francis Stoffleth  
 Doratheia MacGregor  
 Christy Pinkston  
 Mary Laugel  
 Katherine Miller  
 LaTosha Wimsatt  
 Anita Gaye Fish

ARMSTRONG TOWNSHIP

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

PIGEON TOWNSHIP

James L. Kornblum  
 Maxine F. Ginger  
 Jerome R. Zeller  
 Ethel Bryant  
 Virginia Landers  
 Dorothy Wilson

AUDITORIUM

Doyle K. Dressback  
 Charles Chrisman  
 Katherine Appuhn  
 Earl Schoenbachler  
 Donald Hofmann  
 Jessie Byers  
 Hallene White  
 Wilbert Borum  
 Henry Overby  
 Rubv Norris

PART TIME

Lillie Jackson  
 Anita Glover  
 Helen Boyce  
 Lorene Gambrel

SHERIFF DEPARTMENT

Jerry E. Riney  
 Richard O'Risky, Jr.  
 Charlie Gibbs  
 Warren Reynolds  
 James E. Allen  
 Floyd Kassel  
 Gary Kassel  
 John Lancaster

RECORDER

Clyde "Buddy" Cole, Jr.  
 Louis Grewe  
 Aldora Lawhead  
 Betty Hermann  
 Aline Payne  
 Karen Reitz  
 June Cosgrove  
 Deborah Thomas

VOTERS REGISTRATION

Joseph F. O'Day  
 Mable Lurker  
 Jo Evelyn Gaffney  
 Travis Rayburn  
 Dorothy Block  
 Florence Lietz

PERRY TOWNSHIP

Norman "Red" Mosby  
 Betty J. Boyd  
 Betty J. Hempfling  
 Marcella Strange

CORONER

H.T. Combs M.D.  
 Earl K. Cox  
 Mary F. Westfall

CUMULATIVE BRIDGE

Daniel G. Hartman  
 Kenneth M. Ludwick

SHERIFF COND'T

James Phillips  
 Earl Russell  
 Jimmie Tucker  
 S. Lee West  
 Thomas Brandsasse  
 Michael Craddock  
 William Droll  
 James Fravel, Jr.  
 Stanley Garrett  
 Clifford Trainer, Jr.  
 Soney Banks  
 Marlin Beck  
 Robert Beckham  
 Otis Bell  
 Richard Bennett  
 Bernard Betz  
 Wallace Bishop  
 Paul Bice  
 David Brandt  
 James Brinkman  
 Merrill Carr  
 Gary Castrup  
 Robert Coleman  
 Kenneth Collins  
 Clarence Cotton  
 John Crosser

SURVEYOR

Richard G. Nussmeyer  
 Roy F. Kuntz  
 Charles E. Reid  
 Curran E. Bridges  
 Michael S. Shull  
 Mrs. Sherry Lee Hoffman

CENTER TOWNSHIP

Wilbur J. Schmitt  
 Viola Winiger  
 Mildred Derrington  
 Georgiann Schmitt  
 Victor Ahrens  
 Raymond Gruebel  
 William Middleton  
 Richard G. Eykamp  
 Kathryn McLaughlin  
 Phyllis Ann Cooper  
 William R. Sensmeier

KNIGHT TOWNSHIP

Emerson S. Reid  
 Robert L. Westenbarger  
 Marlene K. Fry  
 Lillian Tibbals  
 Maxine Knight

BURDETTE PARK

Louise DeVoy  
 William Z. Utley  
 Loraine Rohner  
 Donald T. Stucki  
 Deryl Blackburn

VETERANS SERVICE

Clyde Oviatt  
 Norma Dickens  
 Juanita Roth

SHERIFF COND'T

Mary J. Davis  
 Michael Daws  
 Robert Etheridge  
 Michael Forshee  
 Carl Gardner  
 Stephen Griggs  
 Danny Hape  
 Ronald Hartman  
 Terry Hayes  
 Donald Humston  
 Timothy Lennartz  
 David L. Ludwig  
 Robert L. Miller  
 James Moers  
 James Neighbors  
 Ronald Newman  
 Kenneth Patterson  
 Roy Perkins  
 William Pierce  
 Arella Ray  
 John Reutter  
 Lois Scruggs  
 Margaret Smith

SHERIFF COND'T

Stephen Sparks  
 Steven Schnell  
 William Speicher  
 Philip Strange  
 Michael Sturgeon  
 Peter Swaim  
 Anne Therber  
 Robert Tribble  
 Robert Wade  
 Bevlia Willingham  
 Joseph Winfield

WELFARE DEPARTMENT

Mary L. Ahles  
 Ruth A. Bailey  
 John E. Barksdale  
 Evalyn H. Bauer  
 James Baxter  
 Isabel C. Beck  
 Mildred J. Beeler  
 Jeannette E. Bey  
 Aaron M. Biggerstaff  
 Inora S. Bittner  
 Nan E. Britton  
 Alma M. Buecher  
 Marguerite F. Bullock  
 Norman C. Butler  
 George E. Byer  
 Jamella L. Carlile  
 Susan E. Carson  
 Mary M. Cheaney  
 Veronica J. Chittenden  
 Jane A. Church  
 Cheryl J. Cochran  
 Don W. Compton  
 Lawrence Congleton  
 Ruth Conrad  
 Virginia C. Cox  
 Mary L. Daniels  
 Wanna D. Dean  
 Frances L. Dice  
 Elizabeth M. Dick  
 Betty Dillingham  
 Phyllis A. Donahue  
 Michael P. Ellert  
 Denise A. Elverson  
 Rosella M. Fuchs  
 Gerald Flick  
 Irene Frakes  
 Mary Ann Gillgam  
 Harry F. Glenn  
 Louenia B. Griffith  
 Susan Hagedorn  
 Armita C. Hahn  
 Doris A. Havens  
 Robert A. Hay  
 Peter W. Herrick  
 Clifford E. Higgason  
 Jayne E. Hill  
 Gay D. Holladay  
 George R. Holmes  
 Mary L. Hudspeth  
 Hufnagle, Vernita L.  
 Devin L. Hunsucker  
 Frances Hyatt  
 William M. Igleheart

WELFARE COND'T

Dionna L. Jackson  
 Grace E. Johnson  
 Janice F. Keeling  
 Lionel L. Koehler  
 Wilma Jeanette Korff  
 JoAnn K. Lang  
 Margaret L. Latham  
 Leslie A. Lilly  
 Terry S. Lindsey  
 Barbara E. Lipper  
 Catherine Lovelace  
 Rubylee Lowe  
 Elbert A. Lynch  
 Diane Sue McCool  
 Betty L. McGlone  
 Margaret R. McLemore  
 Karen S. Markham  
 Ruth Metz  
 Janet Miller  
 Jennifer C. Miller  
 Gertrude Mueller  
 Carolyn C. Nation  
 Wilhelmina Perkins  
 Marjorie J. Perry  
 Wayne M. Phillips  
 Pamela A. Pond  
 Deborah S. Prather  
 Michaelyn Pugh  
 Patricia A. Rager  
 Mary A. Reitz  
 John E. Ricketts  
 Susan Rogers  
 Patricia M. Roth  
 Virginia L. Saari  
 Emily W. Sanderson  
 Hilda M. Shatz  
 Carol S. Schmitt  
 Gertrude M. Schnacke  
 Laura K. Schnautz  
 John M. Schroder  
 Paul A. Seitz  
 Dorothy Sells  
 Marina L. Sensmeier  
 Thomas W. Sergeskettier  
 Anna Mae Skelton  
 Bernitta R. Smith  
 Sproatt, Patsy Anh  
 Frank L. Staton  
 Jessie Lee Strunk  
 Elizabeth A. Sutton  
 Patricia E. Sutton  
 Antoinette M. Thacker  
 Thomas, Courtney L.  
 Dorothy J. Thomas  
 Gladys S. Thornton  
 Todd, Donna C.  
 Trent Tucker  
 Shirley Tyree  
 Mildred Ulmo  
 Jean R. VanHoy  
 Susan L. Watson  
 Mary E. Welch  
 Werner, Mary E.  
 Susan E. Wilkie  
 Benjamin P. Willett  
 Stacie J. Williams  
 Wirth, Thomas G.

WELFARE COND'T

Alberta Wolf  
 Robert D. Work  
 Robert E. Young

HILLCREST WASHINGTON

Mary Alvis  
 Wava Bee  
 Versie Burgdorf  
 Thelma Byers  
 Marie Davis  
 Irene Emerson  
 Emma Opperman  
 Iva Fowler  
 Theresa Girouard  
 Rena Green  
 Carrie Hanshaw  
 Elizabeth Meredith  
 Jimmy Onning  
 Denzil Reed  
 Dorothy Reed  
 Bernice Roedel  
 Lois Sanders  
 Mildred Smallwood  
 Katherine Stewart  
 Geraldine Birlison  
 Janet Beck  
 Nettie Whitaker  
 Thomas Malcolm  
 Leo Reed  
 Alice Reed  
 Drusilla Spencer

PLEASANTVIEW REST HOME

Jack K. Harness  
 Helen B. Harness  
 Lois Westfall  
 Rose Harpenau  
 Tillie Mancini  
 Mary Caldwell  
 Sheryl Lunkenheimer  
 Sylvia Phelps  
 Joyce Evans  
 Landis Mead  
 Jenetta Brown  
 Geneva Sweeney  
 Ellen Williams  
 Edwin Zenthoefer  
 Joanne Buchanan  
 Dr. Robert Walters  
 Reuben Bell  
 Minnie Brackens  
 Evelyn Caudel  
 Willard Hughes  
 Dixie Heneisen  
 Bonnei Goodge  
 Edith Goins  
 Vivian Guerin

Meeting recessed at 11:06 a.m.

PRESENT

COUNTY COMMISSIONERS

Thomas Ossenberg  
Robert Shaad  
Robert Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEYS

Thomas Swain

REPORTERS

C. Leach  
H. Wolford  
R. Lyles

Thomas L. Ossenberg

Bob Shaad

Robert Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
JANUARY 3, 1973

The regular meeting of the County Commissioners was held on Wednesday, January 3, 1973, at 9:35 a.m. with President Ossenberg presiding.

The minutes of the meeting of December 29, 1972, were approved as engrossed by the Auditor and the reading of them was dispensed with.

RE: REQUEST FOR RENEWAL BONDS

Mrs. Florence Bruck presented bonds for approval of their renewal in the amount of \$50,000 for Frank Tilford as City Treasurer, in the amount of \$100,000 for Frank Tilford as County Treasurer and in the amount of \$50,000 for blanket bond for the Treasurer's employees.

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

RE: MR. NUSSMEIER

Mr. Nussmeier presented some old checks to Mr. Volpe that were various reimbursements made to the Surveyor's office. Mr. Volpe said that he would make final disposition of them.

Mr. Nussmeier questioned the progress of the Old State Road overpass. He said he understood that the Railroad Co. would pay for the bridge. County Attorney Swain said this is correct, and that the county will pay for the approach.

Commissioner Willner said as he understood it, the county was to furnish the plans to the Railroad, as they wish to approve the plans. He said the first plans were tentatively approved and brought back to be completed, and now the completed plans need to be approved.

Mr. Nussmeier said that he will proceed with the completion of this.

Mr. Nussmeier said that the engineering should proceed on the three bridges of Eagle Slough which are located on Weinbach Avenue, Lodge Avenue and on Green River Road. He suggested the R & S account be used for this project.

Mr. Volpe said the R & S account has been used up pretty well and asked Mr. Nussmeier to come to the Auditor's office and they will check this account. He said that they recently received a notice from the state on counties and cities that were delinquent in using their R & S and we were not listed as one of them.

Commissioner Willner said there should be five or six projects that have been started, as of date, to use the R & S money.

Mr. Nussmeier said he will have to check it.

Commissioner Ossenberg suggested that Mr. Nussmeier see how much money is committed in different funds from the R & S account.

RE: QUESTION OF EMPLOYMENT

Commissioner Willner said there are four or five personnel that are working out of the County Engineer's office on special projects and they don't know whether they are being retained this year or not and he thought they should be notified as to if they are employees of the county or not. He said that they had previously been paid from the Commissioner's budget on special projects.

Commissioner Ossenberg said he wasn't aware of this problem until yesterday, and he was told that if these people weren't notified by the County Surveyor, they shouldn't report to work. He said that he noticed that the names in question are in the employment changes today.

RE: RENEWAL OF BONDS

Bonds were presented for approval in the amount of \$1,000 for Jack Willard as County Highway Supervisor, in the amount of \$4,000 for Clyde "Buddy" Cole as County Recorder, and in the amount of \$2,500 for Louis Grewe as Assistant County Recorder.

Commissioner Schaad moved that the renewal of these three bonds be approved. Commissioner Willner seconded the motion. So ordered.

RE: MR. HARNESS

Mr. Harness presented an application for a Charlie C. Williams to be admitted to Pleasantview Rest Home. He recommended approval. Commissioner Willner moved that this application be approved. Commissioner Schaad seconded the motion. So ordered.

RE: HOTZ

Mr. Hotz said that at the meeting of Dec. 12, 1972, the Commissioners approved payment to Municipal Engineering in the amount of \$8,526.84 and that money was encumbered in the amount of \$570.07 from the funds, leaving a balance of \$7,950.70. He said that Mr. Volpe suggested this be paid from their Buildings and Grounds fund, sometime later in the year, and if necessary, will have to request extra money from the council. He asked that the claim be paid subject to the availability of funds.

Commissioner Schaad so moved to approve the claim, subject to the availability of funds. Commissioner Willner seconded the motion. So ordered.

RE: MR. CROOKS

Mr. Crooks presented a summary report of the County Building Commission for the year of 1972, which indicated very good construction during last year. It read as follows:

|                         |              |
|-------------------------|--------------|
| Number of permits.....  | 1,140.00     |
| Total Value.....        | 7,224,393.50 |
| Permit Fees .....       | 36,987.19    |
| License Fees.....       | 5,875.00     |
| Sale of Code Books..... | 17.50        |
| Total Income.....       | 42,879.69    |

Report received and ordered filed.

RE: EMPLOYMENT CHANGES .....APPOINTMENTS

COUNTY SURVEYOR-ENGINEER...ACC'T. #2130

|                 |              |                 |             |             |
|-----------------|--------------|-----------------|-------------|-------------|
| Michael Ludwich | 1011 W. Iowa | Chief Inspector | \$9,000 Yr. | Eff: 1/2/73 |
|-----------------|--------------|-----------------|-------------|-------------|

KNIGHT TWP. ASSESSOR'S OFFICE

|               |             |        |             |             |
|---------------|-------------|--------|-------------|-------------|
| Maxine Knight | 2058 Conlin | Deputy | \$4,800 Yr. | Eff: 1/1/73 |
|---------------|-------------|--------|-------------|-------------|

RE: EMPLOYMENT CHANGES....RELEASES

COUNTY SURVEYOR-ENGINEER

|                 |                  |             |            |             |
|-----------------|------------------|-------------|------------|-------------|
| Richard Merrick | Polster Drive    | Chief Insp. | \$9,255.00 | Eff: 1/3/73 |
| James Josey     | 1665 Herndon Dr. | " "         | 10,032.00  | " 1/3/73    |

KNIGHT TOWNSHIP ASSESSOR

|               |                       |              |            |          |
|---------------|-----------------------|--------------|------------|----------|
| Florence Hess | 1011 N. Weinbach Ave. | Chief Deputy | \$6,220.00 | " 1/1/73 |
|---------------|-----------------------|--------------|------------|----------|

RE: CLAIM

A claim was received from National Disposal Service Inc. in the amount of \$128.90 for services from November 26 through December 25, 1972.

Mr. Volpe said this money may have been encumbered, if not, it comes out of revenue sharing, as this budget was repealed out of the Commissioners budget in December and he is going to re-appropriate it from Revenue Sharing on the third Wednesday of this month.

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

Commissioner Ossenberg said he also had the depositories on the agenda but that Mr. Volpe has informed him that the banks work this out themselves and it will be done on January 15, 1973.

RE: DEEDS TURNED BACK TO COUNTY

Commissioner Ossenberg said that someone turned back three parcels of property back to the county.

Mr. Volpe said that this person refused the deeds that were submitted to him after he bought the property and he doesn't want the money back. He signed the book to this effect in the Auditor's office.

Commissioner Willner moved that the deeds be referred to the County Attorney's for clarification. Commissioner Schaad seconded the motion. So ordered. Mr. Volpe said that an affidavit of some sort should be filed, to keep the title clear.

RE: QUESTION ON CONSOLIDATION

Jack Miller appeared before the Commissioners and stated that he was at the City Council and after reading in the paper, where the city was saving \$52,000 on consolidation, he was trying to find out what portion the county is going to save on consolidation.

Commissioner Ossenberg said if he remembered correctly, Judge Lensing was designated by the County Council to look into this matter.

Commissioner Willner explained that no one can predict the amount of savings until the end of the first year of consolidation.

Mr. Miller said he understood that on purchasing, the city would pay 80% and the county would pay 20% whether the county wanted what the city was buying, or not.

County Attorney Swain said he thought the 80-20 was only the cost of the operation of the joint department.

Commissioner Schaad said that at the end of the year when all the figures are together, this can be adjusted.

Mr. Volpe said the budget for the Building Commissioner's office was approved at \$34,000 last September, for 1973. He asked what the county's share of the Dept. of Building Commissioner's budget was, under consolidation and was told it would be \$58,000, which is \$24,000 higher.

Commissioner Ossenberg said that County Attorney Stephens has been working hand-in-hand on Consolidation and he is on vacation this week. He asked Mr. Miller if he would come back next Monday, so he could discuss this with Mr. Stephens. Mr. Miller said that he would.

RE: REQUEST TO ADVERTISE

Mr. Volpe requested permission to advertise, to repeal the Building Commissioners budget because if the \$58,000 is going to be put in, they should take the \$34,000 out.

Commissioner Ossenberg said he would like to get this straightened out before doing this.

Mr. Miller asked if the savings from consolidation would be placed in a separate budget or will it be deposited in the bank so that the savings can be used by the City and the County.

Mr. Volpe said there is a provision in the bill, stating that after each year, the two councils will sit down together and arrive at a new percentage. He said the following is just for the administration of the various department's:

For the purchasing Department.....\$11,379.70  
 For the Traffic Department.....\$28,941.93  
 For the Building Commission.....\$58,914.89  
 For Weights & Measures.....An additional \$886.00 above budget.  
 A total of \$100,122.52 less the \$34,000 from the Building Commissioners budget.

Mr. Miller asked who will make the final determination on this consolidation.

Commissioner Willner said that the County Commissioners enter into a three-year agreement, at which time the county or city can cancel by giving a year's notice, so in essence they are giving consolidation a three-year trial basis and if it doesn't work, they have the privilege of backing out of the contract.

RE: LETTER FROM THE MAYOR

The Commissioners received the following letter from Mayor Lloyd:

Re: Consolidation

The 1973 session of the Indiana General Assembly will again be asked to consider a bill which would authorize a referendum of consolidation of Vanderburgh County and Evansville City Government. In order that the elected officials might be better informed about the possibilities of government in consolidated form. I have arranged for the showing of a one-half hour film entitled, "The Jacksonville Story", which will be held at 2:30 p.m. Wednesday January 3, 1973, in the Vanderburgh County Auditorium. Jacksonville Florida is one of the outstanding governments in consolidation, it like Indianapolis, was designated an all-american city because of it's modernization in government. I believe that you will have a better understanding of potential for providing governmental services at the least possible cost, once you have seen the film. The showing will be open to the general public.

The meeting recessed at 10:35 a.m.

PRESENT

COUNTY COMMISSIONERS

COUNTY AUDITOR

COUNTY ATTORNEY

REPORTERS

Thomas Ossenberg  
Robert Schaad  
Robert Willner

Lewis F. Volpe

Thomas Swain

C. Leach  
S. Clark  
A. Jackson  
B. Carson

Secretary: Margie Meeks

Thomas L. Ossenberg  
Bob Schaad  
Robert Willner  
BOARD OF COUNTY COMMISSIONERS

00006

COUNTY COMMISSIONERS MEETING  
JANUARY 8, 1973

The regular meeting of the County Commissioners was held on Monday, January 8, 1973, at 9:35 a.m. with President Ossenbergh presiding.

The minutes of the meeting held on January 1, 1973, were approved by making one addition, in that July 4, 1973, should have been included as one of the holiday's for 1973. The reading of the minutes was dispensed with.

The minutes of the meeting held on January 4, 1973, were approved with one correction made, in that last week a claim from National Disposal Services Inc. was received in the amount of \$128.90 for services. Commissioner Schaad said that all the tickets weren't in at that time and Mr. Volpe said that more than half of this amount had been paid and the outstanding amount of this claim is \$58.00.

Commissioner Schaad moved that the minutes be approved, as amended. Commissioner Willner seconded the motion. So ordered.

The reading of the minutes was dispensed with.

RE: RENEWAL OF BONDS SIGNED

The following bonds have been approved by the Commissioners and were presented to them for their signatures:

- For Jesse C. Crooks as Building Commissioner in the amount of \$5,000.
- For Charles R. Legeman as Electrical Inspector in the amount of \$1,000.
- For Ray Broerman as Ass't. Building Commissioner in the amount of \$1,000.
- For Chester Sturtevant as Plumbing Inspector in the amount of \$1,000.
- For Eldon L. Robinson as Heating Inspector in the amount of \$1,000.
- For Paul May as Chief Building Inspector in the amount of \$1,000.
- For Harriett Hartig as clerk in the Building Commissioners office in amount of \$1,000.
- For Earl K. Cox as Deputy Coroner in the amount of \$2,000.
- For Herman T. Combs as County Coroner in the amount of \$5,000.

RE: LETTER RECEIVED

The following letter was received from the Southern Indiana Gas & Electric Co. dated October 23, 1972. It was never entered in the Commissioner's minutes.  
Gentlemen:

Please be advised that I am now in the process of providing the necessary engineering for the relocation of this Company's gas facilities that are in the area of construction of the Barker - Claremont underpass of the L & N Railroad's tracks.

This project involves relocation of the eight inch and six inch lines along Barker Avenue, construction of a three inch line along Barker Avenue, and encasement of the six inch high pressure line that serves the Howell regulator station and the Broadway industrial area including Mead Johnson & Co. In addition there will be considerable gas facility locating required as construction progresses.

The most challenging aspect of this project is providing for the least possible interruption of service to the Company's Ohio River Generating Station. The 12" gas fuel line must be raised from the present location, 7 1/2 feet below the present grade, to a point on the Claremont bridge that will result in minimizing hazards to the line from underpass vehicular traffic. If the line would be lowered in place it would not be accessible for proper maintenance beneath the underpass excavation. I have been in consultation with Mr. Phil Barnett of Ohio Valley Engineers, your consultant for this project. It is suggested that we seriously review this problem and attain a solution during the design stage so that service interruptions are minimized. It must be emphasized that there are times when the gas supply cannot be interrupted without causing great harm to the customers so affected. I would appreciate it very much if you would formalize this request by authorizing your consultant to proceed with the necessary activities to coordinate our efforts so that our respective objectives can be attained.

It is essential that we be informed of your schedules so that the necessary materials and contract labor be available when needed. Please direct your response to me concerning all aspects of this project.

Very Truly Yours....R.D. Bracey  
Gas Engineering

Commissioner Ossenberg said the Board of County Commissioners will work along with the Engineers and there will be no further delay on their part. Letter received and ordered filed.

RE: CLAIMS

A claim was received from The Terminal Warehouse Co. Inc. for rental of space for storage of voting machines from January 1, 1973, to February 1, 1973, in the amount of \$500.00

A claim was presented from the City of Evansville for gas & oil that was furnished by the city garage to the Vanderburgh Surveyor for the month of December, in the amount of \$43.75.

A claim was presented from the Evansville Blue Print Co. Inc. for printing material purchased by the County Surveyor's office in the amount of \$24.20.

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

A claim was received from Don Cox & Associates, appropriation for Highway Contractual, Account # 2260, for purchase of land owned by William and Sarah Mewes located on Heddon Road, in the amount of \$200.00.

A claim was received from W. E. Rich for appraisal of property owned by Richard and Evelyn M. Kissel, for the widening of St. Joe Ave. Account # 3759.2 in the amount of \$100.00.

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

The following claims were received from the Torian Insurance Agency:  
For public employees blanket bond for Treasurer's employees in amount of \$469.00.  
For public official bond for County Treasurer of \$100,000 in amount of \$625.00.  
For public official bond for County Treasurer of \$50,000 in amount of \$375.00.  
For public official bonds of Deputy Coroner in amount of \$10.00, for County Coroner in amount of \$18.00, for County Recorder in amount of \$10.00 for coverage of \$2,500, and for County Recorder in amount of \$14.00 for coverage of \$4,000. The total of this claim being \$52.00. The first mentioned for County Recorder is for the Assistant County Recorder.  
Commissioner Schaad moved that these claims be approved.

The following claim was received from the Monarch Insurance Inc:  
For public official bond for Richard Nussmeyer as Surveyor at \$5,000 in amount of \$18.00.  
For public official bond for Shirley J. Cox as Clerk at \$25,000 in amount of \$88.00.  
For public official bond for Helen Kuebler as Chief Deputy Clerk of County Circuit Court at \$25,000 in amount of \$88.00.  
For public official bond for Bernice Woodall as Cashier of Circuit Court at \$25,000, in amount of \$88.00.  
For public official bond for Dorothy J. Schaefer as Bookkeeper of Circuit Court at \$25,000, in the amount of \$88.00 For public official bond for Patricia Patton as Support Clerk of the Circuit Court at \$25,000, at \$88.00. The total amount of claim being \$458.00.  
Commissioner Schaad moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was received for the County's share of rental space for the fixed rental for first six months of 1973, from the National City Bank in the amount of \$323,531.50, and a claim from the Evansville-Vanderburgh County Building Authority for additional rental for the first six months of 1973, in the amount of \$315,341.50. County Attorney Swain said that the amount paid to the Evansville-Vanderburgh Building Authority is paid without prejudice to the lawsuit, now pending, in that any balance will be adjusted on the second payment for 1973. He said that there is a lawsuit pending between the Building Authority, the County Commissioners and the County Tax Adjustment Board. The Building Authority takes the position that no one has the right to review their budget. The County Commissioners, the County Council and the Board of Tax Commissioners have taken the position, by reason of amendment in the law of 1969, that the County Tax Adjustment Board has the right to review the Building Authority's budget. He said that in the lawsuit, the County was successful, that Judge Tilley of Vincennes ruled that the County Tax Adjustment Board did have the right to review the budget and with the right to review is also the right to cut it. Certain cuts were made and this is what the lawsuit is all about.

County Attorney Swain said that the County still takes the same position as before, and will pay only what is allowed by the Tax Adjustment Board, until someone tells them differently.

Commissioner Schaad moved these claims be approved as outlined by County Attorney Swain. Commissioner Willner seconded the motion. So ordered.

RE: CUTS-IN

Mr. Nussmeyer presented the following cuts-in applications:

A cuts-in was submitted from the Southern Indiana Gas & Electric Co. requesting permission to cut into Kramer Road, from Lots 1 to 9 in Cynthia Heights Subdivision, to provide gas service.

A cuts-in was submitted from the Indiana Bell Telephone Co. requesting permission to cut into Darmstadt Road, north of Mt. Pleasant at L & N underpass to bury a telephone cable.

Commissioner Willner moved that these cuts-in be approved and asked the Commissioners secretary to stamp them. Commissioner Schaad seconded the motion. So ordered.

RE: CHANGE ORDER

Mr. Nussmeyer presented a change order for placing a 6" Drain Tile under Twickingham Drive so that water under the pavement will not undermine same. The change order is in the amount of \$2,510.00. He said that he was afraid if this work wasn't done, they would have the same problem as before. Mr. Fred Johnson is the contractor on this project.

Commissioner Willner moved that this change order be approved upon the recommendation of the County Engineer. Commissioner Schaad seconded the motion. So ordered.

Commissioner Ossenbergh asked Mr. Nussmeyer if he had a progress report on the Twickingham Drive project. Mr. Nussmeyer said that no work is being done at the present time due to the weather conditions.

Commissioner Ossenbergh said that the residents were pleased with the action taken by the former Commissioners, in placing signs and barricades out there and letting no heavy trucks travel on Twickingham Drive.

Mr. Nussmeyer said he will write a letter to the Southern Indiana Gas & Electric Co. requesting the removal of a pole at St. Joseph Ave. & Fleener Road, since Mr. Willard wants to widen the intersection.

Mr. Willard said he wants to widen the radius of the intersection so that the school buses can make the turn.

Mr. Nussmeyer said that he called Penn Central about the old bridge on St. Joe Ave. and they are in process of vacating that line and are hoping to get it vacated this year.

Commissioner Willner said that there are several bridges in Vanderburgh Co. that are one lane, horse and buggy bridges, in reality, that this is one of them and there have been some fatalities there and it has been a nuisance to the county. He said he would like for the Engineer to see what they are going to do with the Right-of-Way when they abandon it and see if the county might purchase the Right-of-Way, as it may be an asset to the county for future use. Mr. Nussmeyer said that he would check on this matter.

RE: EMPLOYMENT CHANGE ...APPOINTMENT

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

|                        |                  |             |                |             |
|------------------------|------------------|-------------|----------------|-------------|
| John Singer            | 2424 W. Illinois | Inspector   | \$5,500.00 Yr. | Eff: 1/1/73 |
| Jack Seibeking         | Cypress Dale Rd. | Foreman     | \$7,700.00 Yr. | Eff: 1/1/73 |
| Jerry Linzy            | Green River Rd.  | Asst. Supt. | \$8,000.00 Yr. | Eff: 1/3/73 |
| Released..Allen Fester | R.R.8            | Asst. Supt. | \$8,000.00 Yr. | Eff: 1/1/73 |

RE: INVITATION BY MR. PUGH

Mr. Pugh invited the Commissioners and Mr. Nussmeyer to visit the shop to see what he has there and how they work together. He suggested next Monday, January 15, 1973, at 1 P.M.

RE: CLAIM

Commissioner Ossenberg presented a claim to the Southern Indiana Gas & Electric Co. on account of appropriation of the Evansville Comprehensive Mental Retardation Center in the amount of \$3,129.00. He said he thought this was a bond type deal.

Mr. Volpe said he thought this would come from the Bond Issue, but that there is no type of invoice on this and thought there should be one.

County Attorney Swain suggested this claim not be paid until the Southern Indiana Gas & Electric Co. and the County can work out the new easement. He said that before, the county vacated some alley's and left the easement of the Gas Co., with the idea of when they got around to moving their poles, the county would have a new easement and then the easement could be abandoned in the alley, so he suggested holding the claim. No further action was taken at this time.

RE: REJECTION OF BIDS

Commissioner Ossenberg said that due to consolidation, the following bids that were advertised for, last year, for 1973, need to be rejected:

|                                  |   |
|----------------------------------|---|
| Bituminous Materials             | Motor Oil   |
| Asphalt Cold-Mix Materials       | Hydraulic Oil   |
| Sanitary Supplies                | Transmission Gear Lubricant                                   |
| Tires & Tubes                    | Kerosene  |
| Chemicals for Burdette Park Pool | Greases   |
| Lumber                           | Diesel Fuel   |
| Paint Road & Pea Gravel          | Automatic Transmission Fluid                                  |
| Road & Pea Gravel                | Motor Oil for Diesel Engines                                  |
| Crushed Stone                    | Groceries for Hillcrest-Washington and Pleasantview Rest Home |
| Regular Gasoline                 |   |

There were no bids submitted for Bakery and Dairy Supplies.

Commissioner Willner moved that all bids received on these items be rejected. Commissioner Schaad seconded the motion. So ordered.

Commissioner Willner explained that these were bids from various companies that were taken under advisement last year, in case that the Consolidation of the Department's did not go through and we would have to purchase the items from the individual companies.

RE: POOR RELIEF

CLAPENCE SPLITTORF...1825 S. Helfrich Ave. Perry Township...Mr. Mosby - Trustee... Betty Boyd - Investigator.

Mr. Splittorf was in a government training school. The Trustee is paying the utilities. Mr. Splittorf said that he is getting food stamps, but that he also needs his rent paid. He said that he graduated from this school in December of 1972 and now has a diploma as having finished High School, that he didn't take any training in a trade. He said that he has no prospects of a job, but that he has signed up at the Indiana Unemployment Bureau. His rent is \$20.00 per week. His wife gets A.D.C. for one child, Thirteen years of age.

Mr. Mosby said that Mr. Splittorf asked him to pay his rent and he refused because the house is not suitable for \$20.00 per week rent, plus utilities, as the house had been condemned. He also said that Mr. Splittorf has four cars in his yard. He said that Mr. Splittorf had been working for him in his work program and twice, didn't show up.

Mr. Splittorf said that he has high blood pressure and is under the doctor's care.

Commissioner Willner said if his income was low enough, Mr. Splittorf would be eligible for Federal Housing. He also said that this is one instance where he thought the County should have a work program.

Mr. Splittorf said that the cars in his yard are junk cars.

Commissioner Willner moved that this case be moved back to the Trustee, with instructions to send Mr. Splittorf to the Welfare Department and find out the exact nature of this case and to see if he is eligible for Welfare. Commissioner Schaad seconded the motion. So ordered.

Commissioner Ossenberg added that Mr. Splittorf should see about signing up for Federal Housing, that there is a long waiting line but it has been his understanding that A.D.C. cases do get somewhat of a priority.

TERRY MAY....613 W. Michigan St. Pigeon Township....Mr. Olsen appeared for the Trustee's office. Her husband is unemployed as his arm is hurt. She is pregnant and needs money for rent. The Trustee will give the \$50.00 that is allowed on rent, but they need more than this.

Mrs. May said they have lived in Vanderburgh County for two month's and before this, they lived in Kentucky.

She said that her husband fell down a flight of steps at home. They have no insurance and no income at all. She said that they are getting food stamps and that she went to the Welfare Department for help on the Doctor and hospital bills.

Commissioner Ossenberg said this wasn't necessarily a case that would apply, but that he was in complete accord with Commissioner Willner, in that the County should have a work program, where these people can be put to work.

Mr. Olsen said that this program is in effect in several other states at the present time. He also said that if negligence is shown on the part of the property owner, he could be sued for damages.

Commissioner Willner asked Mrs. May if her utilities were included in her rent. She said that it was.

Mr. Olsen said that he could allow \$10.00 more then, for utilities.

Commissioner Willner wondered if the May's would be eligible for Welfare.

Mr. Olsen said that since Mr. May will be disabled for 90 days or more, that the Welfare Department would enter the picture on A.D.C. when the child is born to Mrs. May.

Commissioner Willner moved that this case be referred back to the Trustee with a recommendation that the Trustee add \$10.00 for utilities and then instruct Mrs. May to make application to the Welfare Department for a long range solution to their problem. Commissioner Ossenberg seconded the motion. So ordered.

MILDRED RAINEY...3 Tulip Avenue...Pigeon Township.

Mrs. Rainey said that she applied at the Pigeon Township Trustee's office for one week's help on food. She said that she had to bail her son out of jail last Friday night for something he wasn't guilty of and it took every dime she had and she didn't have a bite of food in the house and that she has twelve people to feed.

The County Attorney explained that an investigation must first be made, before she can possibly be helped.

Mrs. Rainey then asked if anyone was allowed to dump in the city. She said that Earl Scales, her neighbor, has a dump in the city and that everyone dumps there, which makes the water come up.

Commissioner Ossenberg advised her to inform the Area Plan Commission of this violation.

RE: COMMENTS

Mr. Gene Clabes asked what the status is on the Barker Avenue project.

Mr. Nussmeyer said that he would check the status on it.

Commissioner Ossenberg said that in talking with the County Surveyor this morning, he found that the main project right now, that the Engineers are working on, is the Old State Road - L & N bridge overpass, which the County agreed to build the approaches and L & N agreed to build the bridge and this is where all their efforts are being concentrated right now and they hope to have it under contract in March of this year.

RE: CORRECTIONS MADE

A list of monies to be encumbered partial payment of purchase orders, contracts and obligations made in the year, 1972, Vanderburgh County, was approved at last week's meeting and the following changes have since been made.

County Revenue from \$97,762.92, changed to \$97,691.11  
County Cumulative Bridge from \$306,697.01 to \$291,984.85

Commissioner Schaad moved to amend these amounts. Commissioner Willner seconded the motion. So ordered.

RE: REPORT

The report of the Pleasantview Rest Home for the month of December was presented to the Commissioners. Report received and ordered filed.

Commissioner Willner said that there are some differences between the monthly charges, charged by the Rest Home and the monthly payments made by the Trustee's that left a deficit and this was turned over to the County Attorney's last year. He wondered if anything had been done on this.

County Attorney Swain said that all but four have been paid in full and there is still a dispute on these four.

RE: COMMENT ON POOR RELIEF

Mr. Olsen brought to the attention of the Commissioners that there was a special meeting held on December 27, 1972, in the case of a Margaret Mayes, who said she has filed for A.D.C. but to date she has not done so. He said her application will be held until she has applied.

The meeting recessed at 10:40 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u>                         | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEY</u> | <u>REPORTERS</u>  |
|---|-----------------------|------------------------|---|
| Thomas Ossenberg<br>Robert Schaad<br>Robert Willner | Lewis F. Volpe        | Thomas Swain           | G. Clabes<br>A. Jackson<br>T. Edwards<br>C. Leach<br>S. Clark |

Secretary: Margie Meeks

*Tom Ossenberg*  
 \_\_\_\_\_  
*Bob Schaad*  
 \_\_\_\_\_  
*Robert Willner*  
 \_\_\_\_\_  
 BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
JANUARY 15, 1973

The regular meeting of the County Commissioners was held on Monday, January 15th, 1973, at 9:30 a.m. with President Ossenberq presiding.

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

RE: ANNOUNCEMENT MADE

Commissioner Ossenberq announced that we have with us, from Northwestern University, interns newspaper people, that will be in Evansville, covering the Civic Center for the next few months. They are Susan Smith and Michael Heiman.

RE: REQUEST

Commissioner Ossenberq stated that at the request of the news media, he is asking anyone that comes before the Commissioners to speak, to please state their name, address, and what they are here to represent.

RE: PETITION TO INCORPORATE A TOWN

Commissioner Willner stated that there was a delegation present, who asked that they be placed on the agenda this morning and asked that they be heard at this time.

Mr. Robert Schuttler from the village of Darmstadt appeared with petitioners who have filed this petition with the Commissioners, through the County Auditor, for the incorporation of the town of Darmstadt. He presented the petition in quadruplicate for filing. He said that he would discuss the legal procedures that are to follow the filing of the petition. He stated that the law provides that a public meeting then be held, not sooner than 60 days and after that time, the Commissioners conduct a hearing within a 30 day period, at which time the petition will be held for the purpose of determining whether or not it is advisable and feasible for the incorporation of the town.

Commissioner Willner asked if all the legal matters for the town have been taken care of.

Mr. Schuttler said they had and the next step would be up to the County Commissioners and the County Attorney's, who he will be glad to discuss the matter with.

Commissioner Willner asked if there were a petition taken for this.

Mr. Schuttler said there was and that approximately 96% of the people in the area have signed the petition requesting that the town be incorporated.

Commissioner Willner moved that this matter be referred to the County Attorney's for necessary action. Commissioner Schaad seconded the motion. So ordered.

RE: PROCEED ORDER FROM THE COMMISSIONERS

Commissioner Ossenberq presented a Proceed Order that was addressed to Bill Nix Construction Co., Sandleben Plumbing Co. and Jalo Electric Co. for the Burdette Park facility- Phase II, as follows:

Gentlemen:

This letter is an order for you to proceed with the entire portion of Phase II of the Burdette Park central service facilities pursuant to contractual agreement between your company and the Board of County Commissioners of Vanderburgh County, Indiana. Signed by the Board of Commissioners.

County Attorney Swain said that the funds are now available for this project. Commissioner Schaad moved that the Proceed Order be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

A claim was presented from the Southwestern Indiana Mental Health Center Inc. in the amount of \$66,137.00 for the rent of the first half of 1973, in payment of Vanderburgh County's share of operational expenses for the center. The figures are the same as listed in the budget book.

Commissioner Schaad moved to approve the claim. Commissioner Willner seconded the motion. So ordered.

RE: COMMENT ON SOIL & WATER CONSERVATION

Mr. Volpe said the Commissioners have a grant to the Soil & Water Conservation and he paid this on pretty much of an emergency basis because they didn't have enough money to meet their payroll, so he paid one-half of what was due them, which is in the Commissioners budget.

RE: COMBINED REPORT

The combined report of the Pleasantview Rest Home for the month of December was presented to the Commissioners. Commissioner Willner moved that this report be approved. Commissioner Schaad seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTSCOUNTY HIGHWAY DEPARTMENT

|                |                  |             |                     |             |
|----------------|------------------|-------------|---------------------|-------------|
| Jack Seibeking | Cypress Dale Rd. | Foreman     | *\$7700 + \$120 Yr. | Eff: 1/3/73 |
| John Singer    | 2424 W. Illinois | Inspector   | *\$5500 + \$120 Yr. | Eff: 1/3/73 |
| Jerry Linzy    | Green River Rd.  | Asst. Supt. | *\$8000 + \$120 Yr. | Eff: 1/3/73 |

COUNTY CLERK

|                 |                 |         |               |              |
|-----------------|-----------------|---------|---------------|--------------|
| Thelma M. Paley | 9001 Petersburg | Cashier | \$5092.56 Yr. | Eff: 1/16/73 |
|-----------------|-----------------|---------|---------------|--------------|

KNIGHT TOWNSHIP ASSESSORS OFFICE

|                  |                  |        |             |             |
|------------------|------------------|--------|-------------|-------------|
| Grace Wohlhueter | 1806 Conlin Ave. | Deputy | \$15.00 Day | Eff: 1/8/73 |
|------------------|------------------|--------|-------------|-------------|

COUNTY ASSESSORS OFFICE

|                   |               |            |               |              |
|-------------------|---------------|------------|---------------|--------------|
| Monica E. Mindrup | 2105 Hercules | Dep. Clerk | \$5120.00 Yr. | Eff: 1/16/73 |
|-------------------|---------------|------------|---------------|--------------|

RE: EMPLOYMENT CHANGES....RELEASESCOUNTY CLERK

|                 |              |         |               |              |
|-----------------|--------------|---------|---------------|--------------|
| Bernice Woodall | 2204 Pollack | Cashier | \$5092.56 Yr. | Eff: 1/15/73 |
|-----------------|--------------|---------|---------------|--------------|

COUNTY ASSESSOR

|                |              |              |               |              |
|----------------|--------------|--------------|---------------|--------------|
| Edythe Schulze | 521 Colonial | Deputy Clerk | \$5120.00 Yr. | Eff: 1/15/73 |
|----------------|--------------|--------------|---------------|--------------|

\* These are corrections in salaries on changes approved last week. The bonds will also have to be changed on these.

RE: REZONING PETITION.....SUSAN K. FLITTNER

Premises affected are situated on the North side of Hillsdale Road, Northeast of the corner formed by the intersection of Hillsdale Road and Old State Road. The requested change is from A to R-O. The proposed land use is for a office building and testing facilities for small electrical devices.

Commissioner Ossenbergh said that during the Area Plan Commission meeting, Mr. Hamilton moved this petition be approved subject to the condition that if Fötter & Brumfield does not fulfill their option to purchase the subject property, the Area Plan Commission will initiate action to rezone the land back to its prior zoning of Agricultural. Mr. Lutz seconded the motion, which was unanimously carried. This County Rezoning was approved, subject to the above condition.

Mr. Gaylon Clark, representing the petitioner, presented drawings which showed the proposal. This is 27 acres of land and is under option by Potter & Brumfield, Division of A. M. F.

He said there would be approximately 105,000 square feet of building and it would be designed for as many as 450 employees and initially there will be about 350 employees. He said that the proposal of what is being studied is a feasibility study engaged in by Potter & Brumfield. He said there was a remonstrance against this petition and it is in error, in that it couldn't be built under an R-0 classification, which isn't true. He said that Mr. Lopp was probably not aware of the amendment to the County Zoning Ordinance in that, under R-0 classification which includes testing facilities, which is what they propose, can be done. He explained the use of the proposed building and said it will be principally used for the Administration, the housing of personnel, the offices for the Administration of seven plants owned by Potter & Brumfield, also for some electrical engineering with testing of devices.

He commented on various reasons for the remonstrances such as poor TV reception, traffic problems and sewage problems. He assured the Commissioners that prior to any construction by Potter & Brumfield, that a sewer would be at a stage where it would be available by the time construction is completed.

Mr. Sauer of the Board of Works, said that he can give no definite date for the sewer to be completed but that they are working on it at the present time.

Mr. Clark said that if this project creates a traffic problem they will put in any turn-off lanes that might be necessary. He said there are two accesses and if the traffic becomes a problem on Old State Road, an entrance can be put in on Hillsdale Road also.

Mr. Clark said that they expect this to be a campus type facility that will greatly enhance the view of people coming into Evansville. The cost of this development will be between \$3,500,000.00 and \$4,000,000.00.

He said they do want to come to Evansville and asked the Commissioners to unanimously, whole heartedly approve this application for rezoning.

Mr. James Lopp, representing the neighbors in the area of petition, who were against the rezoning. He said these people were for the building and would like it in the community but not in their neighborhood, that there were other locations that were suitable for it. He also said that they want 27 acres of ground for this building and this means that eventually there will be a factory there, used for other purposes. He also stated that with Old State Road being as dangerous as it is now, wondered what it would be in time to come. He presented a copy of the petition signed by remonstrators, as a matter of record.

Mr. Lopp said it seems that all rezonings are granted and he called it spot zoning and that this one on Old State Road, in his way of thinking is money-bag zoning, as it seems to him, that if you have enough money and in big business, one can accomplish anything in this county.

He said this company is not being denied the right to come into Vanderburgh County, that there are other places here that they can locate, that the area in question is a residential country side. He asked which was the most important about this community, the buck we make or is it the places we have to live. He said this was a decision the Commissioners would have to make.

He stated that the residents in that area do not want the character of their residential country-side homes destroyed by Potter & Brumfield, or any other money-bag people and he thought this a lot of acreage to build an office building on.

Commissioner Ossenberg asked Mr. Lopp if he was acquainted with the park in Louisville, Kentucky.

Mr. Lopp said that he wasn't acquainted with it.

Commissioner Ossenberg said that this is a campus-type park that General Electric built six buildings on and it went into one of the finest residential areas in the world and through the City and County of Louisville, along with General Electric, they built the roads in egress and ingress to this particular park and he said he was sure that Potter & Brumfield was here to represent this type of deal.

Mr. Lopp asked why they couldn't disclose the other locations they found to locate in.

Commissioner Ossenberg said that there could be the same argument with other possible locations.

Mr. Lopp said that there are also questions about this ordinance being legal and he didn't think the people were properly notified, among other things.

After checking, Commissioner Ossenberg said that all papers were in order and that the residents were properly notified.

Mr. Curt Huber, the head of the Metropolitan Plan Commission said he had heard arguments from both sides and he spoke as a citizen of Evansville, by saying he has lived in Evansville all his life and has a deep interest in the progress of the community and has no financial interest in this project. He said he is interested and deeply concerned in the future of our city. He said the community leaders spent over \$100,000.00 to have the Fantus Company in and study our economy, who recommended for our future growth, the securing of executive type offices, as Evansville is ideally situated for it.

Mr. Huber said this building would be dramatic evidence to everyone that comes in and out of the city, that here is a city that is progressive enough for Potter & Brumfield to build their headquarters here.

He also said that because of the caliber of personnel hired in the office, it will afford great opportunities for the young men and women coming out of our Colleges and University's, who won't have to go elsewhere to get jobs as they are now having to do. He said this is a great opportunity and this rezoning should be granted and we should extend a hand of welcome and encouragement to this company.

Mr. Clark said that the reason 27 acres are being bought is because this was the amount available and the people didn't want it split up, also part of the ground is low and not suitable for building on. He also said this ground would not be used for manufacturing, because to use it for this, the land would again have to be rezoned.

Mr. Clark said there were any number of sights that have been checked and Potter & Brumfield aren't interested in any of the others.

Commissioner Willner asked if there were any remonstrators present. There were none. Mr. Lopp said he asked them not to attend the meeting.

Commissioner Willner then asked Mr. Clark if it would be possible to have the condition that we have an ingress, egress, off Hillsdale Road, because Hillsdale is very straight although narrow and on Old State Road, the egress and ingress would have to be on a gradual curve and would be hard to see from either way at this particular point.

Mr. Clark said there were discussions on this and it was recommended that it not be made on Old State Road. He said if there were a traffic problem and it was needed, access could be provided off Hillsdale Road.

Commissioner Willner then asked Mr. Sauer if he could give an approximate date for completion of the sewer.

Mr. Sauer said, he couldn't say until after they have had their meeting this month, on just how they are going to do it. He said if this rezoning is approved, this would be their next big project. The Engineering on this is almost completed.

Commissioner Willner said that the sewers would certainly be one of his conditions as to this plan.

Mr. Lopp said that a traffic count should be taken on Old State Road.

A vote was taken and was unanimous in the affirmative. This County Rezoning Petition of Susan K. Flittner was approved.

RE: REZONING PETITION.....CITIZENS REALTY & INSURANCE

Premises affected are situated on the East side of Oakhill Road, a distance of 1150 feet South of the corner formed by the intersection of Oakhill Road and Bergdolt Road.

The requested change is from A to R-I.

The proposed land use is for single family housing.

Commissioner Ossenberg said that at the Area Plan meeting, Mr. Whitham moved this petition be approved, seconded by Mr. Jarrett and unanimously carried by the members. This County Rezoning Petition was then approved by the Area Plan Commission.

Mr. James Buthod appeared, representing Citizens Realty & Insurance Co. He said as far as he knew there were no remonstrators and that there are no drainage problems in this area. The vote being unanimous in the affirmative, the Rezoning Petition was approved.

RE: POOR RELIEF

TED BURKSTEAD....836 E. Blackford Ave....Pigeon Township...Mr. Willett, Investigator. Mr. Olsen also appeared on behalf of the Pigeon Township Trustee. Mr. Burkstead is blind and is 70 years of age. He did not receive his Social Security check the third of January as he should have. This check was to be in the amount of \$118.00. He also receives a blind check in the amount of \$33.00 per month. He needs \$50.00 to pay his rent which is due the 7th of the month.

Mr. Olsen said that the Trustee's position is that rental payment is not a matter of emergency since they pay rent on a delinquent basis. He said they are more than willing to pay this man's rent as of February 3rd which is the date his next check is due, plus this check which he hasn't received. The Social Security Office has a tracer on the overdue check and as soon as the check clears, they will issue a secondary check. Mr. Olsen said if either or both checks do not arrive as of that date, the Trustee is willing to pay the rent.

Commissioner Willner moved that this case be referred back to the Trustee with the recommendation that he contact the landlord and see that this man is causing no undue hardship and take it from there. Commissioner Schaad seconded the motion. So ordered.

Mr. Burkstead was told that the Trustee will pick up the rent in the event that he didn't receive his check.

RE: PLANS APPROVED

Mr. Nussmeyer presented plans for the Old State Road overpass. He said that an appraiser and Right of Way purchaser is needed for this project. Commissioner Willner asked if the plans have been approved by L & N Railroad yet.

Mr. Nussmeyer said they hadn't approved it yet.

Commissioner Schaad moved to approve the plans for the Old State Road overpass and to appoint an appraiser. Commissioner Willner seconded the motion. So ordered.

The appraiser will be named next week.

Mr. Nussmeyer also presented plans for the re-paving of Boonville Highway. Commissioner Schaad moved that these plans be approved. Commissioner Willner seconded the motion. So ordered.

RE: CUTS-IN

A cuts-in application was presented by the Waterworks Co. requesting permission to cut into Wedgewood from Hwy. 62 to Old Boonville Hwy. for installing a 12" Water Line.

Commissioner Schaad moved that this cuts-in be approved. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR ACCEPTANCE OF ROAD

A request was received for the acceptance of Englert Lane by the County for the maintenance of it.

This matter was referred to the County Attorney.

RE: REPORT BY MR. KOCH

The Road Inspector made the following report:

RE: Drainage problem on Broadway and Reuter Road in Perry Township. Back in 1970 and 1972 the Curtis Construction Co. had a contract on the carpenter creek sanitary sewer, which covered a large area in Perry Township. On this intersection, back in 1950 when a Mr. Pollert laid out the area, the county told him to install a ten inch corrugated culvert at the intersection of Broadway and Reuter Drive. This he did.

Later as the road was accepted and was made wider Mr. Melvin Hudson, who lives at the corner, placed an additional length of culvert to meet the wider road. From the data obtained, when the sewer was placed at this point on Broadway, this culvert was clogged, someone in employment of the firm without thought, placed black top over the entire intersection area covering both intake and outlet of the culvert. Result was that all culverts to the east are 12 inch, ample to handle the water, at present water from west cannot enter this clogged culvert. Result, front yards are flooded and intersection is covered with water. Shoulders on Broadway washed out for distance of over 25 feet, leaving a sharp offset.

Since this was a former city administration contract, the present city Engineer Richard Eiffler was contacted, as the assistant has made many efforts to get the Curtis Construction Co. to put in a new 12" culvert, the proper length, promises were made since December 8th, but to date nothing has been done. Water accumulation on side of Reuter Road all along front of Broadway and neighbors complain bitterly, they state that they paid the firm over \$900.00 for their lot portion of the sewer, and now such treatment.

The writer has made many home calls at the neighbors and also at City Hall Engineer's office to get same corrected. The Curtis Construction Co. seems to take no interest and has ample good weather to install the culvert. Now the Commissioners have the facts and action can be taken in whatever steps need be applied.

L & N R.R. Stinson Ave. viaduct new floor was completed and bridge opened last week after weeks delay. Lumber delayed and floor was removed on promise floor lumber would be delivered at once.

Erskine Lane off Kansas Road is full of chuck holes and post office delivery in question. Road not accepted from data. Seems to be 30 ft. wide. John Munger, a resident, and others will sign a petition to ask for improvement but do not wish to relinquish any more land than now given. Some solution needs be taken to continue the mail delivery.

CAUTION SIGN: Deaf child on Old Princeton Road. His parents, Mr. & Mrs. Vernon C. Farney made mention of this. They built a chainlink fence in the yard. Somehow he climbed over the fence and onto the road. Commissioner Willner made mention to the county garage and in one week the two signs were placed near the home. A change in traffic was noted and all now drive slowly. Another little girl who lives in Melody Hills is deaf and another sign will be placed there. Bill Judd said he has these signs in stock and a list with address of blind and deaf children. Signs will be placed near these homes. A most worth-while program.

Signs are contemplated in rural areas for the rural Fire Department, noting location of hidden fire plugs. These will be made from scraps with the aid of the 4H boys and the rural Fire Department. This should be a big help during heavy snows and Commissioner Willner is a member of the Scott Township Fire Department, so we have an ardent booster in our midst.

The meeting recessed at 11:23 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u> | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u> | <u>REPORTERS</u>       |
|-----------------------------|-----------------------|-------------------------|------------------------|
| Thomas Ossenberg            | Lewis F. Volpe        | Thomas Swain            | G. Clabes    S. Clark  |
| Robert Schaad               |                       | William Stephens        | C. Leach    A. Jackson |
| Robert L. Willner           |                       |                         | B. Thompson            |

Secretary: Margie Meeks

*Tom Ossenberg*

*Bob Schaad*

*Robert L. Willner*

BOARD OF COUNTY COMMISSIONERS

00108  
COUNTY COMMISSIONERS MEETING  
JANUARY 22, 1973

The regular meeting of the County Commissioners was held on Monday, January 22nd, 1973, at 9:35 a.m. with President Ossenbergs presiding.

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

RE: EMPLOYMENT CHANGES....APPOINTMENTS

VANDEBURGH SUPERIOR COURT

Catherine Kueber Robinwood La. Bailiff \$6,420 Yr. Eff: 1/1/73  
Jo Ann Stevens 5701 Lost Bend Lane Pauper Att. Sec. \$2,000 Yr. Eff: 1/1/73

SHERIFF'S DEPARTMENT

Clifford Trainer Jr. 2405 Dieffenbach Sgt. \$10,696.40 Yr. Eff: 1/16/73  
Robert Etheridge 324 Kenmore Detective \$9,724.00 Yr. Eff: 1/16/73  
Gary O'Risky 1247 Bella Vista Sq. Pro. Policeman \$7,800.00 Yr. Eff: 1/16/73

RE: EMPLOYMENT CHANGES....RELEASES

VANDEBURGH SUPERIOR COURT

Roy Shrote Bailiff \$6,300.00 Yr. Eff: 12/31/72

SHERIFF'S DEPARTMENT

Clifford Trainer 2405 Dieffenbach Detective \$7,724.00 Yr. Eff: 1/16/73  
Robert Etheridge 324 Kenmore Policeman \$8,587.50 Yr. Eff: 1/16/73

RE: MONTHLY REPORT.....TREASURER

The monthly report of the County Treasurer was presented to the Commissioners for the month of December, 1972. Commissioner Schaad moved that this report be received and filed. Commissioner Willner seconded the motion. So ordered.

RE: CHIEF DEPUTY AUDITOR RECOGNIZED

Commissioner Ossenbergs recognized the Chief Deputy Auditor, Curt John, who is sitting in for the Auditor, who went home with the flu.

RE: STUDENT FROM NORTHWESTERN UNIVERSITY RECOGNIZED

Commissioner Ossenbergs also recognized Michael Hyman, a student of Northwestern University, who is here covering the Commissioner's meeting and will be covering various meetings in the Civic Center for the next 8 weeks.

RE: LETTER RECEIVED FROM AMCLEAN CORP.

The following letter was received by the County Auditor and presented to the Commissioners:

Dear Mr. Volpe:

In this mornings' mail we received our Cashier's Check No. 1107229 in the amount of \$500.00, accompanied with your note indicating "Due to consolidation, your bid was rejected on 1/8/73".

This deposit covered our Bid for Janitorial Supplies that was to be opened on Monday, November 27, 1972. Included with our Bid on Janitorial Supplies was the Bid Form for Chemicals for Burdette Park which was clearly marked "No Bid".

If our bid for Janitorial Supplies was not the lowest and best, we can certainly understand the rejection; however, we herewith present our "Formal Complaint" for the rejection of our bid "Due to Consolidation".

We respectfully request a written explanation of this matter on or before January 31, 1973 or we shall proceed with additional action to obtain a reasonable explanation. Very truly yours, E. D. Schenberg, President.

The County Auditor answered this letter thusly:

Dear Mr. Schenberg:

In late fall of 1972, Vanderburgh County and the City of Evansville entered into several contracts, one of which was a contract to set up a consolidated purchasing department within the structure of the City. This department would do all the purchasing under the applicable laws and regulations of second class cities.

Authority for such contracts is well established in Indiana Law. The law also stipulates that such contract shall be valid after approval by the Attorney General of the State of Indiana.

All requirements of the law have been met. At present Vanderburgh County has no contract with any private firm for janitorial supplies.

During the fall however, we did take bids so as to protect ourselves in the event that the Attorney General either would not approve the contracts, or his approval would be late in coming. When approval was given, all bids including printing, office supplies, food, gasoline, oils, tires, etc. were rejected. Yours truly, Lewis F. Volpe, Auditor.

Commissioner Willner moved that these letters be received and filed. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIM

A claim was presented from Sheriff Riney, for the meals of the prisoners in the amount of \$5,096.00, for the period of December 15, 1972 to January 14, 1973. Commissioner Willner moved that this claim be approved for payment. Commissioner Schaad seconded the motion. So ordered.

RE: APPRAISER NAMED

Mr. Nussmeyer presented eleven parcels of grants on the Old State Road project to the Commissioners, and said that they are in order and ready for the appraisals.

Commissioner Schaad moved to appoint Jay C. Welch as appraiser for the Old State Road project. Commissioner Willner seconded the motion. So ordered.

RE: CUTS-IN

A cuts-in application was presented to the Commissioners, from the Waterworks Department, requesting permission to cut into 1401 Laubscher Road to install a 6" Water Line.

Commissioner Willner moved to approve this cuts-in. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIM

A claim was presented from Deig Lumber & Construction Co. Inc. for the installation of pipe on Mels Drive and Drexel Drive in the amount of \$1,895.50.

Mr. Nussmeyer said the bid was let last year and the work was finished this year. He said that he has checked this job and it has been completed. Acct. # 2260-1.

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

RE: REQUEST

Commissioner Ossenberrg, at the request of the news media, again asked that anyone appearing before the Commissioners, to please state their name, address, and what they they are here to represent.

RE: MR. DALE WORK

Mr. Dale Work, the Director of Public Welfare, said that he, Mr. Seitz, and Mr. Ioleheart discussed with the Auditor and Mr. Hudson from the State Board of Accounts, as well as with Mr. Cravens, and none of them can see how to work out their procedure into the joint purchasing, because of the way it works and he was sure the Auditor wasn't anxious to run this through his office since he would have to hire two additional people. He said he would work with the purchasing office anyway he possibly could.

Commissioner Ossenberrg asked Mr. Work if he intended to purchase everything through the purchasing department.

Mr. Work said they were going through them and follow their recommendations on anything that they possibly could.

Commissioner Schaad wondered if it couldn't be set out that there could be certain account number's that are purchased through purchasing and other account number's on purchasing which would be for identification, so there won't be any misunderstanding or duplication in the budget.

Mr. Work said that this could be done, but when they need to feed children, they can't fiddle around, that it would be needed right away.

Commissioner Ossenberg said that Mr. Cravens quite readily agreed that he could not possibly handle welfare. He said that Mr. Volpe had talked to them previously on this matter so he thought it a good idea to take the matter under advisement until Mr. Volpe is here to help them work this problem out.

Mr. Ray Broerman was present at the meeting, representing Mr. Crooks, who has the flu.

RE: MR. HARNESS

Mr. Harness said that in regard to the Revenue Sharing Funds, he had put in for some \$20,000 to \$25,000 for their sewer bed at the Pleasantview Rest Home, as it isn't operating properly and Mr. Hotz has petitions from the Health Department, stating that something should be done. He said it was his understanding that the city sewer skirts the property and it would be necessary for someone to obtain an easement from Mr. Hamilton, to run a sewer line across the golf course and he understands that there is a free tap coming on the sewer line because of the fact that part of the sewer is on the old County Home property. He said they will probably need the services of the County Engineer to help formulate whatever needs to be done.

County Attorney Stephens said he hopes to obtain this easement at no cost to the county.

Commissioner Schaad asked what action was taken by the Council, on the request of this money, by Mr. Harness.

Mr. Harness said no action was taken, that everything that was asked for in Revenue Sharing was deferred until a later date, so the requests could be studied, in order to get a better sight of what was being asked for. He presented the Commissioners with a letter that he had submitted to each of the Councilmen.

Mr. Harness said that there is some sewer tile at the old Boehne Hospital that can be used for this project. He asked Mr. Hotz if he knew about how much tile was there.

Mr. Hotz said that there was about 1100 feet of tile available. He said this tile was purchased when they had sewer problems out there.

Mr. Harness said if they get a firm price, they could tell the Council that they need a certain amount of money for this particular project.

Commissioner Ossenberg asked if the Council set a date for action on these requests.

Mr. Harness said they didn't set a date, that he assumed it would be put on the agenda and come before the next council call for them to portion where the Revenue Sharing money will go.

County Attorney Stephens said it will also have to be re-advertised and if the figure is going to be changed, Mr. Harness should do so before it is re-advertised.

Mr. Harness said the golf course isn't seeded yet so all they would have to do, when weather permits, would be to go in there with a machine that would dig a sewer line and the county workers could do this.

Commissioner Schaad wondered why Mr. Harness and Mr. Hotz couldn't get a letter from the Board of Health on the conditions out there and see what it is going to cost to repair the old field bed.

This matter was taken under advisement and Mr. Harness was instructed to obtain this letter from the Health Department.

Commissioner Willner expressed his feelings on the Revenue Sharing, in that here-to-fore, the Council has taken it upon themselves to dole out the money and it is his belief that the County Commissioners should have a voice in the expenditures of the Revenue Sharing and he thought they should ask the Council to give the Commissioners their portfolio on all the requests for Revenue Sharing money and make it available so the Commissioners could make a recommendation to the Council in the future. He thought that perhaps this project might have priority on this list.

Commissioner Schaad wondered why the Commissioners couldn't have an accounting from the Auditor's office as to how much money comes in on it and how much has been encumbered against it by the Council and they can go from there.

Mr. John said this information has been prepared and the Auditor's office would provide the Commissioners with a copy.

Commissioner Ossenberg said it was brought out in the Council meeting, some line items in the Commissioners presentation, due to the fact that the Rural School Recreation program, which was a child development type program, and now the adults are on the program and it will come through.

President Aarstad asked in the Council meeting that the Commissioners get a breakdown on exactly what the schools have given up and what the county would put into the fund for each line item. He said action was purposely held up on the Youth Service Corp. Inc., Volunteer Action and the Council for Aiding Retarded Children Association, asking if the Commissioners in the meeting would get with these people. He said that Mr. Aarstad informed the Commissioner's secretary that he has appointed two County Council members to work with the County Commissioners, to exactly know and for the Commissioners to provide leadership to come forward to let them know exactly where this money will be spent through Revenue Sharing. He said the Commissioners intend to do this and he is glad to see this co-operation between the two bodies.

Mr. Harness said it was pointed out at the Council meeting that there was about \$197,000 in Revenue Sharing funds at the present time and there will be approximately \$300,000 coming in quarterly, also that he would like to work with the Commissioners in showing them what he has at the home and what he has requested, and to get an opinion from the Commissioners as to whether the Commissioners think his request feasible and if they think this would be money well spent.

Commissioner Ossenberg said the main thing here, that the Commissioners are concerned with, is the priority of Mr. Harness' request.

RE: MR. WILLARD

Mr. Willard presented an absentee list from the County Highway Department. He said he will furnish the Commissioners with a compiled list for the year. The absentee list was received and ordered filed.

RE: SALT FOR THE HIGHWAY DEPARTMENT

Commissioner Schaad said that since the purchasing is consolidated, the purchasing of salt for the County Highway will be done differently. He said it could be delivered from Tell City for about \$1.00 a ton less than they have been paying, but that they need more room for storage. They discussed different materials that could be used for this purpose. Mr. Willard said that at the end of the season they cover the remaining salt with black plastic to protect it from the weather.

Commissioner Willner said he thought the Commissioners should ask Mr. Willard to compile all the figures of what he needs.

RE: RE-ZONING PETITION

The Petitioners and Owners of record in this request for Re-zoning are Arthur Karch, Thelma Karch, Gladys Grimm and Anna Bele Gasaway.

The premises affected are located by commencing at the intersection of Licking Creek and Old Boonville Highway and extending Southwest along the Old Boonville Highway 1300 feet more or less to a maximum depth of 1793 feet north.

This real estate is located in Zone District designated as Agricultural (A) and Light Industrial (M-1).

The requested change is to M-1.  
The present existing land use is vacant.  
The proposed land use is a manufacturing plant.

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

The meeting recessed at 10:13 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u> | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEY</u> | <u>REPORTERS</u> |
|-----------------------------|-----------------------|------------------------|------------------|
| Thomas Ossenberg            | Curt John             | William Stephens       | S. Clark         |
| Robert Schaad               |                       |                        | C. Leach         |
| Robert L. Willner           |                       |                        | B. Thompson      |

Secretary: Margie Meeks

*Tom Ossenberg*  
 \_\_\_\_\_  
*Bob Schaad*  
 \_\_\_\_\_  
*Robert L. Willner*  
 \_\_\_\_\_  
 BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
JANUARY 30, 1973

The regular meeting of the County Commissioners was held on Tuesday, January 30th, 1973, at 9:30 a.m. with President Ossenbergs presiding.

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

RE: AUDITOR'S FINANCIAL STATEMENT

The Auditor's Financial Statement for 1972 was presented to the Commissioners. This has been advertised, since the paper had notified the Commissioners that it had to be advertised three days prior to the 31st of January. Commissioner Schaad moved that the Financial Statement be approved and filed. Commissioner Willner seconded the motion. So ordered.

RE: PURCHASING...WELFARE DEPARTMENT

Mr. Volpe said the problem of purchasing by the Welfare Department had come up last week at which time he was ill, so action had been deferred.

Mr. Work, the Director of the Welfare Department, had said that he, Mr. Seitz and Mr. Igleheart had discussed this problem and could not see how to work out their procedure into the joint purchasing.

Mr. Volpe said this was a rather unusual type of purchasing, in that it doesn't fit in the normal category that the city purchasing agent is set up to do. He said the Welfare Department and the Auditor's office are set up to do this type of purchasing which consists of repairs, drycleaning, clothing, prescriptions, school book rental, school lunches, hair cuts, etc. He said that the purchasing agent and the county both agree that it would be too difficult for them to do this and he and the Welfare Department were asking that purchasing can be made on the open market and continue as they have been doing in this field, however, the normal supplies could be handled through purchasing.

Commissioner Schaad thought it a good idea to set up a meeting with Mr. Work, Mr. Cravens, Mr. Harness, and Mr. Volpe, in order to go on record as to those items that will go through purchasing, so that if there is controversy at a later date, it will be agreed upon.

Mr. Harness said he has the same situation at the Pleasantview Rest Home that Mr. Work has in the Welfare Department, since there are some things that he needs right away.

Mr. Volpe said that they can all work together but they are asking permission to be able to do this so it will be made clear to the State Board of Accounts.

Commissioner Schaad moved that a meeting be held, of all concerned, so it can be clarified for future reference. He also said the Commissioners would be glad to sit in on this meeting. Commissioner Willner seconded the motion. So ordered. Mr. Volpe was asked to set up the meeting.

RE: COMMENTS ON GASOLINE

Commissioner Willner said that it had been brought to his attention that the first load of gasoline was purchased by the County garage this year and it was \$100.00 more than it had been previously. He said that when bids were taken previously, these bid forms were taken to the home company and the bid came from there and now, by purchasing the gasoline locally, we don't seem to get a low price on it.

Commissioner Schaad said he was also aware of this, but from what he could find, the last gasoline was bought last September and that prices could have changed from that time.

In checking, it was found there were no bids received on gasoline for 1973, so no recent prices are available.

Commissioner Willner said the primary purpose of joining the purchasing department was to save money and in some areas this doesn't seem to be true.

RE: LETTER OF REQUEST

A letter was received from the County Recorder, requesting permission to continue conducting his banking business at National City Bank, Civic Center Branch during the years of 1973 and 1974.

This letter was referred to Mr. Volpe in order to obtain signatures of the Board of Finance. He said he would bring it back on the 19th of February.

RE: VIOLATION OF HEALTH LAW

A copy of a letter to Ralph & Clifford A. Klemeyer from the City-County Health Department was presented to the Commissioners, stating that there had been several complaints regarding the practice of dumping on property located at Lodge Avenue at the Levee.

The letter stated that it will be necessary for this area to be closed to all further dumping and that the present dumping be cleaned up.

An investigation will be made in approximately fifteen days to determine if this condition has been corrected.

Commissioner Willner moved that this letter be received and filed. Commissioner Schaad seconded the motion. So ordered.

RE: MONTHLY REPORT

The monthly report of the Clerk of the Circuit Court was presented to the Commissioners for the month of December of 1972. A note was attached by Mrs. Shirley Cox, the present County Clerk, in that, "Due to the Clerk's office changing officeholders and the State Board examiners in process of auditing the office I personally did not prepare the report and was advised by the County Attorney, Tom Swain, not to sign it!"

The Commissioners wondered if this report shouldn't be signed by the previous County Clerk.

Mr. Volpe said that he would take it to him. He said however, that this is an unaudited statement.

RE: LETTER RECEIVED

A letter was received along with a questionnaire, from the Indiana State Highway Commission, requesting various data be reported to the Federal Highway Administration before March 1, 1973.

This matter was referred to Mr. Nussmeyer, for him to get with Mr. Marlin of Area Plan to complete the questionnaire and return it to the Indiana State Highway Commission.

RE: EMPLOYMENT CHANGES...APPOINTMENTS

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

|                 |                      |                |               |              |
|-----------------|----------------------|----------------|---------------|--------------|
| Stanton Gash    | 2003 E. Michigan St. | Surveyor Help  | \$5370.00 Yr. | Eff: 1/23/73 |
| Walter Dobroski | 724 Wall Street      | Bridge Foreman | 7570.00 Yr.   | 2/1/73       |

RE: EMPLOYMENT CHANGES...RELEASE

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

|                 |                 |              |              |              |
|-----------------|-----------------|--------------|--------------|--------------|
| Walter Dobroski | 724 Wall Street | Truck Driver | \$3.22.5 Hr. | Eff: 1/31/73 |
|-----------------|-----------------|--------------|--------------|--------------|

RE: CUTS IN

The following cuts-in were submitted for the Commissioners approval:

From the Waterworks Co. requesting permission to cut into 500 & 510 East Mt. Pleasant Rd. to install a 12" water line.

From the Southern Indiana Gas & Electric Co. requesting permission to cut into East Chestnut Street to provide gas service to Lot #42 in Plaza Terra Section "B".

From the Waterworks Co. requesting permission to cut into 5711 thru 5715 Ward Road to install an 8" water line.

Commissioner Willner moved to approve these cuts-in upon the recommendation of Mr. Nussmeyer. Commissioner Schaad seconded the motion. So ordered.

RE: MR. NUSSMEYER

Mr. Nussmeyer presented a letter from the State Highway Department in reference to their recommendation on striping and on Railroad crossing pavement markings on Lynch Road between U.S. 41 and Oak Hill Road, that they be repainted and brought up to current standards.

Commissioner Ossenbergh said that he would keep the letter, as there will be a meeting of the traffic department this afternoon and he will bring this matter to their attention.

RE: ERECTION OF SIGNS APPROVED

Commissioner Schaad said that Mr. Koch isn't present today but that in previous meetings, Mr. Koch had stated that signs were contemplated in rural areas for the Rural Fire Departments, noting location of hidden fire plugs. He said these signs could be made from scraps with the aid of the 4H boys and the Rural Fire Department.

Commissioner Schaad said he has been contacted by the German Township Fire Department and they thought this was a good idea. He said he would get with Mr. Koch on this project. He thought that Mr. Koch could work with the Volunteer Fire Department in finding what was needed and the locations that need to be marked and with the help of the Volunteer Fire Department and the 4H boys, these signs could be made and erected.

The Commissioners agreed that Commissioner Schaad get with Mr. Koch to get this project worked out and Commissioner Schaad said that he would have Mr. Koch report back to the Commissioners after the work has been completed.

RE: CLAIMS

A claim was presented from Traylor Brothers Inc. for the repair to Heckel Road-Pigeon Creek Bridge in the amount of \$3,050.26.

Mr. Nussmeyer said this was approved by the County Council but that approval hasn't, as yet, been received from the state.

Commissioner Schaad moved that this claim be approved subject to the State's approval. Commissioner Willner seconded the motion. So ordered.

A claim was also presented from Southwest Engineering Inc. for the balance of the Volkman Road project in the amount of \$12,872.90.

Commissioner Schaad moved this claim be approved, also subject to the state's approval. Commissioner Willner seconded the motion. So ordered.

RE: COMMENTS ON PROPOSED COUNTY PROJECTS

Commissioner Schaad suggested that Mr. Nussmeyer could check on the engineering and other phases of the projects of the county, to see where they stand on them, such as Eichoff Road, the four lanes on St. Joe, the Barker Avenue underpass, the Old State Road overpass and the drainage problem on Oakdale Road, so they can get started on them.

Commissioner Schaad also asked Mr. Volpe to check to see how much funds are available in the various funds and how much have been encumbered against them, also the status of the Revenue Sharing funds and to submit this information to the Commissioners.

Mr. Biggerstaff had submitted a list to Mr. Nussmeyer, of the projects under way.

Commissioner Schaad said that after Mr. Nussmeyer submits what has been done on each item, whether the Right of Way has been purchased, the projection of cost and gets the status of money on these projects from Mr. Volpe, they can then get together with the Commissioners to discuss the projects further.

RE: FISHING RIGHTS AT BOEHNE LAKE

Mr. Hotz introduced Mr. Harold Seagel from Alcoholics Help Inc. located at the Old Boehne Hospital. He said he would like to establish a policy on the fishing rights at Boehne Lake, that last year they obtained a letter from the County Commissioners giving people permission to fish in the lake.

It was established that a person in Vanderburgh County could obtain a letter from the Commissioners for this permission, with rules attached, in that there are to be no boats, no littering, children must be accompanied by an adult and the time fishing is permitted, and if anyone is found to be in violation of these rules, their permission will be revoked.

Mr. Hotz also said he doesn't have the manpower to keep the area clean and neither does Mr. Seagel.

Mr. Seagel said he would check with Mr. Lawson, who lives on the grounds, to see if he could police the area. He suggested the possibility of fishing tournaments being held at the lake.

It was also established that when permission is given to a person, a copy of the letter will also be sent to Mr. Seagel to file as a matter of record.

RE: MR. HOTZ

Mr. Hotz said they still have a brick building on the Boehne property that used to be a carpenter shop and that it has been condemned for some time. He said the cost of remodeling this building would cost a lot and he recommended that it be torn down.

Commissioner Schaad said that he would go out to look at it, that maybe it could be used for storage.

Mr. Hotz said that another problem is the Boehne Camp Road that runs by this property. He said the cars exceed the speed limit out there and that there is a blind curve at the top of the hill. Commissioner Schaad said this should be referred to the Traffic Department. Commissioner Ossenbergs said he will take this problem up with the Traffic Department at their meeting today.

Mr. Hotz said that Alcoholics Help Inc. has thought of remodeling the two top stories of the old Boehne Building that they have leased from the County, and wondered if it was necessary to get authorization from the Commissioners to make the change.

County Attorney Stephens said that the lease states that any structural changes have to be approved by the Commissioners.

Commissioner Schaad said they will also look at this building when they go out to look at the old carpenter shop.

Mr. Edward Roehm is working on the plans at the present time.

Mr. Hotz said that plans are proposed for the sewer at the Pleasantview Rest Home and that they will need a legal description. This matter was referred to Mr. Nussmeyer.

RE: MR. HARNESS

Mr. Harness presented an application for the admittance of Ruby Jewell Coleman to the Pleasantview Rest Home and recommended it be approved. Commissioner Willner moved that the application be approved. Commissioner Schaad seconded the motion. So ordered.

RE: LETTER ON THE INCORPORATION OF DARMSTADT

County Attorney Swain presented the following letter to the Commissioners on the incorporation of the town of Darmstadt:

Gentlemen:

This opinion letter concerns the petition to the Board of County Commissioners requesting the incorporation of the Town of Darmstadt.

1. The Board of County Commissioners (hereinafter referred to as "Board") may by ordinance incorporate a town.

The word - "may", in my opinion, means it is discretionary with the Board. This opinion is further buttressed by a reading of the entire act as a whole.

2. The petitioner must file with the Board a petition signed by at least fifty owners of real estate within the area, stating, (a) land urban in character; (b) area is reasonably compact; (c) sufficient undeveloped area to allow for growth; (d) incorporation is for the best interest of the city within the area.

Strangely enough, there is no determination as to the interest of those outside the area.

The petition shall be verified. There is a question in my mind whether the petition is properly verified.

3. The petition shall include: (a) a survey certified by a registered engineer. This has been done. (b) a list of the residents and non-residents verified to within thirty days of the date of submitting the petition. In my opinion, the petition is not properly done in that the petition was submitted to the Board of County Commissioners on January 15, 1973, but verification of the list of land owners, resident and non resident, is verified as of October 31, 1972. (c) statement of assessed valuation certified by the township and county assessor. (d) statement of services to be provided with the approximate times said services are to be established. (e) the estimated cost of the services. (f) the name of the proposed town. In my opinion, the petition does not sufficiently set out the name of the town, but by inference in reading the document as a whole, I assume the name to be chosen is the Town of Darmstadt.

4. If the Board, upon receipt of the petition, agrees that it meets with the above requirements, it shall cause the same to be file-marked and forward one copy to the Indiana Department of Commerce and to the Area Plan Commission.

These two parties are charged with the duty of investigating the petition and reporting to the County Commissioners not less than ten days before the public hearing on the petition. The report is to be advisory only.

5. The Board shall hold a public hearing not less than sixty nor more than ninety days from the filing of the petition, and shall send notice by certified mail to (a) the residents, resident land owners, and non-resident land owners listed in the petition; (b) the city councils of all existing cities and town boards of all existing town boards within three miles of the perimeter of the proposed town; (c) the Board; (d) the township trustee.

There is certain other procedure that is required under the act, but, in my opinion, since the petition does not meet the requirements set out in Burns Ind. Stat. Ann. Section 48-133, it cannot be received and filed, and there is no reason to order a public hearing.

County Attorney Stephens said that the time requirement is probably due to the possibility of a change of ownership.

Commissioner Willner asked if a copy of this letter was given to the attorney for the petitioners.

County Attorney Swain said "no".

Commissioner Willner asked if it was in order then, since it is not on the agenda, that this be taken up without the people being represented by council.

County Attorney Swain said he didn't know, that he is employed by the County Commissioners and they are who he reports to. He said he has had a number of requests from the press that he has withheld, since he thought the County Commissioners should see it first but he would be glad to report to Mr. Schuttler and to give him a copy.

Commissioner Willner said he also thought the Commissioners should see it first but that he just received it before the meeting started and he needed more time to look it over.

County Attorney Swain said that Mr. Schuttler can easily correct the petition and re-submit it.

Letter received and filed.

RE: MR. RAFFERTY.....COMPREHENSIVE WATER AND SEWER PLAN

Mr. Rafferty distributed copies of the Comprehensive Water and Sewer Plan for Vanderburgh County that was prepared by Reid, Quebe, Allison, Wilcox and Associates Inc. Consulting Engineers. He said that Mr. Wilcox was presenting the plan for the approval of the Commissioners, at this time.

Mr. Wilcox said he had met with the County Commissioners back in July of 1972, and again in December of 1972, on their findings and that things were pretty much in order now. He said the plan also contained various methods of financing.

Mr. Wilcox also asked that a check he had received for \$13,000 from federal funds be approved.

Commissioner Schaad moved that it be approved on the recommendation of Mr. Rafferty. Commissioner Ossenberg seconded the motion. So ordered.

The meeting adjourned at 10:42 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u>                         | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u>          | <u>REPORTERS</u>                               |
|---|-----------------------|----------------------------------|--|
| Thomas Ossenberg<br>Robert Schaad<br>Robert Willner | Lewis F. Volpe        | Thomas Swain<br>William Stephens | C. Leach<br>M. Hyman<br>A. Jackson<br>S. Clark |

Secretary: Margie Meeks

Thomas H. Ossenberg  
Bob Schaad  
Robert F. Willner  
 BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
FEBRUARY 5, 1973

The regular meeting of the County Commissioners was held on Monday, February 5, 1973, at 9:30 a.m. with President Ossenbergs presiding.

Deputy Sheriff Bob Coleman opened the meeting, this being the first meeting of the month.

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

RE: AUTHORIZED TO ADVERTISE

Mr. Cravens presented a "Notice to Bidders" and the specifications for two tractors for the County Highway Department, and suggested the opening date for the bids to be March 5, 1973.

Mr. Willard approved the specifications.

Mr. Cravens said that he set the time for the opening of the bids at 9:30 a.m. on March 5, so that all bids would be submitted in time for the meeting.

Commissioner Schaad moved that the specifications be approved and that we advertise for bids, to be opened on March 5, 1973.

Commissioner Willner asked Mr. Cravens if the specifications were written so all the tractor manufacturers could bid on them.

Mr. Cravens said that he knew four of the manufacturers that could, which are Ford, International, John Deere, Massey-Ferguson, and possibly more.

Commissioner Willner seconded the motion made by Commissioner Schaad. So ordered.

RE: RE-APPRAISAL APPROVED

Commissioner Ossenbergs said that the previous Commissioners offered for sale, the property located on St. Joseph Avenue at Locust Creek, tax code # 3-73-14. The sale was held on January 30, 1972, but there were no offers.

Mr. Volpe said he had suggested to the previous Commissioners, that a very nominal bid be required on all property, that the county is trying to get rid of, because it has to be advertised four times and since it is brought up at the meeting and the news media are present and that everyone that really wants to know about it, does know about it. He said this has happened so often and the county wastes a lot of money on advertising and on appraisals.

Mr. Volpe said that on surplus tax property, no one bids on it for two years and then the county takes it over because it has taxes due on it, then at some later date, a person will express a desire for the property, then it is appraised at a higher price than the taxes owed on it. He said that the surplus property that is taken over by the county on taxes always has something wrong with it. He suggested that a flat \$10.00 be put on all these. He said that an appraiser always appraises it as if nothing is wrong with it and usually there is a defect in the title or a ditch across the property or something else drastically wrong with it.

County Attorney Stephens said that sometime the property owners have failed to receive a tax notice for some reason and have let it slip by and it has gone on tax sale and someone could really get a bargain. He thought there should be a more realistic appraisal made, since this type of property wouldn't have the same fair market value as other properties, so these properties could be put back on the tax roles.

Mr. Volpe asked if there wasn't some talk at one time of the County Assessor, who is licensed to do appraising, could do it.

County Attorney Stephens said the County Assessor could and so could the Township Assessors that are licensed to do appraisals.

Commissioner Willner suggested that both do the appraising, the County Assessor and the Township Assessor, and in case the Township Assessor isn't licensed to do this, to get the adjoining Township Assessor to do it.

Commissioner Schaad moved that this practice be adopted and this property be re-appraised, so that another sale can be held on it. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

A corrected claim was received from Monarch Insurance Agency Inc. for the Public Official Bonds for the following County Employees:

|  |                   |                                |
|--|-------------------|--------------------------------|
| Richard Nussmeyer as Surveyor, #1912156 of Continental Ins. Co.    | \$5,000...        | \$18.00                        |
| Shirley Cox, Clerk, #1912151, Continental Ins Co.                  | \$25,000....      | \$88.00                        |
| Helen Kuebler, Chief Deputy Clerk, #1912151, Continental Ins. .... |                   | \$88.00                        |
| Dorothy J. Schafer, Bookkeeper, #1912154, Continental Ins. Co..... |                   | \$88.00                        |
| Patricia Patton, Support Clerk, #1912155, Continental Ins. Co..... |                   | \$88.00                        |
| Thelma Raley, Cashier, #1912126, Continental Ins. Co. ....         |                   | \$88.00                        |
| Cancellation of #1912153 - Bernice Woodall as Cashier...           | \$88.00 credit    |                                |
| and #1912153 - Thelma Raley as Cashier                             | ...\$88.00 credit |                                |
|  |                   | Total amount of Claim-\$458.00 |

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

RE: PROPOSED INCORPORATION OF DARMSTADT

Mr. Robert Schuttler, representing the petitioners for the Incorporation of Darmstadt, was present and said he has met the objections and at this time, is re-submitting the proposal for the Commissioners to re-examine and to take whatever action that is necessary.

Commissioner Schaad moved that the proposal be received and referred to the legal department. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

A claim was received from Condict and Fosse, Architects, for Architects compensation for services rendered for the Evansville Association for Retarded Children, in the amount of \$1,430.00.

Commissioner Ossenbergsaid this claim was approved before but it couldn't be paid because there was no itemized statement attached. The statement has now been received. This claim can now be paid.

A claim was received from the Terminal Warehouse Co. Inc. for the rent of space for the storage of voting machines from February 1, 1973 to March 1, 1973, in the amount of \$500.00.

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

RE: BILL FROM P.E.R.F.

Commissioner Ossenbergsaid we have a new claim coming up this year and he has talked it over with the Auditor and it appears as though P.E.R.F. has billed the county for \$20.84 for administrative charges.

Reporter, Alice Jackson, asked what the state has to do with Social Security.

Mr. Volpe said that we report to the state and they accumulate the governmental units and report to the Federal Government.

Commissioner Willner moved that this matter be referred to the legal department for them to check it out. Commissioner Schaad seconded the motion. So ordered.

The County Attorney later approved the charge from P.E.R.F. after he had time to study it.

RE: MR. NUSSMEYER

Mr. Nussmeyer presented final plans and specifications for the Old State Road overpass, to the Commissioners, for their approval. He said he would like to submit these plans to the L & N R.R. Co. today. He also presented the proposal of contract and bond for this construction.

Mr. Nussmeyer said he asked that all bidders be pre-qualified by the State Highway Department. He said he was meeting with Jay Welsh this morning and is going to the L & N R.R. Co. this afternoon and as soon as they get an approval of

the Right-of-Way, he will be ready to advertise for bids.  
The Commissioners approved and signed the proposal for this project.

RE: CUTS-IN

The following cuts-in were submitted:

From the Southern Indiana Gas & Electric Co. requesting permission to cut into Valley Downs Subdivision to provide gas service to 34 lots in Valley Downs Sub.

From the Indiana Bell Telephone Co. requesting permission to cut into Petersburg Road to bury a telephone cable.

From the Indiana Bell Telephone Co. requesting permission to cut into Eichoff Road to place a buried telephone cable.

Commissioner Willner moved that these cuts-in be approved upon the recommendation of Mr. Nussmeyer. Commissioner Schaad seconded the motion. So ordered.

RE: ESTIMATES AND STATEMENTS

Mr. Nussmeyer presented a list of tabulations on preliminary estimates for various projects that have been proposed by the present County Commissioners.

Mr. Volpe presented a copy of the financial statement he had made up on the various projects from January 1, 1973 to December 31, 1973.

RE: OAK GROVE ROAD

Mr. Nussmeyer said that Commissioner Willner had asked about Oak Grove Road. He explained that the R & S Fund is only available for use on thoroughfares, that he has connected the thoroughfare on Green River Road and on Boonville Highway, in order to get around this and explained why this had to be done. There was much discussion on which would be the best way to go.

Commissioner Ossenberg said to take it on the basis of feasibility of different ways and have Mr. Lockmueller work with Mr. Nussmeyer and see how it works out on R&S.

Mr. Nussmeyer said that their next two projects will be Eagle Slough and Bergdolt Road.

RE: CLAIM

A claim was presented from Mr. Quentin Stahl for ditch maintenance, in the amount of \$360.00.

The previous Commissioners had accepted the offer of Mr. Stahl, to do this work, at their meeting of December 11, 1972.

This maintenance was for Frolich creek on the Heddon Road Account.

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

RE: MR. SHRODE

Mr. Willard Shrode, Attorney, representing Bob Hamilton, presented a request for a Disclaimer from a bank where Mr. Hamilton is seeking financing.

It read in part:

WHEREAS, The Board of Commissioners of the County of Vanderburgh, Vanderburgh County, Indiana, and Robert T. Hamilton and the Bob Hamilton Charitable Golf Foundation, Inc., did heretofore enter into a written lease agreement on September 7, 1971, under the terms of which the said Robert T. Hamilton and said The Bob Hamilton Charitable Golf Foundation, Inc., leased from said The Board of Commissioners of the County of Vanderburgh the following described real estate in Vanderburgh County, State of Indiana. (described real estate)

WHEREAS, said written lease agreement was amended on December 26, 1972; and

WHEREAS, the said Robert T. Hamilton has requested from said the Board of Commissioners of the County of Vanderburgh a disclaimer of any interest in any leasehold improvements as hereinafter set out.

The Board of Commissioners of the County of Vanderburgh, in consideration of construction of the leasehold improvements, as provided in said lease agreement, as amended, does hereby disclaim any interest in any leasehold improvements heretofore made or hereafter made on the described real estate by either the said Robert T. Hamilton or said The Bob Hamilton Charitable Golf Foundation, Inc., during the term of said lease and any renewal thereof, provided, however, that notwithstanding the aforesaid, this disclaimer shall be subject to all the terms, provisions and conditions of said written lease dated September 7, 1971, as amended December 26, 1972, and the applicable Indiana law.

Commissioner Schaad moved that the Disclaimer be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: COMMENT ON EASEMENT

County Attorney Stephens said he had talked with Mr. Shrode before, on the possibility of the county requiring an easement across Mr. Hamilton's leased property for the installation of a sewer and he asked Mr. Shrode if he knew of any reason why it couldn't be acquired.

Mr. Shrode said that he didn't but that he hasn't talked with Mr. Hamilton about it. He saw no reason why it couldn't be worked out. He asked for a description to be submitted so that a route could be worked out, so as not to interfere with the greens.

County Attorney Stephens said when he gets the legal description he will contact Mr. Shrode.

Commissioner Ossenberg said they are asking for Revenue Sharing on this and are going to have to do something to get it to Mr. Volpe tomorrow morning, so he would like at least a verbal approval from Bob Hamilton today.

RE: MR. HOTZ

In regard to the sewer, Mr. Hotz said if the Board of Commissioners would approve the construction of this sewer, subject to the availability of funds, so that he could get the specifications prepared, then they could advertise in a few weeks and could get this project started. He said it could be approved on an emergency basis as there is possibly two feet of water and sewage standing on top of the filter bed.

Commissioner Schaad moved that the specifications and plans be prepared, to present to the Commissioners, that by then they should know about the availability of funds.

Mr. Hotz said that in writing up the specifications, Mr. Crooks has informed him that the actual ground is within the city limits and the property is owned by the County. He wondered if Mr. Eifler should help in preparing the specifications.

County Attorney Swain said to let Mr. Nussmeyer prepare the specifications and have Mr. Eifler approve them. Commissioner Willner seconded the motion made by Commissioner Schaad. Do ordered.

RE: COMMENT ON ROLLER NEEDED BY HIGHWAY DEPT.

Commissioner Schaad commented on the roller that Mr. Willard wants for the County Garage. He said that the Council cut his request to \$15,000, which he thought was enough and then cut it to \$10,000, which isn't enough to buy it and he understood there was some equipment at the garage not being used and could trade it in. He thought that a new one could possibly be purchased with a trade in for this amount of money.

Mr. Willard said he would check to see what could be done.

RE: ST. JOSEPH AVENUE BRIDGE

Commissioner Willner said he understood there were some problems on the St. Joseph Avenue bridge.

Mr. Willard said there was a wreck out there and it tore all the bannisters off and there are flags and flashers out there.

RE: TWICKINGHAM DRIVE

Commissioner Ossenberg said that he was told that all the flashers were out on Twickingham Drive and the barricades were in the ditches.

Mr. Willard said that this was Fred Johnson's responsibility but that he could take care of it.

County Attorney Stephens said that there has already been one law suit filed against the county on this.

RE: MR. WILLARD

Mr. Willard said he is having problems with his employees on overtime and he wondered if he could change their classifications. He said there would be no change of money.

The Commissioners agreed that Mr. Willard be allowed to do this.

RE: MR. CROOKS

Mr. Crooks presented a summary of past years fees collected on permits by the County and the City. He submitted this because he was sure the figures would be of much interest at budget time.

Mr. Crooks said that in the past, the former Kissel house had been put up for sale. He asked if there were any bids for the sale of this property. Mr. Volpe said there were no offers for the sale of this property on January 30, 1973, at which time the sale was held. He said that it was previously decided, in this meeting, to get a more realistic appraisal on this real estate and to re-advertise.

Commissioner Ossenberg explained that in the future, he thought the Commissioners intended to work with the County Assessor, who is licensed and also with a Township Assessor who is applicable, even if he isn't in the same Township as the property, to be sold, is located.

Mr. Crooks said that in the manner of licensing <sup>a plumber</sup> an appraiser, the state has pre-empted us on the financing. The State Planning Commission supersedes our local licensing and we need a local registration. He said he didn't know if an ordinance would have to be prepared or not, in order to handle local licensing. He said that he has notified the County Attorney on this matter.

RE: MR. HARNESS

Commissioner Ossenberg said that due to a death in his family, Mr. Harness was unable to attend the meeting today.

RE: EMPLOYMENT CHANGES....PLEASANTVIEW REST HOMEAPPOINTED

|                  |                 |            |              |             |
|------------------|-----------------|------------|--------------|-------------|
| Linda M. Bunch   | R.R. Wadesville | Extra Help | \$350.00 Mo. | Eff: 2/5/73 |
| Jenetta R. Brown | 700 Senate Ave. | Aide       | \$330.00 Mo. | Eff: 2/5/73 |

RELEASED

|                    |                |          |          |              |
|--------------------|----------------|----------|----------|--------------|
| Dixie R. Heineisen | 628 Missouri   | Aide     | \$350.00 | Eff: 1/18/73 |
| Jenetta R. Brown   | 700 Senate Ave | Ex. Help | \$330.00 | Eff: 2/4/73  |

RE: COFRECTION DEED

County Attorney Stephens submitted a corrected deed to be forwarded to Dallas Hughes, on property he had purchased from the county, tax code # 31-42-7. This deed is to be forwarded to Mr. Hughes with a notation for him to have it re-recorded.

RE: APPLICATION APPROVED

Commissioner asked, that since County Attorney Swain is present, if a ruling could be made on the Darmstadt Incorporation this morning, if at all possible.

County Attorney Swain said he would look at the proposal to see if it is now in order.

Commissioner Willner moved to accept the application. Commissioner Schaad seconded the motion. So ordered.

RE: LETTER OF REQUEST

A letter was received from Shirley Jean Cox, the County Clerk, requesting permission to continue conducting her banking business at the Old National Bank. She wrote that they have been very helpful, prompt, and courteous to work with, also that the support checks are printed on this bank.

This matter was referred to Mr. Volpe, in order that he can obtain the signatures of the Board of Finance.

RE: POOR RELIEF

MRS. RUTH CHISM...1220 S. Governor St...Pigeon Township...Mrs. Anslinger, Investigator. She needs help with a hospital bill in the amount of \$2,900.00. She made application in the Trustee's office but was denied help. Her husband is ill and will never be able to work. He draws \$145.00 per month from V.A. pension. This money goes for doctors and medicine. They have a 15 year old daughter at home. Mrs. Chism is employed.

Mrs. Anslinger explained that this case has appeared before the Commissioners previously and Mrs. Chism was asked to apply for A.D.C. from the Welfare Dept. but she has refused to do so.

Mrs. Anslinger said the hospital bill has already been turned over to a collection agency, as there had been no attempt made to pay on it.

Commissioner Willner asked Mrs. Chism why she didn't want to apply for Welfare.

Mr. Chism said she just needed help on the hospital bill and thought by applying for help, her husbands V.A. pension would be affected, also that she is working.

Commissioner Willner said that it wouldn't affect his pension at all, providing her total income would permit her to get help from the Welfare Department. He also said that since Mr. Chism will never be able to work and this is a permanent situation, Mrs. Chism is at the wrong agency, since the Trustee is designed to give assistance where there is no other agency to go to and it is a temporary situation. He said it should be up to the Welfare Dept. to help this family.

County Attorney Stephens agreed with this and suggested that Mrs. Chism check with Mr. Oviatt, to see that if by getting help from Welfare, that her husbands pension would be affected or not.

Mrs. Chism said that she would just file for bankruptcy, as she didn't want to apply for Welfare.

Commissioner Ossenbergh said he thought Mrs. Chism was taking the wrong attitude and he couldn't see her reasoning for not wanting to file for A.D.C. and use part of her salary to pay on the hospital bill.

Commissioner Willner said if the Welfare Department turned her down, he would like to re-hear this case but if she qualifies, it would be his recommendation that Mrs. Anslinger help her file the necessary papers.

Commissioner Ossenbergh said if after every feasible way is looked into and it is found that she is not entitled to anything, he does want to re-hear this case.

Meeting recessed at 11:10 a.m. and reconvened at 11:28 a.m.

RE: MR. TILFORD ...REQUEST 4:00 P.M. CLOSING

Mr. Tilford said the county office holders are in accord that the office closing time go back to the original 4:00 P.M. instead of working until 5:00 P.M., since there is no business after 4:00 P.M. and the longer hours just aren't working.

He said this was set up originally through the action of the Chamber of Commerce, with the idea of cutting personnel, but this didn't happen, as it wasn't practical since each office has people who specialize in individual things, also that many

offices work many hours of overtime during various phases of the year without compensation.

Mr. Tilford said the salaries were actually set up on a 8 to 4 basis, and the county office holders said they would try it, which they have done, for three months, and he can't see that it has been of any value what-so-ever.

Mr. Volpe said that at certain times of the year, various offices are working at all hours, on Saturday's and holiday's. He also has his people working at sub-stations during exemption filing time.

Mr. Tilford said this is the second time this has been tried and it just doesn't work.

Commissioner Willner said that legally, he didn't think the County Commissioners could tell the office holders how to work. He thought all county offices should have the same hours since some offices close at 4:00 p.m. and after this time, the work of the offices that stay open until 5:00 p.m. is hampered immediately.

Commissioner Ossenberg said he wanted time to think about the request, but felt the matter was up to the individual office holder.

Commissioner Ossenberg moved that this matter be taken under advisement. Commissioner Willner seconded the motion. So ordered.

The meeting recessed at 11:40 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u> | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u> | <u>REPORTERS</u> |
|-----------------------------|-----------------------|-------------------------|------------------|
| Thomas Ossenberg            | Lewis F. Volpe        | Thomas Swain            | S. Clark         |
| Robert Schaad               |                       | William Stephens        | G. Clabes        |
| Robert Willner              |                       |                         | A. Jackson       |
|                             |                       |                         | B. Thompson      |

Secretary: Margie Meeks

*Tom Ossenberg*

*Bob Schaad*

*Robert Willner*

BOARD OF COUNTY COMMISSIONERS

00128  
COUNTY COMMISSIONERS MEETING  
FEBRUARY 13, 1973

The regular meeting of the County Commissioners was held on Tuesday, February 13, 1973, at 7:00 p.m. with President Ossenberg presiding.

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

RE: LETTER FROM ALCOHOLIC HELP INC.

A letter was received by the Commissioners, from Mr. Harold I. Segall, Administrator of the Alcoholic Recovery Center, as follows:

Dear Sir:

A recent article in the Press in regard to fishing on the lake at Boehne Camp has caused us quite a problem. I understood that all fishing would be by permit and that the fisherman must register with Mr. Oliver Lawson who lives in the former engineer's house on the Boehne property. Apparently the article failed to mention the controls and we are having problems with the people who want to fish the lake.

Would the Commissioners please inform the public of the rules and regulations?

Commissioner Ossenberg said he called Gene Clabes of the Evansville Press and told him that the permit would be applied for at the Commissioner's office for fishing, with the understanding that children would have to be accompanied by an adult and at that time he wasn't sure who would be liable. He said this thing has gotten so out of hand, so he asked the Commissioners to rescind for the present time, until this fishing out there can be controlled. He said he didn't think the county had the kind of insurance to let all these people go out there.

Commissioner Willner said he was a little hesitant to stop all fishing out there as it is a beautiful place and he would like to see the general public use it. He would also like for it to be taken care of and would be in favor of the County Attorney's drawing up a fishing license with the rules on the back of it and have them issued through the Commissioners office.

Commissioner Schaad said that with all the calls they have had, he thought there would be too many fisherman and wondered how anyone could be denied a permit. He said this all started with the article in the newspaper, which was erroneous.

County Attorney Stephens said the county does have liability and it can be increased by allowing too many people to go out there on a given day, unless they limit the number of people per day. There is also a problem of litter.

Mr. Hotz said another problem is in policing the area, to see if the people have permits. He said he doesn't have the personnel and neither does the Alcoholic Recovery Center.

Commissioner Schaad said he thought all fishing should be discontinued for the time being, unless something can be worked out and in the meantime, maybe they could draw up a set of rules for the possibility of fishing at a later date.

Commissioner Schaad moved that all fishing by the public, at Boehne Lake be discontinued for the time being. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM CLERK OF THE CIRCUIT COURT

The following letter was received by the Commissioners, from Shirley Jean Cox, the County Clerk:

Dear Sirs:

It has been brought to my attention by Mr. Mutt Knight, who has served as one of the Head Voting Machine Mechanics for the past several years, that our Voting Machines in Vanderburgh County are in need of servicing.

During the past year, it was noted that the casters, worm gears, and cranks of the machines were not in good working condition, making the machines very difficult to move, position and get into readiness for voting.

I understand from talking to Mr. Knight that these machines have not been serviced for some time as to the above cited needs. This takes approximately seven (7) to eight (8) weeks for two men to accomplish this work.

Since this is an off election year it does seem the ideal time to consider this so that the machines can be ready for use in 1974.

I do not believe that this comes under the jurisdiction of the County Election Board but is a consideration for the Commissioners to discuss.

Mr. Volpe said he didn't know if there was a budgetary item for the repair of voting machines, or not, since this is not an election year.

Commissioner Schaad said an off election year would be a good time to do it and if it isn't in the budget, they will have to go before the council for the money.

Commissioner Willner suggested this matter be deferred for a week to give the mechanic time to give an estimate on the cost of repairs needed.

Commissioner Schaad said that the mechanic couldn't give a close estimate until he got into the machines.

Commissioner Schaad moved that this matter be deferred for one week. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM THE AREA PLAN COMMISSION

The following letter was submitted to the Commissioners from E.K. Marlin, Executive Director of the Area Plan Commission, By Mr. Harold Taylor of the Redevelopment Commission:

Dear Sir:

There has been a complaint filed with this office on a reported violation of Section 1137.31 of the Municipal Code of Evansville, Indiana, 1962, which Section does not permit anything to be maintained on the premises of any zoned property that would in any way constitute an eyesore or nuisance to adjacent property owners or residents or the community.

An inspection of your property at 1925 S. Elliott on January 13, 1973 revealed the presence of debris which in the opinion of the inspector constituted an eyesore or nuisance and a violation of the Municipal Code.

Unless this violation ceases within ten (10) days of the date of this letter, it will be necessary for us to refer this matter for legal action.

Upon conviction of the above violation you are subject to a fine of not less than ten (10) dollars and not more than three hundred (300) dollars. Each day that a violation is permitted to exist shall constitute a separate offense.

If there are any questions concerning this matter, please contact this office.

Commissioner Schaad moved that this matter be referred to Mr. Crooks for an investigation.

Mr. Hotz said this is more or less a private dump out there and about every two months the County Garage cleans it up and in a few weeks it is filled with junk again.

Commissioner Schaad suggested placing a sign of "no dumping".

Mr. Hotz said they will clean it up again but something should be done about it.

County Attorney Swain suggested giving it to the Redevelopment Commission.

Commissioner Ossenbergh asked Mr. Hotz to please clean it up and in the meantime he will contact Area Plan and the Redevelopment Commission.

Commissioner Willner said that if they find out who is dumping in this location, the Commissioners should be notified.

Commissioner Ossenbergh said he thought it also the responsibility of the Redevelopment Commission to find out some of these things also.

RE: LETTER FROM SOIL & WATER CONSERVATION DISTRICT

The following letter was received from Mr. Leland Schnepfer, Chairman of the Vanderburgh County Soil & Water Conservation District:

Dear Mr. Ossenberg:

I understand that our District Conservationist, Tom Pugh, has recently explained the organizational set-up of the Four Rivers Resource Conservation and Development Executive Council to your Board.

This project has been co-sponsored by the nine Soil and Water Conservation Districts and the nine boards of County Commissioners.

The Executive Council is made up of one District board member from each district and one member of each board of County Commissioners or their designated representative and one other appointee to be selected by the District Board as an alternate delegate to the Council. Therefore, our board is asking you to designate a member of your board as a delegate to this Executive Council.

We are hopeful that you can make this appointment prior to February 21 in order that your delegate may attend the monthly Executive Council meeting at Oakland City College at 7 P.M. on that evening. This will probably be one of the most important meetings thus far in the project development as each county is to present their first request for project measures within their counties.

The project measure which we are proposing includes extensive sediment and flood control on the Dress Regional Airport land, the Penn Central Railroad and Sunset Memorial Park. We have already received letters of requests from the Airport Authority and Sunset Memorial Park.

If you have any further questions please call me at home over the week-end at 476-3879 - my home address is 4200 N. Green River Rd. We believe the project from this point on will merit the time and attendance of your representative.

The Executive Council meets regularly on the third Wednesday of alternate months.

Commissioner Schaad moved to appoint Mr. Gilbert Betulius as delegate to the Four Rivers Project on the Executive Council in representing the County Commissioners for the Soil Conservation Department. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTSSHERIFF'S DEPARTMENT

|                    |                  |                 |             |             |
|--------------------|------------------|-----------------|-------------|-------------|
| William E. Roberts | 2262 E. Franklin | Prob. Policeman | \$7,800 Yr. | Eff: 2/1/73 |
| Soney Banks        | 437 S. Grand     | Sergeant        | \$10,696.40 | Eff: 2/1/73 |

COUNTY SURVEYORS OFFICE

|              |                    |            |            |              |
|--------------|--------------------|------------|------------|--------------|
| Daniel Kares | 6220 Mesker Pk.Dr. | 2nd Deputy | \$9,320.00 | Eff: 1/30/73 |
|--------------|--------------------|------------|------------|--------------|

COUNTY ASSESSORS OFFICE

|               |                    |       |            |              |
|---------------|--------------------|-------|------------|--------------|
| Dorothy Lietz | 832 S.E. Riverside | Clerk | \$4,800.00 | Eff: 2/16/73 |
|---------------|--------------------|-------|------------|--------------|

RE: EMPLOYMENT CHANGES...RELEASESSHERIFF'S OFFICE

|              |              |                    |             |              |
|--------------|--------------|--------------------|-------------|--------------|
| Floyd Kassel | 1600 Uhlhorn | Sgt. Co. Policeman | \$10,696.40 | Eff: 1/31/73 |
| Soney Banks  | 437 S. Grand | Co. Policeman      | \$8,587.50  | Eff: 1/31/73 |

COUNTY SURVEYORS OFFICE

|           |                         |            |            |             |
|-----------|-------------------------|------------|------------|-------------|
| Roy Kurtz | 1012 S. Lincoln Pk. Dr. | 1st Deputy | \$9,320.00 | Eff: 2/1/73 |
|-----------|-------------------------|------------|------------|-------------|

RE: LETTER FROM CHIEF HOUSING INSPECTOR

A copy of a letter that was sent to Mary Fisher on Red Bank Road, from Mr. Harold Taylor, the Chief Housing Inspector, was present to the Commissioners. It read as follows:

Order No. 73-9  
 Subject: (House) - (Sheds)-Pt S 1/2 W 1/2  
 W 1/2 SE 34-6-11-1A  
 Also known as 2408 S. Red Bank Road

Dear Sir and/or Madam:

It has come to my attention that the building or buildings located on, and commonly known as, the property described above has become dangerous, insecure, and unsafe for human habitation and the safety of the public is endangered.

It is the recommendation of this office that the building or buildings be razed and removed.

A list of the defects found in this property are on file at my office in Room 310 City-County Administration Building.

If you so desire, an appointment can be made to review this case, in the field or at our office, by calling me at 426-5462.

Failure to take out a wrecking permit (which may be obtained in the City Building Commissioners Office, Room 310, City-County Building) to raze the building or buildings, or to contact this office within ten (10) days of receipt of this letter may result in an order being issued condemning the building or buildings and directing you to demolish and remove same at once.

Commissioner Willner moved that this matter be received and filed, and be referred to Mr. Crooks on advice of the legal department. Commissioner Schaad seconded the motion. So ordered.

RE: MONTHLY REPORT OF THE PLEASANTVIEW REST HOME

The Monthly report of the Pleasantview Rest Home was submitted to the Commissioners for the month of January. Commissioner Schaad moved that this report be received and filed. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORT OF THE COUNTY TREASURER

The monthly report of the County Treasurer was submitted to the Commissioners for the month of January. Commissioner Willner moved that this report be received and filed. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIM

A claim was presented from Sandleben Plumbing & Heating for services rendered on the Central Services Facility at Burdette Park in the amount of \$3,467.39. This was approved by the architect, Robert Gerst and the money was appropriated for this work.

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

RE: REPORT ON TRAFFIC PROPOSALS

Mr. Ed Haynes of the Area Plan Commission, presented the following three traffic reports for review:

BOEHNE CAMP ROAD (Speed Study)

The Council of Governments performed a comprehensive speed study on the corridor of Boehne Camp Road between Hogue Road and Upper Mt. Vernon Road. Vehicles on Boehne Camp Road are traveling at an 85 percentile speed of 40.2 miles per hour, and an average speed of 32.7. The pavement width of this 3300' corridor averages 18'2", with little or no shoulders. The condition of the pavement is very poor with many cracks and holes. The line of sight is definitely too poor to warrant the present 35 miles per hour speed limit with a combination of hills and curves.

The Council of Governments Staff recommends the following improvements to improve traffic flow and most important of all safety conditions on Boehne Camp Road.

- (1) A 35 mile per hour speed limit on the first 1800' north of Hogue Road.
- (2) A 20 mile per hour speed limit, hospital zone signs and curve signs along the remaining 1500' of Boehne Camp Road.

County Attorney Stephens said that he would like for this matter to be taken under advisement and he will prepare the necessary resolution to present to the Commissioners for adoption. So ordered.

Commissioner Schaad wondered if a rumble strip could be placed out there to slow down the traffic.

Commissioner Ossenbergh said that he has talked to Mr. Lockmuller about this, as the road is narrow and there is a bad curve out there.

### RED BANK ROAD (Speed Study)

Vehicles on the Red Bank Road corridor between SR 62 and Hogue Road are presently traveling at an 85 percentile speed of 41.5 miles per hour, and an average speed of 36.1 miles per hour. The first 400' of Red Bank Road, north of SR 62 is in very poor condition, with soft shoulders. The pavement width in this 400' span is approximately 17'8". The remainder of the 2,300' of pavement is in excellent condition with a width of 18'9". However, the shoulders are in poor condition, either being too soft and narrow or there not being any shoulder.

There were no reported accidents on this corridor in the year 1972. The line of sight on this 2700' of corridor is sufficient for the existing speed. Therefore, the Council of Governments Staff recommends the first 400' of Red Bank Road be improved and the speed remain at its present 35 miles per hour.

Commissioner Willner moved that Red Bank Road be placed on the Improved Road List for the coming summer. Commissioner Schaad seconded the motion. So ordered.

### INTERSECTION OF POLLACK AND FUQUAY ROADS (Physical Feature Survey)

Mr. Haynes said that this study was made to determine if improvements could be made to reduce the number of accidents.

Volume counts for each approach on Pollack Avenue and Fuquay Road were conducted for 24 hours.

An accident inventory and collision diagram was prepared for Pollack Avenue and Fuquay Road intersection for a period of two years, 1971 and 1972.

A physical features inventory was conducted for the Pollack Avenue and Fuquay Road intersection.

Pollack Avenue is preferential to Fuquay Road. During the A.M. peak hour Pollack Avenue has 318 vehicles and Fuquay Road has 39 vehicles. In the P.M. peak hour Pollack Avenue has 327 vehicles to 49 vehicles for Fuquay Road.

In 1971 two accidents occurred at this intersection. Sight distance was the major cause of these accidents.

In 1972 five accidents occurred at this intersection, with drivers error being the major cause of two of the accidents and sight distance being the major cause of three of the accidents.

Presently the turning radius for this intersection is quite restricted causing vehicles to turn into oncoming traffic.

The Area Plan Commission Staff feels that the following recommendations implemented immediately at this intersection would help reduce accidents:

1. Dangerous intersection ahead signs installed on the east and west approaches of Pollack Avenue.
2. Painting a stop bar on the south approach of Fuquay Road.
3. Enforcement of existing 30 m.p.h. speed limit for west bound drivers east of this intersection of Pollack Avenue.

The Area Plan Commission Staff also recommends that a sufficient number of trees be moved from the north side of Pollack Avenue east of Fuquay Road to improve the sight distance for Fuquay drivers and the shoulders be widened at this intersection to improve the turning movements.

These two recommendations when implemented will eliminate the majority of accidents at this intersection.

A three-way stop sign is totally unwarranted at this intersection and the installation of a three-way stop sign would not decrease the accidents but increase them.

Mr. Haynes said that approximately six trees have been removed at this location, to help relieve the situation.

Commissioner Schaad moved that this matter be referred to Mr. Judd. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM MR. ROBERT P. REYNOLDS...RIVERVIEW ROAD

The Commissioners received the following letter from Robert P. Reynolds, Indiana Legislative Representative:

Gentlemen:

As Legislative Representative of the Brotherhood of Locomotive Engineers, representing the engineers on the Louisville and Nashville Railroad Company, I wish to protest the almost impassible condition of Riverview Road in Vanderburgh County.

This road is used by almost everyone working in Howell Terminal going to and from work, at the present condition of the road is such that some employees have incurred damage to their automobiles when driving on this road.

We feel that the Commissioners should make an investigation of the road, as an emergency condition exists. We further request that the Riverview Road be paved and maintained for future use.

Commissioner Ossenberg said this is a 50-50 project, with the City and the County, and as President of this Board, he wrote to the Works Board and said that the County was ready to proceed. He said that so far he has heard nothing further in regard to what the City intends to do, and he doesn't intend to move without them.

Commissioner Schaad moved to place this matter on next week's agenda and to invite Mr. Hank Sauer of the Works Board, to attend this meeting. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIMS AND LETTER FROM BURKERT-WALTON INC.

The following letter was presented to the Commissioners from William Heierman of Burkert-Walton Inc:

Gentlemen:

Enclosed are some duplicate invoices and claim forms for material printed and delivered in 1972. We would appreciate payment of these.

We understand there has been some question about the pricing but they are billed according to the accepted contract. There has been occasions when we lost a great amount of money but we had to price according to the contract.

We honored the contract, therefore, we expect you to do the same. The amount of the claim is \$1,350.00.

Mr. Volpe said that these claims aren't going to be paid, that under the original way the county was purchasing, made it very simple for monopolistic bidding. He said that Burkert-Walton always bid on one thing, alone, and someone else would always bid on another thing, alone, and this was the law that he tried to get out from under.

Mr. Volpe said that under that system, the bid had to be accepted in December and there was always only one bid and no provision for not accepting the bid was made and this particular item went up 938% in the year, in which they were only allowed to go up 5.5% according to the Federal Law. He said if the Internal Revenue Service tells him that he can pay the claim, he will, but if they do not, he won't pay it.

He said that he will be happy to take these bills to Internal Revenue.

County Attorney Stephens said this is what he would suggest, in order to see if Burkert-Walton was in violation of the Price Control Act, because if they were, it may affect the validity of the contract, altogether.

Commissioner Willner moved that Mr. Volpe be instructed to check these bills with Internal Revenue Bureau and ask them to furnish the Commissioners with an answer at their earliest convenience. Commissioner Schaad seconded the motion. So ordered.

RE: CUTS-IN

The following cuts-in were presented for the approval of the Commissioners:

The Waterworks Co. requested permission to cut into 1617 Allens Lane to install water service.

Indiana Bell Telephone Co. requested permission to cut into Old Boonville Hwy. to bury a telephone cable.

So. Ind. Gas & Electric Co. requested permission to cut into Wortman Road to provide continuous gas service to customers on Wortman Road and Old State Road during the bridge construction at the new L & N Railroad track crossing.

So. Ind. Gas & Electric Co. requested permission to cut into right of way on Saratoga Dr., Hunter Trace, and Cross Bow to provide gas service to 52 lots in Valley Downs Sub Center Section.

Commissioner Willner moved, on recommendation of Mr. Ludwig, that these cuts-in be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: MR. LUDWIG

Mr. Ludwig of the County Surveyors office presented a copy of the preliminary estimates on projects that they will be working on in the next two months, for the Commissioners to study. He said that most of the preliminary work is completed and they are ready to go with Eagle Slough, that the plans are drawn up and it could be under contract in the next month. He said that several of these projects need the Commissioners approval, and that he will have the architectural drawings for the Commissioners, next week.

RE: COMMENTS ON EASEMENT AT GOLF COURSE

Mr. Ludwig said that he has the legal description for the easement but that he has a problem on it. He presented a plan of the proposed sanitary sewer and said that the county is planning to run the line from Pleasantview Rest Home to a main sewer line which runs near U.S. 41, but he said that Mr. Hamilton wants the line run from his club house to the city sewer and since he is leasing the property, he expects the county to pay for it.

Mr. Hotz said the Hamilton sewer would run about 1,000 feet.

The County Attorney said, in his opinion, the county could not pay for such a sewer and no one could estimate the cost, also a tap-in fee would be required to hook into the main line.

Mr. Harness said the county sewer from the Pleasantview Rest Home is estimated to cost about \$30,000. He said that he has requested Federal Revenue Sharing money to finance the construction. He also said the county is to receive a free tap-in.

Mr. Ludwig said that he would get the legal description for the County Attorney.

RE: OAK GROVE ROAD PROJECT

Commissioner Ossenberg said there were several people at the meeting who are in support of the Oak Grove Road Project from Green River Road to Boonville Highway.

Mr. Ludwig said they have a cut-in from Oak Grove Road to Hwy. 62 which is on plan now and to go from Oak Grove Road to Green River Road will have to be taken under consideration.

Commissioner Ossenberg said he realized this but that there are people here that want to be heard now, on this project, because it is important to them.

Mr. Norman Wagner, representing the Evansville Industrial Foundation, said they had some 40 acres of ground on Oak Grove Road and have invested in sewer and water and have sold some of the property to the Colonial Baking Co., to Niehaus Equipment, Kight Lumber Co. and have one more possibility, and the access to remaining property will be down Oak Grove Road and they would like to have improvements made so access can be made and it can be marked for out-of-town people. He said the Evansville Industrial Foundation is also developing an Industrial Park out on Bergdolt Road and that is in about the same condition as Oak Grove Road is, and would also like it to be considered also.

A representative from So. Ind. Gas & Electric Co. said that they are moving and consolidating their store yard facilities on 27 acres of property on Bergdolt Road and they hardly have access to the property because of the condition of Bergdolt Road, east of Peters Road.

Mr. Koch said he has been out on Bergdolt Road and it is one chuck hole after another and he thought that everything that could be done, should be, and that the road should also be widened where it goes into Peters Road, so that tractors and trailers can get in there without dropping off the curb.

Mr. Oakley said he would like to start construction in the area of Oak Grove Road and Green River Road on approximately May 15 and said that Oak Grove Road is in bad need of repair and that the drainage is terrible.

Mr. Niehaus of Industrial Sales, said they are contemplating construction in the Oak Grove Industrial Park immediately and would like to see this road repaired.

Commissioner Ossenberg said that he felt it was important to get this work done because it behooves us to certainly encourage industry to move into these Industrial Parks and to work along with the Industrial Foundation.

Commissioner Schaad said that the Area Plan is supposed to be making on this area and said it was just a matter of getting together to get this thing worked out.

Commissioner Ossenberg said he would get in touch with Mr. Nussmeyer and talk with Mr. Eifler. He told the gentlemen that they would certainly have his support and he thanked them for coming.

RE: MR. HOTZ

Mr. Hotz said that he needs permission from the Commissioners for the Highway Department to deliver possibly 3 or 4 loads of rock to the Washington Home, to make a small parking area. He said he would pay for the rock. Commissioner Willner moved that permission be granted. Commissioner Schaad seconded the motion. So ordered.

RE: MR. CROOKS

Mr. Crooks said he had a complaint on a house on S. Red Bank Road. He has to confirm the report, and he recommended condemnation, as he thought this house to be beyond repair. He said that the house is owned by Mary Fischer who is deceased, and the son is occupying the house. It is apparently still in the name of Mrs. Fischer and her son.

Mr. Crooks said he offered the man 60 days to make a legitimate proposal as to what he will do and Mr. Crooks said that if this isn't done, he will then recommend demolition.

Commissioner Willner said the man may not be able to get clear title in 60 days and he doesn't want to put any undue hardship on him until he owns the property.

Mr. Crooks said he will write the gentleman a letter and tell him to clear up the title and ask him to report to the Commissioners within 90 days, as to what the status is. This was agreeable with the Commissioners.

Mr. Crooks submitted his report for the month of January.

Mr. Crooks said that the Administration Building Council convened in a special session on February 6, 1973, and took positive actions in a number of areas affecting the construction industry throughout the state. In response to strong public sentiment, the Council took initial steps to promulgate special provisions for life safety in high rise buildings, to become effective upon completion of the promulgation process.

After further explanation of this, Mr. Crooks said that he has an appointment with Don Cox to update the city code and would like to see the county codes updated.

Commissioner Willner asked Mr. Crooks to give the Commissioners a copy of the difference between the codes.

Commissioner Schaad said there should be a list made of what capital equipment the county had when the departments merged.

Mr. Crooks said there should be a list of both the city and the county.

Commissioner Schaad moved to get a list of capital equipment on file of the city and county, to file in the Commissioners office. Commissioner Willner seconded the motion. So ordered.

RE: MR. WILLARD

Mr. Willard submitted a list of roads that need resurfacing, as well as an absentee list for the County Highway Department. He also presented a list of bridges in Vanderburgh County and his work summary for the month of January.

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Mr. Willard said he has been talking to someone in Indianapolis about the bridge at the Penn Central Railroad and he said as soon as they could they would give the County the Right of Way that they need. He said he told them he thought they would need about 300 feet.

Mr. Ludwig said he received a letter from them saying they are going to abandon the track.

Commissioner Willner wondered if the county could get title to this Right of Way for future use.

County Attorney Stephens said it might go back to the joint property owners.

County Attorney Stephens asked Mr. Ludwig to get a letter to indicate what Penn Central plans to do and he will take it up with the Railroad attorney.

RE: COMMENTS ON CLOSING TIME

Mr. Volpe said that Mr. Tilford wasn't able to be here this evening and he had requested, last week, that the Commissioners consider that the county offices go back to the 8 a.m. to 4 p.m. schedule. He had asked Mr. Volpe to remind the Commissioners of this.

Commissioner Ossenberg said that in checking with the County Attorney, he found that the Commissioners really have no authority to say whether each individual office can close at 4 p.m. or 5 p.m. and this wasn't mandatory, it was a request and as far as this body is concerned, it is up to each individual office holder as to what they want to do.

Commissioner Willner asked if the Commissioners had the right to say that the county employees will work a 40 hour work week or not.

County Attorney Swain said that all they could say is that the Court House will be open from 8 a.m. until 5 p.m.

Commissioner Ossenberg said that the County Commissioners office will be open until 5 p.m.

RE: PURCHASING

Mr. Angermeier said that in conjunction with what has been said on purchasing, he maintained and had checked with the State Board of Accounts and found that the budget of each office holder is charged with his responsibility and the expenditure is such, that it is his responsibility also. He said that a few weeks ago, his Chief Deputy took into the Purchasing Department, a purchase order for a subscription to the Wall Street Journal and it was questioned by Mr. Cravens. He didn't think it the prerogative of Mr. Cravens to question his request on anything that he needs for his office.

He also said that on January 23, he put in a request for supplies and he hasn't received them yet. They called his office and said they can't find the requisition, so it is lost and he needs the supplies immediately. He said that prior to this, he has had no problems with his suppliers in previous years. He said they haven't been able to find out the cost of anything and he maintained that it is the office holders responsibility to know what they have in the budget to spend for the supplies.

Mr. Angermeier said that he is perfectly willing to submit to the purchasing department, a 6 months supply or whatever is needed and let him bid it from there and if this is going to be the structure of this department, fine, but until they get a bidding contract from the best bidder, he refuses to believe that they are saving money in any degree.

He said he didn't think it was any business of the purchasing agent what he has left in his budget, as this is his responsibility and he is keeping track of the money he spends and he isn't going to submit this to the purchasing agent until the State Board of Accounts requires that he do this, that he has checked with them and they say it is not necessary.

He said that when he needs supplies, he needs them now, and can't wait on them for a month or two, and if this is the case, he will order six months supply at a time.

Commissioner Willner inquired as to the legality of the individual officeholders purchasing on their own.

Mr. Volpe said he thought that each officeholder could be appointed as a Deputy Purchasing Agent for his own office. He said that a Judge is ready to start purchasing right now, by court order, because he can't get his supplies fast enough and he can also buy it at less cost. He thought that all the Judges will be on this in 6 months. He believed the Sheriff's Department is just as important to the people as the Judges and they are having trouble. He said that the Center Township Assessor is having trouble, and Bob Westerbarger of the Knight Township Assessor's office is having trouble and they had a bad case with an electric typewriter. The Purchasing Agent told him it was impossible to buy an electric typewriter for \$300.00 and one of the girls went out and bought it for \$298.00.

Mr. Volpe said that buying under this second class city law is very good because of the fact that it is possible to choose item by item. He said the savings result from going from one state law to another state law without any reference to who was the purchasing agent. It just breaks up a monopoly situation and this resulted in a tax saving, not the personality of the purchasing agent. He said that the Purchasing Agent has been telling him what he can buy and one day Mr. Cravens and several of the Auditor's employees spent a whole hour arguing about the color of a ledger sheet, and a lot of time was wasted because of this.

He said in purchasing, the county is much different than the city, because in the county there is stupendous deadlines to meet and the supplies are needed right away. He said the first thing that should be done is for the officeholders to sit down with the Purchasing Agent and resolve their differences.

Mr. Volpe proposed that each officeholder be named a Deputy Purchasing Agent for his own department and be given the authority to make purchases if they can get better service.

County Attorney Stephens said there is nothing in the contract that says that everything purchased by the County has to be purchased by the purchasing officer, and as a matter of fact, it is impractical.

He said it seems to him that what is being talked about is the lack of cooperation of the Purchasing Department, with the County office holders, and the suggestion of Mr. Volpe might get right to the source of the problem. He also said that the purchasing agent has no prerogative about the type of supplies used, that his department is to buy the supplies needed at the best possible price, and it is impractical for him to buy everything.

County Attorney Swain said he personally has had some difficulty with the Purchasing Department in trying to subscribe to the Wall Street Journal. He said if this is an example of how consolidation is going to work, then we would be fools to have consolidation.

Commissioner Ossenberg said "Amen" to this.

County Attorney Swain said that Mr. Cravens is hard to deal with and it doesn't seem to him that the city has done anything to come to the aid of the county, or tried to make this work.

Mr. Volpe said they have done one thing and that is that they have increased the department 100%.

Commissioner Ossenberg said that while everything was signed in total agreement by all concerned, he really didn't think that the purchasing department was properly planned before it was put into effect.

Mr. Richard Berg, Mr. Craven's assistant, said that the new department has not had enough time to prove itself. He said he is fairly new with the department and he knew that he had a lot to learn and is working under some hardships. He said that he can't speak for Mr. Cravens, but that he will go along with holding a meeting with the officeholders. He said that the Purchasing Department is doing their best to co-operate and are trying to save money but that this takes time.

County Attorney Stephens said he would be glad to sit in on the meeting, he thought it just a matter of sitting down and trying to resolve the problems. He said it should also be considered that the system has only been in effect for 30 days and that the ground rules probably weren't worked out well enough in advance.

He also said that the idea of Mr. Volpe's, in having a deputy purchasing agent, might be a good idea as a liaison between the purchasing agent and each department.

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Mr. Angermeier thought the orders should be taken in the individual offices, as this would save time.

A meeting on purchasing was set for 10 a.m. tomorrow morning and the Purchasing Department and all County Officeholders will be notified of this meeting.

RE: CORRECTION

Commissioner Willner moved that the previous minutes be amended in that on page 5, where it reads that Mr. Crooks said that in the matter of licensing an appraiser, the state has pre-empted us on the financing, should read, licensing a plumber, rather than an appraiser. Commissioner Schaad seconded the motion. So ordered.

RE: MR. KOCH'S REPORT

Copy of Sheriff report on accident on Penn Central wood bridge on St. Joseph Avenue, Friday, February 2, 1973, Time - 11:55 p.m. Two cars hit bridge wood side rails. Injuries involved.

This accident knocked down some 40 feet of wood side rail, on east side of bridge, all sections broken even with wood floor leaving a gap with a 40 foot drop on to the R.R. rails.

This being a one car passage bridge with but one lane. Steel flashers were placed along the east side. All too often these flashers do not operate as they should. The usual large wood "warning signs" were not placed on either end of the bridge to give drivers ample warning. Under certain conditions flares afford better protection in such cases.

As the writer sees the situation it presents an unusually high hazard on Bergdolt Road and regardless of the fact that the Penn Central is responsible there remains a moral responsibility to give Vanderburgh County motorists ample advance warning in such cases. The impact was so great that a section of the south part of the east bank of the road is badly cracked for some distance. Such advance protection has always been put in use in former cases. A trip to the scene would verify what the writer mentions.

"Stop the spillage" Front page of American Motorist magazine of our local Auto Club of So. Ind. The picture presents a reality. The writer has mentioned the idea of placing canvas covers over our trucks that haul debris to avoid scattering over the area. Several letters to the editor have made mention of this. It would do much to keep our county beautiful at a small cost. The ladies of the county are vitally interested in such action being taken.

Drainage problem on Martin Road east of Boonville-New Harmony Road near 4-H club. Home of Mr. Clarence R. Bredhold, Home on a knoll, Black top drive with heavy slope. Road built to county Martin Road edge. No culvert installed. Result ice on the road in winter weather and ditch to the north filled and overflows onto the road. Home build approximately 4 years ago. Another case where advance information should have been given as to culvert size and length, At time of home building and road being built. There dozens of such cases in the county. Some doing heavy damage to road shoulders by water accumulated.

Clogged culvert on Broadway and Reuter Road in Perry Township. This problem an aftermath of Curtis Construction Co. building the carpenter creek sewer, which ran along Broadway. Two homes in area yards flooded. Lawns water logged. Damage to both Broadway and Reuter Road. At last meeting matter referred to City Eng. Dept. They too unable to get action. 2 sections of 12 inch corrugated pipe put on side about a week ago, but no effort made by the firm to place same in ditch. Dec. 8 first note on this and to this day of February 13, 1973, water remains and with rains more damage to home owners yards and county roads. What steps can be taken to get action. Neighbors patience is about exhausted.

Mr. John A. Koch, Road Inspector

Meeting recessed at 9:40 p.m.

PRESENT

COUNTY COMMISSIONERS

Thomas Ossenberg  
Robert Schaad  
Robert Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEYS

Thomas Swain  
William Stephens

REPORTERS

B. Thompson  
C. Leach G. Clabes

Secretary - Margie Meeks

*Tom Ossenberg*  
*Robert Schaad*  
*Robert Willner*  
\_\_\_\_\_  
BOARD OF COUNTY COMMISSIONERS

February 14, 1973  
10:00 a.m.

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### MEETING ON PURCHASING

Mr. John Gaither, the City Controller and Mr. Lewis Volpe, the County Auditor, met with the County Officeholders, to discuss the procedure on purchasing.

Mr. Gaither said there are approximately 35 various county departments and approximately 37 city departments, also that the county issues approximately 2000 purchase orders a year and the city issues approximately 5000 purchase orders a year. He said that from what he had learned from Mr. Volpe, the total disbursements by the county will run approximately \$1,000,000.00 for the year, while that by the city will run approximately \$1,500,000.00.

Mr. Richard Burek will serve as the buyer and will be the contact with those of the various departments who are designated to have a liason with the purchasing department. He will also assist Mr. Cravens, who was designated as the Purchasing Agent.

Mr. Gaither said there has been some question about the need for the white slip that has been attached to the purchase order, which he called an encumbrance schedule, which has apparently created some delay in the processing of the purchase orders. He said this has been a very necessary item for the city, but in discussing the matter with Mr. Volpe this morning, he didn't feel that it is necessary that the county follow this procedure, so it was decided that the white slip be eliminated.

Mr. Gaither said that he and Mr. Volpe will work out the statement form that can be submitted to the purchasing department. He also said that the policy of the purchasing department will be to patronize suppliers with due consideration given to price, quality and service, and that by being able to match quantities for the city and county and obtaining large quantities, much better discounts are obtained. He said that he recognized that emergencies do occur from time to time and they can be handled on a confirming order basis. All County Officeholders will be supplied with a copy of the catalogues of the requisition lists so that they can order directly from the requisition for the type of supplies needed.

As soon as the policy statement is revised, it will then be issued to the County Officeholders, for their revue and for their suggestions and recommendations.

Mr. Volpe said that Mr. Gaither has agreed to give the Auditor one copy of every contract for tires, tubes, gasoline, etc. that concerns the county and he will then be able to check the prices, as it is his duty, under the law.

Mr. Gaither said he felt that 24 hours is not a realistic period of time to process a purchase order, that it should normally be issued in three working days but will take longer if correspondence is necessary or to obtain new supplies.

Mr. Volpe stated that the following was agreed upon:

- 1.) He and Mr. Gaither will try to put something in writing which will not go into effect until the officeholders agree to it.
- 2.) Write purchase orders only for all tangible items that were written for last year. Not on non-tangible items, not on special forms, with certain companies such as Xerox, N.C.R. etc.
- 3.) Eliminate the white slip.
- 4.) The Sheriff's Department and the County Highway, and other departments will purchase their own small repair items for cars and trucks. This will be resolved at the end of the month.
- 5.) The food, clothing, prescriptions, etc. for the Welfare Department and Pleasantview Rest Home will be purchased on open market, but all requisitions for normal items will go through the Purchasing Department. Any blue claims not on purchase order to be sent to the Auditor's office.
- 6.) Instead of saying that the Purchasing Department would have to order within 24 hours, it should be said to the effect, that the ordering should be made expeditiously within the time required to meet a particular deadline and to please check with the purchasing department on this.

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COUNTY COMMISSIONERS MEETING  
FEBRUARY 20, 1973

The regular meeting of the County Commissioners was held on Tuesday, February 20, 1973, at 9:30 a.m. with President Ossenberg presiding.

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

RE: RIVERVIEW ROAD

A letter was received last week, from a Legislative Representative of the Brotherhood of Locomotive Engineer's, representing the engineer's on the Louisville and Nashville Railroad Company, protesting the almost impassible condition of Riverview Road in Vanderburgh County. This road is used by almost everyone working in Howell Terminal, going to and from work. The present condition of the road is such that some employees have incurred damage to their automobiles.

Commissioner Ossenberg said he understood this to be a 50-50 venture between the city and the county. This matter was placed on this week's agenda and Hank Sauer of the Board of Public Works was invited to attend this meeting.

Commissioner Ossenberg said the county is ready to move on this providing that Joe Clark has the authority from the Board of Public Works to move on it, on behalf of the city, with the county.

Mr. Willard said it would cost approximately \$900.00 apiece, if re-surfaced.

Commissioner Schaad suggested that if it is too early to re-surface the road now, to at least repair the holes on a temporary basis and later resurface it, as this road needs immediate attention.

Mr. Hank Sauer said he will see that Mr. Clark gets in touch with Mr. Willard in order to proceed. Speaking for the Works Board, he agreed to work with the county in patching the holes on Riverview Road.

RE: LETTER TO INSURE PAYMENT

The following letter was prepared for the Commissioners to sign and addressed to Robert S. Leech, Chief of the Housing and School Section, Division of Sanitary Engineering of the Indiana State Board of Health:

Dear Mr. Leech:

At the request of Mr. Will Fosse of Condict & Fosse, we are forwarding to you, by this letter, the information that each of the County Commissioners will sign the vouchers for the periodic payments for the construction of the Evansville Retarded Children's Center located on Virginia Street in Evansville, Indiana. The Board is composed of Thomas L. Ossenberg, President; Bob Schaad, Vice-President and Robert L. Willner, Member.

The signatures attached to this letter are the signatures of the Board of County Commissioners of Vanderburgh County of Indiana.

This letter was approved and signed by the Commissioners.

RE: CLAIM...CONDICT AND FOSSE

A claim was received from Condict & Fosse, Architects, for their fee for services rendered for the Evansville Association for Retarded Children in the amount of \$1,430.00.

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

RE: CLAIM...SHERIFF

A claim was received from Sheriff Riney for the meals of the prisoners in the amount of \$5,140.50.

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

RE: CLAIMS...TORIAN INSURANCE AGENCY

A claim was received from the Torian Insurance Agency for the Continental Policy #L 4 45 67 57 - Auto Fleet Policy from General Fund in the amount of \$5,220.00 and, Auto Fleet Policy for the Welfare Department in the amount of \$350.00, and an Auto Fleet Policy on the Highway Department in the amount of \$4,074.00. A total of \$9,644. Commissioner Schaad moved that these claims be approved. Commissioner Willner seconded the motion. So ordered.

There was also a claim showing credit in the amount of \$263.00 in amending fire & e/c rates on policies covering Burdette Park.

RE: RE-ZONING PETITION...WILLIAM & BERTHA SENNING

Premises affected are situated on the northwest side of Woods Avenue and being south of the intersection formed by Woods Avenue and Upper Mt. Vernon Road, Evansville, Indiana.

The requested change is from M-1 to M-2. The proposed land use is to manufacture adhesive chemical cement and chemical coating materials by processing chemicals in raw materials.

Mr. Ed. Johnson appeared for the petitioners, and said that this petition was passed by the Area Plan Commission with a vote of 11 to 1. It was determined by the Area Plan Commission, that a particular area wasn't necessary to be re-zoned, so the Area Plan passed the re-zoning for the remaining area of the petition. He presented a new amended ordinance and said that County Attorney Swain agreed that the legal description covers the area described in the petition.

Commissioner Schaad moved to approve the amended ordinance. Commissioner Willner seconded the motion. So ordered.

There were no remonstrators present.

County Attorney Swain questioned the power of the Area Plan Commission, in amending this ordinance. He asked Mr. Johnson if he was satisfied with this procedure. Mr. Johnson said that he was satisfied.

Commissioner Schaad moved to approve the re-zoning petition of William & Bertha Senning. Commissioner Willner seconded the motion. The vote being unanimous in the affirmative. the motion carried.

RE: RE-ZONING PETITION...KARCH, GRIMM & GASAWAY

The premises affected are located by commencing at the intersection of Licking Creek and Old Boonville Highway and extending southwest along the Old Boonville Highway 1300 feet more or less to a maximum depth of 1793 feet north. The requested change is from A & M-1 to M-1. The proposed land use is a manufacturing plant.

Mr. Thomas Terrell appeared for the petitioners. He explained that this is for 34 acres of land just west of the Eagles Country Club and it was approved unanimously by the Area Plan Commission. There were no remonstrators present.

Commissioner Schaad moved to approve this re-zoning petition. Commissioner Ossenbergh seconded the motion. The vote being unanimously in the affirmative, the motion carried.

RE: ACCIDENT RELEASE

County Attorney Swain said that a Mr. McRoy ran into a bridge on Waterworks Rd. and the police reported that he did damage to Highway property and the Bureau of Motor Vehicles, through the Division of Safety Responsibility and Drivers Improvement, cited him because he didn't have any insurance, nor did the owner of the car, so Mr. McRoy has a choice of paying \$200.00 security to the Bureau of Motor Vehicles or turn in a signed release which lets him off the hook, as far as this accident is concerned, but he still has to show proof of Financial Responsibility.

Mr. Swain said this man is a truck driver and depends on his drivers license in order to work, and he doesn't have any money, but said that he would pay it in installments. Mr. Willard has determined that \$150.00 will cover the damage.

County Attorney Swain said it is a problem to collect the money in installments and thought the man should borrow the money to pay this amount.

Commissioner Willner moved that this matter be postponed, in order that Mr. McRoy might appear before the Commissioners next week, if this would create a hardship for him. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIM...BILL NIX CONSTRUCTION

A claim was received from Bill Nix Construction Co. Payment #1 in the amount of \$13,480.20, for General Construction of the Central Services at Burdette Park.

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

RE: ORDER OF GARNISHEE

An affidavit was filed and presented to the Commissioners, in that Justice of the Peace, Carl Zapp has recovered a judgment against the defendant, Deborah A. Hunter, for the sum of \$174.39 which judgment remains unpaid which is owed to Sears Roebuck & Co. This was referred to the County Auditor's office for payment.

RE: PROPERTY ON ST. JOE ROAD

County Attorney Swain presented the following three letters to the Commissioners:  
County v. Cecil R. Phillips # 72-CIV-847 et al  
Gentlemen:

In the pending condemnation suit, the appraisers have awarded \$705.00 in damages and the Court has allowed \$450.00 as an appraisal fee. This makes a total of \$1,155.00 which should be deposited in the Clerk's registry if you wish to take immediate possession of the property.

County v. Cecil R. Phillips et al #72-CIV-848

Gentlemen:

In the pending condemnation suit, the appraisers have awarded \$705.00 in damages and the Court has allowed \$450.00 as an appraisal fee. This makes a total of \$1,155.00 which should be deposited in the Clerk's registry if you wish to take immediate possession of the property.

County v. Cecil R. Phillips et al # 72-CIV-846

Gentlemen:

In the above-captioned condemnation, the appraisers have allowed \$9,505.00 as damages and \$450.00 as a fee for the appraisers. \$9,955.00 should be deposited to the registry of the Clerk's office if you wish to take immediate possession of the property.

Mr. Swain explained that some property on St. Joe Road is being condemned for it's improvement and these are three cases where they couldn't agree to the price, condemnation was filed and appraisers were appointed. He said there are no buildings on this property and that \$8,800.00 is the damage to the residue.

Commissioner Willner moved to let the law suit take it's course, and not deposit the money in the courts. Commissioner Schaad seconded the motion. So ordered.

RE: LETTER ON ACCIDENT

County Attorney Swain presented the following letter to the Commissioners:

Gentlemen:

I have received from Gaylor Clark, our co-counsel regarding Shannon vs. Board of County Commissioners et al, cause No. C-72-12, a Dismissal Entry by Bernard Shannon, one of the plaintiff's in the accident which occurred on December 19, 1968 on the Stinson Avenue overpass.

Three suits remain pending. A fourth suit has been filed on behalf of Debbie Powell, a passenger in the Shannon automobile. This suit was recently filed, but, as she was a minor at the time of the accident, she has two years past her 21st birthday to file suit, so I assume that it is timely filed.

I would like to discuss the employment of the Clark firm to defend this fifth suit arising out of the accident.

Mr. Swain said that Gaylor Clark was defending the case and he would like permission for his help in defending this suit. He said the county has paid

approximately \$600.00 and he thought it would cost another \$600.00 at the most.

Commissioner Willner moved to have Gaylon Clark defend the county in this suit. Commissioner Schaad seconded the motion. So ordered.

RE: VIOLATION OF HEALTH LAW

A copy of a letter sent to Joseph Lingang was presented to the Commissioners from the City-County Department of Health, in that the Health Department has received several complaints regarding a recent practice of dumping on property located on Lodge Avenue at the Levee, and that it will be necessary for this area to be closed to all further dumping. It stated that a reinvestigation will be made in approximately fifteen days to determine if this condition has been corrected.

Letter received and filed.

RE: LETTER FROM INDIANA STATE UNIVERSITY

The following letter to Commissioner Willner from Woodrow W. Creason, the Professor of Economics, was presented to the Commissioners with a questionnaire attached:

Dear Sir:

The total cost per year in the United States for handling and disposing of our solid wastes have been estimated by Massachusetts Institute of Technology at \$3 billion. With the average person disposing of five pounds of domestic waste per day. Both of the above amounts are expected to grow.

I am interested in developing some meaningful aggregate cost curves on solid waste costs for my class in State and Local Taxation in order to demonstrate the magnitude of this problem. Thus I seek your cooperation in supplying me with the information sought in the enclosed questionnaire.

The names of individuals and companies will not be used at any point or time in the use of the information and numbers will be used for counties rather than names.

At this point the sender of the questionnaire generally expresses his or her appreciation for your cooperation. That is easy to do but seems like a small payment for the time and effort required of you and yet it is the only payment I can make.

This matter was referred to the County Highway Department, for Mr. Willard to work with Indiana Disposal, in filling out the questionnaire. Commissioner Willner said that he would be glad to help.

RE: STATUTES FOR INCORPORATION OF DARMSTADT

County Attorney Swain presented the Commissioners with a copy of the applicable statutes pertaining to the petition for incorporation of the Town of Darmstadt. He said there must be a formal public hearing more than 60 days and less than 90 days. It was his opinion that the Auditor's office take the minutes for this meeting, that the meeting is to be held in the Civic Center and that Mr. Schuttler must pay for the notices on this.

Commissioner Willner wondered if it didn't read in the statute, that the meeting must be held within the boundaries of the town.

County Attorney Swain said he didn't think so. It couldn't be found in the statute, so Commissioner Willner asked that this matter be continued until next week. So ordered.

RE: CUTS-IN

The following cuts-in were submitted for the approval of the Commissioners:

The Indiana Bell Telephone Co. requested permission to cut into Bergdolt Road and Clover Drive to direct bury telephone cable.

The Indiana Bell Telephone Co. requested permission to cut into Schenk Road to bury a telephone cable.

The Indiana Bell Telephone Co. requested permission to cut into Darmstadt Road to direct bury telephone cable.

The So. Ind. Gas & Electric Co. requested permission to cut into Kings Drive & Hillside Circle to provide gas service to 6 lots in Sleepy Hollow Subdivision.

Commissioner Schaad moved to approve these cuts-in on the recommendation of Mr. Nussmeyer. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIM...CITY OF EVANSVILLE

A claim was received from the City of Evansville for the County Surveyor, Account # 106-321, for Central Garage charges of gas & oil from December 18, 1972 to January 31st, 1973, in the amount of \$66.13. Commissioner Schaad moved that this claim be approved for payment. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIM...MEL GRIFFIN'S SUNOCO

A claim was received from Mel Griffin's Sunoco Station, Account # 106-321, to Vanderburgh County, for motor oil, oil filter and brake fluid in the amount of \$10.88.

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

RE: MR. NUSSMEYER

Mr. Nussmeyer presented plans for the Right of Way for bridges on Eagle Slough. He said he will need appraisers and will have plans for this project next week. The appraisers will be named next week also.

RE: MR. CROOKS

Mr. Crooks said that along with the City's Clean Up Campaign, they have asked that a survey be made of all City & County owned property in the Sweetser area. He presented the following list:

CONDITIONS OF VACANT LOTS IN SWEETSER AREA

City-Owned Property:

|                |                               |
|----------------|-------------------------------|
| 1821 S. Garvin | junk, beer cans, etc.         |
| 1905 S. Garvin | lumber in pile                |
| 1907 S. Garvin | lumber in pile                |
| 1801 Judson    | clean                         |
| 1809 Judson    | junk car - red 4-door Skylark |
| 1810 Judson    | clean                         |
| 1811 Judson    | junk, trash, motors, bicycle  |

County-Owned Property:

|                  |                                       |
|------------------|---------------------------------------|
| 1815 S. Garvin   | part of building still remains        |
| 1917 S. Garvin   | cans and weeds                        |
| 1919 S. Garvin   | cans and weeds                        |
| 1925 S. Elliott  | junk                                  |
| 1927 S. Elliott  | junk                                  |
| 1933 S. Elliott  | clean                                 |
| 1809 S. Governor | junk, beer cans, etc.                 |
| 1811 S. Governor | house foundation                      |
| 1914 S. Governor | clean                                 |
| 1922 S. Governor | junk, counter, fence, pipe, etc.      |
| 1923 S. Governor | junk, beer cans, table, concrete slab |
| 1925 S. Governor | junk, beer cans                       |
| 1815 Judson      | car batteries and parts               |
| 1817 Judson      | junk furniture and beer cans          |
| 1820 Judson      | beer cans                             |
| 1822 Judson      | beer cans                             |
| 1824 Judson      | beer cans                             |
| 1907 Judson      | clean                                 |

Mr. Hotz said the county has been taking care of this in the past, in cutting weeds, etc. but that he lacks the manpower and equipment and will have to depend on the County Highway Department to get the work done.

Mr. Crooks said that the city, through the Police Department, is making an effort to control dumping in the sweetser area.

Commissioner Willner asked if the Commissioners couldn't go out and look at the area, as he was interested in getting this cleaned up and in keeping it clean. He wondered if they could get the County Assessor and the Township Assessor to make a realistic appraisal on these properties and maybe get them sold.

County Attorney Swain wondered if maybe the Redevelopment would be interested. The Commissioners will take a look at these properties.

RE: MR. WILLARD

Mr. Willard has found a roller that is needed for the County Highway Department, at the cost of \$6,250.00.

Commissioner Schaad said there is only \$10,000 in the budget for a roller and they found no decent trade-in allowance in buying a new one.

Commissioner Ossenbergsaid this roller was rented by the county for \$600.00 per month last year and there would be a savings by buying it, if it is in good condition.

Commissioner Willner said he would go with Mr. Willard to look at the roller.

RE: BUILDINGS AT BOEHNE HOSPITAL

Mr. Hotz said he had a report recently as to what is needed to be done on the old carpenter shop at Boehne Hospital and the estimated cost is \$5,000.00.

Mr. Crooks said that he couldn't see that anything can be done with the boiler room, except to tear it down.

Commissioner Willner recommended that the County Engineer prepare specifications for the repairing of the old carpenter shop building to present at the next Commissioner's meeting.

Mr. Hotz said that they will do any of the work that they possibly can and will get with Mr. Nussmeyer on this so they know what can be eliminated in the specifications.

Commissioner Ossenbergsaid he wondered if there was any room for storage at the Pleasantview Rest Home. He said that Mr. Dressback has a problem of storage at the Auditorium.

Mr. Hotz said he would check with Mr. Dressback, to see if he needed the storage space to be heated or not.

RE: RESOLUTION

County Attorney Stephens presented a resolution amending the Master Traffic Control Code, of the speed limit on Boehne Camp Road in that:

SECTION 1. It is hereby determined and declared that Section 3 of the Master Traffic Control Code be and the same is hereby amended to read as follows:

"(IV) It shall be unlawful to operate a motor vehicle in excess of thirty-five (35) miles per hour upon and along the following roads, streets, and highways, to-wit:

(z) BOEHNE CAMP ROAD, from the point of its intersection with Hogue Road thence north along said Boehne Camp Road for a distance of Eighteen Hundred (1,800) feet. (2-20-73)"

SECTION 2. It is hereby determined and declared that Section 3 of the Master Traffic Control Code be and the same is hereby amended to read as follows:

"(I) It shall be unlawful to operate a motor vehicle in excess of twenty (20) miles per hour upon and along the following roads, streets, and highways, to-wit:

(e) BOEHNE CAMP ROAD, from a point Eighteen Hundred (1,800) feet north of its intersection with Hogue Road thence north along said Boehne Camp Road to its intersection with Upper Mt. Vernon Road. (2-20-73)"

PASSED by the Board of Commissioners of the County of Vanderburgh on the 20th day of February, 1973, and upon said day signed and executed by the members of said Board and attested to by the Vanderburgh County Auditor.

RE: GREEN RIVER ROAD

Commissioner Schaad wondered what the status was of the truck traffic on Green River Road, as he had a call from the State Police, who said the trucks are going out Green River to avoid the weigh station. After discussing this problem, Commissioner Schaad said that if there are signs posted, they should either be enforced or taken down.

The meeting recessed at 10:50 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u>                         | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u>          | <u>REPORTERS</u>                                  |
|---|-----------------------|----------------------------------|---|
| Thomas Ossenberg<br>Robert Schaad<br>Robert Willner | Lewis F. Volpe        | Thomas Swain<br>William Stephens | C. Leach<br>S. Clark<br>A. Jackson<br>B. Thompson |

Secretary: Margie Meeks

Tom Ossenberg  
Bob Schaad  
Robert L. Willner  
 BOARD OF COUNTY COMMISSIONERS

00145

COUNTY COMMISSIONERS MEETING  
FEBRUARY 26, 1973

The regular meeting of the County Commissioners was held on Monday, February 26th, 1973, at 9:30 a.m. with President Ossenberg presiding.

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

RE: TENTATIVE HEARING DATE SET:

There was discussion on the hearing date for the incorporation of Darmstadt and it was thought that the Council chambers would be large enough.

Commissioner Ossenberg asked the Commissioners if they would consider setting a tentative date until next Monday, which would give them time to check on the availability of the Council chambers.

Commissioner Willner moved that the date for the hearing be tentatively set for Tuesday, April 17, 1973, at 7:00 p.m., depending on the availability of the Council chambers. Commissioner Schaad seconded the motion. So ordered.

It was decided to have the Commissioners secretary to check on the availability of the Council Chambers for this date while the meeting is in session.

RE: REPAIR OF VOTING MACHINES

Commissioner Ossenberg said that a letter from Mrs. Shirley Cox, the County Clerk, was discussed two weeks ago, concerning the need of repairs on the voting machines. He said that he has received a letter from Mr. Edward McKnight stating that the 210 machines were in dire need of being serviced and the approximately cost would be between \$1,500 to \$1,600 and 7 to 8 weeks work for 2 men.

Commissioner Willner moved that the Commissioners authorize the repair of the voting machines. Commissioner Schaad seconded the motion. So ordered. The details of purchasing will be worked out later.

RE: EMPLOYMENT CHANGES...APPOINTMENTS

COUNTY SURVEYOR

|                 |                  |                |             |              |
|-----------------|------------------|----------------|-------------|--------------|
| Michael Ludwick | 1011 W. Iowa St. | 1st Deputy     | \$9,320 Yr. | Eff: 2/15/73 |
| Curren Bridges  |                  | Instrument Man | 6,720.00    | Eff: 3/1/73  |

VANDEBURGH COUNTY HIGHWAY DEPT.

|               |                     |                |            |        |
|---------------|---------------------|----------------|------------|--------|
| C. M. Russell | 1118 S. Harlan Ave. | Office Manager | \$6,000 Yr | 2/1/73 |
|---------------|---------------------|----------------|------------|--------|

RE: EMPLOYMENT CHANGES...RELEASES

|                 |                  |           |            |         |
|-----------------|------------------|-----------|------------|---------|
| Michael Ludwick | 1011 W. Iowa St. | Inspector | \$9,000 Yr | 2/15/73 |
| Curren Bridges  |                  | Rod Man   | \$5,720.00 | 2/28/73 |

VANDEBURGH COUNTY HIGHWAY DEPT.

|               |                     |       |            |          |
|---------------|---------------------|-------|------------|----------|
| Victor Buthod | 4990 Tippecanoe Dr. | Clerk | \$6,450.00 | 12/31/72 |
|---------------|---------------------|-------|------------|----------|

RE: NOTE FROM BEN BIPPUS & ED KINKLE

A note was received from Mr. Ben Bippus and Mr. Ed Kinkle, stating that he has a tax title to a lot on 424 - 426 S. Morton Ave. and that last year he paid over \$125.00 to have trash removed from this lot and the inspector is after him again. He asked if he quit-claimed this property to the county, would they accept the deed.

Commissioner Ossenberg said he sent Mr. Hotz over to look at these lots and he reported that these are nice lots but that they do need cleaned up. This matter was taken under advisement.

Mr. Volpe said that there was a piece of property, owned by Mr. Cosby, that the Re-development Commission was going to take action on. They believed it was owned by Mr. Cosby and the Trenton Corporation had a tax deed on it. He said subsequent to this, the Trenton Corporation abandoned their deed and last Wednesday in City Court, Mr. Cosby abandoned his claim to it. Judge Rawlings stated that no one owns this piece of property. Mr. Volpe said that it would take two or three years, under normal procedure, for the title to direct into the county. He said that Mr. Taylor now has a problem with the Re-development Commission, as to how to tear the building down. He asked the County Attorney about this.

County Attorney Swain said that he doesn't believe that no one owns it and he doesn't think that Mr. Cosby can abandon it.

Mr. Volpe thought perhaps a quit-claim deed could be drawn up to the county, with everyone's name of those involved, on it.

The County Attorney's will look into this. Commissioner Ossenbergh said that the Commissioners would keep Mr. Taylor informed.

RE: HEARING DATE SET FOR DARMSTADT CON'T.

After checking, it was found that the Council Chambers is available on April 17, 1973 at 7:00 p.m..

Commissioner Willner moved that April 17, 1973, at 7:00 p.m. be set as time of the meeting, to be held in the Council chambers, for whether the community of Darmstadt can incorporate.

Commissioner Willner moved that this be the time, date and place of the hearing and that Mr. Schuttler be so informed in order that he can give notice by certified mail, to residents, return receipt requested. Commissioner Schaad seconded the motion. So ordered. Mr. Volpe said that he would notify Mr. Bob Schuttler.

RE: VIOLATION OF HEALTH LAW

A copy of a letter written to Bernard J. Nurrenbern Jr. was submitted to the Commissioners by the Department of Health, in reference to previous correspondence they had sent to him regarding the existing conditions on his property located at 4624 New Harmony Way. It stated that a reinvestigation was made on February 20, 1973, and was found that this condition has not been corrected. It further stated that it would be unnecessary to take legal action if he eliminated this condition within fifteen days. Letter received and filed.

A copy of a letter sent to Jack & Margaret Kinkle from the Department of Health was submitted to the Commissioners, stating that the Department of Health has received several complaints regarding dumping at their property located in the wooded area behind 765 Cross Street and that it would be necessary for it to be closed to further dumping and that the present trash be removed, also that they will make a reinvestigation in approximately fifteen days. Letter received and filed.

RE: CLAIM

A claim was submitted by National Disposal in the amount of \$182.00. The amount of \$58.00 being for December's balance on dumping charges and \$124.00 for dumping charges for January of 1973.

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

RE: SPEED STUDIES MADE

Mr. Lochmueller presented the following speed studies:

RE: DIEFENBACH ROAD - Installation of curve and speed signs on the Diefenbach Road Corridor.

The Council of Governments completed a physical features study on Diefenbach Road between Upper Mt. Vernon Road and Koring Road. The Council of Governments Staff found this 1.13 mile corridor in great need of curve and speed limit signs, due to the construction of Diefenbach Road and the number of residential dwellings along this corridor.

Mr. Lochmueller recommended the speed limit be set at 30 miles per hour, also advisory signs.

Commissioner Willner moved to adopt the speed limit at 30 miles per hour and that the speed limit signs be erected as well as the advisory signs. Commissioner Schaad seconded the motion. So ordered.

RE: DENZER ROAD - Speed Study

The Council of Governments conducted a comprehensive Speed Study on the corridor of Denzer Road, between Highway 460 and the Vanderburgh and Posey County Line. Vehicles on Denzer Road are traveling at an 85 percentile speed of 30 miles per hour, and an average speed of 25 miles per hour. The pavement width of this 3,600' corridor averages about 18', with the pavement and shoulders being in very poor condition. The line of sight is definitely too limited to warrant the existing 40 miles per hour speed limit. Therefore, the Council of Governments Staff recommends the following improvements to improve traffic flow and safety:

1. Reduce the existing speed limit from 40 miles per hour to 35 miles per hour.
2. Advisory speed signs on the dangerous curves along the Denzer Road corridor.

Commissioner Schaad moved to adopt this speed ordinance and that the speed limit signs be erected as well as the advisory signs. Commissioner Willner seconded the motion. So ordered. County Attorney Stephens said that he will prepare the ordinance on this speed limit.

RE: PLANS FOR GREEN RIVER ROAD

Mr. Lochmueller presented plans for the repair of Green River Road and said that the bids on this project are to be opened on March 27, 1973. The ingress and egress was discussed for the businesses that will be constructed in the area.

Commissioner Willner moved that the egress be constructed off Hwy. 62 at Oak Grove Road and also resurface and install drainage pipes on Oak Grove Road between Green River Road and the outlet on Hwy. 62. Commissioner Ossenberg seconded the motion. So ordered.

RE: ACCIDENT RELEASE

It was stated at last week's meeting that Mr. McRoy ran into a bridge on Waterworks Road. He was cited because he had no insurance. He had the choice of paying \$200.00 security to the Bureau of Motor Vehicles or turn in a signed release.

County Attorney Swain had said that Mr. McRoy is a truck driver and his job depends on his drivers license, in order to work, also that he doesn't have any money.

Mr. Willard had determined that \$150.00 would cover the damage.

Mr. McRoy appeared with his employer, Mr. Donald Young of B & H Disposal. He said he doesn't have the \$150.00 but would be glad to pay it in installments of \$25.00 per month, and that his employer will deduct this amount from his check.

Commissioner Willner moved that the Commissioners let Mr. McRoy pay \$25.00 per month for the next six months, to the County Auditor, the first payment due at the end of March, and that the release be signed, subject to agreed conditions.

RE: CUTS-IN

The following cut-ins were submitted to the Commissioners for their approval:

The Indiana Bell Telephone Co. requested permission to cut into Boyle Lane to bury a telephone cable.

The Southern Indiana Gas & Electric Co. requested permission to cut into Evergreen Acres Subdivision to provide gas service to Lots 2 and 3, Section J.

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

RE: DEDICATION

Mr. Nussmeyer said that the Commissioners are invited to attend the dedication of the L & N Underpass at Darmstadt Road, to be held tomorrow morning at 10:00 a.m.

RE: MR. NUSSMEYER

Mr. Nussmeyer presented plans for the three bridges for Eagle Slough, at Weinbach, Old Green River Road and New Green River Road. He also presented plans for the Old State Road overpass, as well as the specifications. He said he wants the Commissioners to sign these in order to apply for state funding.

Commissioner Schaad moved that the Commissioners apply for R & S funds on both of these projects. Commissioner Willner seconded the motion. So ordered.

RE: APPRAISER APPOINTED

Commissioner Schaad moved that Mrs. Lillian Carnaghi be appointed as appraiser of the properties for Eagle Slough. Commissioner Ossenberg seconded the motion. So ordered.

RE: LETTER OF COMPLAINT

The following letter was received from Mr. William Greer:

Bob & Gentlemen:

I'd like to invite your attention to a rather dangerous intersection near the county home to which we recently moved.

Number 6 School Road is nominally a T-intersection at the Big Cynthiana Road, Indiana Highway 65. But the School Road does in fact intersect at an angle, rather than at 90 degrees.

This makes entering the highway convenient for vehicles going south - except when corn in adjacent field obscures the view of Route 65 north of the corner. Northbound cars on 65 can turn easily into the School Road, going west.

But the acute angle of the intersection makes for a very difficult turn for vehicles southbound on the highway that are turning westward into the School Road. Drivers have either to stop on the highway not distant from a curve or swing into the eastbound side of School Road, which is close to a blind hill. Either way there is a hazard.

A suggestion solution would be to straighten the angle of intersection to 90 degrees, to cut off the point of the angle and widen School Road's end for 1r or 20 feet, or to cover the ditch on 65 and provide a wide enough shoulder for turning vehicles to get off the highway if they need to stop or slow down before entering School Road...And crops should not be planted so as to obscure the view of this, or any, county intersection.

Commissioner Willner moved that this be referred to the County Highway Superintendent for study. Commissioner Schaad seconded the motion. So ordered.

Mr. Willard reported that three dumpsters have been placed at Oak Hill & Lynch Road.

RE: LYNCH ROAD

Mr. Nussmeyer said he thought there was conditions made for seeding and fertilizing on Lynch Road. He said it is the county's obligation, as they took part of this property.

He said that a woman called him on this problem. The work that needs to be done out there will cost about \$400.00 or \$500.00. Mr. Nussmeyer said that he will get a bid on this and report back to the Commissioners next week.

RE: HEERDINK LANE

Mr. Nussmeyer said this road is a 20 foot lane. He said this is the Right-of-Way that would be needed and they half way promised to provide the Right-of-Way to the county. There will be 15 feet needed on each side of the present lane to make it a 50 foot lane. There will have to be culverts, sewers, and ditches installed and it will have to be rocked. The county can do this work. Mr. Willard will estimate the cost of this work and report on it at next week's meeting.

County Attorney Stephens said they will need dedication of the Right-of-Way and will need to pick up a form for the acceptance of the road. This matter was deferred until the next meeting.

RE: RED BANK ROAD

Mr. Nussmeyer said there is a church on the corner of Red Bank Road and Upper Mt. Vernon Road and they have a drainage problem. He said there is no shoulder there and they will give the county 10 feet of Right-of-Way all around the church.

Commissioner Schaad said Red Bank Road is very narrow there and it is a very bad ingress, egress, off Upper Mt. Vernon Road and it is a blind spot and if it were widened, there would be more radius and make it easier. It will also need a couple of culverts.

Mr. Willard said that the county crew could do the work.

Commissioner Willner moved that the county accept their offer for the Right-of-Way, subject to the approval of the Church Council. Commissioner Schaad seconded the motion. So ordered.

RE: OLD RIVER ROAD

Mr. Willard reported that Old River Road has been repaired.

RE: ROLLER FOR HIGHWAY

Commissioner Willner said that he and the other Commissioners traveled to Petersburg and looked at the roller that is needed by the County Highway, and some maintenance needs to be done on it, which the gentleman said he would do and he wants \$6,250.00 for the roller. This is the roller that the county rented last year for \$600.00 per month. The gentleman said that he would also paint the roller in the county's colors for the price he is asking. Specifications will have to be prepared and it will have to be advertised for bids.

Commissioner Schaad moved that Mr. Willard and Mr. Cravens prepare the specifications by next week. Commissioner Willner seconded the motion. So ordered.

RE: MR. CROOKS

Mr. Crooks said that some time ago the Commissioners asked for a list of equipment owned by the county. He submitted a list of what was turned in by each group, the city and the county, of the merger equipment.

RE: SWEETSER AREA

Commissioner Willner asked Mr. Crooks if he had followed through with the condemned property clean up and what the city was going to do with theirs.

Mr. Crooks said their property looked pretty good, that the city and county were out there at the same time, cleaning up.

Commissioner Schaad said, those lots aren't a discredit to the neighborhood and he didn't see why we should clean them up when the rest of the neighborhood doesn't look that good.

RE: APPRAISAL OF PROPERTIES

Commissioner Willner asked Mr. Volpe to explain to him, the process of some-one purchasing these properties that are owned by the county.

Mr. Volpe said that a purchaser must pay the appraiser's fee, the appraisal price, and the cost of advertising the property for sale. Delinquent taxes are charged only when the property goes from one individual to another and do not affect the sale price in the present situation.

Commissioner Willner said that if the elected assessors do the appraising, they would do it at no cost. Thus, that cost would be eliminated from the purchase price of each parcel. He proposed that all appraisals be at realistic figures.

Mr. Volpe said in the past the appraiser's fee has on occasion been larger than the appraised worth of the land.

Commissioner Willner moved that the Commissioners instruct the County Assessor and the Township Assessor to make a realistic appraisal on all these properties owned by the county and report their findings as soon as possible. The properties to be advertised individually, with priority given to combined bids. Commissioner Schaad seconded the motion. So ordered.

RE: MR. HARNESS

Mr. Harness asked the Commissioners if, since the County Council has approved his purchasing a new station wagon, should he deal with the Commissioners or with Mr. Cravens, the Purchasing Agent.

Commissioner Ossenberg said that he should deal with Mr. Cravens on this.

Mr. Harness also said that they have a silo at the Pleasantview Rest Home and that someone asked him if the Commissioners would sell it to him, that if the price was reasonable, he would buy and move it.

The County Attorney said it could be appraised and sold at a public auction, but must first be declared, officially, as surplus property.

Commissioner Willner moved that the silo at the Rest Home be declared as surplus property and to ask the County Assessor and Center Township Assessor to appraise the silo. Commissioner Schaad seconded the motion. So ordered.

RE: APPOINTMENT TO C.A.P.E. BOARD

A letter was received from the Community Action Program of Evansville, stating that the County Commissioners has a seat on the C.A.P.E. Board of Directors, and they would appreciate the Commissioners appointing someone to serve.

Commissioner Willner moved that Lucy McHatton be appointed to serve on the C.A.P.E. Board of Directors. Commissioner Schaad seconded the motion. So ordered.

The meeting adjourned at 11:10 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u>                         | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u>          | <u>REPORTERS</u>   |
|---|-----------------------|----------------------------------|--|
| Thomas Ossenberg<br>Robert Schaad<br>Robert Willner | Lewis F. Volpe        | Thomas Swain<br>William Stephens | C. Leach S. Clark<br>G. Clabes<br>B. Thompson<br>A. Jackson<br>B. Gladdish |

Secretary: Margie Meeks

*Thomas L. Ossenberg*  
 \_\_\_\_\_  
*Bob Schaad*  
 \_\_\_\_\_  
*Robert Willner*  
 \_\_\_\_\_  
 BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
MARCH 5, 1973

The regular meeting of the County Commissioners was held on Monday, March 5th, 1973, at 9:30 a.m. with President Ossenberg presiding.

Deputy Sheriff James Fravel opened the meeting, this being the first meeting of the month.

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

RE: BID OPENING ON TRACTORS

The County Attorney's opened the bids that were received on two tractors with side mowers, for the County Highway Department and checked them as to the legality of same. They were then referred to the Purchasing Agent, Mr. Cravens. The bids are as follows:

|  |            |
|--|------------|
| Brandeis Machinery & Supply Corp.....  | \$7,969.00 |
| Hallenberger Inc.....                  | \$8,744.74 |
| K & W Equipment Co. of Evansville..... | \$6,890.00 |
| Universal Tractor Sales.....           | \$6,590.00 |

Commissioner Schaad moved that these bids be taken under advisement, for study, until next Monday. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE

Mr. Cravens has prepared a bid notice and specifications for four cars for the Sheriff's Department. He said the specifications have been checked and approved by the Sheriff's office. He recommended the date of April 2, 1973, for the bids to be received.

Commissioner Schaad moved that the specifications be approved, on the recommendation of Mr. Cravens and that the bids be advertised for. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg said that the specifications for the roller needed by the County Highway Department aren't ready yet, that Mr. Cravens and Mr. Willard will have them for the Commissioners next week.

RE: RIVER ROAD

Mr. Griffith said that Mr. Ed Johnson had previously made a presentation to the Commissioners, regarding the status of River Road but since then, some of the Commissioners are new. He said that Mr. Schaad consented to go with him, Mr. Johnson and Mr. Nussmeyer, to take a look at the situation near the Evansville Terminal Co. about five or six weeks ago. He said that the county accepted River Road as a public roadway, for maintenance years ago, and the area he is speaking of lies approximately 2 7/10 miles east of South Weinbach and the road takes down through a corn field and comes to a stop at the Evansville Terminal Co. dock. This has been a public road since 1832. He said that records show this but that the action of the water along the river bank has washed the road away and as a result, the actual roadway beds being used has had to move inland. He said it services the Evansville Terminal Co. dock plus several camps in that area.

Mr. Griffith said he had sent a letter to the County Commissioners on Jan. 4, 1973, setting forth date of acceptance by the county, also of the applicable statutes. He said as he understands the Indiana law, if this happens, the County Commissioners have the duty, under the law, to re-locate this road and to move it inland, to have the County Surveyor go out and stake it out, and re-locate the road and to appoint appraisers to compensate the property or land-owner for whatever strip of land that has to be taken in order to re-locate the public road. He said they requested that this be done nearly a year ago, since then, there has been a lot of correspondence between them and their client, with the County Commissioners, also there has been a private lawsuit filed between the Evansville Terminal Co. and the existing land-owner over which this road passes.

Mr. Griffith said they need to know whether or not the County Commissioners intend to follow the applicable statutes to cause this road to be re-located and to cause damages to be assessed and paid to Mr. Karch, the land owner, over which this roadway now passes. If the Commissioners agreed that it should be done, they would like to get it done. If the County Commissioners aren't going to do it, they would re-group and decide where to go next. He said that he has talked with Mr. Bruce of the Evansville Terminal Co. who said he would consent to assume the responsibility for the continuance maintenance of this road, from the point where it crosses Mr. Karch's land on back to their dock.

Commissioner Willner said he questioned whether the road runs all the way back to the dock.

Mr. Griffith said that it did and that there is a gate about one-quarter mile west of the dock but the gate swings open.

Commissioner Schaad wondered why a gate would be across the public road.

Commissioner Willner said in checking with past County Roads Superintendent, he found that they went back approximately to that gate and stopped.

Mr. Willard said he was at the garage in 1960 and that, at that time, there was a rope where the cabins stopped and this was as far as they maintained it.

County Attorney Stephens said he and Mr. Nussmeyer checked it out and feel that the Commissioner's minutes of the past, have indicated that at one time a road was accepted for public use, which ran over even further than where the Terminal warehouse is. He said it probably isn't the same road that was there before, also there hasn't been any public maintenance on this road, past the gate, by the county, for many years. He said the statutes require the county to open this road up to forty feet which would be through the front yards of all the cabins. He said this means the county would have to build a whole new road on the north side of the cabins. Mr. Karch's lawyer called him and said they would be willing to sell the county a strip of ground across there for approximately \$1,500.00. Another statute reads that anytime it is impractical for any reason, for the county to maintain a road, they can just give it up, but this doesn't help anyone.

Mr. Griffith said they take the position that whatever rights Mr. Karch has, he has already invested, because the new road is already there and he is entitled to something.

County Attorney Stephens said he doesn't know what the county is going to do because if they build that road north of the cabins, it is going to cost over \$30,000 and if they build it where it is now, they can't comply with the existing statute unless they take the cabins, which would probably cost more.

The County Attorney asked Mr. Griffith if he would be willing to settle for maintenance of this road as it is now and not push further for the opening of the road.

Mr. Griffith said "no", they want it opened up to forty feet.

Commissioner Schaad said he thought the answer is obvious, as he can't see paying \$30,000 of the taxpayers money to help one concern.

Mr. Griffith said it is mandatory that the county do this, according to the statute.

County Attorney Stephens said he thought this might come to a jury deciding on whether the Commissioners have to spend the money to do this or not. He asked if Mr. Griffith couldn't resolve his differences with Mr. Karch some other way.

Mr. Griffith said this has been explored and thought it apparently couldn't.

This matter was taken under advisement and Commissioner Ossenbergs said that some sort of ruling would be made within the week. Commissioner Willner seconded the motion. So ordered.

RE: MONEY INVESTED BY TREASURER

Mr. Tilford said that he would like to invest \$500,000.00 and he submitted the following bids with a maturity of ninety days:

- Citizens National Bank..... 6.51%
- National City Bank..... 6.52%
- Old National Bank ..... 6.50%

Commissioner Willner moved that the \$500,000.00 be invested in the National City Bank. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST THAT PROPERTY BE SOLD

The following letter was received by the Commissioners from Iglehart, Hewins & Songer, Attorneys:

Dear Sirs:

I am representing Mr. Ralph Powell of 770 Line Street, Evansville, Ind. Mr. Powell lives next door to the lot at 772 Line Street which is presently owned by Vanderburgh County. This lot is presently an eyesore.

Consequently, Mr. Powell is interested in setting into motion the procedures for sale of this lot. Would you therefore set this matter down for the next board meeting, and take whatever other steps are necessary for the possible sale of this property.

After checking, Mr. Volpe said that this property is owned by the county.

*WILLNER*

Commissioner <sup>WILLNER</sup> moved to refer this until next week, so there will be time to check it further. Commissioner Schaad seconded the motion. So ordered.

RE: LETTER FROM MRS. WM. J. LAWRENCE

The following letter was received by the County Commissioners:

To the Board of County Commissioners:

As a resident of 6100 Oak Grove Road, I would like to make a request, that Oak Grove Road between N. Burkhardt Road and New Green River Road be posted for a speed limit.

There are some 30 or 35 children in this area, whose lives are in danger by speeding cars and trucks.

Truck drivers from nearby lumber companies, have been very inconsiderate, although the owners have been called about this situation several times.

Commissioner Willner moved that this letter be referred to the Area Plan Commission for analysis. Commissioner Schaad seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES...APPOINTMENTS

|                                       |                 |            |          |            |
|---------------------------------------|-----------------|------------|----------|------------|
| PLEASANTVIEW REST HOME...Ella L. Hurd | 717 E. Sycamore | Temp. Aide | \$350.00 | Eff:3/1/73 |
| VAND. SUPERIOR CRT.....Gregory Combs  | 1817 Plantation | Pro.Off.   | 7400.00  | 3/1/73     |

RE: LETTER FROM STATE OF INDIANA

The following letter was received by the County Commissioners from the State American Revolution Bicentennial Commission:

Dear County Commissioners:

A celebration of the two hundredth anniversary of the American Revolutionary War is in planning stages. A National Bicentennial Commission has been working for several years, and an Indiana Commission (chaired by Governor Roger D. Branigin) was established by Governor Whitcomb in December 1971 to help plan various festivities and commemorations for the nation's birthday. All states and territories have American Revolution Bicentennial Commissions.

This is your invitation to participate by taking the initial steps to organize a Committee for your county. (A number have already begun on their own across the state.)

Celebrations will take many forms, from patriotic observances to school functions, historical programs, festivals and parades. Many programs will logically be tied in with existing activities and the Bicentennial Theme used throughout. The "Focal Year" is 1976.

In addition numerous cities, states and regions will use this 200th anniversary of the founding of the United States to lay plans for the future, to complete vital programs, and to instill in Americans some of the patriotism, love of heritage and devotion to the United States which has always marked our citizens.

Will you organize a county committee to encourage all groups - schools, churches, clubs, fraternal and patriotic organizations, cities and county units of government, and EVERYONE - to participate in the celebration?

In order to interest business, industry and labor in the program, steps should be taken soon as most make their plans two to three years in advance.

Please advise this office of any organizations so-formed in order that we may include its chairman on our mailing list and keep him abreast of events across the state and nation.

We hope all citizens will be given the opportunity to participate in programs to celebrate the 200th birthday of the greatest country in the world.

Will you please help? Sincerely, James M. Guthrie.

Commissioner Ossenberg said that the Commissioners should take this up with the city administration and see if they can make this a co-operative type situation, whereby they can form a committee.

Commissioner Schaad so moved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

Claim from Slade Realty & Appraisal Co. in the amount of \$500.00 for the Appraisal Services and Appraisal Report on Burdette Park Tracts.

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

Claim from Moutoux Auto & Machine Co., Repairs to County Equipment for a Battery, Labor and Material in the amount of \$82.81.

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

Claim from the Metropolitan Evansville Chamber of Commerce for a subscription to the 1973 Daily Legislative Service Manual in the amount of \$60.00.

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

Claim from the Terminal Warehouse Co. Inc. for the Rental of Space for the Storage of the Voting Machines from March 1, 1973 to April 1, 1973 in the amount of \$500.00.

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

It was noted that the Council has only allowed \$4,800 for the year for the storage of the voting machines and it will be \$1,200 short. Mr. Volpe said that he would clear this up on the next council call and he asked for a letter to this effect.

Claim from Bobbs Merrill Co. Inc. for Burns Indiana Statutes Titles 1-2-3 in the amount of \$20.65.

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

Two claims from Indiana Disposal Service Inc., one for regular pick-ups, extra pick-ups and trailer rental for December in the amount of \$2,509.46. The other one for regular pick-ups and trailer rental for the month of January in the amount of \$2,283.89.

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

Two claims from Torian Agency. One is the Public Employees Blanket Bond covering for Area Plan Commission and Vanderburgh County in the amount of \$131.00. The other one is for burglary coverage for the Clerk of Vanderburgh County's office in the amount of \$281.00.

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

Claim from Fred Johnson Construction Co. for the resurfacing of Twickingham Drive in Melody Hills. The request of partial payment is in the amount of \$5,229.98, which is \$5,811.09 less 10% of \$581.11. Commissioner Willner moved that this claim be approved upon the recommendation of Mr. Nussmeyer. Commissioner Schaad seconded the motion. So ordered.

RE: NOTICE OF MEETING BEING HELD

A postcard was received by the Commissioners stating that the annual meeting of the Union Township Ditch Association Inc. will be held Monday night, March 5th, 1973 - - 8:00 P.M. at Dogtown. It was signed by Floyd Titzer, Secretary.

RE: MR. NUSSMEYER

Mr. Nussmeyer presented the proposal for the construction and improvement of Laurel Lane, as submitted by the Ohio Valley Engineer and recommended approval of them so the developer can proceed. He said that he has approved the plans. Mr. Nussmeyer said that they will surface a 24 foot road with 6 inches of base and 2 inches of asphalt.

Commissioner Willner said that they would be setting a precedent here and he didn't think 2 inches of asphalt was enough for this road to be accepted for maintenance.

County Attorney Stephens said that he would look up the ordinance on new subdivisions to see if there are specifications on this.

Commissioner Willner moved that the proposal be approved with a 3 inch hot mix asphalt pavement. Commissioner Schaad seconded the motion. So ordered.

RE: PROBLEM OF SALARIES AT COUNTY GARAGE

Mr. Nussmeyer said that Mr. Willard has asked that they take part of the contractual from the R & S funds as he needs money for his Clerk and Engineer.

Mr. Volpe said the money has been approved by the council and if, when he draws off the financial statement, in a few days, it will still show a potential positive balance at the end of the year, they won't insist that anything be repealed, but if when the balance is drawn off and there isn't enough, he will give them his word that something will be repealed next month in order that the two gentlemen at the county garage can be paid this month.

There was more discussion on the repealing of funds and Mr. Nussmeyer wondered if the Commissioners and Mr. Volpe could work out something where they had \$125,000 or \$150,000 in contractual so they could combine this with some R & S Funds to get the job done.

RE: ST. GEORGE ROAD

St. George Road was discussed and Commissioner Ossenbergy said he would like to get a clarification from the Public Service Commission on it. This matter was deferred until next week.

RE: MR. NUSSMEYER

Mr. Nussmeyer said that he bought two calculators and thought he could pay for them from the equipment account but Mr. Volpe said this couldn't be done. Mr. Volpe said all equipment accounts were repealed this year and all equipment this year, is being paid out of Revenue Sharing Funds.

Commissioner Schaad said for Mr. Nussmeyer to find out exactly how much money is needed and let Commissioner Ossenbergy know and he will get it from the Revenue Sharing money.

RE: COMPLAINT ON BRIDGES

Mr. Roeder, representing the German Township Booster Club, said that there has been quite an improvement on the county roads in the last few years but they have one complaint and this is a narrow bridge in the area. He thought it was to have been widened but they have seen no action, so wanted to bring it to the Commissioners attention. He said there are other narrow bridges on #3 School Rd. and one on Korressel Road but he thought the one on Mesker Park Drive the most important. He said they would welcome anyone to come out and look them over.

Mr. Nussmeyer recommended that about 6 bridges be put together and make one project of it.

Commissioner Schaad said that Mr. Nussmeyer's staff would go out there and look the situation over, as they will have to take steps to get started on them.

Commissioner Willner said that the small bridges could possibly be replaced with culverts.

The Commissioners said they will see what they can do about this narrow bridge.

RE: LYNCH ROAD

Mr. Nussmeyer said he talked to different companies on bids for seeding and fertilizing the ground on Lynch Road, where the county had to cut into the property and he will know something on this next week.

RE: MR. WILLARD...OLD CLAIMS

Mr. Willard presented claims that he found in a drawer at the county garage, for materials purchased by the County Highway Department last year. They haven't been paid. It was noted on them, that "We have no money in Account 187-308". They are as follows.

|  |                                       |
|--|---------------------------------------|
| Inv.#72-779...MC-30 Liquid Asphalt.....          | \$466.49                              |
| Inv.#72-780...Cold Mix Asphalt Patch Material... | \$1,067.85                            |
| Inv.#72-781...RC-250 Liquid Asphalt.....         | \$433.04                              |
| Amount of Claim                                  | <u>\$1,967.38</u> dated Oct. 15, 1972 |

Inv.#72-840...Cold Mix Asphalt Patch Material, claim for \$623.70, dated Oct.31, 1972.

Commissioner Schaad said that there is no need for this to happen and that the suppliers should be told to submit their invoices by December 15, if they expect to get paid and that some kind of system should be set up on invoices at the county garage so that this sort of thing doesn't happen again.

Mr. Volpe said they didn't really lose anything in the Highway Department, that the money would be there as being unappropriated, they would just have to go in front of the county council later on, as this is a closed fund. He said the only thing is that the state might question this when they come down to audit. The money to pay these claims will be taken out of the balance in the contractual account which will probably make it short later, at which time Mr. Nussmeyer can go before the council.

Commissioner Schaad moved that the claims in the amounts of \$1,967.38 and \$623.70 from last year, be approved. Commissioner Willner seconded the motion. So ordered.

RE: LARCH & ENGLERT LANE

Mr. Willard said the residents want the county to accept Larch Lane & Englert Lane for maintenance.

Commissioner Willner said that the Commissioners should probably set a precedent here, and say that if they bring the roads up to the standards that the housing projects are, then the Commissioners can accept them, which means a 6 inch base and 3 inches in asphalt before they can even consider it.

Commissioner Willner moved that if the Right of Way is brought up to 40 feet and the road bed is 22 feet wide, also that there is 6 inches of stone with 1 1/2 inches of bituminous cover or 6 inches of concrete, then the Commissioners could consider accepting them for maintenance. Commissioner Schaad seconded the motion. So ordered. Mr. Nussmeyer is to inform them of this.

RE: HEERDINK LANE

Mr. Willard presented an estimate cost on Heerdink Lane, off Heckel Road. This is a 20 foot lane, so 15 feet will be needed on each side of the present lane, to make it a 50 foot lane, also needed is culverts, sewers and ditches will have to be installed and it will have to be rocked. The people have offered to grant the Right of Way. This is not an accepted road but the county has done some maintenance on it.

County Attorney Stephens said if this road was built between 1954 and last year, it has to have at least a paved surface of not less than 22 feet and a paved surface, if concrete, at least 6 inches deep, or stone and gravel at least 6 inches deep and have a bituminous surface of at least 1 1/2 inches. He said that if it was build prior to 1954, the only thing required would be that it have 40 feet of Right of Way and if they are willing to grant the Right of Way, it is up to the Commissioners as to if they are going to accept it for maintenance. The total estimate is \$496.33.

Commissioner Willner moved that the County Engineer check to see if the county is getting gas tax on this road or not, and report back to the Commissioners next week. Commissioner Schaad seconded the motion. So ordered.

RE: MR. WILLARD

Mr. Willard presented the monthly report for February, of the County Highway, also an inventory report of signs.

Commissioner Willner moved that the reports be received and filed in the Auditor's office and the County Commissioners office. Commissioner Schaad seconded the motion. So ordered.

Mr. Willard said he wants to change the system of cards on accepted streets and roads.

County Attorney Stephens said that he will see that Mr. Willard gets a copy of the master list of county accepted roads.

Mr. Willard presented an absentee list for the County Highway Department. He said that when anyone is absent, they just get docked for it. This matter was further discussed and it was found that more men took off on Friday.

Commissioner Willner wondered if it would be in violation to their agreement with the union, if a resolution were passed, that when a person is absent without reason, that it be taken off his vacation time and this might stop some of this being absent without reason.

Mr. Willard explained that the employees are allowed 8 days sick leave and that when they are sick, they are supposed to call in.

Commissioner Willner then moved that if a County Highway employee doesn't call in and is then absent, that it be deducted from his vacation time. Commissioner Ossenberg seconded the motion and said that he agreed with this action in principle and that they would have to take this matter up with the union. So ordered.

RE: MR. TORNATTA

Mr. Tornatta asked the Commissioners why the senior citizens were denied the pleasure of fishing at Boehne Lake.

Commissioner Schaad explained that all fishing is stopped at the present time, due to an article in the newspapers to the effect that it was open to the public, and so many people inquired about it that they didn't know what to do, as they don't have the personnel to police the area and to keep the premises clean. He said that there are also other problems that have to be worked out. Commissioner Schaad told Mr. Tornatta that the Commissioners will work on it.

RE: MR. HOTZ

Mr. Hotz said he had erected ten more "No Fishing" signs at the Boehne Lake area.

Mr. Hotz also said there are two trees at Boehne that needs to come down, that one is about to fall in the lake and the other is about to fall on the caretakers house. He said that there are others that also should come down and there is a question as to the legality and liability of doing this.

Commissioner Ossenberg suggested that Mr. Hotz contact Mr. Whitham on this matter and report his findings to the Commissioners, also as to the kind of trees that are there.

Commissioner Schaad wondered if anything was being done, where the old buildings were torn down at Boehne, in getting the foundation out and what is going to be done about tearing down the old boiler room. Mr. Willard said he could use the brick from the building.

Mr. Hotz said he thought bids should be taken to have the smoke stack taken down.

Commissioner Schaad said this might be a good place to use some of the Federal Sharing money and get these things done.

Mr. Hotz was asked to get bids on this and report back to the Commissioners.

RE: MR. CROOKS

Mr. Crooks said that he plans on going to Indianapolis tomorrow, for information on code interpretations. The Commissioners gave their approval for the trip.

RE: DIEFENBACH ROAD ORDINANCE SIGNED

Adoption of the speed limit of 30 miles per hour on Diefenbach Road, between Upper Mt. Vernon Road and Koring Road, was passed last week. County Attorney Stephens presented the ordinance at this time, for the Commissioners signatures.

RE: RECEIPT ACKNOWLEDGED

A letter was received from the State of Indiana Department of Commerce, addressed to the County Auditor, acknowledging the receipt of a copy of the petition for the incorporation of the proposed town of Darmstadt, Indiana. Letter received and filed.

RE: PROGRESS REPORT

Commissioner Ossenberg said that this Progress Report, of performance on the Evansville Comprehensive Retardation Center, must be signed by Mr. Nicholson, the Building Commission Chairman, along with the President of the County Commissioners, in an open meeting. This report certifies to the extent of progress on this project.

Commissioner Willner moved that President Ossenberg be authorized to sign the Progress Report. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIM AGAINST THE STATE

Mr. Jones said that this is the States portion of construction cost for what the architect said, has been completed on the Retardation center. He said that the Commissioners will get a varification on each contract, at the time the voucher is presented to them.

RE: OLD STATE ROAD

The State Highway Commission has abandoned 15/100 of a mile over Old State Road at I 64, where the new approaches were installed, for the county to maintain.

RE: PERMISSION TO ATTEND ROAD SCHOOL

Mr. Nussmeyer asked the permission of the Commissioners for Mr. Hartman, & Mr. Kares to go to Road School by car. Permission was also requested for Mr. Linzy, Mr. Russell, Commissioner Willner and Commissioner Schaad to attend this school. Commissioner Willner moved that the two County Commissioners, two Highway Supervisors Personnel and the two from the Highway Engineer's office be permitted to motor to Purdue University for Road School at County's expense. Commissioner Schaad seconded the motion. So ordered.

RE: MEETING PLACE CHANGED FOR APRIL 30th.

Commissioner Ossenberg said that last week, the Bar Association came in and it seems that last year, the Court of Appeals starting spreading throughout the state and they have asked to come in here and they will be in Evansville on

April 30th and May 1st. They have used the County Commissioners chambers in the past and April 30th happens to be the date of the regular Commissioners meeting, and the Alcoholic Beverage Commission also meets that afternoon. He said the chambers can be available to them if it agreeable with the Commissioners to schedule the County Commissioners meeting over to the Council Chambers which will be available that morning.

Commissioner Willner moved that the Commissioners meeting of April 30th, 1973, be held in the County Council chambers. Commissioner Schaad seconded the motion. So ordered. The A.B.C. will be notified.

RE: INTRODUCTION MADE

Mr. Nussmeyer introduced Mr. George Wandel, who he has recommended for the position of County Highway Engineer.

The meeting recessed at 12:00 noon.

PRESENT

| <u>COUNTY COMMISSIONERS</u>                         | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u>          | <u>REPORTERS</u>   |
|---|-----------------------|----------------------------------|--|
| Thomas Ossenberg<br>Robert Schaad<br>Robert Willner | Lewis F. Volpe        | William Stephens<br>Thomas Swain | B. Thompson<br>S. Clark<br>A. Jackson<br>G. Clabes<br>C. Leach |

Secretary: Margie Meeks

*Thomas L. Ossenberg*

*Bob Schaad*

*Robert Willner*

BOARD OF COUNTY COMMISSIONERS

00260

COUNTY COMMISSIONERS MEETING  
MARCH 12, 1973

The regular meeting of the County Commissioners was held on Monday, March 12, 1973, at 9:30 a.m. with President Ossenberg presiding.

The reading of the minutes on preceding meeting were dispensed with and they were approved with the following correction made.

On page three of the minutes of March 5, 1973, the typist failed to name which Commissioner made the motion to defer the request of Mr. Powell, in asking the Commissioners to do what they could to sell the property at 772 Line Street. The minutes should have stated that Commissioner Willner made the motion.

RE: MONTHLY REPORT

The monthly report of the County Treasurer was submitted to the Commissioners for the month of February. Report received and ordered filed.

RE: LETTER FROM COUNTY ASSESSOR

A letter was received from Mr. Angermeier, asking the permission of the Commissioners to have a telephone moved from the counter to a desk.

Commissioner Willner moved that permission be granted. Commissioner Schaad seconded the motion. So ordered.

RE: CONTRACT AWARDED FOR TWO TRACTORS AND MOWERS

Mr. Cravens presented an analysis on the bids that were received last week on two tractors and mowers for the County Highway Department. He said that all bids met with the specifications, and he recommended that the low bid of Universal Tractor Sales Inc. be accepted for the tractors and mowers in the amount of \$6,590.00 with trade of two used tractors. The County Highway Superintendent approved of this recommendation.

Commissioner Schaad moved that Universal Tractor Sales Inc. be awarded the contract. Commissioner Willner seconded the motion. So ordered.

Mr. Cravens turned all bids on tractors and mowers over to the Auditor's office for filing. All checks of unsuccessful bidders will be returned.

RE: REQUEST TO ADVERTISE FOR BIDS

Mr. Cravens presented a "Notice to Bidders" and the specifications for a station wagon for Pleasantview Rest Home and for a used tandem roller for the Highway Department. He recommended that the date for receiving these bids be set for April 9, 1973. Mr. Harness has approved the specifications for the station wagon and Mr. Willard has approved the specifications for the roller.

Commissioner Schaad moved that the Auditor be requested to advertise for the station wagon and the roller. Commissioner Willner seconded the motion. So ordered.

RE: RIVER ROAD

Request by Mr. Hubert R. Bruce to open and construct River Road to the site of his business.

The Commissioners have under advisement a request from Mr. Bruce to widen and relocate River Road from its point of beginning of the West line of the property of Mr. Arthur Karch thence East to the site of the terminal operated by Mr. Bruce. The request has been made because of the alleged erosion of a part of River Road by the Ohio River and the proximity of the river to the present road bed. The County Surveyor and the County Road Superintendent inspected the road and advised the Commissioners that the road could not be opened up to the minimum statutory width requirement of forty (40) feet due to the presence of a number of summer camps and dwellings closely abutting the North side of the present road and the proximity of the Ohio River on the South side of the road. It appeared that an entirely new road would have to be constructed North of said dwellings and upon the property of Mr. Karch. This road would service only the business site of Mr. Bruce and the cost of such a newly constructed road was estimated by the County Surveyor to be

in excess of \$30,000.00, plus the cost of acquisition of the necessary right-of-way from Mr. Karch. The Commissioners discussed whether or not, under all the attendant circumstances, it would be impractical for Vanderburgh County to keep the River Road open for traffic along that portion of same which Mr. Bruce is requesting the County to widen and improve. The Commissioners were advised by the attorney for Mr. Bruce there is now a pending law suit between Mr. Bruce and Mr. Karch over the authority of Mr. Bruce to use that portion of River Road under consideration. The Commissioners discussed the desirability of taking any action at this time towards the closing of the road which might affect or prejudice the rights of either party to the pending law suit. Thereupon, upon motion duly made and unanimously adopted, the Commissioners voted:

1. Not, at this time, to widen or reconstruct that portion of River Road under consideration.

2. Not, at this time, to close said portion of River Road unless legal action is brought against Vanderburgh County to require the County to widen or reconstruct the road.

RE: LETTER FROM THE ALCOHOLIC BEVERAGE COMMISSION

A letter was received by the Commissioners, from the Indiana Alcoholic Beverage Commission, stating that an appointment of a member of this Commission must be made by the Commissioners, that the expiration date of the present appointment is April 30, 1973.

Commissioner Schaad moved to re-appoint Bill Ossenbergh for the term of one year effective May 1, 1973. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AUDITORS OFFICE

|                  |                       |              |                |              |
|------------------|-----------------------|--------------|----------------|--------------|
| Gloria Evans     | 1369 E. Chandler Ave. | Clerk        | \$5,020.00Yr.  | Eff: 3/5/73  |
| Curt John        | 1615 N. St. Joe       | Chief Deputy | \$8,320.00 Yr. | Eff: 3/1/73  |
| Edna Robinson    | 604 E. Gum St.        | Extra        | \$15.00 Day    | Eff: 3/9/73  |
| Anna Fuhrer      | 1015 Lincoln Ave.     | Extra        | \$15.00 Day    | Eff: 2/27/73 |
| Gloria Evans     | 1369 E. Chandler Ave. | Extra        | \$15.00 Day    | Eff: 2/28/73 |
| Flora Rose       | 1105 Putnam           | Extra        | \$15.00 Day    | Eff: 2/27/73 |
| Lucille Musgrave | 4304 Pennington       | Extra        | \$15.00 Day    | Eff: 2/27/73 |

RE: EMPLOYMENT CHANGES.....RELEASES

AUDITORS OFFICE

|                   |                      |       |               |              |
|-------------------|----------------------|-------|---------------|--------------|
| Anna Fuhrer       | 1015 Lincoln Ave.    | Extra | \$15.00 Day   | Eff: 3/6/73  |
| Gloria Evans      | 1369 E. Chandler     | Extra | \$15.00 Day   | Eff: 3/5/73  |
| Carolyn Ransburgh | 3604 Rodenberg       | Clerk | \$5,020.00 Yr | Eff: 3/5/73  |
| Curt John         | 1615 N. St. Joe Ave. |       | \$ 4.00 Hr.   | Eff: 2/28/73 |

RE: CLAIM

A claim was received from Condict & Fosse Architects for the Evansville Association for Retarded Children for Architects compensation for services rendered. The amount of claim is \$1,430.00.

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

RE: LETTER FROM CHIEF HOUSING INSPECTOR

A letter was received from Mr. Harold Taylor, stating that the property at 631 Olive Street which is owned by the county, has been inspected and identified the following deficiencies:

Yard-remove two (2) junk trucks, unlicensed; four (4) unlicensed junk cars; old trailer and auto parts.

He stated that it would be appreciated if the county would please correct these deficiencies at their earliest convenience and that a re-inspection will be made within sixty days.

Commissioner Ossenberg opened this matter up for discussion by saying that there a number of parcels in the county that need to be appraised in order to try to sell them, including 18 parcels in the Sweetser area.

He said that the Commissioners have gone on record to have the County Assessor and the Township Assessor to give realistic appraisals, whereby these parcels can be sold at a reasonable fee, so they can be put back on the tax roles.

Commissioner Ossenberg then asked Mr. Volpe to prepare a complete list, in the next couple of weeks, of the county-owned properties obtained through tax liens and condemnation actions, and to have all the properties appraised and put up for sale.

Commissioner Willner said he feels the same way, but in the meantime, this junk will have to be removed.

He moved that the Commissioners ask the County Garage to remove this junk from 631 Olive Street. Commissioner Schaad seconded the motion. So ordered.

Commissioner Schaad asked the County Attorney what the law was on having appraisals made.

County Attorney Stephens said as long as the person doing the appraisal has the knowledge of real estate value and can give an opinion based on his knowledge and experience, this is all that is necessary.

RE: LETTER FROM VETERANS SERVICE OFFICER

The following letter was received from Mr. Oviatt, but was unable to be at today's meeting, due to illness:

Dear Mr. Ossenberg:

I am requesting the following appropriations for the Vanderburgh County Veterans Service Office.

1. Two additional clerks on a full time basis.
2. More office space.

Our work in this office has increased 50% over this period last year and due to the large amount of veterans being released from active duty we know this will continue to increase.

We are also very optimistic that the Indiana Legislature will soon pass a bill for a state bonus for Vietnam veterans and this, of course, will bring an avalanche of veterans needing help into our office.

The space in our office is already very limited for the number of people we are servicing each day as we also have the widows to care for.

If you could give me the time and visit the office I am sure that you would agree that what I am asking for is necessary for the efficiency of the office.

Thank you for your kind consideration. Signed Clyde Oviatt.

Commissioner Ossenberg said that in talking to Mr. Ruston, he found that there is no more office space. He thought that the County Coroner might have too much office space so Commissioner Ossenberg said that an agreement might be worked out here, whereby Mr. Oviatt could get more space for his office.

Commissioner Ossenberg also said that he has some reservation about the two additional clerks that are being requested by Mr. Oviatt, and this is why he would have liked for Mr. Oviatt to be here this morning, so that he could give further explanation for this need.

Commissioner Willner moved that this matter be deferred for two weeks, to give the Commissioners time to study the matter, and to give Mr. Oviatt time to appear before the Commissioners, and in the meantime, can check to see if there is possibly other space available. Commissioner Schaad seconded the motion. So ordered.

RE: SPECIFICATIONS FOR FILTERS AT BURDETTE PARK

Mr. Nussmeier said that Mrs. DeVoy is asking that two filters be replaced in two tanks that service the swimming pool. He estimated the cost to be approximately \$5,000 to \$6,000 and said there could be some extra work needed which won't be known until they get into it. He presented the specifications for the project.

Mrs. DeVoy said they had a lot of trouble maintaining the water last year, but got through the summer but that it definitely needs attention now.

She also said that they have had no trouble with the family pool.

Commissioner Ossenberg said the first Burdette Park Board meeting that he attended this year, it was requested that he ask the County Surveyor to make an inspection and draw up these specifications. The money is available and bids will have to be taken for this work. He said that the Burdette Park Board meets tonight and they would like to look over the specifications. Mrs. DeVoy said this should be done as soon as possible.

County Attorney Stephens suggested putting a penalty clause in the contract as to the completion date. Mrs. DeVoy suggested May 1, 1973, as the completion date.

Commissioner Schaad moved that the specifications be approved by adding a penalty clause, setting completion date at May 1, 1973, and subject to the approval of the Burdette Park Board. Commissioner Willner seconded the motion. So ordered.

RE: DUMPSTERS

Mrs. DeVoy said that at the meeting of November 16, 1972, the Commissioners requested that the Dumpsters at Burdette Park be re-located. She said they haven't been re-located to date and are being abused more all the time and she asked the Commissioners to please see that they are removed from the park entrance.

Commissioner Willner stated that if a county facility does not want the containers, it would be hard to expect private owners to allow the containers on their property.

Commissioner Willner moved that the dumpsters be removed from the entrance of Burdette Park. Commissioner Schaad seconded the motion. So ordered.

Commissioner Willner wondered if these dumpsters could be placed in front of White School for the time being.

There was further discussion of complaints on other dumpsters in the county.

Commissioner Willner said he thought the Commissioners would have to make a broad decision on the trash program in the near future. He said that it has been his opinion in the past, that if they had three small landfills in the county, that they might be able to get by cheaper than they are now.

The Commissioners agreed that the county's year-old experiment of placing trash disposal dumpsters is creating more problems than it has solved.

Commissioner Schaad suggested that a study be made by a professional sanitary engineering firm to determine what it would cost the county to operate several sanitary landfills, at scattered sites.

Commissioner Ossenberg said that he will check with the city officials for information on how the city obtained cost figures and information on landfill operations, and will report back at the next Commissioners meeting.

RE: LYNCH ROAD

Mr. Nussmeyer presented a letter from the Vincennes District of the Indiana State Highway Commission to the Commissioners. He said that this is the second letter from them and that he sent a copy of the first letter to the Railroad Co. and he thought it had been referred to the Traffic Dept. The letter reads as follows:

Charles D. Miller  
Chief Division of State Aid  
Indianapolis, Indiana

Dear Sir:

This is in answer to your letter of January 17, 1973, with respect to deficiencies that the Federal Highway Administration found on county roads that had been constructed several years ago.

Area Engineer, Mr. Richard Gregg, checked Project S-150(1), with the Knox County Commissioners, with respect to correcting the corrugations and shoving of the surface on this county road. The county stated that they intended to double seal this road in 1972, but the weather delayed them. They have corrected approximately 1 1/2 miles on this project, the rest will be corrected in 1973.

Area engineer, Mr. Marston Fowler, Jr., checked with the Vanderburgh County Engineer, with respect to deficiencies on Project SU-881(1). At the County Commissioners meeting nothing was fully decided, at that time. The County Engineer stated they would make a decision on this at the next meeting.

Mr. Nussmeyer asked that the Highway Department be informed as to what will be done on this. This will be taken care of.

RE: RESOLUTION PRESENTED

Mr. Nussmeyer presented the Resolution on the abandonment of a portion of Old State Road as follows:

BE IT RESOLVED that the State of Indiana, by and through the State Highway Commission, does hereby release and abandon all its rights, title and interest in and to the said portion of Right of Way adjacent to I-64, Section 82, Vanderburgh County, Indiana, as follows:

Right of Way adjacent to I-64, Section 82

Contract Number R-8278

Project Number I-64-I(43)26

Reconstructed County Road

From: The south L.A. Right of Way line of I-64 at approximate Station 51+50 Line S-9-A.

The new portion of the road is now open to traffic and the abandoned portion of a total distance of about 0.15 mile, is hereby turned back to Vanderburgh County, Indiana. This was dated the 15th day of February, 1973.

RE: BRIDGE ON OUTER ST. JOE

Commissioner Schaad said that Area Plan has been making a study of this wooden bridge on Outer St. Joe and that it is very dangerous and there hasn't been any more warning signs placed there. Nothing has been heard from Area Plan on this and it will have to be checked into.

RE: WALLENMEYER ROAD

The following letter was received by the Commissioners from Mr. Harry J. Elpers:

Commissioners:

I'm speaking in behalf of the residents of Wallenmeyer Road. I would like to say a few words in reference to the conditions and shape of Wallenmeyer Road. Over the past years a lot of time and money has been spent in way of maintenance on this road. Such as grading and a many loads of rock. Just to give you some idea how much this is used at the present. Two school busses, 5 days a week, 9 months a year. A mail route and a Bulk milk tank truck, every other day of the year.

This type of road just don't meet the standards of todays fast moving society. It is by far too narrow for any four or six row farm machinery to pass safely. It is of my opinion this road is in real need of some attention such as widening and hard surfacing. I personally feel this would be a real step in the right direction and without a doubt the cheapest over the years.

We the undersigned are residents and land owners joining Wallenmeyer Road and agree something definitely needs to be done. In order to make this a better place in which to live. We do have a lots of faith in our Political Party and feel reasonably sure you will do something, or at least make an effort to.

Please let us hear from you. Signed by Harry J. Elpers and other residents.

Commissioner Willner moved, on the recommendation of Mr. Nussmeyer, that the Commissioners ask the residents of Wallenmeyer Road to furnish an additional 20 feet of Right of Way and the Commissioners will then entertain the hard surfacing of Wallenmeyer Road. Commissioner Schaad seconded the motion. So ordered.

Mr. Willard suggested planning a program whereby the county could black-top all the gravel roads, gradually, and get away from the gravel roads.

Commissioner Schaad said that it might cost more initially to black-top the roads but then with the grading, the gravel, and the upkeep of the gravel roads cost a lot and then the people are never satisfied with them, so he thought it better in the long run to surface them properly. He thought perhaps they could go to the council and ask for some Revenue Sharing money to do this. He said that the county bridges also need to be considered.

Mr. Willard said that he has one man at the garage that is a good road grader man but he doesn't think it right to have to pull him off one job after the other, when the other guy is drawing the same amount of money and can't do the work. He said that he inherited the classification system and that some of the classifications need to be changed.

Commissioner Willner said that the Commissioners could re-classify the men.

Mr. Willard was asked to get some figures on black-topping and compare the cost with what it is costing the county to grade, gravel and the upkeep of the gravel roads.

Mr. Willard said that Union Township has cost \$100,000.00 a year on the upkeep of the roads there. He said that they build a road there and when the river comes up, it washes it into a corn field and they have to go right back and rebuild it again.

RE: LETTER FROM S.I.G.&E. CO.

The following letter was received by the Commissioners from the Southern Indiana Gas & Electric Co.:

Dear Sir:

This is to confirm my telephone conversation with you this morning regarding Southern Indiana Gas & Electric Company's continued wish to recover all out-of-pocket costs incurred by the Company in providing continued services to its customers on Old State Road during the construction of an overpass over the new L & N Railroad tracks, and in relocating an existing 4" gas main on Old State Road made necessary by the construction of the overpass.

We have been advised by our legal counsel, Fred Bamberger, that Southern Indiana Gas & Electric Company's facilities are located in Old State Road as a matter of right under Indiana law and therefore if the Company is required to relocate its facilities at the request of some other user it is entitled to reimbursement for the expense entailed thereby.

Southern Indiana Gas & Electric Company has no objection of its gas mains and services, but does believe it should not have to pay any of the costs of the L & N Railroad construction.

As was brought out in our meeting with L & N Railroad representative and county officials, the total estimated cost of doing the work we have to do is \$18,000; \$3,500 of which is for the by-pass line and the balance, \$14,500 for the 4" gas main relocation. Signed Roy M. Day.

Mr. Willard said that the Railroad has approved the plans for the Old State Road overpass.

County Attorney Stephens wondered if the Railroad would go along with leaving the gas lines where they are.

Commissioner Willner said that if they want them moved, that is between the Railroad and the Gas Co.

Commissioner Willner moved to leave the gas lines where they are and to cover them up. Commissioner Schaad seconded the motion. So ordered. County Attorney Stephens will notify the R.R.Co. of the Commissioners' decision.

Commissioner Willner said that he thought the Commissioners should instruct the contractors, as to their wishes in this matter.

Commissioner Schaad said that as soon as the approval of the R & S funds is received, they will be ready to proceed to advertise for bids.

RE: EICHOFF ROAD

Mr. Nussmeyer asked if the Commissioners wanted to go out and look at Eichoff Road. The Commissioners agreed to out there this afternoon.

RE: MR. CROOKS

Mr. Crooks said that he and Mr. Hotz got together and prepared the information for the "Notice to Bidders" for the demolition of buildings at the old Boehne Hospital. He presented the notice to the Commissioners for their approval.

Commissioner Willner moved that the notice be approved for advertising. Commissioner Schaad seconded the motion. So ordered.

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7.  
RE: CLAIMS

Mr. Willard presented two claims for the Road School Expense of Mr. Charles Russell in the amount of \$16.32 and of Mr. Jerry Linzy in the amount of \$28.47.

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

Mr. Volpe said that the State Board had told him last year that some standard policy should be arrived at for meals, when employees go on trips such as this.

Commissioner Schaad said that the statute which allows \$15.00 per diem is probably antiquated and he thought this should be raised. He said that he would take it upon himself to get some figures together in order to arrive at some standard policy for amount to be allowed for meals.

RE: LETTER FROM STATE TAX BOARD

Commissioner Willner presented a letter from the State Examiner to Mr. Capp Hudson as follows:

The amount of money received from the county revenue fund by the Vanderburgh County Highway Department for the sale of gasoline and limestone rock sold to the County Superintendent of Buildings and Grounds shall be receipted to the County Highway Fund control. The amount received shall not be added to the appropriation balance in a County Highway Fund for materials. The money received shall have to be reappropriated.

Commissioner Willner said that this pertained to Mr. Hotz' operation with the County Garage, and that Mr. Hotz can still buy the gasoline and rock from the County Garage, pay the Auditor by check, the County Garage will bill him and they can't put it back into the Contractual account but into the Highway General Fund.

RE: REPORTS

Mr. Willard submitted the absentee list of the County Highway employees for the past week. Report received and filed.

Mr. Judd submitted the monthly report of materials used by the Traffic Engineering Department for the period from January 1, 1973 to February 28, 1973.

Commissioner Willner said he has noticed new signs erected in Armstrong Township, he thought they did a good job, but wondered if there was a minimum space required for a sign to be placed from the road. He thought they might be too close to the road and that they could be easily knocked down. Mr. Judd said that he would check on this.

RE: BOEHNE LAKE

Commissioner Schaad said that the Commissioners were talking about Boehne Lake and what a beautiful lake it is. He said that Commissioner Willner said there is some hay at the Pleasantview Rest Home, and suggested putting a bale of hay about every 65 yards around the lake, as the hay would have a very beneficial effect on the lake and there would be no cost, only the time it would take to do it.

RE: ROAD STRIPING

Commissioner Schaad asked if there was a program yet on the striping of the County roads, as he has had calls on this matter. After some discussion, Commissioner Schaad asked if there was an ordinance or anything about a white striping on the outside of the county roads.

Mr. Willard said that some roads have the outside white line while others don't have.

Commissioner Schaad moved that the Commissioners request the Area Plan Commission to give them recommendations for which county roads that need the outside white line. Commissioner Willner seconded the motion. So ordered.

RE: CUTS-IN

A cuts-in application was received from the Indiana Bell Telephone Co. requesting permission to cut into Wortman Road to bury a telephone cable.

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

RE: COMMENTS ON CUTS-IN AND BACKFILL

Mr. Harold Peters said that Indiana Bell Telephone Co. put their lines back at Bergdolt and Oak Hill Road, in the shoulder and didn't compact it, so it settled in the blacktop and water stands there, and last summer, they did the same thing on St. George Road. He said that he would appreciate the Commissioners looking into this matter.

Cuts-in were discussed, also the negligence on the part of the utilities of the backfill.

Commissioner Schaad moved that all the Utility Companies be informed, in writing, of the proper procedures in making cuts and of the backfill. Commissioner Willner seconded the motion. So ordered.

RE: REPORT OF ROAD INSPECTOR

Mr. John Koch, the Road Inspector had submitted his report of the conditions of the roads in the county, dated February 27, 1973. Report received and filed.

The meeting recessed at 11:12 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u> | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u> | <u>REPORTERS</u> |
|-----------------------------|-----------------------|-------------------------|------------------|
| Thomas Ossenberg            | Lewis F. Volpe        | Thomas Swain            | S. Clark         |
| Bob Schaad                  |                       | William Stephens        | G. Clabes        |
| Robert L. Willner           |                       |                         | A. Jackson       |
|                             |                       |                         | C. Leach         |
|                             |                       |                         | B. Thompson      |
|                             |                       |                         | C. Cooper        |
|                             |                       |                         | R. Heiman        |

Secretary: Margie Meeks

Thomas L. Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

SPECIAL MEETING ON PURCHASING

A special meeting was held on Wednesday, March 21, 1973, at 9:00 a.m. in the County Commissioners meeting room, presided by Mr. Lewis F. Volpe on behalf of the County and Mr. Richard Burek on behalf of the Purchasing Department. Also in attendance were the County Officeholders or their representatives and County Attorney Stephens.

The purpose of this meeting was to find a solution in simplifying the procedures of purchasing and to try to solve any problems that the officeholders might have.

It was agreed to submit the following procedures for purchasing, for your approval:

- 1.) Purchase orders should only be written for all tangible items that were written for last year. Not on non-tangible items, not on special forms, with certain companies such as Xerox, N.C.R., etc.
- 2.) The white slip should be eliminated.
- 3.) The Sheriff's Department and the County Highway, and other departments should purchase their own small repair items for cars and trucks. This will be resolved at the end of the month.
- 4.) The food, clothing, prescriptions, etc. for the Welfare Department and Pleasantview Rest Home should be purchased on open market, but all requisitions for normal items will go through the Purchasing Department, except for Welfare.
- 5.) All ordering should be made expeditiously within the time required to meet a particular deadline and should be checked with the purchasing department.
- 6.) Each office will have one person who works directly with Mr. Richard Burek in the purchasing department.
- 7.) Each requisition must be signed before a purchase order will be sent out, but only one signature is needed.
- 8.) The following items need the claim only:

|                            |                                |
|----------------------------|--------------------------------|
| Pest Control               | Memberships                    |
| Subscriptions              | Maintenance Agreement          |
| Xerox Machine Copy Service | Repairs ---cars, etc.          |
| Trash Disposal             | Gasoline from one department - |
| All Publications           | to another                     |
| Witness Fees               | Law Books                      |

9.) In case of an emergency order, time and trouble would be saved by calling the purchasing department and getting a purchase order number to give to the vendor when the items are ordered. By giving the purchase order number, the order will become a legal contract and the vendor will be assured of payment. Then follow through with the paper work.

10.) If an officeholder can find a suitable item at a more reasonable price than the Central Purchasing Agent, then the officeholder should so inform the purchasing agent.

Respectively submitted,

*Lewis F. Volpe*

Lewis F. Volpe, County Auditor

*Curt John*

Curt John, Chief Deputy Auditor

COUNTY COMMISSIONERS MEETING  
MARCH 26, 1973

The regular meeting of the County Commissioners was held on Monday, March 26, 1973, at 9:35 a.m. with President Osenberg presiding.

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

RE: REQUEST OF PRESIDENT OSSENBERG

Commissioner Osenberg said that they have moved the speakers table out toward the center of the room and requested that all speakers address the panel from the table, in a loud clear voice so that all present can hear them. He requested that they state their name, what business they have before the Commissioners and who they represent.

RE: COMPLAINT ON WALLENMEYER ROAD

Mr. Harry Elpers, representing the residents of Wallenmeyer Road, stated that his letter to the Commissioners, in the minutes of March 12, 1973, requested that Wallenmeyer Road be paved and stated that the road is too narrow. It was the decision of the Commissioners, on the recommendation of Mr. Nussmeyer, to ask the residents of Wallenmeyer Road to furnish an additional 20 feet of Right of Way and the Commissioners would then entertain the hard surfacing of Wallenmeyer Road.

Mr. Elpers said he wasn't sure what the Commissioners meant by the 20 feet of Right of Way and he said that he was more interested in getting the road paved. He said that by asking the residents for Right of Way he was afraid that he would run into opposition.

County Attorney Stephens said that under the new ordinance, the road width minimum must be at least 40 feet and since the road is 30 feet they will need at least 10 more feet and the county wanted 20 more feet, in case they ever had to work on the side of it, they would have plenty of room.

Mr. Elpers said there are four property owners on this road and that it is approximately 1 1/2 miles long. He wondered if it wouldn't be cheaper to blacktop the road, than to keep putting rock on it.

Commissioner Schaad said they are getting figures together right now, as to what it costs to maintain the rock and gravel roads that have to be done over and over, and compare these costs with the cost of blacktop.

Commissioner Willner said if the residents consented in giving the Right of Way, the ditches wouldn't be changed immediately, but if they look into the future, the Commissioners are within their reason, in asking for it.

Commissioner Schaad said if this work is done, it must be done according to standards. He asked Mr. Nussmeyer if he would please make a drawing of this area so that Mr. Elpers would have something to show these people in asking for the Right of Way needed.

Mr. Koch, the Road Inspector, said he was out there and that Wallenmeyer Road is in bad shape and is at rock bottom in places and there is no chance of the water getting into the ditches. He said that he later went out there and they had rocked it but that the rock was heaped up in the center of the road and that it needed to be rolled out. He said that for temporary measure, the road would be wide enough if the roller were used and the bridges were cut so the water would run into the ditches.

Commissioner Schaad said that if the residents give the Right of Way, there may be a possibility of surfacing this road at a later date and it would be a matter of getting the money.

Mr. Elpers asked who was going to get the \$75,000 that has been appropriated for county roads.

Commissioner Ossenberg said that this is just part of it, that they are asking for \$300,000.00 and if they get it they are going to make projected plans as to which roads are going to be improved.

Mr. Elpers will talk to the residents about the Right of Way that is needed.

RE: OPENING OF BIDS

Invitational bids had been requested for two filters that are needed to replace the old ones in tanks that service the swimming pool at Burdette Park.

The following bids were received:

|  |  |
|--|--|
| Municipal Engineering & Construction Corp..... | \$14,400.00                                  |
| John Mans Construction Company.....            | \$17,500.00                                  |
| H. A. Grant Plumbing Company.....              | \$16,500.00                                  |
| Peyronnin Construction Company.....            | \$23,379.00                                  |
| Deig Brothers Construction Co.....             | 1) \$ 9,938.00- Using local material         |
|  | 2) \$13,680.00- Using national pool material |

The Engineer's estimate on this project was \$6,825.00 and all bids exceeded this.

Commissioner Schaad moved that the bids be referred to Mr. Nussmeyer. Commissioner Willner seconded the motion. So ordered.

RE: OLD STATE ROAD

Commissioner Ossenberg said that Mr. Jay Welch was to have made a report on the Old State Road Right of Way today, but he is at a meeting this morning, at Old State Road, so will be unable to attend this meeting.

Mr. Nussmeyer said that Mr. Welch had reported to his office, that one of the land owners in this area had been in the hospital but that his report was favorable, except that he still has to talk to this resident.

RE: DEED

Commissioner Ossenberg said that on the 5th of February, 1973, a deed was executed by the Commissioners and it has come back for a better legal description.

Commissioner Schaad moved that this deed be referred to the County Surveyor, on recommendation of the County Attorney, in order that he can get a better legal description. Commissioner Willner seconded the motion. So ordered.

RE: ROADS STUDIED

Mr. Keith Lochmueller presented studies from Mr. Kenneth Marlin, on the following:

RE: Physical Features & Speed Study on Schutte Road

The Council of Governments Staff conducted a comprehensive speed study on Schutte Road between State Road 62 and Broadway Avenue. At the present time the speed limit on Schutte Road is 57 miles per hour with an average traveled speed of 46 miles per hour.

We feel that these speeds are too high for a road with an average width of 16' 6". Therefore, we recommend the speed should be posted at 35 miles per hour, in accordance with the Manual on Uniform Traffic Control Devices for Streets and Highways.

Commissioner Willner moved to adopt a speed limit of 35 miles per hour on Schutte Road. Commissioner Schaad seconded the motion. So ordered.

RE: Additional bridge warning signs at the Penn Central Railroad Bridge and outer St. Joseph Road.

The Council of Governments Staff conducted a Physical Features Study at the Penn Central Railroad Bridge and outer St. Joseph Road. We came to the conclusion that the existing signing at the bridge is not in accordance with the State Manual on Uniform Traffic Control Devices. Therefore we recommend that additional narrow bridge warning signs be installed and the approaches on St. Joseph Road, north and south of the bridge, for a length of 750', to meet State and Federal Standards. In our opinion the improvements to this bridge will decrease the possibility of accidents and improve traffic flow.

Commissioner Willner moved that additional narrow bridge warning signs be installed and the approaches on St. Joseph Road, north and south of the bridge, for a length of 750' meet State and Federal Standards. Commissioner Schaad seconded the motion. So ordered.

RE: Inspection made by the Federal Highway Administration on Lynch Road between U. S. 41 East to Oak Hill Road.

The Federal Highway Administration conducted an inspection on Lynch Road which is part of the overall 1972 Maintenance Inspection Program, as required by PPM 21-11. The administration came to the conclusion that the pavement and drainage on this corridor is in good condition, but found it lacked in three items related to traffic control:

Finding 1. Pavement markings were worn completely, with the exception of a few 100' on the East end of the roadway which is somewhat visible, but in need of repainting.

Finding 2. The railroad track crossing had the standard cross-buck located for westbound traffic only. In addition, there were no pavement markings for the railroad crossing.

Finding 3. It was noted a sign located at the East end of the project for westbound traffic states, "Travel at Your Own Risk". - This sign is not in conformance with any standard currently being used.

Therefore, the Federal Highway Administration and the Council of Governments recommends the following recommendations:

1. Pavement markings be repainted and updated to current standards.
  2. The "Travel at Your Own Risk" sign should be removed and replaced with a "Heavy Cross Road Traffic" sign, that would be clearer to the driver.
- The railroad has informed the County Surveyor that they would bring the railroad crossing up to State standards.

Commissioner Willner asked if they were going to let the City-County Traffic Dept. do the striping now.

Commissioner Schaad said this is the way it will be done now and it seemed to him that they found it would be cheaper to contract the job.

Commissioner Willner then moved that the previous recommendations be carried out. Commissioner Schaad seconded the motion. So ordered.

Commissioner Ossenbergs said he thought Mr. Judd explained him, that they have about \$11,000 in this budget and that they were going to try to take the major county roads and get them striped first.

RE: REQUEST FOR PLAYGROUND

Mrs. Carolyn Cashman, speaking for the Westettes Home Economics Club, said there are about 100 homes in the University Heights Sub-division and 200 or more children and there is no play area. She said their club is interested in getting some sort of central play area with some playground equipment with space for playing ball. She said they were asking the Commissioners for help since they didn't know how to go about it.

Commissioner Schaad said he thought they should start at the Area Plan Commission, that he didn't know if a playground area was in the plans for this Subdivision or not.

Commissioner Willner said that maybe if the developers weren't going to use some of the open fields in the near future, he might let them use the area for a playground.

It was also suggested that maybe the Indiana State University could come up with something and Mrs. Cashman said the University wouldn't even let the children ride their bicycles there.

The aadies then went to the Area Plan Commission to see what they could find out.

RE: EMPLOYMENT CHANGES...APPOINTMENTS

|                           |               |                        |                        |
|---------------------------|---------------|------------------------|------------------------|
| CUM. BRIDGE...David Brown | 1015 W. Iowa  | Asst Insp. \$5,720 Yr. | Eff: 3/15/73           |
| CO. HWY.....Orval Hahn    | Box 271 R. 1  | H.E.O. \$3,525 Hr.     | Eff: 3/17/73           |
|                           | George Wandel | Grandview Ind          | Co. Engr. \$15,000 Yr. |
|                           |               |                        | Eff: 3/16/73           |

RE: CLAIM

A claim was received from Sandleben Plumbing & Heating Co. for the Central Service Facility at Burdette Park in the amount of \$2,606.40...Partial billing #2. This is Bond Issue money and the claim was signed by the architect.

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

RE: MOTION RESCINDED

Commissioner Ossenberg said that last month, the Commissioners had the assurance of B & H Disposal Co. that Mr. Young, the owner, would deduct \$150.00 from Mr. McRoy's check at the rate of \$25.00 per month, to pay for a county bridge that he had damaged, so the Commissioners agreed to sign the release providing this payment was made. Since then Mr. McRoy has been dismissed from his job as of March 16, 1973, because of his conduct. B & H Disposal has sent a check to the County Auditor in the amount of \$18.75 which is payment for three weeks.

Commissioner Schaad moved to rescind the motion that was made previously, to accept the partial payment and put in the Bridge Account, also to notify the Safety Responsibility Division of the State License Bureau of this action.

RE: NOTIFICATION OF RETIREMENT

The following letter was submitted to the Commissioners by Mr. John Koch, the County Road Inspector:

RE: RETIREMENT OF JOHN A. KOCH, ROAD INSPECTOR, AS OF JUNE 30, 1973. Due to health condition, want to take my retirement as of the above date. I will be 79 years of age on that date and have enjoyed my work, but of late the strain has been somewhat heavy and I worry about certain conditions that exist. Thanks for your consideration of the above. Sincerely, Signed John A. Koch.

Commissioner Schaad moved that the retirement of Mr. Koch be accepted as of June 30, 1973. Commissioner Ossenberg seconded the motion. So ordered.

RE: EXTRA WORK AGREEMENT

Mr. Nussmeyer presented a change order on Melody Hills Subdivision which showed a net decrease of \$226.15. He said the specifications called for dirt and he changed it to rock in order to expedite the work.

Commissioner Willner moved that the change order be approved. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIM ON FEDERAL COUNTY PROJECT

A claim was presented to the Commissioners from the Indiana State Highway Commission on Federal County Project..S-818(2) Contract B-8146 which was for St. George Road. The following letter accompanied the claim for \$1,282.53.

Dear Sir:

We enclose herewith final claim on the above project. This is Vanderburgh Structure 9429, carrying a county road over Little Pigeon Creek, north of Evansville.

You will note that the claim states that there is still the sum of \$1,282.53 owing the State from Vanderburgh County. By way of explanation, there were several items affecting the amount recoverable from the F.H.W.A. Item one, there was non-participating construction in the amount of \$2,401.98, which item was 430 tons of Compacted Aggregate, Type P, which amount is 100% County financed. Ten per cent of the construction engineering of this ineligible construction cost, or \$240.20 is ineligible. According to the rules and regulations of the F.H.W.A., amounts in construction engineering claims in excess of ten per cent of construction costs are also ineligible. In the case of the above project, this amount is \$24,310.99.

Please make your remittance payable to the Indiana State Highway Commission, and mail to the Indiana State Highway Commission, 100 North Senate Avenue, Indianapolis, Indiana, Division of Accounting and Control, Attention: Agent Cashier. Mr. Nussmeyer said that the county has no alternative but to pay this claim.

RE: REQUEST TO LAY PIPE

Last week, Commissioner Willner had said that John and Ruth Keller requested to be allowed to run a section of drain pipe down the sides of Woodland Hills Drive. This matter was referred to the County Engineer.

Today, Mr. Nussmeyer recommended that permission be granted and suggested that the people waive one side of the Right of Way.

Commissioner Willner moved that Mr. Keller be allowed to use the county roadway for a private sewer, that he is to install, himself, at no cost to the county, with cast iron pipe, under the supervision of the County Engineer. Commissioner Ossenberg seconded the motion. So ordered.

RE: EASEMENT FOR WATERLINE

An easement for a waterline on Covert Avenue, to the City of Evansville, from Vanderburgh County, was presented for the approval of the County Commissioners.

Commissioner Schaad moved that the easement be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: BIDS DISCUSSED FOR FILTERS AT BURDETTE PARK

Mr. Nussmeyer noted the difference between the bids received on the filters for the Burdette Park pool and his estimate on the project.

Commissioner Schaad suggested that Mr. Nussmeyer contact Deig Brothers which had submitted the lowest bid for the filters, and in the meantime to get costs of materials so that a decision can be made, because an emergency decision must be made within 10 days from receipt of letter.

Commissioner Schaad said they didn't know that they would get such high bids.

County Attorney Stephens said if they are not satisfied with the specifications, the Commissioners will have to ask for new bids and the contract can't be changed unless all bidders agree.

Mr. Nussmeyer said that he would contact the bidders and then contact the Commissioners who, in turn, will discuss the matter. The decision will be determined and made official at next week's meeting.

RE: MR. WILLARD

Mr. Willard presented a list of absentee's from the County garage for the previous week. List received and filed.

RE: SALE OF PROPERTY AUTHORIZED

Mr. Willard said he has three Mo-trims at the County Garage and he would like the Commissioners to declare one of them surplus and sell it because they don't use it. The model number is MT 7605110 and it is on a Ford Tractor, Serial number C25-8895, Model number D40-24E.

Commissioner Schaad said he thought this could be sold and the money could be used on a back hoe.

Mr. Willard will get an appraisal on it today.

Commissioner Schaad moved that this property be declared as surplus and authorized that it be advertised for sale. Commissioner Ossenberg seconded the motion. So ordered. The Auction will be held in the Commissioners office on April 23rd, 1973 at 9:30 a.m.

RE: VEHICLE INSPECTION....CLAIM

Mr. Willard said that the County Garage is the inspection station for the safety inspection of all the county-owned vehicles and he presented the following letter:

To all inspection station owners and operators, from Dept of Traffic Safety and Vehicle Inspection.

This is to inform you that hereafter all requisitions for inspection stickers and applications for inspection station or mechanic license must be accompanied

by a check or money order.

For security reasons, this department can no longer accept cash or currency for the purpose of ordering inspection stickers or applying for station or mechanic licenses.

Requisitions and applications received from station operators, mechanics, or individuals who fail to comply with this request will be returned to proper person.

Another letter was also enclosed stating that the Department of Traffic Safety and Vehicle Inspection has been aware of the very poor sticker security in many of the vehicle inspection stations and asked the inspection stations to please keep the stickers under lock and key at all times.

Mr. Willard then presented a claim from the Department for the receipts and stickers for the county garage. Commissioner Willner said there are 50 stickers in a book at 50¢ per sticker or \$50.00 for 2 books. Commissioner Willner moved that the claim be approved. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Willner said that the new stickers can be held over since they are now good for three years.

RE: MR. HOTZ

Mr. Hotz said he talked with the Superintendent of Washington Home to see if a fire station was required there, since the Fire Marshall had requested that the fire hoses at Pleasantview Rest Home and Hillcrest Home be replaced. He said that the Superintendent saw no reason for having a fire station.

RE: BUILDINGS AT BOEHNE

Commissioner Schaad asked Mr. Hotz how the work was coming along at Boehne on the demolition of the buildings and the smoke stack. Mr. Hotz said that the work has been advertised for and the bids will be opened at next week's meeting.

Mr. Hotz also said that he has, as yet, been unable to contact anyone on the trees that need to be cut down.

RE: REQUEST FOR PLAYGROUND...CON'T.

Mrs. Cashman of the Westettes Home Economics Club, was present at this meeting earlier, expressing her desire for a playground and was advised to go to the Area Plan Commission to see if a playground was in the plans for the University Heights Subdivision. She and her friend came back and said that they had talked to Mr. Ernspeiger, who told them that the area in question has been planned as a residential area and no playground was warranted.

Commissioner Schaad said he didn't see how the county could come up with the money to buy land for this purpose.

Mr. Cashman said that their club is willing to purchase the playground equipment but that they need the ground and there is also a question of liability.

Commissioner Willner said they could incorporate, also if it were possible for the county to furnish them with a playground, they would have to do it for everyone else. He said that all the recreation facilities in the county have been taken care of by local civic groups and that there is also a provision in the statute, that the township can do this if it is feasible for them.

Commissioner Schaad advised the ladies to go to see their township trustee to see if he can help them.

RE: PURCHASING

Mr. Volpe presented copies of the special meeting that was held on Purchasing, on March 21, 1973, and said it was unanimously agreed by the office holders present, that they would like to see the rules used that were agreed upon, and he presented them to the Commissioners for their approval, with the possibility of them being incorporated into the Commissioners minutes.

The rule on an emergency order was discussed and Mr. Volpe said he didn't think there was an objective definition of an "emergency" and it should be left up to the discretion of the office holder.

Commissioner Ossenberg said he would like for all the office holders to notify the Commissioners, in writing, that they approve of the rules on purchasing.

Mr. Volpe said he would type up the rules for all office holders to sign.

RE: USE OF THE XEROX MACHINE

President Ossenberg presented a letter that he wrote to the County Auditor on March 23, 1973, concerning the Xerox machine addressograph office, because he found that there is some abuse, in that, it is being used by several offices that don't concern county business. The letter reads as follows:

Dear Lew:

The present County Commissioners have decided upon the following policies for our Xerox copier located in your office:

1. Free copy service to county offices is provided by the commissioners. This means Only official county business.
2. All other offices desiring to use the copier will pay the following rates, payable at the time of copying:

15¢ per copy if they furnish their own paper.

25¢ per copy if they use our paper.

The above policies are effective immediately. Please advise us of any difficulties incurred regarding this directive.

A copy of this letter is being sent to all office holders so they will be aware of the desires of this office.

Very Truly yours, Tom Ossenberg, President

Commissioner Ossenberg said that this is one way the Xerox machine could start paying for itself, since this comes from the Commissioners budget.

Mr. Volpe said this was the system that was approved two years ago when this machine was put in. He said he had a study made of a different pricing plan with the Xerox company and went into a new plan that should save approximately \$85.00 per month. The cost is about \$700 to \$800 per month.

Mr. Volpe said when the machine was first put to use, it was discussed if a device should be put on it, where each department had a key or if it should be grouped into the County Commissioners budget and at that time, the previous Commissioners agreed to the latter plan.

President Ossenberg said he thought this an avenue where they tried to centralize it and put it in the County Commissioners budget and he thought it should be in each individual department so the office holder would be more conscious of what they are spending.

He said that this may be a recommendation to the County Council for the budget of the coming year, that it be put in each department and use the key system.

RE: PROPERTY AT 667 E. CHERRY ST.

Last week a letter was received from Mr. Taylor on the condition of the property at 667 E. Cherry St. and it was the decision of the Commissioners for the county to clean it up.

Commissioner Ossenberg asked if it had been cleaned up.

Mr. Willard said they hadn't cleaned it up yet.

Commissioner Ossenberg said it should be cleaned up, as they only have 10 days from receipt of the letter to do it.

RE: SURPLUS COUNTY OWNED PROPERTY

Commissioner Schaad asked Mr. Volpe how he was coming along with the list of surplus property that is owned by the county, so it can be sold.

Mr. Volpe said that the Commissioners should have the list in a week or two, that his employees are working on them now.

RE: REQUEST THAT SERVICES BE CONSIDERED

Mr. Andy Easley, Consulting Civil Engineer for the city, said that he understands that the Commissioners are anxious to obtain plans and specifications for Eichoff Road and he would like to be considered for the job. He submitted a contract to the County Attorney for him to look over.

Commissioner Ossenberg said they do have a deadline to meet and that several men are going to Indianapolis, this week, to see if they can meet this deadline and what they are going to do.

RE: BRIDGE ON OLD HENDERSON ROAD

Mr. Mulzer said last week, that they had received a letter from the L & N Railroad Co. stating that there will be a light load allowed on the bridge, that they have a yard in this area and with the weight limit lightened, it will hinder them as well as others.

He appeared today and said that the Railroad Co. has put their signs up now and has pretty well put them out of business.

County Attorney Stephens said they may have to file a complaint with the Public Service Commission, since he thought the Railroad would have had to file a petition to give time for objections on the change in the weight limit.

Mr. Nussmeyer said that the only way out of this area is at the Hybrid Inn and that it goes right down on the Railroad and that it is a very hazardous crossing.

Mr. Mulzer wondered if the Commissioners would possibly upgrade the crossing at Hybrid Inn, so it would be safe to use.

Mr. Nussmeyer said that he would get a cost breakdown on this. He said they would also have to acquire some Right of Way on Short Red Bank Road and that this road is only about 150 to 200 feet long. He said that he would talk to the Railroad Co. to see if they would delay this weight limit until something can be worked out.

RE: CLAIMS

County Attorney Stephens presented two claims, one for himself and one for County Attorney Swain, for the preparation of the Master Traffic Control Code and Master List of County roads that are approved for maintenance. Each of the two claims are in the amount of \$652.50.

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

RE: REQUEST TO TRAVEL

Commissioner Schaad requested permission to go to Indianapolis this Wednesday with Mr. Nussmeyer, Mr. Marlin, on the Eichoff Road Project, also would like to see if there is a possibility of the state working with the county on the overpass from the University, to tie into Eichoff Road, as there may be some money available. He said there is also a meeting on Wednesday, April 4, of the Indiana Association of Counties, at Jasper Indiana, and he would like for several to go, including Mr. Miller, Mr. Willard, Mr. Dobroski, Mr. Russell, Mr. Linzy, Mr. Siebiking and County Attorney Stephens, including himself, at county expense.

Commissioner Willner moved that these two trips be approved. Commissioner Ossenberg seconded the motion. So ordered.

Meeting adjourned at 11:15 a.m.

PRESENT

COUNTY COMMISSIONERS

Thomas Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEY

William Stephens

REPORTERS

S. Clark G. Clabes  
C. Leach A. Jackson

Secretary: Margie Meeks

*Thomas Ossenberg*  
*Bob Schaad*  
*Robert L. Willner*  
\_\_\_\_\_  
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
MARCH 19, 1973

The regular meeting of the County Commissioners was held on Monday, March 19, 1973, at 9:30 a.m. with President Ossenberg presiding.

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

RE: PROBLEM ON T.B. CARE

Mrs. Knodel of the Health Department, appeared before the Commissioners and said that she had a problem last Friday regarding the care of a T.B. patient at Madisonville Hospital and that this particular problem has been solved. She said she wanted to mention this to the Commissioners in case it comes up again in the future. She said this patient had Blue Cross coverage but she knew it wouldn't cover the accommodations and the patient preferred to go to Madisonville, but she talked him into going to Good Samaritan Hospital since she knew that she could approve this. She said that since Hillcrest T.B. Sanitarium closed, they have been sending the patients to Good Samaritan Hospital and she didn't know if she could authorize payment for care at Madisonville Hospital or not, also that the cost at Madisonville is considerably less than that at Good Samaritan. She stated that when Hillcrest closed, they tried to negotiate a contract with Madisonville and this Hospital is supposed to be closed soon, but they did say that when there was a difficulty in getting beds, they would do what they could.

The Commissioners agreed that Mrs. Knodel have the authority to approve payment at the Madisonville Hospital for T.B. patients, on the advice of legal council.

RE: BARKER AVENUE UNDERPASS

Mr. Boyd of Ohio Valley Engineers presented plans of the structure for the Barker Avenue Underpass and said the total project will amount to \$1,500,000.00.

Commissioner Schaad said they need to meet with Mayor Lloyd on this.

Commissioner Ossenberg said they are asking Ohio Valley Engineer for a cost break-down, as to what the overpass will cost the county and how much the city would participate in the approaches.

A reporter asked the Commissioners if the county could afford this project themselves.

Commissioner Ossenberg said he didn't see how they could possibly do it, because of having R & S funds committed in other places. He thought it should be a joint project between the City and County, like Columbia St. and the Delaware overpass.

Commissioner Willner moved that the Board of County Commissioners ask the city to participate on the Barker Avenue underpass at the rate of 50%.

Commissioner Ossenberg said he thought this motion a little premature until they get a cost breakdown, since the bridge may cost more and the county is obligated to build the bridge and it may be 60-40 but he agreed that the city should share in the cost.

Commissioner Willner amended his motion in removing the 50%, making the amended motion to read, that the Board of County Commissioners ask the city to participate on the Barker Avenue underpass. Commissioner Schaad seconded the motion. So ordered.

The plans will be referred to Area Plan for study and Mr. Boyd will return as soon as possible with a cost breakdown.

RE: FILTERS FOR BURDETTE PARK POOL

Mr. Nussmeyer presented plans and specifications for the filters for the Burdette Park pool.

Commissioner Ossenbergr said that the specifications for the filters were approved at last week's meeting and since there was a Burdette Park Board meeting last Monday night, the specifications were presented to them for study. He said that the County Engineer had estimated the cost of this project at between \$5,000 and \$6,000. He said the Burdette Park Board couldn't see how they could give a \$5,000 to \$6,000 limit on a bid to clean the tanks, due to the fact that they will probably have to take a blow torch and go into the end of these tanks to see just how much damage there was and what was needed to be done. Their Board decided to go to cost plus 10, as they thought this was the only way to do it.

Bids were presented by Deig Brothers, George Ryan, Municipal Engineering and Peyronnin Construction Co.

Commissioner Ossenbergr said the bids were approximately the same. He asked the Board if they wanted to entertain the thought of going to cost plus 10 or if they wanted to advertise for bids at a figure of \$6,000.

Commissioner Willner said that the way it has been done in the past was, if there is some question as to what they will find when they get inside the tank, they could then come back to the Commissioners for a review of the total project and then it was approved or disapproved and bids were asked for, on the basic project.

Commissioner Willner moved that the Commissioners ask for firm bids on this project and if it is found that more work needs to be done, they will have to present a change order, which will be approved or disapproved at the time it is presented. Commissioner Schaad seconded the motion. So ordered.

Mrs. DeVoy has set the date of May 1 as completion date and said that more work will have to be done after this work is completed in order to have the pool ready by opening date of the summer season.

Mr. Nussmeyer was then instructed to get invitational bids to present to the Commissioners next Monday, and if the cost is over the amount than is allowed without advertising, an emergency can be declared for this project at that time.

Commissioner Willner then amended his motion, to state that the Commissioners ask for three or four invitational bids on the filtration equipment for Burdette Park, according to the specifications of the County Engineer, to be opened next Monday morning. Commissioner seconded the amended motion. So ordered.

RE: DRAINAGE PROBLEM

Mr. Leroy Sallee reported on a drainage problem on Tupman Road and can't seem to get anything done about it. He said the water has washed out his driveway and also the side of his garage and it floods every time it rains.

Mr. Willard said he doesn't know what the solution is unless they can get the manager of the Tupman Cemetery to do something about it.

Commissioner Willner said the previous Commissioners have discussed this and have called the owner of the cemetery and asked him to participate in having their property repaired and to date, have had no success, so they will need to take stronger measures.

Mr. Willard said he thought the County Attorney's should send them a letter and get them on the ball.

Commissioner Schaad moved to refer this to the legal department for proper action. Commissioner Willner seconded the motion. So ordered.

RE: PROBLEM OF WEIGHT LOAD ON BRIDGE

Commissioner Ossenbergr invited the Mulzer brothers to come before the Commissioners to explain their problem so the County Attorney can give them a legal opinion on it.

Mr. Mulzer said they received a letter from the L & N Railroad Co. stating that there will be a light load allowed on the bridge on Old Henderson Road and they have a yard down the road and use this bridge and with a weight limit put on this bridge, it will hinder quite a few people.

Mr. Nussmeyer said he received a call from the L & N on weight limits and that they will send him a letter on it.

County Attorney Swain said this bridge belongs to the L & N and the county now has a law suit pending and the county isn't about to stick their neck out until this lawsuit is resolved.

Mr. Nussmeyer will keep Mr. Mulzer informed on the information he receives on this matter.

RE: NOTIFICATION OF INSURANCE

Notification was presented from the Michigan Mutual Liability Insurance Co. issued to the Evansville Comprehensive Mental Retardation Center, on notification of the insured, Kuebler Heating and Air Conditioning Inc. Received and ordered filed.

RE: SUMMONS PRESENTED

A summons was presented on the City of Evansville, on behalf of it's Department of Redevelopment, versus Lula Lee Thomas, Tennessee Pitts and Jannie Lee Pitts, to defendent Lewis F. Volpe, County Auditor.

Commissioner Willner moved that this matter be referred to the legal department. Commissioner Schaad seconded the motion. So ordered.

RE: LETTER FROM MCCRAY, CLARK, STATHAM & MCCRAY

The following letter was received by County Attorney Swain:

RE: Shannon - VS - L. & N. Railroad., et al

Dear Tom:

I enclose herewith a copy of the deposition of Kathy Goad, Thomas Shannon, Larry Alan Goad and Bernard M. Shannon.

We have arrangements to take the deposition of Debbie Powell on March 19, 1973.

Bernard D. Shannon the operator of the automobile in which these people were passengers lives in Largo, Florida. As you know the suit which he filed has been dismissed. In going over this with Wesley Bowers it was felt that certainly Bernard Shannon's deposition or at least a statement should be obtained from him. Mr. Bowers has had the personnel of the L. & N. Railroad Company contact Bernard D. Shannon in Largo and he refuses to discuss this matter with them. It appears that it will therefore be necessary that Mr. Shannon's deposition be taken in Largo, Florida.

Would you please advise if the county wishes to have representation at the taking of his deposition and if so what arrangements you wish to make for such representation.

I am sure that you can recognize that since Mr. Bernard Shannon was the operator of the vehicle his testimony could be extremely important in this suit. Because of the very serious nature of the injury to Marjorie Shannon which involved the complete loss of her leg the potential liability of this case is large. Signed by Gaylon Clark.

County Attorney Swain recommended that Mr. Gaylon Clark go to Florida to take this deposition.

Commissioner Schaad moved that Mr. Clark be permitted to go. Commissioner Ossenbergs seconded the motion. So ordered.

County Attorney Swain said that this case is set for trial in Gibson Circuit Court in July.

RE: MONTHLY REPORT...COUNTY CLERK

The monthly report of the County Clerk was presented to the Commissioners for the month of February, 1973.

Commissioner Willner moved that this report be received and filed. Commissioner Ossenbergs seconded the motion. So ordered.

RE: MONTHLY REPORT.....PLEASANTVIEW REST HOME

The monthly report of the Pleasantview Rest Home was presented to the Commissioners for the month of February, 1973.

Commissioner Schaad moved that this report be received and filed. Commissioner Willner seconded the motion. So ordered.

RE: CHANGE ORDERS

Mr. Fosse said that the Comprehensive Mental Retardation Center is under construction at Virginia & Oakley Street's and that Condict & Fosse are the architects for the project. He presented the Commissioners with two change orders. One change order is in the amount of \$295.00 to Swanson Nunn Electric Co. which has to do with creating of flexibility in the future telephone system. The other change order is in the amount of \$1,741.10 to Key Construction Co. to provide additional excavation & compacted backfill that was necessary for footings and foundations.

Commissioner Willner moved that the change orders in the amount of \$2,036.10 be allowed for the Comprehensive Mental Retardation Center. Commissioner Schaad seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

bi-mon.

VOTERS REGISTRATION...June Hallenberger..1409 Fountain..Clerk..\$230.00..Eff: 3/16/73  
CO. SURVEYOR...Thomas Hamlin..6410 Madison...Rodman...\$5,720 Yr....Eff: 3/16/73  
CUM. BRIDGE....Elmer Culp...2703 Hartmetz...Ch. Inspector..\$9,000..Eff: 3/16/73

RE: EMPLOYMENT CHANGES....RELEASE

bi-mon.

VOTERS REGISTRATION..Florence Lietz..615 S.E. Third St. Clerk..\$230.00..Eff: 3/15/73

RE: RE-ZONING PETITION.....Georganna Thurmond

Premises affected are situated on the North side of Inglefield Road, a distance of 1,400 feet West of the corner formed by the intersection of Inglefield Road and U.S. Highway 41 North.

The requested change is from A to C-1B. The proposed land use is for a Parking Lot for Self Propelled Campers.

Commissioner Willner moved that the Re-zoning Petition be referred to the Area Plan Commission for first reading. Commissioner Schaad seconded the motion. So ordered.

RE: RE-ZONING PETITION.....Marion G. Deig

Premises affected are situated on the West side of Harmony Way.

The requested change is from R-1A to R-2. The proposed land use is a 3 Unit Apartment Building.

Commissioner Willner moved that the Re-zoning Petition be referred to the Area Plan Commission for first reading. Commissioner Schaad seconded the motion. So ordered.

RE: VIOLATION OF MUNICIPAL CODE

A letter was presented to the Commissioners from Mr. Taylor of the Redevelopment Commission, stating that there has been an inspection made of county-owned property, at 667 E. Cherry Street and it revealed the presence of debris such as tires, cans, bricks and limbs, which in the opinion of the inspector constituted an eyesore or nuisance and a violation of the Municipal Code, and unless the violation ceases within the next 10 days, legal action will be taken.

Commissioner Willner moved that the county clean up this property. Commissioner Ossenber seconded the motion. So ordered.

Commissioner Schaad wondered what was being done on getting all the county-owned properties together so they can be advertised for sale.

Commissioner Ossenbergsaid that he has asked Mr. Volpe to prepare a list of all these properties within the next few weeks and at that time, they will get a realistic appraisal and advertise them for sale.

RE: VIOLATIONS OF HEALTH LAW

A copy of two letters from the City-County Department of Health was received by the Commissioners on violations of the Health Law. One letter stated that the Health Department has had several complaints regarding dumping on the property of Yewell & Nellie Raleigh at 2520 North Grove St. and it will be necessary to close this area to further dumping and the present condition must be corrected. It stated that a reinvestigation will be made in fifteen days to determine if this condition has been corrected.

The other letter from the City-County Department of Health to Roy & Dorothy Jelly informed them that the Department has received several complaints regarding the dumping of trash on property located at #6 School Road and that it will be necessary for this area to be closed to all further dumping and that the present condition be corrected, that a reinvestigation will be made in fifteen days to determine if this condition has been corrected.

Both letters received and ordered filed.

RE: REQUEST TO DISCUSS PROJECT

The following letter was received by the Commissioners from a committee of women:

Dear Commissioners:

We are a committee which represents the Westettes Home Economics Club. Our 20 club members are residents of the University Heights sub-division near I.S.U.E.

The club is interested in developing a playground for the children of this area. We would like to have the opportunity to discuss this project with you with an eye to our understanding what steps would be necessary to implement it.

Your help and consideration would be greatly appreciated. To contact us concerning this, you can write or call Mr. Dan Cashman, 813 Agathon Drive, Evansville 47712, 985-2674. Sincerely. Signed by members of committee.

Commissioner Willner moved that a letter be written to these ladies and ask them to come to a Commissioners meeting with their proposal and the Commissioners will give their help in anyway they can. Commissioner Schaad seconded the motion. So ordered.

RE: COMPLAINT ON LYLE ROAD

The following letter was received by the Commissioners from Mrs. Linda Jones:

Gentlemen:

I am writing to you in regards to the road on which my family and I are presently living. The road I am referring to is Lyle Road and is located about two blocks before you get to Burdette Park.

I have talked with Mr. Bob Schaad over the telephone concerning the condition of the road and I got a very, very quick response from him. The road was completely covered and filled on the very next day.

Along with myself and my husband, who is presently employed with the Evansville School Corporation and teaching at Oak Hill Elementary, here in Evansville. Our two neighbors were very proud, and very appreciative of this fast response. However, I am referring to another situation all together. We are very concerned about the road being flooded in the early spring and sometimes in the winter. This flooding forces the families to move out of their homes into one of their relatives homes which gets to be very inconvenient at times.

We are then away from our homes anywhere from four to six weeks. This happened about September or October of last year and if the rain keeps up we will be on our way again.

I am wondering if you could build this road up about 3 or 4 feet JUST IN ONE SPOT and it will take care of the water flooding the road as this one spot is all that is flooded, but it is enough that we cannot get back to our homes.

The one spot is about one half of a city block long and it wouldn't seem to be a difficult job.

I will appreciate any information or facts you have to offer on this matter.

00152

Thanking you in advance for your full co-operation. Awaiting your answer.  
Sincerely Yours, Signed Mrs. Linda Jones.

Commissioner Willner moved to refer this letter to the Highway Engineer for an opinion concerning this problem. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST TO LAY PIPE

Commissioner Willner said he has had a request from John & Ruth Keller, wanting to use county road property on Woodland Hills Drive. They are requesting to be allowed to run a section of drain down the sides of this county road to an adjoining field and he thought everything in order and that it would cause no problem in granting them permission for this easement on County right-of-way.

Commissioner Schaad moved that this matter be referred to the County Engineer for his advice on this problem. Commissioner Ossenberg seconded the motion. So ordered.

RE: REQUEST TO CHANGE NAME OF ROAD

Commissioner Willner said that he had a request from the residents of Mosquito Road, that is located in Scott Township, at the end of Darmstadt Road and at the beginning of Old Princeton Road. The residents would like the name of Mosquito Road to be changed to Darmstadt Road Extension.

Commissioner Ossenberg moved to approve the request of changing Mosquito Road to Darmstadt Road Extension. Commissioner Willner seconded the motion. So ordered. The County Attorney will prepare the ordinance.

RE: MASSAGE PARLORS

Commissioner Willner said he would like to discuss the massage parlors with the Commissioners since his area of Scott Township is affected, in that there is one on Old State Road and Highway 41, adjoining the Rural Youth Center. The building used to house Hillsdale Inn. He asked if there was a possibility of the county adopting an ordinance such as the city has done in banning this sort of venture.

County Attorney Swain said the city didn't adopt an ordinance, the city just said that they must have a license and approval of the Board of Health and the Police Department, etc. and that they have only issued one license to date.

Commissioner Willner then moved that this matter be referred to County Attorney Stephens. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIM FROM SHERIFF

A claim was presented from Sheriff Riney for the meals of the prisoners in the amount of \$4,620.50.

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

RE: DUMPSTERS

Commissioner Schaad said the dumpsters were discussed last week and it was suggested to meet with the city to discuss what their future plans were as far as waste disposal is concerned. There was a meeting last Friday morning and Commissioner Schaad and Commissioner Willner attended, among others and the Commissioners asked if something couldn't be worked out together.

It was the suggestion of Commissioner Schaad that a professional survey be made and it was said that a survey was made several years ago. He said that he talked to Mr. Whitham who has scheduled Dr. John Huey who is ahead of this at Purdue Extension Economist. He said that Dr. Huey can be here Thursday, March 29, at 7:30 p.m. or on Friday morning, March 30, at 9:00 p.m.

Commissioner Ossenberg said that Thursday evening would be fine with him and after checking with the other Commissioners, said he would contact the city to see if they will be available on Thursday evening.

RE: PROBLEMS IN PURCHASING RIGHT OF WAY

Commissioner Ossenberg said that Mr. J. Welsh is the Right of Way buyer on Old State Road where he is experiencing some problems.

Mr. Welsh said there are 11 parcels, one is in litigation with the Railroad, that the Shroeder property has a lease to the golf course and another will negotiate for damages. He said the main problem is that some of the people haven't dealt with the Railroad before but he thought it would all fall into place in time.

Mr. Welsh will be back next week to make a progress report.

RE: APPROVAL OF BRIDGE PLANS

Mr. Nussmeyer presented a letter of approval from Mr. Adams, the Chief Engineer for the L & N Railroad Co., to the County Engineer on the plans for Old State Road overpass.

It stated that the overall design appears reasonable and the bridge is a standard type. The clearances are satisfactory and the plans have their approval.

RE: RE-APPLICATION FOR R & S FUNDS

Mr. Nussmeyer presented a re-application for R & S funds. He said he was up at R & S in Indianapolis last Tuesday and was told that so long as the Railroad is putting up more than 25% of the total funds, that there would be no county funds involved in this. It will be all R & S and Railroad funds.

RE: OAK GROVE ROAD

Mr. Nussmeyer presented a copy of the following letter that he has written to Mr. Tatum, Superintendent of the Southern Railroad Co. on the improvement of Oak Grove Road:

Dear Sir:

The County Commissioners are contemplating the improvement of Oak Grove Road just East of the City limits of Evansville. We are attempting to connect Oak Grove Road to U.S. 460 by constructing a North - South Road which will necessitate a crossing of your Railroad; The centerline of which will be about thirty-nine feet East of the Kight Lumber Company Switch. Kight has agreed to abandon their permit to cross your road bed if this road is completed.

We feel that this road is a must since the area is rapidly developing as an industrial site. Plans are now in progress and as soon as they are available we will submit copies for approval.

I believe this to be an asset to the Railroad and all concerned. Your cooperation will be most appreciated.

RE: PROPOSALS PRESENTED.....LYNCH ROAD

Mr. Nussmeyer presented proposals for the seeding & fertilizing of the ground of Mr. & Mrs. Hurm on Lynch Road.

The proposals were from McCarthy's Colonial Garden Center Inc. at the cost of \$175.00 and from Sternemans Nursery of approximately 500 to 600 square yards at 80 ¢ per yard, or about \$480.00.

Commissioner Willner moved that McCarthy's Colonial Garden Center be awarded the contract for the work in the amount of \$175.00. Commissioner Schaad seconded the motion. So ordered.

Mr. Willard explained that last year, these people on Lynch Road gave the County Right of Way and her bank was cut down and the ground had never been restored.

RE: PROBLEM ON PINE CREEK DRIVE

Commissioner Schaad said that Mr. Dishman called him and is interested in buying property at 8210 Pine Creek Drive. He said there is a problem on this and Mr. Dishman doesn't want to buy it until the problem is worked out. He said he thought that something had been worked out by the county sometime ago. He asked Mr. Nussmeyer to call Mr. Dishman to see if there was any way that he could help him.

RE: MR. WILLARD

Mr. Willard said the three dumpsters were moved from the entrance of Burdette Park as was requested by Mrs. Deboy and this morning there are three loads of trash lying on the ground. He said the county owns some ground North of the Park and he recommended that the dumpsters be placed there.

Commissioner Schaad wondered if an ordinance couldn't be drawn up on just who is authorized or licensed to be able to dump in the dumpsters.

Mr. Willard said it might help if the County Commissioners would run a front page ad in the paper, advising these people to place trash in the dumpsters. He said they have been getting license numbers of people throwing trash on the ground and making them go back and clean it up.

Commissioner Schaad said one woman told him that if everyone would dig a trench in their back yard for garbage and cover it up with lime, it would solve their problem and improve their ground. He thought this an excellent idea and said if there were some publicity on it, people would do it.

RE: CLARIFICATION OF AD

Mr. Volpe said that on the ad for condemnation that Mr. Crooks presented last week, he should think that it appears that Mr. Crooks should take the contract and do the work himself and he was wondering if, in the county, that the Commissioners don't have the responsibility of accepting the contract.

Mr. Crooks said he would have to present it to the Commissioners for their approval and that bids for the county would be awarded by the Commissioners.

RE: MR. CROOKS

Mr. Crooks said that there is a new ordinance in the county as far as any new construction on drainage, in size of culverts before they are installed. He said they enforced this in their department and suggested the county use this ordinance.

RE: MONTHLY REPORT

Mr. Crooks submitted a report for the month of February of building permits issued. Report received and filed.

RE: MR. HOTZ

Mr. Hotz presented a quotation from M & S Fire & Safety Equipment Co. for fire hoses at Pleasantview Rest Home at \$56.50 for 75 feet and \$44.50 for 50 feet, and for Hillcrest at \$56.50 per 75 feet. He asked if a station should be installed at Washington Home as well as Hillcrest and Pleasantview. He said that these quotations have been checked by the Purchasing Department. He said that he has been requested by the Fire Marshall to replace the hoses at Pleasantview and Hillcrest and while they are doing it, thought it a good idea to install one at Washington Home, as they have none.

Commissioner Willner moved that the necessary hose be replaced at Pleasantview Rest Home and Hillcrest Home for amount stated.

Mr. Hotz suggested new nozzles be purchased at the same time. He said the present nozzles don't have shut-off valves on them.

Commissioner Willner said they probably have the type nozzles that they have because sometimes people who are inexperienced, use them and don't know how to use them properly.

Commissioner Willner asked Mr. Hotz to have the Superintendent of the Washington Home to find out if a fire station is required and report back to the Commissioners.

Commissioner Schaad seconded the motion of Commissioner Willner. So ordered.

RE: COMMENTS ON OLD RECORDS

Mr. Hotz said there are real old files full of records that are dated back as far as the year 1800 and when the old Court House was cleaned out, they left

one room of records so that the Historical Society could go through them to get what information they needed and he would like for the Commissioners and Judge Miller to go through them as they are collecting mold and mildew. He said they will have to go through the Public Records Commission to dispose of them and that these records are so old that something should be done.

Commissioner Ossenbergh told Mr. Hotz to contact Mr. Brennen and tell him that the Commissioners will be there next Monday, providing Judge Miller can be there.

RE: MR KOCH'S REPORT

**IMPORTANCE OF GOOD ROADS** - to our Vanderburgh County farmers in this age.

The thorough and understanding letter of Mr. Harry J. Elpers of Armstrong Township, resident on Wallenmeyer Road...His outline of the use of the roads of this day, school bus, mild truck, mail route, 4 to 6 row farm machinery, tractor-trailor with 20 to 30 ton of grain to market brings to light the urgent need of roads with proper foundation, width, good drainage and ditches cleared to handle the water flow. This letter expressed the views of Mr. Elpers and his neighbors in the same field of agriculture. The letter was most informative. On road width to meet present wider trucks, buses and farm equipment: in outlining a broad program for any period it would be well to make every attempt to widen the road at least 2 feet on each side from 20 to 40 feet. Follow the County Engineer's advise on grade on the ditches and size of culverts to be placed under road and on private rural drives. For Example: A ten mile road pave one year of 5 miles...24 Ft. width...Road bed to stand 30 ton load, good ditches. Next year pave the other 5 miles...In two short years you will have ten miles of modern road with ample care would give a minimum of 15 years of little service. The same would apply to wider bridges and culverts to meet present day transportation problems. Such a program thoroughly carried through to completion will win confidence and admiration from all parties using our county roads. It is well worth trying in the coming year.

**DRAINAGE** - Unless immediate steps are taken to cut the ridges on our county roads, some of our now best roads in less than two years, will be a mass of cracks and crumbles: All too many road serve as ditches..High ridges will not permit water to flow into ditch...A trip on our best roads will show tragic breaks on the shoulders and they leave a saucer like dip that holds the water and makes for more shoulder saturation and weakness. This condition is so openly apparent and needs no expert to detect same...The long sections of edge patches speak for themselves.

The secret to any good road is a crown on the road, a slight slope on berm and above all, keep ditches and culverts clean for a free flow. Some 60% of our road mileage of approximately 600 miles...Water flow hindered by high ridges.

**SIGN INSTALLATIONS** - During month of February 5th to March 5th, 1973, some 30 installations made, as stop signs, curve, warning, speed, road signs and others. In some cases the one stop covered two or three signs being installed. Cooperation has been most helpful. On dangerous or hazardous cases, no time lost..Got immediate action.

**WHITE EDGE ROAD STRIPING FOR SAFETY** - Everyone that mentions safety speaks of the absolute need for the white stripe edge lines. The center to be sure are also needed. These new programs have been highly received and with deep appreciation.

**LITTER BINS** - An experiment that was costly and ineffective. All too many containers less than 1/3 filled...bags and rubbish dumped on the ground... Disposal firm truck driver never leaves his seat ...picks up the partial filled bins. What is left on the ground the four man, two county truck team is left to pick up and haul to dump site. The time is ripe for a county dump...Several good ravine sites available with proper handling and such areas in other counties had a fine land fill for real estate home sites in 8 to 10 years. A most profitable investment. We advocate private interprise...We already have in Vanderburgh County, several individuals and firms with proper equipment, compressor type trucks that give weekly pick-up, at a very minimum price. If some people do not desire to use this service, the county dump would have hours in which they could deliver their refuse, then no sound excuse to dump into county ditches, block water flow and cause farm field and road washouts. Another step by the County Commissioners towards a sound and aggressive manner to handle refuse in a business-like manner.

FARMING TODAY IS BIG BUSINESS - As you drive along our county roads take a good look at the even furrows...The even line of corn stalks as they mature...the wheat sheaves and the soy bean bushes...Note the evenness of the tops then note the manner of harvesting: It is reported that we, in Vanderburgh County, our farmers have in use over 500 combines or various types. An outstanding number. Average cost from \$17,000 to the larger and more powerful to \$30,000. That does not take into consideration the cost of the four-wheel drive tractors and others. Farming today is really big business ...Look at the crop yield per acre from years back, some grain produced 40 to 50 bushels per acre and now produce some 150 to 200 bushel. Various organizations have been of material assistance and we must mention our own county extension service...The many meetings held... The services rendered, and the 4-H farm boys and girls, their many fine activities and so worth-while.

We salute our farmers and that includes our dairy men and our cattle and hog and sheep raisers, also poultry and egg units. We praise them all.

RE: POOR RELIEF

Arthur Vinson...Pigeon Township...Mr. Willet, Investigator. Mr. Willet said that the last time he saw Mr. Vinson was in February and he hasn't seen him since. He said that Mr. Vinson was picked up for being drunk and his trial is set for March 23rd. Mr. Vinson wasn't present at today's meeting so no action could be taken.

RE: SUBDIVISION OF MELODY HILLS

Mr. Nussmeyer presented plans for Judge Lensing Subdivision of Melody Hills. Commissioner Willner moved that the plans for Melody Hills Subdivision #9 be approved with the provision that the County Engineer be advised of the core samplings, culverts and the poured date. Commissioner Schaad seconded the motion. So ordered.

The meeting recessed at 11:30 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u>                      | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u> | <u>REPORTERS</u>  |
|--|-----------------------|-------------------------|---|
| Thomas Ossenberg<br>Bob Schaad<br>Robert Willner | Lewis F. Volpe        | Thomas Swain            | C. Leach<br>S. Clark<br>D. Goodnow<br>A. Jackson<br>G. Clabes |

Secretary: Margie Meeks

*Thomas Ossenberg*  
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*Bob Schaad*  
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*Robert Willner*  
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 BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
APRIL 2, 1973

The regular meeting of the County Commissioners was held on Monday, April 2, 1973, at 9:30 a.m. with President Ossenbergs presiding.

The meeting was opened by Deputy Sheriff, Dick Bennett, this being the first meeting of the month.

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

RE: EMPLOYMENT CHANGES....APPOINTMENTS

COUNTY TREASURER

|                 |                |             |             |             |
|-----------------|----------------|-------------|-------------|-------------|
| Peggy Atherton  | 2618 Vogel Rd. | Extra Clerk | \$15.00 Day | Eff: 4/2/73 |
| Marjorie Keeney | 2013 Ridgeway  | Extra Clerk | \$15.00 Day | Eff: 4/2/73 |

KNIGHT TOWNSHIP ASSESSOR

|                 |               |               |             |              |
|-----------------|---------------|---------------|-------------|--------------|
| Bonita Barnett  | 2000 Michigan | Pt. Time Dep. | \$15.00 Day | Eff: 3/12/73 |
| Bernice Woodall | 2404 Pollack  | Pt. Time Dep. | \$15.00 Day | Eff: 3/21/73 |

RE: COUNTY OWNED PROPERTIES

Mr. Volpe presented a list of county-owned properties. He was requested to do this since the Commissioners had previously decided to have the County Assessor and the Township Assessor to make a realistic appraisal on them in order that they can be sold. He said that this is the majority of them but that there are still a few parcels being looked up.

Commissioner Schaad moved to refer this list to Mr. Angermeier so he and the Township Assessor can realistically appraise the parcels and present the same to the Commissioners so they can be sold. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BIDS...SHERIFF'S CARS

The bids received on the cars for the Sheriff's Department are as follows:

|                 |             |
|-----------------|-------------|
| Vandever.....   | \$10,443.00 |
| Key Motors..... | \$10,998.05 |
| Kem Motors..... | \$10,125.60 |

Commissioner Schaad moved that these bids be taken under advisement and referred to Mr. Cravens so that he can get together with the Sheriff on them. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BIDS....DEMOLITION OF BOEHNE BUILDINGS

The following bids were received for the demolition of the Bohne buildings and the chimney.

|                             |   |
|-----------------------------|---|
| Miller Construction Co..... | \$6,200.  |
| Marksberry Contractors..... | \$5,800.  |
| B & B Wrecking Co.....      | \$8,200.  |
| Valley Wrecking Co.....     | \$5,350....Alternate of \$6,650 - haul everything away. |

A bid was also received from Dore Wrecking Co. of Kawkawlin, Michigan, but the bid was received too late to be considered.

Commissioner Schaad moved that these bids be taken under advisement and referred them to Mr. Crooks and Mr. Hotz. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner moved that the bid of Dore Wrecking Co. be returned, unopened. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIM

A claim was received from the Evansville Printing Corp. for the legal advertising for the demolition of the buildings at the old Boehne hospital, in the amount of \$18.43. Commissioner Willner moved that this claim be approved. Commissioner Osseberg seconded the motion. So ordered.

RE: COLISEUM

Mr. Holbrook, the Program Chairman for the Coliseum, appeared and said that he would like to get some kind of assistance in repairing and renovating the Coliseum. He said that sometime ago, he signed a contract for the Coliseum, having been a commander of the Veterans organization at that time. He presented a copy of a letter that had been sent out soliciting memberships and for contributions. He said they have received donations of about \$300.00, but need much more to do the job. He presented pictures of several things that need to be done. He said that since the veterans have taken over the coliseum, they have put all profits right back in to the Coliseum on repairs and purchases where they were needed. He said the last purchases made were for a floor scrubber, a popcorn machine and an ice maker, and have made just enough revenue to cover expenses.

Mr. Holbrook said there were 22 doors that need crash bars and are estimated at approximately \$40 per bar, also work is needed on the heating, the boiler, plastering, painting and the roof. He asked if they could possibly get some Revenue Sharing money for these repairs in order to renovate the building.

President Osseberg said he went through the building and it is in a deplorable condition. He said that he was advised that the Coliseum does not qualify under Revenue Sharing and the only means he knew possible to bring the building up to standards would be through the County Council, with tax money and that he would talk to them and see if they would help out. He also said if this is done, he understands that a new lease will have to be written.

Mr. Holbrook also said that \$800,000 is too much for insurance, as they couldn't pay it. He said they only have \$100,000 insurance on the boiler but have no insurance on the building at all, as he thought the county still had insurance on it, but found out differently when they made application for the boiler.

County Attorney Stephens said they are in violation of the lease and the possibility of insurance should be looked into immediately because if anything happens, the county would be liable. He thought it could be put on the county's general liability policy, added as an endorsement to cover the building for fire, theft and liability and he didn't think there should be further activity in the Coliseum until they get insurance.

Mr. Holbrook said that \$86,000 would bring the building up to standards. The Commissioners thought it would take a great deal more to do it.

Commissioner Schaad said even if the money was spent to repair the building and then have to get it back from the tenant, the rent would be prohibitive.

Commissioner Willner asked if the county took out an insurance policy on the Coliseum, as of today, wouldn't they have to cancel the lease first.

The County Attorney said not necessarily, but pointed out that if the lease is cancelled, he thought the responsibility would fall back on the county, to make the necessary repairs, as the state law says that any war memorials must be maintained by the county, but the present lease supercedes this law which makes it the responsibility of the veterans to maintain. He also said that if the lease is cancelled, the Commissioners will have to make a decision as to what they will do with the Coliseum.

Commissioner Willner said he thought the question here is how much do the Commissioners want to insure it for and if the veterans are favorable in paying the price.

Mr. Hotz said that Mr. Holbrook requested permission to open up two doors at the front of the building, that were left closed, according to the specifications when the doors were repaired. He thought if this could be done, it would increase the capacity and wondered if the Fire Marshall would approve it.

Mr. Holbrook said that he would.

Commissioner Schaad wondered if the Health Department would approve it, also if the rest rooms were adequate for a larger crowd.

Mr. Holbrook said he has the repair of two rest rooms in the specifications for the repairs that are needed, also that they have discussed the ticket sales proposition, but have come to no decision as yet. He said that the cost to fix up the rest rooms would cost approximately \$200.00 and that they could afford to do this.

Mr. Hotz suggested that Mr. Crooks look the Coliseum over and see what his opinion was as to the capacity and if the rest rooms were adequate.

After checking, it was found that the Coliseum is covered under the P & I policy of the county.

It was the decision of the Commissioners to have Mr. Crooks look the building over and report back to the Commissioners.

RE: CONTRACT AWARDED

Bids were opened last week for filters needed in the Burdette Park pool of which Deig Brothers Construction Co. submitted the lowest invitational bid of \$9,938.00 and this bid was even above the estimated cost of the project so Mr. Nussmeyer was asked to talk to Mr. Deig.

Mr. Nussmeyer said today, that he had talked with them and they will reduce the cost by \$1,000, by using local materials, making the cost \$8,938.00. They will submit a change order for the \$1,000.

Commissioner Schaad moved that Deig Brothers be awarded the contract. Commissioner Ossenberg seconded the motion. So ordered.

RE: APPROVAL ON ACCEPTING PAYMENT FROM MR. MCROY

Commissioner Ossenberg, last week, had rescinded a motion to accept partial payment from B & H Disposal Co. on behalf of Mr. McRoy, who had damaged a bridge, due to the fact that he was dismissed from his job due to his conduct. At that time, a partial payment of \$18.75 was accepted and the County Attorney was to have notified the state of this action. The payments were to have been \$25.00 per month until the \$150.00 was paid.

Today, Mrs. McRoy appeared to pay the other \$6.25 to complete the first month's payment and said they would make the payments.

The County Attorney said that he hadn't informed the state, as yet, to give the McRoy's time to come in.

Commissioner Ossenberg told Mrs. McRoy that the county expects the \$25.00 payment each month and if they miss a payment, the motion will again be rescinded. This payment will be entered into the Highway account.

RE: EVANSVILLE COMPREHENSIVE MENTAL RETARDATION CENTER

Mr. Tom Jones said he had presented Mr. Volpe with a check for \$291,000.00 from the State Auditor's office and the following vouchers were submitted and approved, for work done on the Evansville Comprehensive Mental Retardation Center:

|  |              |
|--|--------------|
| To Kuebler Heating and Air Conditioning Inc..... | \$3,901.50   |
| Goedde Plumbing and Heating Inc.....             | \$28,471.99  |
| Key Construction Company.....                    | \$204,774.75 |
| Swanson-Nunn Electric Company.....               | \$1,980.70   |

Mr. Volpe said this contract is slightly different than others because of the time they have to wait, so for the retainage, he will have to buy each company a certificate of deposit because they want their interest on it. He will put them in the county's name, for the benefit of the company.

Commission Schaad moved to spread the \$25,000 normally among the three banks. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST ON REPAIR OF ROADS

Mr. Carl Bernhardt, representing home owners on Kern Road and Laurel Avenue, appeared and said that Kern Road is about 650 feet long and is very narrow. He presented pictures and said that the residents would like to have Kern Road widened, as well as re-surfaced and that 20 feet of right of way is open at the west side of the road to widen it. He said that Laurel Lane just needs re-surfaced.

These are county-accepted roads and are on the list for being re-surfaced this year.

Commissioner Schaad said that Kern Road should be widened if the money can be found to contract the job.

Mr. Bernhardt presented a petition from the area property owners that are asking for these repairs to be made.

Commissioner Schaad moved to refer this matter to the County Engineer, as to recommendation on what should be done and the estimate of cost. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad said that he will drive out and take a look at this situation.

RE: BURDETTE PARK ... SEWER LATERAL

County Attorney Swain presented a contract between the City and Curtis Construction Co. for the extension of the Carpenter Creek sewer which will pick up Burdette Park and said that the county's fee for tap in will be \$65,000.00.

Mr. Volpe said that he thought this needs the approval of the County Commissioners because the county owns the improvements.

Commissioner Schaad moved to take this matter under advisement. Commissioner Willner seconded the motion. So ordered.

RE: PERMISSION TO ATTEND MEETING

Last week Commissioner Schaad requested that several individuals be permitted to attend a meeting of the Indiana Association of Counties, at Jasper Indiana, at county expense.

Commissioner Ossenberg said that he would like to include Mr. Nussmeyer, Mr. Willner and himself to the list of those to attend this meeting.

RE: MR. NUSSMEYER

Mr. Nussmeyer said that he has two Rights of Way on Old State Road and that Jay Welsh is hopeful that he will wind them up this week and that he would hold these so he can present them all together.

Commissioner Ossenberg said that in regard to Old State Road, the President of Southern Indiana Gas & Electric Co. came to talk with him and said that they are in full agreement to work with the county on the cost of relocating the lines.

RE: PURCHASING

Commissioner Ossenberg had requested that Mr. Volpe obtain signatures of the County office holders, on their approval of the rules on purchasing. Mr. Volpe submitted the signatures of those officeholders that wished to sign, at this time.

RE: REQUESTS PERMISSION TO TRAVEL

Mr. Nussmeyer requested the permission of the Commissioners for he and Mr. Eifler to go to Indianapolis this week, on the Barker Avenue project, at the county's expense.

Commissioner Schaad moved that the request be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: MR. WILLARD

Mr. Willard presented a list of absentees from the County Garage for the preceding week. Received and filed.

RE: QUESTION ON HIGHWAY MONEY

Mr. Volpe said that Frank Eades of the State Board of Tax Commissioners was here and asked him if he had received more highway money in March, as other surrounding counties have, so he made a recap and found that he had received more, so he called the State Auditor's office and they were unaware that the notice had been sent last year, that said we would be 12 to 15% shorter this year. He said that the State Board of Tax Commissioners is going to check with the State Auditor and it appears that the letter of last year, stating that the county would be short, was probably in error and if it is, when Mr. Eades goes over the last council call, he may be able to rescind the appeal for \$60,000.

Mr. Volpe said that he will get it straightened out and let the Commissioners know about it next week.

RE: WALLENMEYER ROAD

Last week, Mr. Elpers, representing the residents of Wallenmeyer Road, requested that the road be paved and said it was too narrow. He was to talk to the residents about the Right of Way that is needed to widen the road.

Mr. Willard now presented the estimated cost for maintaining Wallenmeyer Road, as was requested.

The Commissioners said they will wait until they get a report from Mr. Elpers, as there is no point in putting rock on the road if it is to be widened. Mr. Willard was asked to tell Mr. Elpers that the Commissioners are waiting for his report.

RE: MR. CROOKS

Mr. Crooks said the Stephens' are getting ready to build in the area of Oak Grove Road at Green River Road and the drainage ties in with the same drain as the Colonial Bakery and asked how this project was coming along.

Mr. Nussmeyer said the plans are completed and that they are going to submit them to the Railroad this week for approval, and that he needs permission for someone to appear on the R & S funds, which will meet on the first Thursday in May, to plead the case. He thought the project should be under contract soon.

RE: CLAIM ON FEDERAL PROJECT

A claim from the Indiana State Highway Commission on Federal Project S-818(2) for St. George Road was approved last week but it didn't notate from which account it should be paid.

Mr. Nussmeyer said it should be paid from the St. George Road Bridge account.

RE: MR. ANDY EASLEY

Mr. Easley asked the Commissioners if they had a chance to think about hiring a consultant on the Eichoff project, as he was still interested in getting the job.

Commissioner Ossenberg said they hadn't because they don't know exactly what they are going to do upstate yet and there seems to be some type of disagreement on this and he found out that there was a verbal agreement in 1969 and confirmed in 1970, to the effect that the approach on the south side and the overpass was to be built by Indiana State University, so it looks like it may be projected next year. He said the state isn't going to build it and the county would be setting a precedent because it would be the first county in Indiana that would build over a state road, an overpass, with county funds. He said he talked to the President of Indiana State and nothing was mentioned about it, so this is something that must be worked out.

RE: LETTER FROM H. U. D.

County Attorney Swain presented a letter from H.U.D. on money for Burdette Park and a contract agreement that should be signed by the County Commissioners. He said the county would get \$24,353.00 or 50% back for Burdette Park.

RE: FUNDS FOR COUNTY BRIDGES

Commissioner Schaad asked about getting Federal funds for inspection of the County bridges.

Mr. Nussmeyer said they have made a survey and he had in mind to get a few college students in for the job this summer and he thought there were Federal funds available for this.

Commissioner Willner said that Mr. Biggerstaff would know what the procedure would be, to apply for these funds.

The meeting recessed at 11:00 a.m. and re-opened at 11:30 a.m. for further business.

RE: TV STATION ... CHANNEL 9

Mr. Jess Kent of the University of Evansville, appeared before the Commissioners and stated that they would like to go before the County Council to make a presentation, as they did before the City Council in requesting for Revenue Sharing funds to support the operation of the TV Station. He said that the School Board is terminating its work with Channel 9 and the Non-profit organization feels that it is very important to attain this in the community as an educational station, so the University of Evansville along with Indiana State University representatives, and the Public Library, have been working together in trying to put together a group to own and operate Channel 9. He said that the cost of total operation, per year, is from \$250,000 to \$275,000. He said there are 8 categories under the Revenue Sharing program and he thought this falls into 7 of the 8, but they are getting a ruling on this from the City Attorney, to be sure they qualify.

Commissioner Ossenberg said that he talked to the President of the County Council about this and found that they asked the City Council for \$100,000 and is asking the County Council for \$30,000 and said that since the Revenue Sharing is a five year plan, wondered what they would do after that.

Mr. Kent said they thought the station would come to the point where it will meet it's operating budget in about three years, as they have asked for help for this amount of time.

Mr. Weber said there are some 29,000 half-hours of programs already on tape that they can make use of for a nominal fee.

The County Attorney suggested that the men see Congressman Zion, as he might be able to help them on this project.

Mr. Volpe said that he would put this matter on the County Council agenda after their meeting tomorrow evening.

RE: FINANCIAL STATEMENT

Mr. Volpe presented a financial statement, brought up to date with the results of the March action on Revenue Sharing that was requested, showing a balance of \$16,686, but he said that he should get another check for \$300,000 within the next week.

The meeting recessed at 11:40 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u> | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u> | <u>REPORTERS</u> |
|-----------------------------|-----------------------|-------------------------|------------------|
| Thomas Ossenberg            | Lewis F. Volpe        | Thomas Swain            | S. Clark         |
| Bob Schaad                  |                       |                         | A. Jackson       |
| Robert Willner              |                       |                         | B. Thompson      |

Secretary: Margie Meeks

*Thomas Ossenberg*  
*Bob Schaad*  
*Robert Willner*

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BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING

APRIL 9, 1973

The regular meeting of the County Commissioners was held on Monday, April 9, 1973, at 9:30 a.m. with President Ossenberg presiding.

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

RE: EMERGENCY DECLARED

A contract was awarded to Deig Brothers Construction Co. last week for the filters for the Olympic pool at Burdette Park, and since the bid exceeded the amount allowed, the project must be declared an emergency in order to get the job done in a limited amount of time.

Commissioner Schaad moved that the filtration specifications and the work to be done, be declared an emergency. Commissioner Willner seconded the motion. So ordered.

RE: AWARDING OF BID....SHERIFF DEPT. CARS

Mr. Cravens said that all bids submitted last week, for cars in the Sheriff's Department, met with the specifications and he recommended that the lowest bid which was submitted by Kem Motors Inc. for four cars in the amount of \$10,125.60, be accepted. He said that this decision met with the approval of Sheriff Riney.

Commissioner Willner moved that Kem Motors Inc. be awarded the contract to furnish the Sheriff Department with four new cars. Commissioner Schaad seconded the motion. So ordered.

RE: AWARDING OF BID....DEMOLITION OF BOEHNE BUILDING

Mr. Crooks said he has reviewed the bids that were submitted last week for the wrecking of the old Boehne Hospital property and he recommended that the low bid of Valley Wrecking Co. in the amount of \$5,350.00 be accepted.

Commissioner Willner moved that the contract be awarded to Valley Wrecking Co., the materials to be hauled away, with the exception of the bricks. Commissioner Schaad seconded the motion. So ordered.

RE: NOTIFICATION APPROVED

Mr. Hotz suggested that Alcoholic Help Inc. that is located on the old Boehne property, be notified as to when this demolition will take place.

Commissioner Schaad moved that this notification be made. Commissioner Ossenberg seconded the motion. So ordered.

RE: MR. CROOKS

Mr. Crooks said that he and Mr. Hotz will have four inspectors to attend school in Indianapolis for three days next week and that he plans to be there for two days. He said that there is a ruling established in Indiana, that is basically called for on mobile homes and he is required to see that homes have an Indiana seal on them if they were built after November 1, 1972.

RE: MONTHLY REPORT....COUNTY TREASURER

The County Treasurer's report was submitted for the month of March, 1973. Report received and ordered filed.

RE: MONTHLY REPORT....PLEASANTVIEW REST HOME

The Pleasantview Rest Home's report was submitted for the month of March, 1973. Report received and ordered filed.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

CO. AUDITORIUM...Billy Elliott 403 E. Powell Maintenance \$2.00 Hr. Eff:4/8/73  
 PLEASANTVIEW.....Zadie Cobb 1004 Allens La. Temp. Aide \$350.00 Mo. Eff:4/9/73  
 CO. AUDITOR....Mable Winkler 7418 Mulberry Ex. Help \$15.00 Day Eff: 3/26/73  
 CO. HIGHWAY....James Caldwell 700 Judson Laborer \$3.125 Hr. Eff: 4/9/73  
                   Robert Duerson St. Joe Ave. Tk. Driver \$3.225 Hr. Eff: 4/9/73

RE: EMPLOYMENT CHANGES...RELEASES

CO. AUDITORIUM...Wilbert Borum Line St. Maintenance \$2.05 Hr. Eff: 4/7/73  
 PLEASANTVIEW....Ella Hurd 717 E. Sycamore Temp. Aide \$350.00 Mo. Eff: 4/1/73  
 KN. ASSESSOR....Bernice Woodall 2404 Pollack Part Time \$15.00 Day Eff: 4/7/73  
                   Bonita Barnett 2000 E. Mich. Part Time \$15.00 Day Eff: 4/7/73  
 CO. HIGHWAY.....Eddie Steinkamp Hoppe Rd. Tk. Driver \$3,225 Hr. Eff: 3/27/73

It was noted that the three employment changes for County Highway are in error in amounts and the two that read \$322.5 should read \$3.225 per Hr. and the one that read \$312.5 should read \$3.125 per Hr.

RE: OPENING OF BIDS...STATION WAGON FOR PLEASANTVIEW REST HOME

The following bids were submitted for a station wagon for Pleasantview Rest Home, including trade-in:

|                           |                           |
|---------------------------|---------------------------|
| Kem Motors.....\$3,250.50 | Kenny Kent.....\$3,197.42 |
| Vandever.....\$3,522.08   | Key Motors.....\$3,337.96 |
| Cooke-Chev.....\$3,285.88 |                           |

(Rejected..Failure to complete Form 95)

Mr. Harness said that the only bid that qualified was the one from Kenny Kent Chevrolet, as he was only allowed \$3,200.00 for the station wagon.

Commissioner Schaad moved that the bids be taken under advisement for one week. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BIDS...ROLLER FOR COUNTY HIGHWAY DEPARTMENT

The following bids were submitted for the roller that is needed by the County Highway Department:

|   |
|---|
| Malotte Machinery Co.....\$6,250.00.....1968 model  |
| Brandeis Machinery Co.....\$9,450.00.....1971 model |

Mr. Willard said that they had used the roller of Malotte Machinery Co. last year, they rented it for \$600.00 per month, and they didn't have a bit of trouble with it.

Commissioner Schaad moved that these bids be taken under advisement for one week and referred to Mr. Cravens, the contract to be awarded next week. Commissioner Ossenberg seconded the motion. So ordered.

RE: REQUEST FROM F.O.P.

Commissioner Ossenberg said the Commissioners have had a request from the Fraternal Order of Police, for a loan of one voting machine, for their state convention to be held on June 23, 1973, and that the F.O.P. will pay for the cost of moving it from and back to the warehouse.

Commissioner Schaad moved, according to previous practise, that permission be granted for the F.O.P. to make use of one voting machine. Commissioner Willner seconded the motion. So ordered.  
 Commissioner Schaad then amended his motion, subject to a contract being prepared for the use of the voting machine, by the County Attorney. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was received from the Addressograph Multigraph Corp., Multigraphics Division, for the Frame, Cards and plates of the Voters Registration office, in the amount of \$9,723.00.

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

A claim was received from Condict & Fosse Architects, for the Evansville Association for Retarded Children, for Architects Fee of \$1,430.00.

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

RE: NOTICE OF BOND COVERAGE

Notice was received for the bond coverage of all Contracts and Sub-Contracts for the Evansville Comprehensive Mental Retardation Center. Notice was received and ordered filed.

RE: BURDETTE PARK...SEWER LATERAL TAP-IN FEE

Commissioner Ossenberg said this sewer lateral tap-in fee is in the amount of \$65,000.00. He said this is a city type deal with Curtis Construction Co. and that the State Board of Health said the county is eventually going to have to tap in.

The County Attorney said the contract is in order. This contract is for the extension of Carpenter Creek sewer which will pick up Burdette Park.

Commissioner Ossenberg said he appeared before the Council and requested \$100,000 for Burdette Park and it was approved in principle. He didn't think the tap in would be in the immediate future because Curtis Construction Co. has to run the line down Red Bank Road and Nurrenbern Road and this will take some time.

Commissioner Schaad wondered if they shouldn't go before the Council and get it definitely approved and if they use current Revenue Sharing money, it may cut down some of the other projects. He wondered if this matter could be deferred until another time.

County Attorney Swain said that with the cost of the tap in fee, they should get all the tap-ins that is needed in the 52 acres.

County Attorney Stephens said the Commissioners should have a letter to this effect.

Commissioner Schaad moved that this matter be referred to the legal department in order that they may check the base contract and report back to the Commissioners, at which time action will be taken.

RE: HIGHWAY MONEY

Mr. Volpe was to have given a report as to the status of the Highway money, and since he is ill, this matter will be postponed until Mr. Volpe returns.

RE: RE-ZONING PETITION...KAUAI CORP.

Premises affected are situated on the east side of St. Joseph Avenue, the address known as 4010 N. St. Joe.

This real estate is known as Zone District designated as R-2 and the requested change is to M-2. The proposed land use is for an Industrial Park.

Commissioner Schaad moved that this petition be referred to Area Plan Commission for first reading. Commissioner Willner seconded the motion. So ordered.

RE: CUTS-IN

The waterworks Dept. requests permission to cut into Old Boonville Hwy. to provide water main extension to provide service from 7120 to 7417 Old Boonville Hwy.

Commissioner Schaad moved that this cuts-in be approved upon the recommendation of Mr. Nussmeyer. Commissioner Ossenberg seconded the motion. So ordered.

RE: MR. NUSSMEYER

Mr. Nussmeyer requested permission to proceed with the bridge jobs that he had talked to Council about, which includes those on Smith-Diamond Road, Burkhardt Road and the Bishea Ditch, North of Boonville Highway. He said there should be a pipe job on Schutte Road, a small bridge is needed on Kuebler Road and there are two small structures that are very narrow on the Boonville-New Harmony Road and they should be replaced with pipes. He said there should also be an extension of an existing culvert at Pollack and Fuquay Road. He said these Right of Ways should be pursued and the Commissioners should start thinking about the Right of Way buyers, as this seems to be the hold-up on all of the jobs.

Commissioner Ossenbergh said that Mr. Welsh reported to him, that he has six parcels for sure on Old State Road and the people in Florida are due back this week and he will negotiate with them and Gary Gerling has four or five parcels tied up. Mr. Welsh is to meet with Mr. Gerling today.

RE: BRIDGES

Commissioner Schaad said there is a bad situation on the Columbia-Delaware overpass and suggested that specifications be made up for this.

Mr. Nussmeyer said it was brought to his attention that the narrow bridge on North Kentucky Avenue is a dangerous one and suggested that the County do the bridge and see if they can't get the city involved in the approaches.

County Attorney Swain wondered what the county was going to do with Oak Grove Road and asked if he should contact the Railroad to see what they want to do about it.

Mr. Nussmeyer said he was going to send the plans in and Mr. Swain said that he would contact the Railroad Co.

RE: MR. WILLARD

Mr. Willard submitted the monthly report for the County Highway and the Absentee list of the County Garage employees for the past week.

Mr. Willard said that he would like the permission of the Commissioners to transfer a dump truck from the Pleasantview Rest Home to the County Garage, as Mr. Harness no longer needs it and the County Garage can make good use of it, and if Mr. Harness ever needed it, he can use it.

Commissioner Schaad moved that the 1965 Chevrolet Truck be transferred from the Pleasantview Rest Home to the County Garage, with the approval of Mr. Harness, and that this change be made on the records in the Auditor's office. Commissioner Willner seconded the motion. So ordered.

RE: TRAFFIC ENGINEER'S REPORT

Mr. Judd submitted the Traffic Engineer's Report, stating that they completed 55,000 feet of striping on Old Boonville Hwy., Oak Hill Road, Lynch Road, etc. Report received and ordered filed.

RE: GUARD RAIL NEEDED

Commissioner Schaad said there is no guard rail on the North side of Carpenter Creek Bridge on Broadway Ave. and it seemed to him, if the Commissioners have some Right of Way here, some guard rails should be put up.

RE: MR. HOTZ

Mr. Hotz said there is a large barn at Pleasantview Rest Home that is no longer being used and he would like for the Commissioners to look at it and see what should be done in disposing of it, as it should come down. This matter was taken under advisement for one week so Commissioner Willner can look at it and report back to the other Commissioners.

Mr. Hotz said that there is a lot of junk at Pleasantview Rest Home that he would like to have hauled away. He said that he didn't know if there was any salvage value on it or not.

Commissioner Schaad said there was also some junk at the County Garage and they could both be cleaned up at the same time.

Mr. Hotz said that he will contact two salvage dealers and have them look at this junk and get bids on it.

RE: SIDEWALK NEEDED

Mr. Hotz said that the Commissioners will be receiving a letter from the Alcoholic Recovery Center, in regards to a sidewalk from the Administration Building, to what is now known as Gilliam Hall, since the patients have to either walk on the lawn or the highway.

RE: REQUEST FROM FARM BUREAU

Mr. Willard said that the Farm Bureau Corp. wanted to know if they could get permission to use the rail track the county has at the County Garage, as they want to put up an electric pole and have their own conveyor to unload fertilizer and said if the County Garage wanted to get salt by the car-load, they could also use the conveyor to unload the salt.

Commissioner Willner said that before Southern Indiana Gas & Electric Company sets this in, they will want a permanent easement and he thought this should be looked into.

Commissioner Schaad said it would be a good idea to check with Mr. Cravens to see if there is a possibility of getting salt by the car load, rather than by truck load, as it might mean a savings.

RE: LAW SUIT

County Attorney Stephens said the County was sued by Mr. Bruce on the River Road problem, asking that the County re-locate the road. He said the Commissioners passed a resolution about a month ago, to the effect that they would not open the road on the assumption that they didn't want to take any action which was predjudice to a law suit. He said that Mr. Bruce has taken the action and that the Commissioners could now consider the possibility of passing a resolution to close that portion of River Road, which is from the West line of Mr. Karch's property to the terminal. He said he didn't mean that it be closed to traffic but for the record, it would be like abandonment, as far as maintenance is concerned. He said he thought this would have to be done in order to avoid the liability that they will try to impose on the County, to re-locate the road. The County Attorney recommended that the Commissioners post a sign that the road is closed.

Commissioner Schaad moved that such a sign be posted.

Commissioner Willner said there are numerous roads in Vanderburgh County that service only one business and said if they close this road to one business, shouldn't they look at the rest of them.

County Attorney Stephens said they would look at them, one at a time. He also said that River Road will always be a problem, because it is too close to the river.

Commissioner Willner said he thought they were wrong, if this road was being singled out from the rest of them and he would be perfectly will to leave it as it is. He didn't think the court would order the county to spend all the money it would cost, to re-locate this road. He then asked that action on this matter be deferred for one week. This action was agreed upon.

RE: POOR RELIEF

Darlene Fulton....15 Tulip Avenue.....Pigeon Township

Mrs. Fulton was to appear in requesting that a doctor's bill be paid but she failed to do so. No action could be taken. Pigeon Township Trustee, Robert Morrison was present.

RE: RIVERVIEW ROAD

Mr. Bob Reynolds, representative for the Locomotive Engineer's, said that Riverview Road is in bad shape and that the County Surveyor went out there and made extensive surveys but nothing has been done. He also said that there is public dumping in the area and he requested that the Sheriff have the area patrolled. He said there are a lot of people working there and he would like for the Commissioners to look at it.

Commissioner Ossenberg said they had the Public Board of Works in and agreed with them to patch the road. This was done but the holes are back again.

Commissioner Ossenberg said it was decided, in a open meeting, to patch the road until such a time as the weather was favorable, then they were going to the city and in a joint venture, they were going to resurface Riverview Road.

Commissioner Schaad said the drainage problem also needs solved.

Commissioner Ossenberg said they will get with Dick Eifler on the drainage problem and when the weather breaks, the City and the County will resurface this road. He said he didn't know about the dumping problem and that Mr. Reynolds should make a request to the Sheriff on having the area patrolled and also to make a request to the Board of Public Works at their Friday meeting and tell them that the county is ready to go when weather permits.

Commissioner Willner wondered if it would be possible to extend Broadway to the Railroad roundhouse and if it would then be feasible to abandon Riverview Road.

Mr. Reynolds said no, because there are houses back there and a school bus also uses this road.

The meeting recessed at 10:40 a.m.

PRESENTCOUNTY COMMISSIONERS

Thomas Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John, Deputy

COUNTY ATTORNEYS

William Stephens  
Thomas Swain

REPORTERS

A. Jackson  
C. Leach  
B. Thompson  
G. Clabes  
S. Clark

Secretary: Margie Meeks

*Thomas L. Ossenberg*

*Bob Schaad*

*Robert L. Willner*

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
APRIL 16, 1973

The regular meeting of the County Commissioners was held on Monday, April 16, 1973, at 9:30 a.m. with President Ossenberg presiding.

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

RE: MONTHLY REPORT...COUNTY CLERK

The County Clerk's report was submitted for the month of March, 1973. Report received and ordered filed.

RE: EMPLOYMENT CHANGES...APPOINTMENTS

COUNTY TREASURER...Anita J.Sawyer...5404 Cunningham..Extra Clerk..15.00 day..Eff.  
4/16/73

" " Bernice Woodall..2404 Pollack..Extra Clerk..\$15.00 day...Eff:  
4/16/73

VOTERS REGISTRATION OFFICE...Lucille Elliott..3920 New Harmony Rd...Clerk  
\$230.00 per pay...Eff:4/16/73

RE: EMPLOYMENT CHANGES...RELEASES

VOTERS REGISTRATION OFFICE...June Hallenberger...1409 Fountain...Clerk  
\$230.00 per pay.Eff:4/15/73

SURVEYOR..Stanton Gash..1654 D.John St...Rod Man..\$5,370.00...Eff:4/15/73

RE: COUNTY TREASURER...60 DAY CERTIFICATE OF DEPOSIT FOR \$500,000.00

MR. Frank Tilford said he has received bids from three banks--on a 60-day certificate of deposit. Mr. Swain opened the bids and they were as follows:

- The Citizens National Bank....Rate of Interest....7.01%
- Old National Bank....Rate of Interest....7%
- The National City Bank.....Rate of Interest...6.80%

Commissioner Schaad moved that the bid be awarded to the highest bidder, that being the Citizens National Bank with the rate of 7.01%. Commissioner Willner seconded the motion. So ordered.

RE: AWARDING OF BIDS...STATION WAGON FOR PLEASANTVIEW REST HOME

Mr. Bill Cravens said after looking over and studying the bids he would recommend the the bid be awarded to the lowest bidder, that being, Kenney Kent, in the amount of \$3,197.42. Commissioner Schaad moved that upon the recommendation of the purchasing agent that Kenny Kent be awarded the bid. Commissioner Willner seconded the motion. So ordered.

RE: AWARDING OF BIDS...ROLLER FOR COUNTY HIGHWAY DEPARTMENT

Mr. Cravens recommended that the bid be awarded to Malotte Machinery Co. Commissioner Schaad moved that upon the recommendation of Mr. Cravens that Malotte Machinery Co. be awarded the bid in the amount of \$6,250.00. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad said while the purchasing agent was here he wanted to say that we have had a request from The Farm Bureau asking if they might use our spur. They have a loader that we can use and Commissioner Schaad wondered if we could use it later on to load and unload salt. He asked Mr. Cravens if he thinks it might be a savings to us if we purchase salt by car load lots and have it brought in that way rather than having it trucked in, as he understands that it is about \$1.00 a ton cheaper than what Mr. Willard has been paying for it and that it will be delivered to our yards.

Mr. Cravens said that this is the end of our salt season and that the current prices expire the first of May. Mr. Cravens said that Mr. Willard preferred to pick up his own salt largely because he didn't have the storage space. Commissioner Schaad said they want to be looking into this for next year. Mr. Cravens said that would be fine with him, that he could go out and get bids on it being delivered, whether it be by rail or by truck. Commissioner Schaad said to keep the delivery part of it in mind when he asked for the bids. He also said that they are going to have build a place out there to keep the salt anyway, larger than what we now have. He asked Mr. Willard approximately how much salt we will use and Jack said it all depends upon the weather but he would say at least one hundred tons, for one times use. Commissioner Schaad said he did want to call Mr. Cravens attention to this since he was here, and so he could check into it.

RE: HIGHWAY MONEY....MR. VOLPE

Last year in approximately May or June we got a letter from the State Auditor telling us that they were going to short us on money, and that it would be between twelve and fifteen percent. We made the budget up on that assumption and operated on a very tight budget as you may well know. A few weeks ago, Mr. Eades of the State Board of Tax Commissioners came to him and said he was wondering how the checks were coming along from the state and when he checked into it he found that the March check was very high. They called the State Auditor's office and it so happens that we were sent the letter by mistake, as it was suppose to have gone only to citys, but it went to counties too. We are going to get as much money as we did last year, so on the basis of this, the \$30,000.00 that we proposed to be taken out of Eikoff Road has not been taken out. Tentatively he has taken the \$30,000.00 out of the other, but we might put it back in after July, as he wants to look at the June financial statement. Mr. Eades said he would like to have a couple of more months to see how things are going to work out. Commissioner Schaad asked what other account we were going to take the money out of and Mr. Ossenberg said it was the St. George Road account. Mr. Volpe said it appears now that we can put it back in there though and also that the Eikoff account won't be bothered. Right now we are about \$30,000.00 ahead of last year, on receipts from the state.

RE: LAW SUIT DECISION....CLOSING OF RIVER ROAD

This was held over a week at Mr. Willner's request. Mr. Willner said he has one question for the attorney's. If we would leave it right as it is now and if the Judge would then say for the County Commissioners to reconstruct the road which would run thirty or forty thousand dollars, could the Commissioners then close this road?

County Attorney Stephens said that he thought it would then be too late. He then presented the following resolution that complies with the statute:

On the 3rd of April, 1973, the Board of Commissioners of Vanderburgh County were made a party defendant in Cause No. 71-CIV-3214 of the Vanderburgh Superior Court, in an action styled "Arthur W. Karch, et al vs. Hubert R. Bruce", by the filing of a third party complaint by the defendant Bruce. Bruce is asking that the Commissioners be ordered to relocate that part of River Road adjacent to certain real estate owned by the plaintiff in the lawsuit. On March 12, 1973, the Commissioners voted not to relocate the road at that time and additionally voted not to close the road unless legal action was brought against Vanderburgh County to require the County to widen or reconstruct the road. After due discussion and consideration it was the opinion of the Commissioners that the use of that portion of River Road sought to be relocated by Mr. Bruce has become impractical and unsafe because of erosion; the continued change of the flow of water in the Ohio River; the impossibility of widening the road at its present location to at least forty (40) feet due to the presence of dwellings along the North side thereof; and, the unjustified cost of relocating the road upon a different route. The Commissioners then voted to close said River Road from the point of its juncture at the West line of the property owned by Mr. Karch thence East to the site of the terminal operated by Mr. Bruce until such time as the aforesaid impractical and/or unsafe conditions no longer exist and the use of said road becomes practical and safe. It was also the judgment of the Commissioners that a suitable detour for the diversion of traffic need not be established. Th County Highway Superintendent was directed to post an appropriate sign notifying the public of the closing of the aforesaid portion of River Road.

Commissioner Schaad moved, on the recommendation of the County Attorney, to adopt this resolution. Commissioner Ossenberg seconded the motion. So ordered.

RE: COMPLAINT BY HARRY THOMPSON

Mr. Thompson, formerly a member of Council on Water and Minerals, said that in connection with River Road and the terminal on the Ohio River, that Mr. Bruce's company is operating in the State of Indiana without a permit. He said he thought as soon as the Attorney General is able to get the legislative problems solved, a cease to exist order will be issued to Mr. Bruce until he complies with the requirements of the Natural Resources Commission. He said that Mr. Bruce claims he has a permit from the Corp of Army Engineers to operate the port, but normally they do not issue a permit until the State of Indiana has issued them and he thought Mr. Bruce should comply with the law.

Commissioner Willner asked what the requirements were for obtaining a permit.

Mr. Thompson said the requirements basically are that the applicant apply to the Department of Natural Resources for a permit for construction in the floodway. He said that Indiana law states that there cannot be construction in the floodway and he understands that the Department of Natural Resources has the right to issue certain types of exemptions. He said the Department of Natural Resources in turn, submits the application to the Advisory Council on Water & Minerals. This council is made up of twelve people who investigate the feasibility of construction. If they find it feasible, they then issue a permit, subject to the State Board of Health, State Pollution Control Board, etc. After the approvals are made and he has been able to provide sufficient safeguards which are approved, he can then operate legally. He said that the plans of Mr. Bruce's were rejected so he didn't get a permit.

Commissioner Ossenberg told Mr. Thompson of his appreciation for this information.

RE: REQUEST FOR NEW ROAD SIGN

The following letter was presented to the Commissioners:

Location: 3/10 mile passed Browning Road, McCutchanville, Ind.  
At the present time there is an old house which is in the process of being torn down, there at the right of this old house is a chad-rock road. George Viehe put the road in and owns the pr-perty thereof. I have checked with the post office and they have given us this address: RR#8 Box 453 McCutchanville, Ind.

We are building a house on this road and expect to move in by June 1st. Therefore, we would like to get a road sign up as soon as possible and would appreciate some prompt attention in this matter. The name we have chosen for this new road is HARMONY HEIGHTS ROAD, if for some reason this is not acceptable, then HOLLYBROOK DRIVE is our second choice. If for some reason this is not acceptable, then HOLLYBROOK DRIVE is our second choice. If there are any questions please contact Donna Viehe or Mabel Viehe. Thank You, Donna Viehe.

Commissioner Schaad moved that this matter be referred to the Area Plan Commission. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR CANNON TO BE PLACED IN MUSEUM

The following letter was received by the Commissioners from Mr. Glen Ives, Director of The Evansville Museum of Arts and Science:

Dear Mr. Ossenberg:

The Evansville Museum of Arts and Science is delighted to accept the Spanish-American War cannon that was once on display in the rotunda of the Old Courthouse. With your permission, we would like to place the cannon barrel in the Museum's Arms and Armour Exhibit that is being redesigned and updated. (The base will be stored.) The cannon will be well protected behind glass and certainly will add greatly to this exhibit.

Please let us know if this arrangement is agreeable. I look forward to hearing from you at your convenience.

Commissioner Ossenberg said that after making several efforts of having this cannon installed in the Civic Center, with the Building Authority saying "no", he thought that the museum was the proper place for the cannon.

Commissioner Schaad moved that permission be granted for the cannon to be placed in the Museum and that they be permitted to get it, providing that they pick up the base from the old Court House within 30 days. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FROM F.O.P.

The Commissioners had a request from the Fraternal Order of Police for the use of one voting machine. They had submitted the following letter:

Dear Sir:

The purpose of this letter is to request permission to use a voting machine at our state convention to be held at the Executive Inn June 20th to and including June 23, 1973.

The election will be held Saturday morning June 23, 1973 at 8:00 a.m. in parlors "B" and "C" of the International Room at the hotel. We would appreciate very much, the use of the machine at that time. The election of state lodge officers in the past has always been a long drawn out process due to the counting by hand of all the ballots.

It is understood that Evansville F.O.P. Lodge #73 will assume all costs pertaining to the moving, to and from the hotel, in regards to the machine.

Thanking you in advance, on behalf of Evansville Lodge #73. I remain,  
Ben Wilkinson, Vice President F.O.P. Lodge #73.

The Commissioners agreed, last week, that permission be granted, subject to a contract being prepared for the use of the voting machine, by the County Attorney. Mr. Swain said that he would have the contract ready next week.

RE: REQUEST FOR WALKWAY

The following letter was presented to the Commissioners from the Alcoholic Help Inc.:

Dear Sirs:

The Alcoholic Recovery Center is requesting that a walkway be laid between the present Administration building and the resident housing building known now as Gilliam Hall.

1. Residents live in both buildings and walk between them for meals and for the regular treatment program.
2. The traffic on Boehne Camp Road is quite heavy during the regular daylight hours.
3. Although the speed limit is 20 miles per hour through the grounds on the south states the speed limit at 35 miles per hour. The location of the 35 MPH sign does not allow the traffic heading north time to reduce speed to reach the 20 MPH limit before the vehicle arrives at the Gilliam Hall building. This, combined with the south bound traffic rushing around the blind curve, can put the pedestrian in danger.
4. The shoulders of the Boehne Camp Road are very narrow and not very favorable to pedestrian traffic.
5. To keep from walking on the road, many people take a "short cut" along the grassed area on the west of the road. This will soon result in a pathway which will destroy the grass and the appearance of the grounds.

Respectfully, Harold I. Segall, Administrator.

Mr. Hotz said that with the approval of the Commissioners, he would like to construct this walkway with the Bricks made available by the demolition of the building on the property.

Commissioner Schaad moved that Mr. Hotz proceed to build the walkway with the materials that are available. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO INSTALL PIPE

The following letter was received by the Commissioners from Mr. Jerry Wells:

Gentlemen:

I would like to request permission to install a pipe and fill in the ditch in front of my house. I have contacted the Engineering Department and was told that it would require a 12" concrete pipe to do the proper job. I will install the pipe as recommended.

I have already purchased the pipe but will wait to hear word before starting installation.

Thanking you in advance for your cooperation, Sincerely yours, Jerry Wells.

Commissioner Willner moved that this matter be referred to the County Engineer. Commissioner Ossenberg seconded the motion. So ordered.

RE: PROBLEM OF TILE

Commissioner Schaad said that he had two calls yesterday, and one was from D.T. Hurd, who lives at the Southwest corner of Old State Road and Mt. Pleasant Road. Mr. Hurd told him that there is a tile underneath the road that comes into his house and he wants to build a house on this location and he wanted to know what can be done about it.

This matter was referred to the County Engineer to see if anything can be done about it.

RE: LETTER FROM JOHN WALLACE

Commissioner Willner said that he had received a letter from Mr. Wallace, pertaining to a bridge east of Highway 57, on Old Petersburg Road. He said that he didn't know what bridge that Mr. Wallace was talking about but that he said the bridge was unsafe and the pavement has dropped several inches from the concrete wall. This matter was also referred to the County Engineer.

RE: REQUEST TO WAIVER FUNDS

The following letter was received by the County Auditor from the Allen County Highway Department:

Dear Sir:

Allen County has a major project programmed using F.A.S. funds. If your county is not using such funds, we would appreciate your waiver of their use to Allen County.

Would you therefore please ask your commissioners for their approval. If they are agreeable, we will send the necessary waiver forms for their signatures.

Will you kindly check the enclosed post card and return it to us.

Thank you, Sincerely, William J. Jones, Director.

Commissioner Ossenberg said the Commissioners would have to say "no" to this request.

Commissioner Schaad said that Vanderburgh County has many projects that this money will be used for.

Commissioner Willner said he didn't think it would hurt to ask Posey, Gibson, and Warrick counties for some of their F.A.S. money, if they aren't going to use it.

Commissioner Schaad said he understood that the Trustee's also receive Revenue Sharing money and he thought if they didn't have a place for it, that maybe by adding to it, something could be worked out in their particular township that would qualify.

County Attorney Swain will look into this possibility.

RE: NEW REGULATIONS ON REVENUE SHARING

Mr. Volpe said that he has received new regulations and it will be coming before the County Council this week. He said that one significant thing he notices was that if the county grants Revenue Sharing money to a secondary recipient and they spend it for something that the county is not allowed to spend it for, then the county is still responsible.

RE: HARPER DITCH

County Attorney Swain said that John Cox is preparing the Harper Ditch agreement whereby the City agrees to pay for the engineering and construction and he will have it for the Commissioners next week.

RE: CLAIMS

The following claims were presented for the Central Services at Burdette Park:

From Bill Nix Construction Co. in the amount of \$17,279.10.

From Ja-Lo Electric Co. Inc. in the amount of \$4,374.00.

00204

From Sandleben Plumbing and Heating Co. in the amount of \$3,635.89.

These claims have been approved by the architect. Commissioner Willner moved that these claims be approved for payment. Commissioner Schaad seconded the motion. So ordered.

RE: CHANGE ORDER

A change order was presented for Twickingham Drive last week, but wasn't signed. The change order was signed at this time. It showed a net decrease of \$226.15.

Commissioner Ossenberg said that there was no time element on the contract and he was told that the contractor was working maybe one day and off two and he has had several complaints on this and that he is tearing up front yards and driveways.

Commissioner Willner said he has also had several complaints on this and he thought the Commissioners should ask the County Engineer to oversee this project and report back to the Commissioners next week.

Fred Johnson is the contractor on this job.

RE: BILLING FROM THE EVANSVILLE ASSOCIATION FOR RETARDED CHILDREN

This billing was from the Telephone Co. for the relocation of telephone lines, from a vacated alley to perimeter of sight of the E.A.R.C. in the amount of \$2,575.87. This is being held on the advice of the County Attorney. County Attorney Swain said that the county is responsible for this but he wants a new easement and a release of the old one before this is paid.

RE: CUTS-IN

The Indiana Bell Telephone Co. requests permission to cut into Koring Road to place buried telephone cable.

Commissioner Schaad moved that this cuts-in be approved. Commissioner Willner seconded the motion. So ordered.

RE: EXTRA WORK AGREEMENT

Mr. Nussmeyer again presented an extra work agreement #1, for Burdette Park, the Contractor being Deig Bros. Lumber & Construction Co. It wasn't signed when it was previously presented. The original contract price of the project was \$8,900.00. The extra work agreement is in the amount of \$1,887.00, making the total of \$10,787.00.

Commissioner Schaad moved that this extra work agreement be approved. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FROM THE SOUTHERN RAILROAD

Mr. Nussmeyer said he received a letter from the Southern Railroad Co. concerning the crossing at Oak Grove Road, and they are asking that the county bear any cost of any signalization that might be required.

County Attorney Swain said the county must pay the cost of the crossing but in the signalization, there is a statutory division of cost and the statutes can't be waived.

Commissioner Schaad moved that this letter be referred to the County Attorney. Commissioner Willner seconded the motion. So ordered.

RE: MR. NUSSMEYER

Mr. Nussmeyer said that he received a report from Jay Welch, on Old State Road and he is hopeful to solve the Right of Way problems in another week. He has all but four parcels which Mr. Gerling has tied up. Mr. Nussmeyer said that he would let the Commissioners know more about this next week.

RE: MR. WILLARD

Mr. Willard presented an absentee report of the County Highway Department for the past week. Received and filed.

RE: REQUEST FROM FARM BUREAU

Mr. Willard said that he had a request from the Farm Bureau, to use some siding and asked the Commissioners if he should let them use it.

County Attorney Swain said if they will give the county the Right of Way that they want for St. Joe and knock off the damages they want, the county will let them use the siding.

Mr. Willard said that he would talk to them about it.

RE: DUMPSTERS

Commissioner Schaad said he had a call from Leonard Collins who wanted him to see the terrible situation of the dumpster on Oak Hill school grounds.

Commissioner Willner said he had a request from the Village Square Shopping Center Association, to remove the two dumpsters in Darmstadt. He thought the Commissioners were going to have to make up their minds as to whether they are going to a land fill or if they are going to stay with the dumpsters, and if they intend to stay with the dumpsters, he thought the county needs to purchase the property to do the job right.

Commissioner Ossenbergs said the only other solution was brought out in a meeting in Warrick County. He said they are working seven days a week and pick up the trash twice a day.

Mr. Willard said there are three trucks and six men out working in the county, today, and this is in addition to the National Disposal 's cost to the county.

RE: MR. MARLIN

Mr. Marlin discussed the work on Eichoff Road and of it's connection with Korressel Road and he checked with the Project Engineer and Mr. Nussmeyer, on this, so in essence, it gives a listing of what has been done to date.

Commissioner Schaad said they need to go over this to see just what needs to be done to finish up the engineering.

Mr. Marlin said the alignment has been flown by Clyde Williams and they have 118 sheets on this project. He said they are to the point now that they need to complete the survey and design the bridge and finish up the engineering. He thought it proper to establish the scope of what needs to be done by the engineers and whatever engineers are interested, can make a cost estimate. He said this will just be two lanes for the time being.

Commissioner Schaad moved that Mr. Marlin be permitted to finish up the scope, to contact the Engineering Firms that might be interested in giving their proposals on the cost of finishing up the engineering. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM VAND. COUNTY VETERANS SERVICE

Mr. Oviatt presented the following letter:

Gentlemen:

I would like to make a request to employ one male veteran and one female.

These two requests, I feel, are necessary to do a job that is confronting us with a much larger number of veterans and widows that are calling at our office each day.

The veteran would be used for outside work for which there is a large demand. The lady that I would like to hire is a typist and will be used 2 or 3 days a week.

The veteran would furnish his own car and be paid for mileage by the county. He is a college graduate. There are many calls to veterans and widows that are confined to their homes and need attention so he would be a great help in this area.

I am not making this request because of slackening off of the two girls I have. They do a fine job and I am very proud of them.

From the girls and myself, in closing, please accept our sincere appreciation for all the help and cooperation you have given us.

The County Attorney said that this would have to go before the County Council. Commissioner Schaad said that there is no room for another girl in the office.

County Attorney Stephens said that she could use his office when he isn't there. Commissioner Ossenberg said that the custom pay for the girl would be \$15.00 per day.

Mr. Oviatt said he thought the man should get \$5,300 for a half-year.

Commissioner Ossenberg asked Mr. Oviatt to put this in writing so that it can be placed on the Council Call.

Mr. Oviatt said that his office helps on the average of 65 people per day.

RE: MR. HOTZ

Mr. Hotz asked Commissioner Willner if he took a look at the barn at Pleasantview Rest Home to see if it could be salvaged. Commissioner Willner said he had looked at it and he agreed that he didn't think that anyone would salvage it.

Commissioner Willner moved that this building be declared as surplus and that Mr. Hotz obtain a burning permit. Commissioner Schaad seconded the motion. So ordered.

Mr. Hotz said that he had contacted several junk dealers and found one that would give the county \$15.00 per ton, if we load it. He suggested that we load it on the county trucks and haul it off. He said that he found that the County Garage has approximately 40 batteries to get rid of and Pleasantview Rest Home has 8 to 10. He asked who the check for the surplus items should be made out to.

Mr. Volpe said to either the Commissioners or to the County Auditor, that it would go to the county anyway.

Commissioner Schaad moved that the surplus items be loaded onto county trucks and sold. Commissioner Willner seconded the motion. So ordered.

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Commissioner Schaad said that Mr. Willard called him about getting the storage bin at the county garage cleaned up and they found a lot of equipment there to get rid of.

Mr. Willard said there are three clutches for John Deere equipment and oil frames that can't be used on anything they have.

Commissioner Schaad suggested that Mr. Willard make a list of all these things that he wants to get rid of.

RE: MR. HARNESS

Mr. Harness presented an application for the admission of Lena Mary Cook to the Pleasantview Rest Home and he recommended approval of this application.

Commissioner Willner moved that the application be approved. Commissioner Ossenberg seconded the motion. So ordered.

Mr. Harness asked the permission of the Commissioners for he and Mrs. Harness to motor to the <sup>Newton</sup> ~~new~~ County Home in <sup>Kentland</sup> ~~Clinton~~ Indiana for the State Association meeting of the County Home Administrators and Assistants, and the return trip. They plan to go on April 25, and to return on April 26, 1973. He said that he would like mileage and one nights lodging and meals.

Commissioner Schaad moved that the request of Mr. Harness be approved. Commissioner Ossenberg seconded the motion. So ordered.

The meeting recessed at 11:08 a.m.

PRESENT

COUNTY COMMISSIONERS

Thomas Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEYS

Thomas Swain  
William Stephens

REPORTERS

A. Jackson  
C. Leach  
B. Thompson  
G. Elabes

Secretary: M. Meeks

*Thomas H. Ossenberg*  
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*Bob Schaad*  
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*Robert L. Willner*  
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 BOARD OF COUNTY COMMISSIONERS

PUBLIC HEARING ON THE INCORPORATION OF DARMSTADT  
APRIL 17, 1973

A public hearing was held on Tuesday, April 17, 1973, at 7:15 p.m. with County Commissioner, Thomas Ossenbergs presiding.

Mr. Robert Schuttler, attorney for the petitioners, presented his case on their behalf.

He said the purpose of the incorporation is to exercise some measure of control over the expanding economic development of the area.

He said that the law requires that the Commissioners must be reasonably satisfied the land area is urban in character, is compact and contiguous, and there is enough area for reasonable growth in the future.

He said that a substantial number of the property owners must agree that six municipal services will be provided and that the Darmstadt petitioners have seven services, which are...Central distribution system for water, fire protection, health protection, sanitary disposal systems, planning and subdivision control, police protection, street maintenance and recreational area.

He said they don't plan to start a water plant or a sanitary sewage system, that they would look into the problems of sanitary disposal. He explained the water service could mean the central purchasing of water.

Mr. Schuttler said that there are 147 signers on the petition out of 207 property owners in the area and that the assessed valuation of the area to be incorporated is 1,366,860.

Mr. Urban Kyle introduced Charles W. Kahre, a member of the committee seeking the incorporation and a resident of the area, who explained the boundaries of the proposed incorporated town.

Reverend Clifford Jansen, a resident of the area and pastor of the Salem United Church of Christ in Darmstadt and secretary of the committee for the incorporation, then spoke, by saying that the incorporation of this area has been discussed for a long time and now the need for some form of local government has become more and more apparent and this is the reason for the petition.

He said the time has come when people in the area are concerned with certain needs. He said this area has been designated as a future industrial and commercial corridor leading into the city and they would like to have the privilege of existing as a community to insist in planning for the growth of the area.

Reverend Omar Rau, pastor of the Trinity Lutheran Church and a property owner on Darmstadt Road, said that he has lived in the area for almost 18 years. He said they have a school which consists of 8 grades and a kindergarten and he knows that these children do not have the proper protection while going to and from school.

He said that Boonville-New Harmony Road, Darmstadt Road and Hoing Road are dangerous, as they are used as race tracks, also the grain trucks use these roads to by-pass the weighing station.

He said he felt that if they had a community entity that could have a marshall to oversee these things, there would be greater safety. He said if Darmstadt is incorporated, they might have a voice in the Vandi-Gov proposal, where maybe the community might have a man in the organization who would express the needs of the area.

Commissioner Ossenbergs asked if there were any remonstrators.

Mr. Jack Miller said that he wasn't against the petition but that under the consolidation bill, Darmstadt can be incorporated because its petition was filed before the bill was signed, but that other areas of the county cannot consolidate, and if this is so, he felt that the constitutional rights of the other people in Vanderburgh County have been denied by not having been informed.

Commissioner Ossenbergs said that this is an interesting point and he thought that the County Attorney had material on this, that will be brought out.

County Attorney Swain said that he believes, that no community can incorporate pending the outcome of the referendum and in his opinion, the consolidation bill signed last week by Governor Otis Bowen, specifically prohibits incorporations at this time. He said should the consolidation referendum fail next year, communities could then incorporate.

Mr. Miller said that if this incorporation goes through, he will file a suit against the city-county consolidation bill tomorrow, as being unconstitutional, on the grounds that the rest of the people in Vanderburgh County wasn't notified, in advance, that if they had filed a petition, they could have kept out of the consolidation bill.

Commissioner Ossenberg said that he thought it would take the opinion of the legal department and Mr. Miller has a right to file suit and others will probably follow, if this be the case.

Commissioner Schaad said that the reason for this meeting is to hear the people of Darmstadt and to hear why they want to be incorporated. He said wasn't denying Mr. Miller the privilege of talking but he thought Mr. Miller to be out of order, at this meeting, and if he had a point to make, it should be pursued through the court.

Commissioner Willner asked if there was anyone who had a question on Darmstadt being incorporated.

Mr. Jerry Gries asked, if the incorporation is voted on tonight, by the Commissioners, would it be voted on, by the people of the proposed area before it becomes effective. He said that he had a feeling that all the people didn't sign the petition because they wanted to be incorporated, but to pursue the possibilities of incorporation.

Commissioner Schaad said that this is a question for the legal department, but if he remembered correctly, he thought it wasn't necessary, in asking to be incorporated, to come before referendum, but he thought this would be a good idea.

County Attorney Swain said that the final decision rests with the Commissioners, not a referendum.

Mr. Schuttler said that it's true that the law does not allow for a referendum, but thought that this meeting to be a reasonable substitute, for a referendum.

Commissioner Schaad suggested that the County Attorney's get together and come up with something, either the Commissioners act on it or they don't, he said, and it will have to be settled in court so the Commissioners know what to do, and only then, can they act.

Almost everyone stood when Commissioner Willner asked for a standing vote of those in favor of the incorporation.

Commissioner Willner said he knew that the Board of County Commissioners could postpone the decision for sometime but he felt that there was a time limit, but after having read the statute which states, if the Commissioners are reasonably sure that the proposed town has met the standards set forth in this act, that the Commissioners may vote.

Commissioner Willner then moved that the Commissioners accept the proposed town of Darmstadt as a town.

Commissioner Ossenberg said that he thought it was previously brought out by the County Attorney's, that the petition must first have the approval of the Area Plan Commission and the State Department of Commerce.

County Attorney said it is not an approval, that they may make a recommendation, which is not binding on the Board of County Commissioners. He said that the only requirement was to furnish them with a copy of the petition.

Mr. Schuttler said that in connection with the organization of a town there is always a considerable amount of professional expense involved in setting up books and records and he wanted to mention, that in discussing this with Mr. Volpe, the county Auditor, he has offered to do all of that work for nothing.

County Attorney said that one thing this should be held up for, is the fact that they haven't come in with their certified mail.

Mr. Schuttler questioned whether this return is necessary or not, as he said it was only necessary that the notices be sent out, which they were, but he has available, the affidavit of service plus the return receipts if the Commissioners care to see them.

Commissioner Schaad said he isn't sure that the Commissioners are within their rights by acting on this tonight, not until the County Attorney's tell them that it is legal for them to act on it, according to the new consolidation bill. He was of the opinion that after the consolidation bill was signed by the Governor, that there couldn't be the incorporation of any towns until after the referendum. He said if the County Attorney's couldn't resolve it, it would have to be done in court before any action could be taken. He said he has nothing against the incorporation of Darmstadt.

Mr. Schuttler said the issue before the Board of Commissioners tonight is on the petition and he didn't think it proper to go into constitutional matters at this time. He said after it has been acted on, either side can take whatever action they want, but if they wait until the attorney's get together, this will go on for another 6 or 7 months.

Commissioner Ossenberg said he came to this meeting to hear and take the matter under advisement, that he didn't come to this meeting to vote and he wanted to add that he intends for this matter to come up within the next few weeks and if it can legally be done, he is going to vote for the petition and he assured the people if all the legal ratification of everything is worked out and he has in mind that all these services are going to be provided, that within the next two weeks this will be brought to an open Commissioners meeting and if Mr. Willner wants to make his motion at that time, he will second it.

Commissioner Schaad said that at that time he would be willing to second the motion also.

Commissioner Willner withdrew his motion with one request and this is that the Commissioners let the committee know the date that the Commissioners will vote on this so the people can attend the meeting.

Commissioner Ossenberg assured everyone that the meeting would be in in the next two to three weeks at the very most. He said that he would advise the attorney as to the exact date.

The meeting adjourned at 8:50 p.m.

PRESENT

COUNTY COMMISSIONERS

COUNTY AUDITOR

COUNTY ATTORNEY

REPORTERS

Thomas Ossenberg  
Bob Schaad

Lewis F. Volpe

Thomas Swain

A. Jackson  
G. Clabes  
C. Leach  
C. Cooper  
B. Thompson

Secretary: Margie Meeks

*Thomas Ossenberg*  
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*Bob Schaad*  
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*Robert F. Willner*  
\_\_\_\_\_  
BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
APRIL 23, 1973

The regular meeting of the County Commissioners was held on Monday, April 23, 1973, at 9:30 a.m. with President Ossenberg presiding.

The minutes of the Commissioners meeting of April 16, 1973, were approved as engrossed by the Auditor, as well as the minutes of the public hearing that was held on Tuesday, April 17, 1973, on the proposed incorporation of Darmstadt. The reading of them was dispensed with.

RE: AUCTION ON MO-TRIM

A Ford tractor, Model 4400, equipped with Motrim Side Arm Sickle Mower is being offered for sale to the highest bidder and cannot be sold for less than the appraised value in the amount of \$6,500.

Commissioner Ossenberg said there is no warranty on it and it is to be picked up at the County Garage, by the purchaser and paid for, within two weeks from the date of sale.

Offers were made from Everett Searcey on behalf of the Posey County Commissioners in the amount of \$6,500, and from John Rollett of 1322 Hillside Terrace, on behalf of the Union Township Ditch Association, in the amount of \$6,600.00. The tractor was sold to the Union Township Ditch Association for \$6,600.00.

RE: LETTER FROM J. H. RUDOLPH

A letter was received by Mr. Volpe from J.H. Rudolph & Co. Inc. informing him of the enclosed bond covering the bituminous material contract that they were awarded for the year of 1973.

Mr. Volpe said the principle in the bid is listed as the "Department of Public Purchase" and he thought it should be the "Vanderburgh County Commissioners", and he thought it should be re-written. The County Attorney Agreed and said to have J. H. Rudolph & Co. Inc. re-write this bond.

RE: T. B. PATIENT ADMITTED

A letter was received by the Commissioners from Mildred Knodel, the Tuberculosis Control Officer for the City-County Department of Health, as follows:

Re: Herbert Shehorn Jr. 3608 Kathleen Ave.

Dear Mr. Ossenberg:

The above referenced individual was admitted to District One Tuberculosis Hospital, Madisonville, Kentucky, on April 12, 1973, for isolation and treatment of active, moderately advanced, pulmonary tuberculosis.

This is to certify that Mr. Shehorn is an indigent Vanderburgh County resident and in need of financial assistance for this hospitalization.

If further information is needed, please feel free to call.

Mildred M. Knodel, R. N.....T.B. Control Officer

Letter received and filed.

Commissioner Willner said the previous Commissioners had checked to see if they could advance payment to an out-of-state hospital, and asked if the Vincennes T. B. hospital has been closed yet. The County Attorney said they are in the process of trying to close the hospital.

Commissioner Willner then said that it was agreed, if the patients would not be accepted at Vincennes, the Commissioners would approve payment on an out-of-state hospital.

He moved that the admittance of Herbert Shehorn, to the T. B. hospital in Madisonville be approved. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST OF FUNDS BY HARRISON COUNTY

The following letter was received by the Commissioners from Mr. Jesse Mathes, the Auditor of Harrison County, Indiana:

Dear Sir:

We have a large project in Harrison County in the neighborhood of \$600,000.00. We are in need of all F. A. S. funds we can get.

If your county is not in need of these funds, we would greatly appreciate

receiving your county's allotment.

We are enclosing our waiver paper for the board to sign, in the event your county can help us with these funds.

Thanking you in advance. Sincerely, Jesse W. Mathes.

Commissioner Ossenberg said the Commissioners must deny this request. Commissioner Schaad suggested the letter be answered courteously, by telling them that we have so many projects, that we are going to need more money than we have.

Commissioner Ossenberg said the Commissioners are also in the process of asking adjoining counties for their F. A. S. funds.

RE: CLAIM FROM SHERIFF

A claim was received from Sheriff Riney for the meals of the prisoners in the amount of \$4,783.50.

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

RE: CLAIMS FROM TORIAN INSURANCE AGENCY

The following claims were submitted by the Torian Insurance Agency:

For Contractors Equipment of County Highway Dept. in the amount of \$700.00  
 For Workmen's Compensation - Hillcrest & Washington Home in the amount of \$82.00 Cr.  
 For Workmen's Comp. \$4,209.00 with credit of \$943.00, making total of \$3,266.00.  
 For Workmen's Comp. Co. Hwy. for \$122.00, with credit of \$631.00. Total \$509.00 Cr.  
 For Workmen's Comp. in amount of \$1,365.00. Credit of \$446.00. Total \$919.00.

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

RE: CHECK RECEIVED

A check was received from Dumes Brothers in the amount of \$62.37 for batteries purchased from Pleasantview Rest Home and the County Garage. They were part of the surplus items that the county had for sale.

RE: EMPLOYMENT CHANGES

VANDEBURGH COUNTY HIGHWAY DEPARTMENT ... APPOINTMENTS

|               |                 |          |             |              |
|---------------|-----------------|----------|-------------|--------------|
| Otho Phillips | 118 E. Illinois | Mechanic | \$3.525 Hr. | Eff: 4/16/73 |
| Cedric Rexing | 2833 Floyd St.  | Mechanic | \$3.525 Hr. | Eff: 4/16/73 |

VANDEBURGH COUNTY HIGHWAY DEPARTMENT... RELEASES

|               |                 |          |             |              |
|---------------|-----------------|----------|-------------|--------------|
| Otho Phillips | 118 E. Illinois | Mechanic | \$3.425 Hr. | Eff: 4/16/73 |
| Cedric Rexing | 2833 Floyd St.  | Mechanic | \$3.425 Hr. | Eff: 4/16/73 |

RE: REQUEST FOR MILEAGE

Mr. Volpe said that the County Council requested him to make an analysis of the proposed local option income tax in two phases, in one, he will have to go to Indianapolis, to the State Board of Tax Commissioners, which he has arranged for May 4th. and secondly, to attempt to bring someone down here to appraise them of the entire situation. He said he has also had some requests from private organizations to get all the facts on the local option income tax, because if the county is going to do something, it must be done before June 1, so he would like to request permission to go to Indianapolis on the mileage account of the Commissioners.

Commissioner Schaad moved that permission be granted. Commissioner Willner seconded the motion. So ordered.

RE: CUTS IN

Indiana Bell Telephone Co. requested permission to cut into Meier Road between Kleitz Road and Outer St. Joseph Avenue to place buried telephone cable.

The Waterworks Department requested permission to cut into Hillsdale Road to install 12" Water main from Old State Road to Browning Road.

Commissioner Schaad moved that these cuts in be approved, on the recommendation of Mr. Nussmeyer. Commissioner Willner seconded the motion. So ordered.

RE: MR. NUSSMEYER

Mr. Nussmeyer presented a list of the proposed bridge constructions that are projected this year. The proposed bridges are to be on Burkhardt & Hurst Rd., Kuebler Road, Korff Road, 2 structures on Boonville-New Harmony Road, Smith-Diamond Road, Old Petersburg Road and at Fuquay Rd. & Pollack Avenue.

Commissioner Schaad asked Mr. Nussmeyer if he had an estimate on these bridges, so they could ask for some money. Mr. Nussmeyer said that he didn't have any yet.

Mr. Nussmeyer said he would like to get this on the Council Call as soon as possible because it would take from 8 to 10 weeks to get approval, besides buying the Right of Way.

Commissioner Willner moved to approve these bridges at this time, subject to getting estimates on the cost. Commissioner Ossenberg seconded the motion. So ordered.

RE: LETTER FROM THE INDIANA HIGHWAY COMMISSION

A letter was received from the Indiana Highway Commission, informing the Commissioners that the Indiana Arterial Roads & Streets Board approved R & S 6 and R & S 7 for distribution from the Local Roads & Streets account. It stated that no commitment should be made on this project on the basis of this approval, that the application will be forwarded to the office of the Auditor of the state for consideration and they will be notified by the State Auditor as to the disposition of this application and they can expect the distribution funds, if approved.

RE: LETTER SENT TO CHARLES MILLER

Mr. Nussmeyer presented a copy of a letter he sent to Mr. Charles Miller, in reference to Oak Grove Road, Green River Road, State Road 62, Bergdolt Road, Hitch Peters Road to Oak Hill Road, as follows:

Dear Sir:

We are requesting that subject roads be included in our system of urban roads, Oak Grove Road acts as a road for State Road 62 and is becoming highly industrialized. Three industries on Oak Grove Road are building in the area at this time. Bergdolt Road is likewise developing an industrial site. Both roads are needed for the industrial growth of the community. Your consideration for above will be mostly appreciated.

Commissioner Ossenberg said these are items that have been taken up before and they concern the Industrial Foundation.

RE: EXTRA WORK AGREEMENT

An Extra Work Agreement was presented on the Burdette Park project that Deig Brothers Construction Co. has. Last week \$1,887.00 was approved and this extra work agreement is in the amount of \$1,930.00, making a total of \$12,717.00. It was noted previously, that they wouldn't know what the cost would be until they started the work as they weren't sure what they would find.

Commissioner Schaad moved that this extra work agreement be approved. Commissioner Willner seconded the motion. So ordered.

RE: DRAINAGE PROBLEM

Commissioner Schaad said that Allen Foster was in to see him about a drainage problem on Boonville-New Harmony Road. He said that this must have been a problem for some time, and since two of the proposed bridges will be in this area, he asked Mr. Nussmeyer to take a look at this situation.

RE: MR. WILLARD

Mr. Willard presented a report of extra cost for trash detail, per day, as follows:

Truck - \$1.25 per hour x 8 hours = \$10.00  
 Truck - \$1.25 per hour x 8 hours = \$10.00  
 2 truck drivers x \$25.80 per day = \$51.60  
 2 laborers x \$25.00 per day = \$50.00  
\$121.60 per day

Commissioner Schaad wondered if a estimate could be made of the cost, in addition to the regular contract, per year, in trash clean up, so they will know the cost and it can be compared with the cost of the dumpsters. Mr. Willard said that he would work on it.

Mr. Willard said he is also working on a list of critical roads. Commissioner Schaad said that he would get with Mr. Willard on this.

Commissioner Schaad asked Mr. Willard how he was coming along on the specifications for the backhoe that the County Council approved last week, in amount of \$14,000. Mr. Willard said that he was going to the Purchasing Department on this, today.

RE: RIVERVIEW ROAD

Commissioner Ossenberg asked Mr. Willard if he was going to go out to Riverview Road with Mr. Eifler today. Mr. Willard said that he was.

Commissioner Ossenberg said the proposal is that the county install the three culverts for the drainage and the ~~I & N Railroad Co.~~ *THE CITY EVANSVILLE* will resurface the road.

RE: MR. HARNESS

Mr. Harness presented an application for the admission of Hazel Walton to the Pleasantview Rest Home, and he recommended approval of this application.

Commissioner Willner moved that the admission of Hazel Walton be approved. Commissioner Schaad seconded the motion. So ordered.

RE: RE-ZONING PETITIONS

County Attorney Stephens said the Re-Zoning Petitions should be put on the agenda for next week, the petitioners being Georganna Thurmond on one petition and Marion G. Deig on the other one. He said that one was approved and the other denied by the Area Plan Commission. He said he didn't know why the petitions haven't come up to the Commissioners for second reading, that the Area Plan usually takes care of this, but they have had a change in personnel and this is probably the reason it hasn't been taken care of.

Commissioner Willner moved that the Rezoning Petitions of Georganna Thurmond and Marion G. Deig be placed on the agenda for next week. Commissioner Schaad seconded the motion. So ordered. He said that these people will have to be notified of the meeting.

County Attorney Swain said one of the petitions was denied but no reason was given as to why it was denied. He said that the statute requires a reason. Commissioner Willner said that the Area Plan Commission should be so notified.

RE: MEETING PLACE CHANGED

Commissioner Ossenberg said that the Commissioners meeting of April 30, 1973, which is next Monday, will be held in the Council Chambers, Room 301, to accomodate the Indiana Court of Appeals, who will be holding their meeting in the Commissioners meeting room. He understood that they come down once a year and it will tie in with Law Day in Evansville.

RE: APPROVAL OF PAYMENT FOR REPAIRS

County Attorney Swain said that Mrs. Devoy has a check in the amount of \$90.00 from the Insurance Co. for damage done to Burdette Park property and the check is made out to Burdette Park. He said the amount of the check is in the amount of estimate for repairs by Sears Roebuck & Co. He asked if the Commissioners wanted to run it through the Auditor's records or if she could pay for it direct.

Mr. Volpe said it will be in the Commissioners minutes so she could just endorse the check over to them.

Commissioner Willner moved that Mrs. Devoy endorse the check and pay Sears & Roebuck for the repairs. Commissioner Ossenberg seconded the motion. So ordered.

RE: RIVER ROAD

Mr. Bruce, son of Herbert Bruce, who is manager of the Evansville Terminal Co. on the Ohio River, was present and said that after reading the article in the newspaper last week, he thought it needed clarification, since he didn't feel that what was stated, was correct. He said that he read in the Courier that the County Attorney had said if the county had to build a road north of its present location, they would have to buy the cabins for the right of way. He said that he understands it, that if the buildings are involved in the right of way, the road is to be located behind the buildings and the road would serve the owners of the cabins.

Mr. Bruce said, in regard to the statement made by Mr. Harry Thompson, that the port didn't have a permit from the State Department of Natural Resources, he couldn't understand this because they do have a permit from them and from the Army Corp of Engineers to operate this dock. He said that this doesn't make any sense as they do have permits and have had them for two or three years and they are still valid. He said that they have tried to cooperate with everyone and they felt that the Commissioners have a duty to build a roadway to their facility and that they plan to continue the operation of the dock.

Commissioner Ossenberg said that Mr. Thompson came to the meeting on his own, that none of the Commissioners had invited him. He thought that Mr. Thompson was present as a spectator and he was about to recognize him as a State Senator.

Commissioner Willner asked Mr. Bruce if he thought this was getting to be a political thing.

Mr. Bruce said he couldn't see why the county wants to close the road that provides access to some people when they provide roads to a single farmhouse residence, also that Mr. Thompson then came to the meeting and he wondered why.

Commissioner Willner then asked if Mr. Bruce thought that the dock being proposed between Evansville and Mt. Vernon would have any effect on their dock, if they would be in direct competition.

Mr. Bruce said there would be no major competition.

RE: MR. CROOKS

Mr. Crooks said that the building at Old Boehne hospital is being torn down.

RE: EICHOFF ROAD PROJECT

Mr. Andy Easley asked if the Commissioners were still working on the financing for the Eichoff Road project.

Commissioner Schaad said that Mr. Marlin has completed what scope work that needs to be done and he will be asking for proposals for the road work.

RE: PROPOSED INCORPORATION OF DARMSTADT

Reporter, Gene Clabes, asked what the official status is on the Darmstadt petition.

Commissioner Ossenberg said he has sent Representative Robert Rickard up to Indianapolis to get an opinion from Attorney General Sendak, on whether or not Darmstadt can incorporate as a town, legally, and he hopes to have an answer soon.

Commissioner Ossenberg and Commissioner Schaad questioned whether the consolidation bill restricts incorporations pending the outcome of a referendum on consolidation in 1974.

Commissioner Ossenberg said that Mr. Rickard left for Indianapolis on Thursday of last week.

Mr. Clabes asked Commissioner Ossenberg why Mr. Rickard was the one that was selected to go.

Commissioner Ossenberg said that there was no specific reason, that he had tried to contact several state representatives and Mr. Rickard was the first one that he could get in touch with. He said that County Attorney Swain suggested that a representative contact the Attorney General's office because he could probably get an answer faster than could the county attorney's.

Reporter Alice Jackson asked if Mr. Rickard indicated that he has been promised a decision.

Commissioner Ossenberg said not as yet.

The meeting recessed at 10:30 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u> | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u> | <u>REPORTERS</u> |
|-----------------------------|-----------------------|-------------------------|------------------|
| Thomas Ossenberg            | Lewis F. Volpe        | Thomas Swain            | C. Leach         |
| Bob Schaad                  |                       | William Stephens        | B. Thompson      |
| Robert L. Willner           |                       |                         | A. Jackson       |
|                             |                       |                         | G. Clabes        |
|                             |                       |                         | S. Clark         |

Secretary: Margie Meeks

Thomas Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
APRIL 30, 1973

The regular meeting of the County Commissioners was held on Monday, April 30, 1973, at 9:30 a.m. with President Ossenberg presiding.

The minutes of the previous meeting were approved with an amendment made on the matter of Riverview Road, in that it should have read that the City of Evansville will resurface the road and not L & N Railroad, as stated. The reading of the minutes was dispensed with.

RE: ANNUAL REPORT

The annual report of the Vanderburgh County Department of Public Welfare for 1972 was presented to the Commissioners. Report received and ordered filed.

RE: REQUEST OF COUNTY TO PAY COSTS

Chief Deputy, O'Risky said he didn't know if the Commissioners were familiar with the fact that the jail trustees wash the county cars and the police cars in the lock-up garage and at the time the Sheriff's Department moved to this building, it wasn't set up for this type of thing and they have run into a problem. He said that he has received a letter from Mr. Ruston, dated April 13, 1973, stating that they are having trouble keeping the drain in the car washing garage clear and the accumulation of debris is causing consistent stoppage and flooding in the catch basin, in the boiler room and the only solution is to install a separate catch basin in the garage and connect it to the outside sewer. They had received an estimate of \$2,603.00 from Sandleben Plumbing Co. Mr. Ruston doesn't feel that the Building Authority should absorb this cost because of the use the area is being put to and he asked that the Sheriff's Department secure approval of this expenditure through the County Commissioners.

Mr. O'Risky said that he also received another letter from Mr. Ruston, stating that he had received a bill from Roto Rooter Service in the amount of \$106.00 which constitutes cleaning the line 320 feet with one extra man, plus overtime and they would appreciate it if they could be reimbursed for this expenditure. Mr. O'Risky said that the only expense they have is for the supplies which is shared equally between the Sheriff's Department and the Police Department. He estimated that they saved at least \$6,500 per year in washing the cars themselves. He asked the Commissioners that they consider this innovation in the plumbing system so they can continue to wash the cars and that Mr. Ruston would like the \$106.00 for cleaning the line. He said that the Commissioners should decide whether they want to pay all of the \$2,603.00 or whether they should ask the City Council to share the expense.

Commissioner Ossenberg said he would like to ask the city to share the cost, since the police cars are being washed as well as the Sheriff's Departmental cars.

Mr. O'Risky said they wash at least 10 cars per day, that the Sheriff's Dept. pays the expense for the first six months of the year and the Police Dept. pays the expense for the last six months of the year.

Commissioner Schaad suggested getting a figure as to how many police cars and how many Sheriff's cars are washed and arrive at a cost breakdown this way.

Commissioner Ossenberg said this matter will be deferred until he talks to Mr. Ruston, to see if he has asked the city for the same request and if not, they will get the cost breakdown and ask the city to share the cost with the county. He said that he would also get a clarification of the lease.

RE: MR. MOSER...COMPLAINT

Mr. Andrew Moser, of 2329 E. Iowa St. appeared and said he came to tell the Commissioners about an open hole that was left at 9300 Darmstadt Road, that his boy dropped a front wheel off his car and it caused the car to turn over and caused about \$500 damage to his car. This happened after a waterworks installation and they said it had been too wet to fill the hole. Commissioner Ossenberg said this was the liability of the Waterworks Department.

Mr. Moser said that this happened on April 13, and that there were no warning signs of any kind, at that time, that the hole has since been fixed and is barricaded.

County Attorney Swain said that Mr. Moser has 60 days to give notice, in writing by registered mail, to the city, of any lawful damage, from the date of the accident.

RE: REQUEST TO PURCHASE PROPERTY

Mr. Jack Tyner of R.R.2, Stevenson Station Road, said that he was interested in buying approximately 25 of the county-owned lots at the flat price of \$700.00, most of these lots being in the Oakdale-Sweetser area. He said he intended to clean them up, plow them, disk them and lease them out, at no charge, to the neighborhood people for planting gardens and in the winter time, he would put a cover on them. He asked that the Commissioners cancel the back taxes, have the lots surveyed and have them assessed at the price he pays for them and list them all on the one deed and to present any available abstracts.

County Attorney Swain said he didn't think they would have any abstracts.

Mr. Volpe said that the back taxes have already been cancelled on these lots.

Commissioner Schaad said that these lots can't be sold this way, that they would have to be sold on a bid basis.

Commissioner Ossenberg said he talked to the County Assessor last week and he wasn't quite finished appraising these county-owned lots.

Mr. Tyner was asked to be seated until Mr. Angermeier, the County Assessor, could come in.

Commissioner Schaad said he thought it would be a good idea to accept bids on an individual lot basis and also on any parcels that they might want to bid, as they might be able to get rid of all of them at less cost.

RE: SPECIFICATIONS NOT READY

Mr. Cravens was to have presented the specifications for a backhoe, for the County Highway Department, today, but Commissioner Ossenberg said they weren't ready and that they would be presented for approval next week.

RE: PROBLEM OF SEWER AT GOLF COURSE

Mr. Willard Shrode, Attorney for Bob Hamilton, said that some 60 days ago, Mr. Stephens had submitted to him, an easement to run a line from the Pleasantview Rest Home back to the sewer and at that time there were questions as to which route to take, as well as other questions, and as he understands it, the tap-in has been resolved and they are satisfied that the county has agreed to indemnify Mr. Hamilton against any damage he might incur. He said he was called by Mr. Stephens this past week, as this matter is urgent and they want to get the job done. He re-submitted it and said he would be back next week.

Commissioner Ossenberg said that Mr. Hamilton was going to have to pay quite an absorbant price to tap in to the present sewer and at that time, he thought the price was estimated at about \$1,400 per acre. This would have been in excess of \$130,000.00. He then dealt with the contractor in trying to get it expedited in getting something done because our Health Department and the State Board of Health is on the Commissioners about the sewer. He said that at that particular time, Mr. Peyronnin met with Mr. Shrode and he wanted more for the tap-in and in order to get started, Commissioner Ossenberg talked to Mr. Peyronnin again and he has agreed to allow Mr. Hamilton to tap-in for \$5,000 and he has had verbal agreement from Mr. Hamilton, that he will pay the \$5,000, so he wants to get the easement cleared up so the job can be completed.

Mr. Shrode said he presumed the Commissioners wanted to go under the golf course instead of around it.

Commissioner Ossenberg said to go around the course would cost the county more money and he could see no other way than to go under it.

Commissioner Schaad said the county would then be liable for damages for 35 years.

County Attorney Stephens said it was a question of whether or not the county wanted to spend more money to go around the golf course, which is three times the distance than going straight across, on the assumption that if they go straight across, they are going to have damages that will have to be repaired, which will be more than the cost of going around, that it is a gamble as to which way to go.

Mr. Shrode said, as a taxpayer, that it is just a question of whether they wanted to incur the additional cost of going around or whether it is better to assume the liability for 35 years. He said that pipe could be broken, that the greens are expensive, if the course had to be closed for repairs, there would be a loss of business which would be costly and other problems could arise and if the extra cost would be, say, \$10,000 more, the golf contractor told him that the taxpayer would be well advised to pay the extra cost, rather than to assume liability. He said there are 13 miles of pipe out there.

Mr. Shrode said he thought part of the delay has been because Mr. Hamilton has wanted the surveyor to run the footage of going straight through and that of running around the greens, and then he got a price, per foot, for the pipe and for laying it, to see what the difference was, so the Commissioners would have a basis for how much of a gamble they are taking.

County Attorney Stephens said the distance around the greens is about three times the distance of going straight through the greens.

Commissioner Ossenberg said that Mr. Hamilton told him the price was \$6.00 per foot.

Mr. Shrode said they would like to know the distances because their contractors are somewhat concerned as to what the damage could be.

RE: REQUEST TO PURCHASE PROPERTY.....CON'T.

Mr. Angermeier arrived and said that he would submit his complete findings on the county-owned surplus property, next Monday. He said there are 63 parcels to sell. He said he would indicate in his report, the condition of the neighborhood and other information, that he has had inquiries on this surplus property value and he hasn't told them, since the final disposition is up to the Commissioners. He said that he would make a realistic appraisal on them, also that he would give the information to the Commissioners by the end of the week.

RE: EMPLOYMENT CHANGES .... APPOINTMENTS

COUNTY COMMISSIONERS

|                  |                               |            |             |
|------------------|-------------------------------|------------|-------------|
| Edward L. Knight | Repairman for Voting Machines | \$2.50 Hr. | Eff: 4/9/73 |
| Perry A. Neale   | Repairman for Voting Machines | \$2.50 Hr. | Eff: 4/9/73 |

COUNCIL OF GOVERNMENTS

|              |                |         |                |             |
|--------------|----------------|---------|----------------|-------------|
| Richard Kuhn | 5005 Sycamore  | Planner | \$7,850.00 Yr. | Eff: 4/1/73 |
| Vicki Brand  | 1403 Harrelton | Planner | \$7,500.00 Yr. | Eff: 4/1/73 |

RE: EMPLOYMENT CHANGES....RELEASES

AREA PLAN COMMISSION

|                  |                     |           |                |              |
|------------------|---------------------|-----------|----------------|--------------|
| Nancy Jochum     | 18 W. Columbia      | Sec. Sr.  | \$5,620.00 Yr. | Eff: 3/16/73 |
| Blaine Ernspiger | 1119 S.E. Riverside | Draftsman | \$6,420.00 Yr. | Eff: 4/20/73 |

VANDEBURGH COUNTY HIGHWAY DEPARTMENT

|                  |                 |          |             |              |
|------------------|-----------------|----------|-------------|--------------|
| Otho D. Phillips | 118 E. Illinois | Mechanic | \$3.425 Hr. | Eff: 4/25/73 |
|------------------|-----------------|----------|-------------|--------------|

Commissioner Schaad said that \$1,800 was approved for repairing of the voting machines and he noticed that it was listed by the hour and he wondered if they kept track of it.

Mr. Volpe said if this money runs out and more is needed for the repairing of the voting machines, they will have to go back to council. The repairmen will finish the job at this rate.

RE: QUESTION ON QUALIFICATIONS OF PLANNER

Reporter, Alice Jackson, asked what the qualifications of the secretary of the Area Plan Commission were, to be a planner.

Commissioner Ossenberg said that he would take the opinion of the department head, as to if she is qualified or not, as he couldn't judge if she were qualified or not. He said there is a possibility that she got experience through on-the-job training.

RE: CORRECTED BOND

The corrected bond was received from J. H. Rudolph Co. on the bituminous materials for 1973. Bond received and ordered filed.

RE: CHECK RECEIVED FOR PAYMENT OF TAXES

A copy of a letter from Attorney's, Trockman, Flynn & Swain to Mr. Tilford, the County Treasurer was presented and read as follows:

Dear Sir:

Enclosed find Check No. 1985 of Charles D. Loos, Trustee in Bankruptcy for Hancock Trucking, Inc., in the amount of \$21,654.74.

This is the long promised distribution from the Hancock Truck Line bankruptcy, and is in payment of County taxes. I do not know whether this is in full or whether it is for real estate or property taxes, but your records would so indicate.

Letter received and ordered filed-

RE: LETTER FROM FEIGEL CONSTRUCTION CO.

The Commissioners received the following letter from Feigel Construction Co:

Dear Sir:

We are needing to rent a chip spreader for a short period of time. Vanderburgh County is the owner of the type of equipment we need.

We have ascertained from the Vincennes District Office of the Indiana State Highway Commission, that their routine procedure when they rent equipment from contractors, is to use the purchase price x (times) a factor of .0008 to determine the hourly rate of rental.

The purchase price of this machine is recorded at your County Garage offices as being \$17,738.40.

Using the formula of \$17,738.40 x .0008 = \$14.1907. We are proposing a rental rate of \$14.20 per hour of use. All fuel and supplies to be paid for by us and said equipment to be returned to you clean, and in existing operating condition (less normal wear).

May we have an expression from you, at an early date.

Mr. Willard said they had never rented this machine and if the weather breaks, they will be using it.

Commissioner Ossenberg said he would write to Mr. Feigel and tell him that the county will be using the machine.

RE: INVESTMENT MADE

Mr. Tilford said he would like to invest \$1,000,000.00 for 60 days. He said if the bid is around 7%, he will have taken in about \$25,658.00 in interest within a short time. He presented three bids from local banks. They are as follows:

- Old National Bank at .0725 % per annum
- Citizens National at .0736 % per annum
- National City Bank at .7476 % per annum

Commissioner Schaad moved that the money be deposited in the National City Bank. Commissioner Willner seconded the motion. So ordered.

RE: DENIAL ORDER

A denial order was received from the Public Service Commission of Indiana, for the Board of County Commissioners VS. the Trustees of the Penn Central Transportation Company, Debtor. In the matter of establishing a crossing at grade on the proposed extension of St. George Road.

County Attorney Swain asked the Commissioners if they wished to appeal. He said the order was dated April 12, 1973, and he didn't get the order until last Thursday, which he thought a long period of time to get an order out.

Commissioner Ossenberg said that they haven't completely abandoned this, but he thought the money could go other places that he thought more important.

County Attorney Swain said if the Commissioners wanted to do this sometime before the end of the next four years, he thought it should be done a little differently.

Commissioner Willner asked Mr. Swain what the explanation for their denial was. Mr. Swain read the explanation as follows:

Because of the frequency of train movements automatic flashing signal lights, with or without gates, would not be feasible.

The estimated cost for a grade separation for an overpass by St. George Road over the tracks would be \$229,000.00, in the opinion of Petitioner's witness. However, Petitioner does not have sufficient funds at this time to pay for the increased costs of an overpass. An underpass is not considered possible because of design problems.

That because of the projected high motor vehicle traffic and continuous switching operations by Respondent's trains the establishment of the crossing as proposed would create a grade crossing with great potential for hazard to the travelling public and the train crews using the crossing.

Commissioner Schaad moved that this not be appealed and that they take the money that has been allotted for this particular project and apply them to one that is more urgent, for the time being. Commissioner Ossenberg seconded the motion. So ordered.

RE: GARNISHEE EXECUTION

A Garnishee Execution was received by the Commissioners. Davenport & Pickett Auto Service VS. Jesse Byers, whereas Davenport & Pickett Auto Service plans to attain judgment against Jesse Byers for judgment in the amount of \$26.89 and Court Costs of \$10.00, making a total of \$36.89.

County Attorney Swain said the Board of County Commissioners was never named as a party, since it reads Vanderburgh Convention Center, which is not a legal entity, but for this amount, he can't see any point in asking that they do it right. He recommended that the money be deducted from Mr. Byers pay. Commissioner Schaad moved that the amount of \$36.89 be deducted from his pay. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIM

A claim was received from Valley Wrecking Co. for wrecking the boiler room and smoke stack at the old Boehne property, in the amount of (\$550.00) as per bid price. Commissioner Schaad moved this claim be approved. Commissioner Willner seconded the motion. So ordered. *See correction - next meeting.*

County Attorney Swain asked Mr. Hotz if there was any indication as to if Valley Wrecking Co. had paid all their bills. Mr. Hotz said that he didn't know.

County Attorney Swain suggested that they find out.

Commissioner Schaad suggested the voucher be held up until after it is investigated to see if Valley Wrecking Co. has paid all their bills, in regard to this project, before the bill is paid. This was agreed upon. The claim will be held up.

BID  
PRICE  
(\$5,350.00)

RE: RE-ZONING PETITIONS

The Rezoning Petitions of Marion C. Deig and Georganna Thurmond was to have come before the Commissioners two weeks ago and were again before the Commissioners today, but evidently no one had been notified.

Commissioner Ossenberg said the County Rezonings go far different than the City Rezonings do. He said he would like to see the County adopt the practice of the City, in giving them numbers and the ordinances would be in front of the Commissioners at all times.

County Attorney Stephens said the people who filed these petitions should be notified as to when the petitions will come up for the Area Plan hearing, and he doesn't know why they haven't been told this.

Commissioner Ossenberg said that in their conversation with Mr. Marlin last week, he said that this is left up to their attorney.

County Attorney Stephens said there was no attorney for these petitions, that the people filed them themselves. The Commissioners didn't know if Mr. Marlin notified anyone or not.

County Attorney Stephens said he would find out if Mr. Marlin had notified them.

Commissioner Ossenberg asked that he also see if something couldn't be adopted that we file something like the city does.

County Attorney Swain said the city ordinances have an ordinance number and a petition number, while the county rezonings only have a petition number that the Area Plan takes care of.

The Commissioners thought they could do it, but said it would legally have to be worked out....

After checking, Mr. Stephens said to put these rezonings on next Monday's agenda, that the people concerned will be at next week's meeting.

RE: MR. WANDEL ....CUTS-IN

Mr. Wandel appeared for Mr. Nussmeyer, the County Surveyor, and presented the following cuts-in:

- Waterworks Department requests permission to cut into Darmstadt & Schenk Road.
- Indiana Bell Telephone Co. requests permission to cut into Oak Grove Road to bury telephone cable.
- Indiana Bell Telephone Co. requests permission to cut into Yokel Road & Garrison to bury telephone cable.

Commissioner Schaad moved that these cuts-in be approved.

Commissioner Willner asked if any of the cuts were for Darmstadt Road , for water lines, by the accident that just happened.

Commissioner Ossenberg said that one was at Darmstadt & Schenk Road.

Commissioner Willner asked that this one be held up because Darmstadt Road from Mt. Pleasant, heading north, is in deplorable condition because of this water line and he feels that before more cuts are ordered or approved, they should be required to fix what damage they have done.

Commissioner Schaad said that they will withdraw the approval of this cut-in and approve the others.

Commissioner Willner said that he felt that they were getting the run-around because of the weather. He said he knew we had a tremendous amount of rain but he felt that there has been time to repair this dangerous and hazardous situation.

Mr. Willard said that Mt. Pleasant Road, from Old State Road to Hwy. 41 needs to be placed on the list of roads to be repaired also.

Commissioner Willner asked the secretary to notify the necessary companies.

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Commissioner Willner seconded the motion of Commissioner Schaad, to approve the cuts-in with the exception of the one at Darmstadt Road & Schenk Road. So ordered.

RE: MIDDLE MT. VERNON ROAD.

Commissioner Schaad said he understood that the Middle Mt. Vernon Road was going to be ready today.

Mr. Wandel said he would have to check into it for next week.

Commissioner Schaad said they need to get a Right-of-Way buyer for this project and start working on it.

RE: MR. RICKARD

Mr. Rickard said he was appointed Right of Way buyer in 1972 for the Middle Mt. Vernon Road project and this was verified by former County Commissioner Buthod. He said he has the conveyances and the profile map that was used and when he made his preliminary investigation, he thought that it would cost too much money as the plan read and he thought money would be saved by moving the road over about 20 feet and he wanted to know if he was going to get this project, even though his appointment didn't go through the minutes.

Commissioner Schaad said he has checked into this and it is okay.

Commissioner Schaad then moved, for the record, that Mr. Rickard be the Right-of-Way buyer for the Middle Mt. Vernon Road project. Commissioner Willner seconded the motion. So ordered.

RE: MR. WILLARD

Mr. Willard presented an absentee list for the past two weeks and a list of the obsolete oil filters.

Commissioner Willner said it seems that these filters are for tractors and trucks, also that the parts listed are for Massey Ferguson tractors and he recommended calling Massey Ferguson Tractor dealers to see if they are interested in purchasing these items and it could then be turned over to the attorney. He said he understood that most of the filters were Fram and Fleetguard, so he also suggested calling outlets for these dealers to see if they are interested.

Mr. Willard said he also had a complaint on Seven Hills Road, that this came up last year, and that there is no way that he can correct the situation.

County Attorney Swain said that Mr. Willard was suppose to give him the information on this so he could send the gentleman a letter.

Commissioner Willner said that if his memory served him correctly, the past Commissioners did order a law suit.

Mr. Willard said the Commissioners ordered Mr. Swain to write the gentleman a threatening letter and if he didn't correct the situation, the Commissioners would order a law suit. He presented pictures showing that the road was flooded.

Commissioner Willner explained to the Commissioners that a waterway was changed by earth moving equipment to change the waterway to the road bed. This matter was referred to the County Attorney.

RE: MR. HOTZ

Mr. Hotz said the old boiler room and the smoke stack has been demolished on the old Boehne hospital grounds and that there is rip rap and stone that the County Highway Department will remove and they need a lot of fill out there. He said that it was suggested to him, to send letters to some of the large contractors and invite them to dump solid fill there and he wondered if they could secure permission from the Commissioners to do this. He said that it will take about 500 loads to fill it, grade it and level it off. He wondered if any precautions should be taken. He said that he has the area fenced.

Commissioner Schaad moved that Mr. Hotz be permitted to write to contractors and offer them free dumping of solid fill material. Commissioner Willner seconded the motion. So ordered.

RE: CUTS-IN

Mr. Willard presented the following cuts-in, that was approved by the County Engineer and the Road Inspector:

Southern Indiana Gas & Electric Co. requested permission to cut into Weiss Road to provide 7200 volt service to the area on the south side of Weiss Road.

Commissioner Schaad moved that this cuts-in be approved. Commissioner Willner seconded the motion. So ordered.

RE: MR. HARNESS

Mr. Harness reported that he and his wife attended the meeting of County Home Administrators and Assistants in Newton County Home in Kentland Indiana. He said this is a small populated county of less than 2,000 people who live in the county seat which is Kentland Indiana. The county has two homes that is operated by the County Commissioners. He said that one is the General County Home, which houses approximately 30 people, on the residential level, also they have a farming operation there and they have county fairgrounds which occupies the county-owned land, on which is the 4H center. After a tour of this home they were privileged to tour the George Ade Memorial Home which is in Brook Indiana, which is also in this county. It homes approximately 110 people and it is licensed as an extended care facility. He said many of the rooms were furnished by people in the community through donations. He said they enjoyed what they saw and learned at this meeting and he thanked the Commissioners for allowing them to go. He said that the next meeting will be in Sullivan County in Sullivan Indiana in June.

Mr. Harness also asked permission to use the Xerox machine in the Auditors office. He said that they asked him, in the addressograph, if he was an office holder and he said "no". He was informed that only elected office holders could use the machine. He showed the Commissioners forms that he has had printed for the home at considerable savings to the county. He said they only have \$50.00 in their budget for printing and office supplies and that the Xerox machine does an excellent job. He said that he could afford to buy the paper for his copies.

Commissioner Ossenberg said that any office that performs under the County Commissioners budget is allowed to use the Xerox machine.

RE: COMMENTS BY COMMISSIONER WILLNER

Commissioner Willner said it seems to him that there have been several decisions made in the last couple of weeks that have not included all of the Commissioners. He said that these decisions have not been made in a public meeting so, therefore, they have been made in the back room or someplace else, that these decisions are not legal, are not binding and are not a part of the minutes; Firstly, the decision to send Representative Rickard to Indianapolis, to the Attorney General's office, for a ruling on the incorporation of Darmstadt. He understands that his presence in that office was superseded by one State Senator, Harry Thompson and one State Representative, Mr. Server, whether these motives influenced the Attorney General's decision is not known at this time, however, he is an elected official and his duty is just that what was asked. Secondly, the decision to ask the President of the Area Plan Commission, Harry Lukens, for a detailed study on the Darmstadt question, is not a part of the public record, yet I understand his first act was to question a conflict of interest on my part. If I have a conflict of interest, it certainly is to give government back to the people and not a money conflict such as City Insurance Agent and President of the Area Plan Commission. He said that this study is also some three weeks late, according to the statute, that there seems to be a conspiracy of many persons against the people of Darmstadt. He asked the Commissioners to disregard all outside pressures and make a decision on what the people want - good government. He further stated, on the question of whether I can vote, I have a ruling from the attorney's this morning, that they concur that I have no conflict of interest and I can vote. I would also like to have a clearance from the other Commissioners on this issue.

Commissioner Ossenberg said that as far as Commissioner Willner's right to vote, he doesn't question it, and he thought that Mr. Willner has a right to vote and he feels that there is no conflict of interest there. As far as back room politics, he (can't) assure Commissioner Willner, one way or the other, but that he has been in no back room conferences with anyone. His concern now, and he grants him that according to the statute, the Area Plan Commission, as well as the State Department

CAN -  
SEE NEXT  
MEETING

of Commerce, were to give the Commissioners an opinion 10 days prior to the public hearing and unfortunately this was not done. He said the office has received any number of calls from people in the Darmstadt area, some 15 people who were on the petition, who were totally misrepresented. He said he knew they had their meeting last Thursday, and if this is uppity up, so to speak, then he cannot see why they will not grant these people another hearing to answer their questions. He said that after thoroughly reading the petition, he has serious doubt that a 91¢ tax rate will handle what they propose or what they say they can do. He said as an example, in their particular proposal, there is a Town Marshall for \$4,300.00. The President of the County Commissioners, on his own, went to the police chief of the City of Evansville and asked for a cost breakdown. \$4,300 was listed as a salary and if they are getting into the nitty-gritty of everything, they are paying a Town Marshall in Darmstadt \$4,300 flat salary, there is no provision for uniforms, gun, holster or ammunition, etc. which a local policeman is allowed \$376.00. There is no provision made for a car. He said that if the least expensive car is used in the city, it would cost \$3,000. He said that the law requires an inside shield at \$7,950.00, gun lock at \$25.00, Shot gun at \$100.00, warning lights at \$67.00, if is to be provided with radio, \$1,500, one siren at \$74.81, spot light at \$19.00, first aid kit at \$15.00, fire extinguisher at \$10.00, traffic kit at \$5.50, camera, film and accessories at \$17.00, clip boards at \$1.00 each, 1 hot sheet book at \$2.40, criminal law manual at \$30.00. He said this is what he questioned, if these people were actually given true facts of what this 91¢ tax rate is going to give them and he is really sorry that the Area Plan Commission and the Department of Commerce did not have the particular information that they needed and also, very sorry that the Committee for the Incorporation of Darmstadt will not give individuals out there another hearing to see what services are going to be provided.

Commissioner Willner said that only a portion of Inglefield is included in the Incorporation and if they are going to put the police on a comparative basis with Evansville, he thought they were mistaken because he thought that the Incorporation backers checked Cynthiana, Elberfeld and small towns which do have a Town Marshall at the present time. He said he was sure that if the Commissioners would make a decision, he thought the people of Darmstadt would be glad to have another meeting.

Commissioner Ossenberg said he understood that there is another petition being distributed at the present time. He said he has gone on record, to the people that have come to see him, that he thought it only fair, if there has been misrepresentation, they should also be entitled to a public hearing.

Commissioner Willner agreed and said that maybe this meeting could be held in the town proper, so that all remonstrators can be sure to be there.

Commissioner Ossenberg said if they don't come up with a petition, he thought it would have to be referred back to the legal department, but he would also like to see what the Area Plan Commission and the Department of Commerce has to say about the incorporation.

Commissioner Schaad asked Commissioner Ossenberg what he was going to do about the legal part of it, according to Vandi-Gov.

Commissioner Willner said he has a letter from the Mayor's office, signed by John Cox, also stating that in his opinion, it is illegal.

Mr. Volpe asked if this wasn't quite different than what he stated previously, that no part of this bill would take effect until after the referendum.

Commissioner Willner said this was his understanding.

Commissioner Ossenberg said he was totally unaware that Harry Lukens entered the picture until one of news media called him at home and told him.

Commissioner Schaad said if they were looking at him, he didn't know anything about it.

Commissioner Ossenberg said he would entertain a motion and they would resolve it once and for all at a later date.

Commissioner Willner made his position clear by saying, that he would be perfectly happy for an unbiased opinion from the Area Plan Commission.

Commissioner Ossenberg asked Commissioner Willner if he would abide by the ruling of the Area Plan Commission.

Commissioner Willner said "no", that he didn't think that it is binding, he would just welcome their information and would request that they check some of the smaller towns the size of Darmstadt, and not compare them with a metropolis the size of Evansville.

Commissioner Ossenberg said that in the light of all this, he thought he would talk to Mr. Marlin and it would then be pursued and they would see what the Area Plan Commission comes up with.

The meeting adjourned at 11:05 a.m.

PRESENT

COUNTY COMMISSIONERS

Thomas Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe  
Curt John, Deputy

COUNTY ATTORNEYS

Thomas Swain  
William Stephens

REPORTERS

G. Clabes  
A. Jackson  
B. Thompson

Secretary: Margie Meeks

*Thomas Ossenberg*  
\_\_\_\_\_  
*Bob Schaad*  
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*Robert L. Willner*  
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BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
MAY 7, 1973

The regular meeting of the County Commissioners was held on Monday, May 7, 1973, at 9:30 a.m. with President Ossenberg presiding.

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

The minutes of the previous meeting were approved with the following amendments:

Page 5 ..... A claim was presented from Valley Wrecking Co. in the amount of \$5,350.00, for wrecking the boiler room and smoke stack at the old Boehne property. The amount stated as \$550.00 was in error.

Page 8 ..... Under heading of Comments by Commissioner Willner, Commissioner Ossenberg said that he can assure Commissioner Willner that he has been in no back room conferences with anyone. The word can't was in error.

RE: MONTHLY REPORTS

The monthly report of the Traffic Department for the month of April was presented to the Commissioners on materials used by traffic engineering for the county. Report received and ordered filed.

The monthly report of the Pleasantview Rest Home for the month of April was presented to the Commissioners. Report received and ordered filed.

The monthly report of the County Treasurer for the month of April was presented to the Commissioners. Report received and ordered filed.

RE: ACKNOWLEDGEMENT OF CANNON

An acknowledgement was presented for giving the cannon that was in the old Court House, to the Museum. It contained the specifications of what the cannon is and they would like for the Commissioners to sign it.

Commissioner Schaad asked if the Museum had removed the base for the cannon, from the old Court House.

Commissioner Ossenberg said he didn't know, that they said they would get it within 30 days.

Commissioner Schaad suggested they hold up the signing of this acknowledgement until they get all the property together.

This was agreed upon by the other Commissioners.

RE: SPECIFICATIONS APPROVED...BACK HOE BIDS ADVERTISED

Mr. Cravens presented the specifications for a Tractor Backhoe and Loader Unit, for the County Highway Department. He suggested the date for opening these bids to be on Monday, June 4, 1973. These specifications were approved by the County Highway Superintendent.

Commissioner Schaad moved that the Auditor be authorized to advertise for bids, to be opened on Monday, June 4, 1973. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM WATERWORKS DEPARTMENT

The following letter was received by the Commissioners, from the Waterworks Dept.:

Gentlemen:

The estimated total cost for relocating the water line to facilitate construction of the L and N bridge, approaches only, on Old State Road is \$11,250.00.

Sincerely, Donald B. Mills...Director of Operations

Commissioner Ossenberg said he questioned this amount, with the Water Board, but found that half of this is the county's cost, which amounts to \$5,625.00 and that the Waterworks Department has agreed to pay the other \$5,625.00.

Commissioner Schaad moved that the County go 50-50 with the Waterworks Department. Commissioner Willner seconded the motion. So ordered.

RE: T. B. PATIENT ADMITTED

The following letter was received by the Commissioners from the City-County Health Department:

Re: Anna Messer

Dear Mr. Ossenberg:

The above referenced individual was admitted to Good Samaritan Hospital, Vincennes, Indiana, on March 16, 1973, for isolation and treatment of active, moderately advanced, pulmonary tuberculosis.

Mrs. Messer has Medicare which will be utilized to the full extent of coverage for the hospitalization and physician's fees. The remainder will be billed to the County Commissioners.

This is to certify that the patient is a Vanderburgh County resident and medically indigent for tuberculosis.

If further information is needed, please feel free to call.

Sincerely, Mildred Knodel  
Tuberculosis Control Officer

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

RE: LETTER FROM UNITED STATES POST OFFICE

The following letter was received by the Commissioners from the United States Post Office:

Dear Sirs:

The enclosed request for extension of service on Rural Route #2, Evansville Indiana, is pending due to the condition of Schissler Road at the location as shown on attached sketch.

Mr. Robert Freihaut of our office accompanied Mr. John Koch, County Road Inspector, to survey the proposal. They agree that Schissler Road needs to be widened, proper drainage provided, and shoulders built up to allow carriers vehicle to approach mailboxes in a safe manner and to make a turn-around.

I would appreciate your prompt consideration of this request so that my approval may be given to provide the service these postal customers are eligible for since they meet all other postal requirements.

Sincerely, Robert Schellhase, Postmaster

Commissioner Schaad moved that this matter be taken under advisement and referred to Mr. Willard so he can check into it. Commissioner Willner seconded the motion. So ordered.

The Commissioners thought that Mr. Willard should work with Mr. Nussmeyer on this.

RE: LETTER FROM AREA PLAN

The following letter was received by the Commissioners, from the Area Plan Commission:

The Area Plan Commission office received a request to issue a name for a new road. The road is located 1 mile south of Boonville-New Harmony Road on Old Petersburg Road. There is a house presently being built on this road with the address of R.R. #8, Box 453, McCutchanville, Indiana. The name that has been submitted is Viehe Drive. The Plan Commission Staff checked the street listing index and found that this name would not be conflicting with any existing City or County Street names. Therefore, we recommend this Road be named Viehe Drive.

Commissioner Schaad moved that this road be named Viehe Drive. Commissioner Willner seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A copy of a certificate of Insurance from the Michigan Mutual Liability Co., issued to the Evansville Comprehensive Mental Retardation Center, the insured being Kuebler Heating & Air Conditioning, Inc., was presented to the Commissioners. Received & filed.

RE: CLAIMS

A claim was presented and approved last week, from Valley Wrecking Co. for wrecking the boiler room and smoke stack at the old Boehne property, in the amount of \$5,350.00, but the claim was held up until it was investigated, to see if Valley Wrecking Co. had paid all their bills, in regard to this project.

Mr. Earl Scales, owner of Valley Wrecking Co., submitted the following letter:

Gentlemen:

This is to inform you that all Labor and materials used to complete the demolition of Engine Room and Chimney at Boehne Camp Hospital have been paid.

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

A claim was received from Ja-Lo Electric Co. Inc., for the Central Services Facilities at Burdette Park, in the amount of \$2,453.40, for partial payment #2 for the Electrical work. This has been approved by the architect.

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

RE: TUPMAN CEMETERY

Commissioner Ossenberg said that there seemed to be a controversy on this cemetery, between the Trustee of Perry Township and the cemetery involved, and the Commissioners went out and looked at it. They turned the matter over to County Attorney Stephens and he suggested that those involved in the controversy come in, so the matter can be aired in an open meeting.

Mr. Wills, of the Cemetery Board said they have had a problem out there in the past, with people going through the cemetery, on a road built by the cemetery, also kids that shoot BB guns at the monuments, ride their motorbikes, and ride horses through there. He thought the cemetery to be a sacred place and the property of the people shouldn't be destroyed. He said they have sold a few more lots on the south side of the cemetery and several of the undertakers have approached him about a new road in the cemetery, so it wouldn't be so far to carry a casket to the graveside. He said the Board got together with contractor, Jim Miller and he put a new road in, on the south side of the cemetery. He said before they completed the road, there was a heavy rain and it washed the road out and the ditches were torn up, since then, they have had the road black-topped and rock put on the trouble area. He said the county then cleaned out the ditches. The Board then had three gates put up on the advice of the Sheriff. He said they would like to fence the whole area in, with what money they have left. He said that one small section of the property belongs to the Township, for burial of indigents, and they would like for Mr. Mosby to block off this section and this is where the objection came in. He said that Mr. Mosby objected to this because he said he couldn't get in there to cut the grass. He said if Mr. Mosby blocks off this section and they fence in the whole area, it will keep the kids out.

Mr. Koch said that the Retired Veterans Club has had several services at the Tupman Cemetery and he saw where a beautiful monument of the Will family had been hit by a 45 caliber gun and he thought the vandalism out there is terrible.

Mr. Mosby, the Perry Township Trustee said he didn't want to squabble, but he was advised by his Advisory Board, that the Tupman Cemetery was not an abandoned cemetery and that the Trustee only takes care of abandoned cemeteries, that this is a state law. He said he was advised to do lawn work with the Revenue Sharing money that he received, but that he can't because it must be used by both, the city and the county, also he doesn't have enough money in his budget to take care of the cemetery this year, because his lawn mowers can no longer be repaired and he can't afford to buy new ones, as he only has \$200.00.

Mr. Mosby advised the Commissioners to let Mr. Will do what he wanted to do, with him maintaining this portion of the cemetery.

Mr. Will said he couldn't do this without financial help. The township's share of the cemetery is about 2 acres.

Commissioner Schaad suggested that Mr. Mosby contract with Mr. Will and give him the \$200.00, to cut the grass.

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Mr. Mosby said that it isn't for him to do because this isn't an abandoned cemetery.

Commissioner Schaad said that he understood that Mr. Mosby had been cutting the grass all along.

Mr. Mosby said that he had and the trustee before him had cut the grass, but that they shouldn't have, because he was advised differently and that they have been wrong for a long time.

Commissioner Ossenberg said that according to the information he has, the county's part was recorded on January 17, 1853..Deed Book X-271. He questioned whether it actually belongs to the Perry Township Trustee's office or to Vanderburgh County proper, and according to the information he has, it belongs to the county.

Commissioner Ossenberg referred this matter to the County Attorney and said if it is found that the cemetery does belong to the county, the County Highway Garage will have to maintain it. He said the Perry Township Trustee has probably been in violation for years.

The County Attorney will check the deed and report back to the Commissioners.

Commissioner Schaad told Mr. Wills that he had a man in his office, who lives across from the cemetery, where the new road comes down through there, that the ditch builds up and the mud runs over on his property. He wondered if there was anything that Mr. Wills could do to alleviate the situation.

Mr. Wills said that they are working awfully hard on it but before they cut that road through, there wasn't any ditch there at all and this man's house is level with the road. He said the man has had problems for years, but never worried about it, because there was no one to contact, and now that they have a ditch through there, he wants something done.

Commissioner Ossenberg said they will first get a clarification on who owns this property, and he feels that if the county owns it, that while the fence and gates are maintained to keep the cemetery from becoming a thoroughfare, by the same token, maintenance is the big thing in question and if the county owns it, they will have to maintain it. He said those concerned will probably be asked to come back later.

RE: RE-ZONING PETITION....GEORGANNA THURMOND....73-18-PC

Premises affected are situated on the North side of Inglefield Road, a distance of 1,400 feet West of the corner formed by the intersection of Inglefield Road and U.S. Highway 41, North. The requested change is from A to C-1B. The proposed land use is for a Parking Lot for Self Propelled Campers.

This petition was denied by the Area Plan Commission.

Georganna Thurmond appeared, and said this is less than an acre and this use is about the only thing it can be used for. The Soil Report states that there will be a problem in putting a septic tank in, because of the condition of the underground and by using it for campers, it can be kept clean as there is presently a lot of debris and wrecked cars.

There were no remonstrators present.

Commissioner Schaad moved that this rezoning petition be denied. Commissioner Willner seconded the motion. The vote was unanimously in the negative against the ordinance. The petition was denied.

Georganna Thurmond asked why her petition was denied.

Commissioner Ossenberg said he went out to look at it and the land is strictly agricultural and he thought if she were allowed to park campers here, she would be starting spot zoning.

Commissioner Schaad said there were some pretty nice houses out there and he questioned the pulling in and out of the trailers, in the area. He said he knew there was a need for something of this kind, but not at this location, in his opinion.

Commissioner Willner said that probably, the only thing he would concur on this particular ground is R1 which is for single residential homes.

RE: RE-ZONING PETITION...MARION G. DEIG...73-19 -PC

Premises affected are situated on the West side of Harmony Way. The requested change is from R-1A to R-2. The proposed land use is for 3 Unit Apartment Building. The address is 2136 New Harmony Road.

Area Plan approved this petition.

Marion Deig said there is presently an old two-story home on this property at the present time and he has about 2 1/2 acres. He plans on tearing the home down and on building a town house apartment building and will have proper off-the-street parking.

Commissioner Schaad said they went out to look at it and it seemed to be good zoning and in keeping with the neighborhood. He said they have city water and city gas, but no sewers.

Mr. Deig said that he plans to use a septic system and that he plans to build one unit with three apartments.

Commissioner Willner asked how they could be sure of only one apartment building being built, if they rezone the whole 2 1/2 acres.

Mr. Deig said there won't be room for more apartment buildings when he has it completed, as he plans to have an entry and an exit off Harmony Way.

Commissioner Willner asked Mr. Deig if he would put the one unit in writing, as he would be agreeable with one at the present time, but no more.

Mr. Deig said that he would be glad to.

County Attorney Swain said that covenants are illegal.

Mr. Pugh said the back end of this lot drops off and is quite steep.

Mr. Deig said that he plans to put a parking lot in the back, and also his septic system. He also plans to build the apartment building back 150 feet.

There were no remonstrators present.

Mr. Deig said that he would work with Mr. Pugh on this project.

Commissioner Schaad moved that this petition be approved. Commissioner Willner seconded the motion. The vote being unanimous in the affirmative, the petition was approved.

RE: COMMENTS ON RE-ZONING PETITIONS

County Attorney Stephens said that since Mr. Rafferty is present, they should talk about the procedure to make sure that the second reading of County Zoning Ordinances get back to the Commissioners, also that Mr. Rafferty wants to start a numbering system for the County Zoning Ordinances.

Mr. Rafferty said that County Zoning Ordinances, in the past, have had no numbers given them, by the Commissioners and he is of the opinion that they should have one.

Commissioner Ossenbergsaid this has been confusing to him, because in the city, he had a follow-up system and he knew exactly where he could find it, and he would like to see an ordinance be prepared for the Commissioners to adopt, along these lines, so they would have a record and could follow through on them.

County Attorney Stephens said another problem is getting the petitions back on the agenda, after it goes to Area Plan. He said the best thing to do would be to adopt a resolution, that henceforth all petitions for re-zoning, that are properly located outside the city limits, be assigned a number at the time of filing and that they be referred to the Commissioners on a certain date and that they be referred back for second reading on the first Monday, following the action of the Area Plan Commission. He thought this should take care of the problem. He said all he needs to know is the dates that the Commissioners recommend for hearing them and he will draw up a resolution.

Commissioner Schaad moved that County Attorney Stephens draw up a resolution and try to coordinate it with the resolution of the city on Re-zoning Petitions and bring it back to the Commissioners at a later date. Commissioner Ossenbergh seconded the motion and asked County Attorney Stephens to work in conjunction with the Area Plan Commission. So ordered.

RE: CUTS-IN

Mr. Nussmeyer presented the following cuts-in that were held up last week, on Darmstadt Road, by the Waterworks Department because Commissioner Willner felt that before any cuts were approved, they should be required to fix what damage they had done.

Commissioner Ossenbergh said that he was out there yesterday and the road was repaired and in normal condition.

It was a request from the Waterworks Department to cut into Darmstadt Road and Schenk Road for watermain extension, to provide service to 9500 Darmstadt Road.

Commissioner Schaad moved that this cuts-in now be approved. Commissioner Willner seconded the motion. So ordered.

The following cuts-in were requested by the Telephone Company:

To cut into Darmstadt Road on the east side of the road at the intersection of Boonville-New Harmony Road to bury a telephone cable.

To cut into Old State Road on east side of Old State Road, north of Boonville-New Harmony Road to Ridge View Drive, to bury telephone cable.

To cut into Boonville-New Harmony Road on south side at intersection of Hoing Road, to bury telephone cable.

To cut into Darmstadt Road along west side at entrance to Dress Subdivision, to bury telephone cable.

To cut into Korff Road at the intersection of Korff Road and Baseline going North on Korff on West side of Road.

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

RE: APPROVAL TO MAKE APPLICATION TO STATE

Mr. Nussmeyer requested permission to make application to the Indiana State Highway Commission for Oak Grove Road and entering a highway. He said he gets a permit to enter their highway.

Commissioner Schaad moved that Mr. Nussmeyer be permitted to make application to the Indiana State Highway Commission. Commissioner Willner seconded the motion. So ordered.

RE: MELODY HILLS

Commissioner Willner asked Mr. Nussmeyer if he had a report on Melody Hills.

Mr. Nussmeyer said he called Fred Johnson, the contractor, about four days a week and about all he ever got was promises.

Commissioner Ossenbergh said he doesn't know how this is to be resolved if the man isn't going to do his job and that he has only done a small portion of it.

Mr. Nussmeyer suggested waiting until we get a break in the weather and then he will get on him.

Commissioner Willner moved that the Commissioners get Mr. Johnson to come, now, and give them a completion date. Commissioner Schaad seconded the motion. So ordered.

It was explained that this project was done on an emergency basis because there were cave-ins and a change order was approved in the amount of \$2,500 to put in proper drainage that wasn't put there to begin with.

Commissioner Ossenbergsaid the roads there were actually built right over dirt, with no drainage and no rock foundation and all of the streets out there are going to have problems.

RE: ST. JOE AVENUE BRIDGE

Commissioner Willner said he had asked Mr. Nussmeyer to check with Penn Central Railroad Co. and see if their plans were still in tact, to abandon the track north of the city, especially across St. Joe Avenue, that Mr. Nussmeyer had done this and he was assured that the Railroad's action was before the Public Service Commission and the Interstate Commerce Commission, for action at this time. He wondered if it wouldn't behove the Commissioners to testify on this matter.

Mr. Willard said he heard from them about a month ago and was told that they were trying to get a hearing and as soon as they got one, they would give the county all of the Right-of-Way that they needed.

Commissioner Willner moved that the County Attorney be instructed to write a letter to the Public Service Commission and ask when the hearing is set, also for available mileage on this matter. Commissioner Ossenbergs seconded the motion. So ordered.

RE: PROBLEM WITH BROADWAY....CURTIS CONSTRUCTION CO.

Commissioner Schaad said they are having trouble with Broadway at Reiter Road where Curtis Construction Co. put in a culvert. He said after they put the culvert in, they didn't put the ditch back the way it should have been, that a lawn is being washed out because of this.

Commissioner Schaad moved that the County Attorney write Curtis Construction Co. a letter, telling them to put this ditch back the way it was before they put the culvert in and to put the black-top over the concrete culvert and finish their job.

Commissioner Willner asked, if when they rebuilt the ditch through peoples driveway, if they are legally liable to put a culvert in there. He noticed they had dug a ditch and then filled it up with the driveway and wondered what good this would do. He asked that this be included in the letter.

Commissioner Schaad included this in his motion.  
Commissioner Willner seconded the motion. So ordered.

RE: REPORT....MR. KOCH

Mr. Koch said when we have citizens that take a great deal of pride in their lawns, and keep the berm of the road in grass, he thought it an obligation of the officials to see that the roads and ditches are put back in their original condition. He said there is the same condition on Schissler Road, where two farmers have a beautiful berm and ditch, and all the debris comes down from Schissler Road and there is a complaint that a septic tank flows into one mans yard and the other mans lake and he waters his cattle from this lake. He said he has given this information to the Health Department to check, but hasn't had a report on it yet. He also found where a sewer was put in an alley and some people didn't tap in and the refuse from the septic tank was coming out into the ditch on Bosse Avenue.

Mr. Willard said he thought this is also the case on Broadway Avenue.

Mr. Koch asked what the status was, of the yellow and white lines, he noticed that they did a beautiful job of running the yellow line on Old State Road but not on the white line and he said it is important, especially in the rural areas, to have a white line on the edge of the road because of the curves and to be able to see where the road ends. He also said that unless some arrangements are made, to cut the bridges on the highways, to let the water drain in the ditches, there is going to be terrible damage to our best roads. He said that Mr. Whobrey said to get the men rainwear and let them go out on rainy days to see what repairs needs to be done, that by making these repairs before they get too bad, it will save the county thousands of dollars on the repair of the roads, because it is costing a minimum of \$3,000 per month for maintenance.

Commissioner Schaad asked Mr. Koch what progress is being made on the fire stations to mark the fire plugs that he was working on.

Mr. Koch said he hasn't heard anything from Purdue as yet and something needs to be done to get the posts that are piled up out there.

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Commissioner Schaad said that Mr. Koch was suppose to give them a list as to what is needed for this project and asked that he do so, as to the size of the sign needed, what they should be, what the cost will be, etc., also find out if the Volunteer Fire Department will put the signs up.

Mr. Koch also suggested that the Commissioners erect a sign up along St. Joe AVenue, stating that they are using concrete from the Airport for fill-in and thereby saving the taxpayers money. He complimented the Commissioners on their work and said that he has preached making use of materials on hand, for years.

Mr. Volpe said if they do put up a sign, to be sure to correctly designate the source of the tax money because the city has made an error in this and is designating Revenue Sharing money as Local Tax money.

Mr. Harold Peters wondered how close to the fire plugs they were going to place the signs. Mr. Koch said 6 to 8 feet.

Mr. Peters asked who was going to mow the grass around the fire plugs. He thought the signs should be closer to the fire plugs so there wouldn't be so much grass trimming.

Mr. Willard said he thought the Waterworks Dept. was supposed to keep them painted and clean so they can be seen by the Fire Department.

Mr. Koch said if the grass were kept trimmed in the first place, the signs wouldn't be needed.

Mr. Koch said that he made inspection of a Water Dept. cut-in to provide a 6 inch water line from Broadway Ave. on Bosse Ave., Cros Bower and Saunders Ave. He noted that most of the pipe had been laid and fire plug installed. The area was covered in muddy condition, water standing from edge of road to sidewalk. The only warning sign was at corner of Bosse and Broadway. The entire length of the cut-in was exposed. He said that the memo instructions state all utility companies to mail County Engineer a card stating what date cut-in will start. To his knowledge no such cards have been received.

RE: MR. WILLARD

Mr. Willard submitted the work summary of the County Highway Department for April, a report on absentees at the county garage for the past week, and a work summary of repairs made on Buente Road and Mosquito Road.

Commissioner Schaad suggested that Mr. Willard report each week on what roads have been slated within the week with county money, the total cost, and what was done and how many miles of road it consisted of.

RE: DUMPSTERS

Commissioner Willner said he had a request from the Perry Volunteer Fire Dept. requesting that the dumpsters on Williams Road be emptied on Monday, Wednesday and Friday, to see if they can control the trash better.

Mr. Willard said that on Lynch Road, Otto Niethammer would like to have one more dumpster placed there. This was approved.

RE: MR. CROOKS...Monthly Report

Mr. Crooks submitted a monthly report of building activity, which he said was still running pretty well ahead this year.

RE: MR. HOTZ

Mr. Hotz said that there is a large basement area at Pleasantview Rest Home and there are a number of items to get rid of. He said that Commissioner Willner had suggested that it be declared as surplus and to have an auction to get rid of it. He suggested contacting Mr. Curran Miller, the Auctioneer and have him come by, inventory and tag these items, in cooperation with Mr. Harness and to contact other departments to see if they have anything to get rid of.

Commissioner Schaad moved to have Mr. Willard contact Mr. Curran Miller in order to prepare for an auction. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner said he thought it important to contact all county governments to see if they have anything to get rid of.

RE: UNABLE TO ATTEND MEETING

Commissioner Ossenbergsaid that Mr. Harness was having problems at the Pleasantview Rest Home, so was unable to attend the meeting this morning.

RE: HAROLD PETERS

Mr. Peters submitted a letter to the Commissioners that he had sent to the former Board on June 23, 1972, stating that he had entered an agreement with them in 1971 and cleaned the drainage ditch in the Cloverlawn Sub-division area for \$115.00. He proposed to do the same work in 1972 for the same amount and was given the job. He said that he was interested in cleaning it this year and next year for the same amount.

Commissioner Willner moved that Mr. Peters clean the ditch at the cost of \$115.00, and at the same time, retain him for 1974. Commissioner Schaad seconded the motion. So ordered.

RE: CONTRACT FOR VOTING MACHINE RENTAL

The Fraternal Order of Police Lodge No. 73 has expressed the desire for the use of a voting machine in connection with the annual election of officers for the State Fraternal Order of Police. The Commissioners agreed to let them use the machine and the County Attorney was instructed to draw up an agreement.

County Attorney Swain presented the contract which read in part, that the Fraternal Order of Police agrees to pay for all costs, charges and expenses for the transportation of machine from its storage to the Executive Inn and will return machine to the Board of Commissioners in a good and usable condition, ordinary wear and tear accepted, within 48 hours after its use and they agree to pay for any loss, damage, cost or expense arising out of or resulting from transportation, use or rental of it.

Commissioner Schaad moved that the F.O.P. be given permission to use the voting machine. Commissioner Willner seconded the motion. So ordered. The Commissioners signed the agreement and said that the serial number of the machine needs to be written on the agreement.

RE: PROJECT PROGRESS REPORT ...E.A.R.C.

Mr. Tom Jones submitted a report to the Commissioners, on the Evansville Association for Retarded Children, verifying that the work has been done and that it is 42% completed. He said that when it is sent to state, they will send a voucher for \$103,372.18 and it will be turned over to the Auditor.

Mr. Jones asked if the Commissioners had heard anything from Southern Indiana Gas and Electric Company and Indiana Bell Telephone Company, on the easements.

County Attorney Swain said he was told that the Easements of Southern Indiana Gas and Electric Company was ready, but he hasn't seen them.

Commissioner Schaad moved that the Project Progress Report be approved. Commissioner Willner seconded the motion. So ordered.

RE: COMMENTS ON PROPOSED INCORPORATION OF DARMSTADT

Commissioner Willner stated that he had in his possession, a letter from Area Plan Commission, making a survey of the people in Darmstadt and questioning them on a ballot as to whether they approve or disapprove the incorporation. He said he seriously doubts that it is the duty of the Area Plan Commission to make a survey of the number of people who want it, or the number of people who do not want the incorporation. He thought that their duty was to see that the plans for the city were approved, as to whether the area was sufficient and this sort of thing, but they have deviated from this and sent the letters. He said that some of the letters went to some people who do not live in the corporate town, also he questioned who was to count these ballots and at what time. He also questioned the part that said, if the people do not wish to sign their name, they do not have to, that they will still count the ballots.

A self addressed envelope was enclosed in the letter for the return of the ballots. Commissioner Willner questioned as to whether this is a legal expenditure by the Area Plan Commission and said he would like for the Auditor to check this out with the State Tax Board.

Commissioner Ossenberg said he thought the reason this letter went out to the people was because Area Plan wanted verification from those that signed the list. He said that he didn't know if it was legal or not and was perfectly willing to go along with his request of having Mr. Volpe check it out with the State Tax Board.

Commissioner Willner asked how Area Plan would know if the people lived within the corporate town of Darmstadt, as it is now proposed, if they don't have to sign the ballot.

County Attorney Swain said it was his understanding that the letters went to the people that were listed on the petition as property owners.

Commissioner Willner said this wasn't true. He said that he would appreciate the Auditor checking out the legality of the expenditure, for him.

The meeting recessed at 11:25 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u> | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u> | <u>REPORTERS</u> |
|-----------------------------|-----------------------|-------------------------|------------------|
| Thomas Ossenberg            | Lewis F. Volpe        | Thomas Swain            | B. Thompson      |
| Bob Schaad                  |                       | William Stephens        | C. Leach         |
| Robert L. Willner           |                       |                         | S. Clark         |
|                             |                       |                         | A. Jackson       |
|                             |                       |                         | G. Clabes        |

Secretary: Margie Heeks

Thomas Ossenberg  
Bob Schaad  
Robert L. Willner  
 BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
MAY 14, 1973

The regular meeting of the County Commissioners was held on Monday, May 14, 1973, at 9:30 a.m. with President Ossenbergs presiding.

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

RE: REQUEST TO RENT MO-TRIM

Mr. Hank Sauer requested permission to rent the Mo-Trim from the County for the sum of \$1.00. Mr. Willard said that it would be available after this week.

Commissioner Schaad moved that Mr. Sauer be granted permission to rent the Mo-Trim at the cost of \$1.00 plus the \$1.00 he owed for last year's rental. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORT...COUNTY CLERK

The monthly report of the Clerk of the Circuit Court was submitted to the Commissioners, for the month of April. Report received and ordered filed.

RE: ACKNOWLEDGEMENT FROM MUSEUM OF ARTS AND SCIENCE

An acknowledgement was received from the Evansville Museum of Arts and Science, of the Cannon and Base that had previously been on display at the old Court House, for displaying it at the Museum.

Commissioner Schaad moved that the acknowledgement be signed by the Commissioners and returned to the Museum. Commissioner Willner seconded the motion. So ordered.

RE: RENEWAL OF COOPERATIVE AGREEMENT

A Renewal Agreement was received, between the Vanderburgh County Soil and Water Conservation District and Board of County Commissioners of Vanderburgh County and the Soil Conservation Service, United States Department of Agriculture; relative to the Acceleration of land use planning treatment in Vanderburgh County, Indiana. The effective date of this Renewal is July 1, 1973. This agreement is to be signed by President Ossenbergs and Mr. Volpe, the County Auditor.

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

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received from the Michigan Mutual Liability Company, that was issued to the Southwestern Indiana Mental Health Center Inc. on the insured, Roettger Electric Co. Inc., for the electrical work for the new Southwestern Mental Health Center Building. Received and filed.

RE: MONTHLY STATEMENT...DEPARTMENT OF MENTAL HEALTH

The Monthly Statement of Income and Disbursements was received from the State Department of Mental Health for the month of April, 1973. Received and filed.

RE: EMPLOYMENT CHANGES...APPOINTMENTS

AREA PLAN COMMISSION

|                |                 |                 |                |             |
|----------------|-----------------|-----------------|----------------|-------------|
| Jack Hanes III | 414 S. Willow   | Tech. Draftsman | \$6,420.00 Yr. | Eff: 5/1/73 |
| Pat Allen      | 1716 Bellemeade | Sr. Secretary   | \$5,200.00 Yr. | Eff: 5/1/73 |

AUDITORS OFFICE

|                |               |            |             |              |
|----------------|---------------|------------|-------------|--------------|
| Mary L. Miller | 711 S. Alvord | Extra Help | \$15.00 Day | Eff: 5/14/73 |
|----------------|---------------|------------|-------------|--------------|

RE: EMPLOYMENT CHANGES...RELEASES

AUDITORS OFFICE

|                  |                 |            |             |             |
|------------------|-----------------|------------|-------------|-------------|
| Flora Rose       | 1105 Putnam     | Extra Help | \$15.00 Day | Eff: 5/7/73 |
| Lucille Musgrave | 4304 Pennington | Extra Help | \$15.00 Day | Eff: 5/8/73 |

RE: EMPLOYMENT CHANGES....RELEASES....CON'T.

COUNCIL OF GOVERNMENTS

Jack Hanes III 414 S. Willow Rd. Tech. Draftsman \$6,420.00 Eff: 5/1/73

RE: CLAIM

A claim was received from the Indiana Disposal Service Inc. for service for the month of April, 1973, in the amount of \$1,955.15.

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

RE: DUMPSTERS

Commissioner Willner said he had several complaints from neighbors on Old State Road, so he went by there this morning and found them to be a total mess. He said he has had a request to remove the dumpsters. He said a new house has been built recently, behind the dumpsters and the trucks have backed into their yard, making ruts, and paper has also been blowing into their yard. He said these complaints have come from persons other than from Mr. Niethammer and the dumpsters are on his property, that he didn't see that they had to move them but it was a mess, however, it is Monday morning and the crew hadn't been there yet to clean it up.

Indiana Disposal picks up the trash at that location three times a week and the county truck is out there every day.

Commissioner Schaad said he thought the Commissioners will come to the conclusion of getting rid of all the dumpsters, as they keep on creating more problems and there doesn't seem to be any solution, and they just keep getting more complaints.

Commissioner Willner said that he agrees, but thought an alternate plan will have to be adopted.

Commissioner Schaad said that some private contractors do this work at a reasonable fee and he understands that it is working.

Commissioner Willner said if the Commissioners decide to go with the private haulers, he thought they should be asked to come in, that the county should be mapped out in districts, in case that someone in the lower end of Union Township wants their trash picked up, that there will be someone responsible for that area.

Commissioner Ossenberg asked how the contract was written with Indiana Disposal, in regard to the dumpsters.

Commissioner Willner said, if he remembered right, it was strictly on a trial basis.

County Attorney Stephens said he would have to check the contract with Indiana Disposal Company.

Commissioner Ossenberg said he understood the survey report is ready and that Mr. King will be back on May 31, 1973, to give the results.

Commissioner Schaad suggested postponing the problem of the dumpsters until that time.

Commissioner Willner said that he would contact these people and tell them that the problem will be discussed at the end of the month.

Commissioner Schaad said the contractors should also be called and asked to attend the meeting.

RE: CLAIM

A claim was received from the Terminal Warehouse Company Inc. for rent of space for storage of voting machines from May 1, 1973, to June 1, 1973, in the amount of \$500.00.

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

RE: CLAIM DEFERRED

A claim was presented from Torian Insurance Agency concerning the boiler set-up at the Civic Auditorium, Coliseum, Washington Children's Home, Hillcrest Children's Home, County Infirmary, West Side School, Burdette Park, and the County Highway Garage, in the amount of \$2,340.00.

Commissioner Schaad asked if the County was responsible for the insurance on the boiler at the Coliseum.

Commissioner Ossenberg said that it is his understanding that the boiler is the only thing at the Coliseum that the County carries insurance on. He said that the County put a \$100,000.00 boiler in that building.

County Attorney Stephens said that the Veterans Organization are responsible for the insurance, but they don't carry any and the County must protect themselves. He said that their lease could be cancelled.

Commissioner Willner moved that this matter be deferred until next week, since the boiler will have to be inspected. The secretary was asked to check on this. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIM

A claim was submitted from Condict and Fosse, Architects, for Architect's fee for The Evansville Association for Retarded Children's Center, the amount due being \$1,430.00.

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

RE: LETTER OF REPLY FROM I.R.S. ... CLAIM APPROVED

A letter was received from the Internal Revenue Service, in reply to question of whether Burkert-Walton Inc. was in violation of the price freeze, as follows:

Our investigation revealed that your firm was not in violation of the profit margin limitation of the Economic Stabilization Program for the year ended December 31, 1972. Signed Robert Van Meter, Acting Assistant to the Director of Stabilization.

The claim from Burkert-Walton was in the amount of \$1,350.00 and was for printed materials that were delivered to the county in 1972. The Commissioners, on February 13, 1973, instructed Mr. Volpe to check the bills out with the Internal Revenue Service since this particular item went up 938% and they were only allowed to go up 5.5%, according to the Federal Law.

Commissioner Schaad moved that the claim now be approved for payment. Commissioner Ossenberg seconded the motion. So ordered.

RE: CHANGE ORDER

A change order was presented to the Commissioners, concerning Ja-Lo Electric Co. for the Central Services Facility for Burdette Park in the amount of \$448.00.

- Itemized:
1. Install electrical service for kitchen equipment to be installed in the Grill Area by Food Vendor.....+ \$330.00
  2. Re-route electrical service to existing sewage disposal sump pump, which was interrupted by the razing of the existing building..+ \$118.00

Mr. Gerst said that the \$330.00 was approved prior to signing the contract, by the Burdette Park Board, and the only change during construction has been \$118.00.

Commissioner Willner moved that the change order be approved. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST TO SEND REPORT TO STATE

The Commissioners received a request to send a report of Albert H. Scheneman to the State Board of Tax Commissioners.

Mr. Volpe said that it is a question as to who is liable on taxes of a truck, and Mr. Hewins has submitted a claim, so this can be sent up-state to be settled as to who is liable. R. L. Jeffries Trucking Co. owns the truck.

Commissioner Schaad moved to approve the request for the Auditor to send this report to the State Board of Tax Commissioners. Commissioner Schaad seconded motion. So ordered.

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4.  
RE: MR. LOUIE WAGNER ... SCHMITT LANE

Mr. Nussmeyer presented Mr. Louie Wagner, who owns property South of Schmitt Lane. He said that Schmitt Lane has been dedicated to the North and Mr. Wagner owns the property to the South, of which there has been no dedication as far as he can find.

County Attorney Stephens said that even if this road hasn't been dedicated, but has been a road for at least twenty years, it can't be blocked.

Mr. Wagner said they have run a sewer line through there and they run raw sewage through his property and he thought something should be done.

County Attorney Stephens said that he has a title dispute and that Mr. Wagner should file suit and get a declaratory judgment, as to his rights of property.

Mr. Nussmeyer said there is a resolution of record by the Commissioners, back in the 1950's, whereby they adopted a massive plan to make it 25 feet but there have been no grants as far as he can find.

County Attorney Stephens said there two ways that a road can become a public road, one is by grant and dedication which wasn't done in this case and the other is by continued use for a period of at least 20 years, which has now been lowered to 10 years. He said the county has been maintaining this road for at least 20 years.

Mr. Wagner asked how his drainage problem would be solved.

Commissioner Willner asked Mr. Wagner what he purposed for the Commissioners to do for his drainage problem.

Mr. Wagner said that he didn't know but they would have to do something to stop the drainage problem.

County Attorney Stephens said if the surface water drainage is obstructing the use of the road, the Commissioners would have jurisdiction, but this isn't what is happening. He thought this problem to be a private matter between Mr. Wagner and the people whose water is draining on his property, that the county doesn't enter into it. He said, however, as a part of the road construction, the county could dig out that ditch on the North side of the road, on the Right of Way, to divert the water down under the road.

Mr. Wagner said that it seemed to him that the Commissioners should get these people to survey and dedicate their property.

County Attorney Stephens said the dispute started because there was property owners complaining that a barricade was going to be put across Schmitt Lane to keep vehicles off that road. He thought this could be resolved by Mr. Wagner, in that he could institute legal action against these people, to determine the right to use Schmitt Lane as a road. He further stated that even if this property was all on Mr. Wagner, if it has been there for 20 years or more, Mr. Wagner is stuck with a public road on his property and the right of the public to use it is superior to his right to block it.

Mr. Wagner said, in order to solve the drainage problem, the ditch would have to be dug out about 1100 feet.

Commissioner Willner moved that the Commissioners instruct Mr. Willard to go out and check on this problem, to see if it is feasible to construct a ditch on the North side of the road to solve the drainage problem and to take Mr. Nussmeyer with him to be sure of the legal Right of Way. Commissioner Schaad seconded the motion. So ordered.

Mr. Nussmeyer said that he has copies of the deeds and grant on this road.

County Attorney Stephens said that Mr. Nussmeyer could then draw a description of it and refer to the deeds. He could then lay that out on paper and they would know exactly where it is.

Mr. Wagner said that he would like to go out with Mr. Willard and Mr. Nussmeyer, when they go out there.

RE: PLANS APPROVED FOR OAK GROVE ROAD

Mr. Nussmeyer presented plans for Oak Grove Road and said he is going to submit these plans to the Railroad Co. about the crossing.

Commissioner Willner asked if a Railroad crossing has to go before the Public Service Commission.

County Attorney Swain said that it did, also that the statute reads that the Railroad must pay for the signalization.

Commissioner Schaad moved to approve the plans for Oak Grove Road. Commissioner Willner seconded the motion. So ordered.

RE: CUTS-IN

The following cuts-in applications were presented by the Indiana Bell Telephone Company:

The utility requests permission to cut into Boonville-New Harmony Road, to place buried telephone cable.

The utility requests permission to cut into Mill Road and Mesker Park Drive, to place buried cable.

The utility requests permission to cut into Oak Hill Road, to bury telephone cable.

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

RE: SHADY HILL SUBDIVISION

Mr. Nussmeyer presented plans for Shady Hills Subdivision # 4 & 5 and recommended their approval.

Commissioner Willner asked if there were any drainage problems, since he wanted to be assured that they have no problems like they had with Melody Hills.

Mr. Nussmeyer said that the drainage in this area is pretty well taken care of.

Mr. Pugh said that he was in on the plat meeting of this Subdivision and he didn't remember seeing part of it and said that one part is to be built on McGary, which wouldn't be too bad.

The Commissioners said that they haven't seen the soil survey for this area.

Commissioner Willner moved to defer this matter for one week, to give Mr. Pugh time to check the rest of this out. Commissioner Schaad seconded the motion. So ordered.

RE: GUARD RAIL REQUESTED

Mr. Nussmeyer and Mr. Willard have received calls on the need of a guard rail on St. Joe Road, from St. Joe to St. Wendell.

Mr. Willard said it is a crooked road and there have been cars running up in these peoples yards, so they put up posts and now want guard rails. He said the people should have thought about this before he build right up to the highway.

Commissioner Schaad said that he had a call from a lady that lives on this curve and they were concerned about the safety of their children. She told him that four or five telephone poles have been cut off by cars, so to protect the children, they put large poles in the ground.

Commissioner Ossenbergs said they would protect the children but they must have been getting some feedback, because some of the neighbors said that if anyone hit these posts, it would kill them. He said that the lady wondered what they could do and wondered if guard rails could be put up to protect the motorists and her family.

Commissioner Willner said that it was his opinion that if they put up a guard rail, they would have to do the whole road. He then asked what the speed limit is on St. Joe Road.

After checking, the County Attorney said that the speed limit is 35 miles per hour.

Mr. Willard said that he was against spending money to put up guard rails.

Commissioner Willner said that warning signs and a center stripe would help.

Commissioner Willner then moved that this matter be referred to the Area Plan, for them to give St. Joe Road, from Hwy. 65 to St. Wendell, a study on safety. Commissioner Schaad seconded the motion. So ordered.

RE: BIDS FOR RESURFACING OF ROADS DISCUSSED

Commissioner Willner said that several years ago, the county wound up in November, putting down some roads and he would like for this not to happen again, so he thought now was the time to think about it.

Commissioner Schaad said they had talked about this, that they have the money and Mr. Willard has a list of the roads that needs to be resurfaced and he said that if Mr. Nussmeyer would give him the specific roads, within the dollar amount, he could have it done by next Monday and bids could be asked for on the following Monday.

RE: SCHISLER ROAD

A letter was received from the United States Post Office last week, stating that a request for the extension of service on R.R. # 2 is pending, due to the condition of Schissler Road. It stated that they had agreed that Schissler Road needs to be widened, proper drainage provided and the shoulders built up to allow the carrier vehicles to approach the mail boxes in a safe manner.

Mr. Willard said that he and Mr. Wandel were out there and he recommended that it not be passed. He said that they would be spending about \$2,000 out there, to accomodate four families, that the rest of them don't want it, so he doesn't think it feasible. He said that there are a total of twelve families on this road and he was told that these people tried this same thing about ten years ago.

Mr. Nussmeyer said that he was of the same opinion as that of Mr. Willard.

Commissioner Willner moved that nothing be done on Schissler Road at this time. Commissioner Schaad seconded the motion. So ordered.

RE: MR. WILLARD

Mr. Willard presented the absentee list of the County Garage employees for the past week. Received and filed.

Mr. Willard said that he was out looking at some of the roads that the county has worked on and that they looked real nice. He asked permission to do all the gravel roads at his disgression, including the cleaning of the ditches and cutting the berm so water can drain in the ditches.

Commissioner Willner moved that Mr. Willard be permitted to do this. Commissioner Schaad seconded the motion. So ordered.

Commissioner Schaad said that it would be a good idea, if anything has to be done to a road where they are going to have to dig the ditches along the side, so the water can drain into the ditches, to have someone go out and talk to the people ahead of time, if a culvert is needed, so they can get one and the culvert can be put in while they are doing the road. He said that a program such as this should be started in the fall.

Commissioner Willner asked if it is possible, on the roads that need to be black-topped, to first clean the ditches where it is needed.

Commissioner Schaad said he and Mr. Willard talked about this and they agreed that when a road is done, that the whole thing be done properly at the same time.

RE: LETTER FROM FARM BUREAU CO-OP.

A letter was received from the Warrick County Farm Bureau Cooperative Association as follows:

Dear Sir:

We (Warrick Co. Farm Bureau Co-op, Evansville Branch) would like the permission of the Vanderburgh County Commissioners to install a 30' electric pole min., of 25' out of ground level, located at the south east corner of the galv. sided building, located north of the county garage. We the above named would pay for installing electricity to the meter, and would have (one) outlet below meter only.

We assume all responsibility for and damages accrued during loading or unloading of rail cars, by our employees. The unloading of rail car would be done on approximately (ten) cars per year. Will keep portable conveyor stored at our location except when in use. Signed Dave Gingerich Fert. Mgr. Warrick Co. Co-op.

P.S. Your permission on this would greatly be appreciated.

Commissioner Schaad said this came up before and Tom Swain made the comment that we should be a good neighbor and do it, but at the same time, they ought to give us the Right of Way on St. Joe Avenue.

Commissioner Schaad said they are under new management, that they used to be operated by Vanderburgh County and now Warrick County has it. He said that Tom Swain is going to write them and request this Right of Way on St. Joe Avenue. He thought we should go along with this request on a trial basis.

Commissioner Willner said they might need three years to get a return on their investment if electricity is installed.

Commissioner Schaad moved that they be given permission, on a trial basis for a period of three years. Commissioner Willner seconded the motion. So ordered.

RE: MR. HARNESS ...APPLICATION DENIED

Mr. Harness presented an application for Mary A. Dorsey, for admission to the Pleasantview Rest Home. He said that this lady was at the home previously, for six days and then just walked out, also that she is a mental patient. He recommended that the application be denied and that the Pigeon Trustee still be liable for her six days stay at the home.

Mr. Harness said that he didn't know where Mrs. Dorsey is at the present time, that the welfare evidently has placed her in a home somewhere. He said that she is definitely a mental patient and that she has some children in a foster home.

Commissioner Willner moved, on the recommendation of Mr. Harness, that this application be denied. Commissioner Schaad seconded the motion. So ordered.

RE: SURPLUS ITEMS TO BE SOLD

Mr. Harness said that there is a large assortment of old furniture, etc. at the Pleasantview Rest Home and that he has talked to Mr. Curran Miller about selling these items and Mr. Miller said that he doubted that these items would bring the cost of the sale and that his minimum acutioneer's fee is \$75.00, that minimum fee for a clerk and cashier is \$15.00 each and the advertisement could cost as much as \$100.00. He asked Mr. Harness if these items could be brought out to his furnitruue mart and sold there.

County Attorney Stephens said this could be done and what he could do would be to list these items in the newspaper as being miscellaneous property from Pleasantview Rest Home and declared as surplus by the Vanderburgh County Commissioners.

Mr. Harness said that the county will realize 80% of what the items bring, if the items are taken to the furniture mart.

Commissioner Willner moved that all these items be declared as surplus junk at Pleasantview Rest Home and that it be hauled to Mr. Miller's place of business, at the county's expense and let him dispose of it in accordance with the direction of the County Attorney, also if they get a disclaimer, to pick up the surplus items of the welfare at the Hillcrest Home and dispose of it the same way. Commissioner Schaad seconded the motion. So ordered.

RE: OVERPAYMENT OF SOCIAL SECURITY

Mr. Harness presented a letter from the Department of Health Education and Welfare and the Social Security Administration in regard to James B. Meyer of Pigeon Township, who was a resident of Pleasantview Rest Home and expired 8/28/71. He said at that time Mr. Meyer had a guardian but the guardian relinquished his guardianship several months before the man expired. At the time the man expired, there was \$3,067.94 being owed by the county for this man's keep. Some time in late 1971, Mr. Harness received a Social Security check in the amount of \$713.30 and there is a quietus dated January 3, 1972, showing this amount being deposited in the County Revenue. He said this left a balance owed of \$2,354.64. He said he had brought this matter before the Commissioners previously. He said that the Social Security Administration now said that the county was overpaid in the amount of \$271.80, since when this man expired, they were paid past his living date. He said he applied for a waiver of this money with Social Security, saying that the waiver of recovery of this money is therefore not applicable since both requirements of the waiver had not been met. He asked what to do about paying this \$271.80 back.

Mr. Volpe said that there is a catch-all account to take care of this matter and that Mr. Harness should attach the letter to a blue claim which he has signed and present it to the Commissioners for payment.

County Attorney Swain recommended that it be charged off.

Commissioner Willner moved that this amount of \$271.80 be charged off to experience and that Mr. Harness follow this procedure. Commissioner Schaad seconded the motion. So ordered.

RE: MIDDLE MT. VERNON ROAD

Commissioner Schaad said that Mr. Richardt told him that Middle Mt. Vernon Road had been re-staked several times and they don't know exactly where the Right of Way is and he is going to get together with Mr. Nussmeyer and re-stake it so the project can be completed. He will report back to the Commissioners before the next meeting.

RE: TUPMAN CEMETERY DISPUTE

County Attorney Stephens filed his opinion of the Tupman Cemetery dispute and asked that a copy of it be sent to Mr. Mosby, the Perry Township Trustee and one to Mr. Will, of the Cemetery Board.

RE: JUDGMENT OMITTED

County Attorney Stephens said he has received a letter from Attorney Bill Foreman who is asking the permission of the Commissioners, to permit the County Attorney to assist him in collecting some personal property taxes against an Alvin and Vivian Underhill. He said that Mr. Foreman represents a local abstractor who omitted the judgment when he submitted the abstract and as a result he is on the hook and Mr. Foreman pointed out that they have a right to recover this money from Mr. Underhill and he has asked the permission of the Commissioners to bring an action, if necessary, to recover these taxes. County Attorney Stephens asked to be permitted to join into this action with Mr. Foreman, for the county.

Commissioner Schaad moved that County Attorney Stephens be permitted to act for the County. Commissioner Ossenbergh seconded the motion. So ordered.

RE: OLD STATE ROAD

Mr. Nussmeyer asked if there was any action taken on the Right of Way of Old State Road.

Commissioner Ossenbergh said he would like for Mr. Welch to come in next Monday and let him give his explanation of this, but that it appears as though the Commissioners will probably have to go to condemnation.

The meeting recessed at 11:15 a.m.

PRESENT

COUNTY COMMISSIONERS

Thomas Ossenberg  
Robert Schaad  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEYS

William Stephens  
Tom Swain

REPORTERS

G. Clabes  
A. Jackson  
C. Leach  
S. Clark  
B. Thompson

Secretary: Margie Meeks

*Thomas Ossenberg*  
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*Robert Schaad*  
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*Robert L. Willner*  
 \_\_\_\_\_  
 BOARD OF COUNTY COMMISSIONERS



RE: T. B. PATIENT ADMITTED

A letter was submitted to the Commissioners, from the City-County Department of Health, as follows:

Re: Arque Miller  
420 S. E. 9th St. City

Dear Mr. Ossenberg:

The above referenced individual was admitted to the Good Samaritan Hospital, Vincennes, Indiana, on May 12, 1973, for isolation and treatment of active, moderately-advanced, pulmonary tuberculosis.

This is to certify that Mr. Miller is a resident of Vanderburgh County and in need of financial assistance with the medical expenses incurred during his hospitalization.

If there are any questions, feel free to call me. Sincerely, Mildred Knodel

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

RE: LETTER ON AUTHORITY OF PLAN COMMISSION

At the meeting of May 7, 1973, Commissioner Willner stated that he had in his possession, a letter from Area Plan Commission, who was making a survey of the people in Darmstadt and questioning them on a ballot as to whether they approve or disapprove the incorporation of Darmstadt. He said that he seriously doubted that it was the duty of the Area Plan Commission to make this survey and he asked the County Auditor to check out the legality of this with the State Board of Accounts.

Mr. Volpe received the following letter from the State Board of Accounts:

Dear Mr. Volpe:

This is to acknowledge receipt of your letter dated May 11, 1973 in which you requested information concerning the authority of the plan commission.

This is strictly a legal question and we suggest you refer your request to your county attorney. Yours respectfully, Kenneth R. Beesley, State Examiner.

Commissioner Willner said that he intends to ask Area Plan for their figures on this survey. He then moved to refer this matter to the County Attorneys. Commissioner Schaad seconded the motion. So ordered.

RE: SALE OF SURPLUS MATERIALS

A check was received from the General Waste Products Inc. in the amount of \$349.10, for surplus items they have purchased from the Pleasantview Rest Home and the County Garage. The money is noted as being received and deposited in County Revenue.

RE: CLAIMS

A claim was submitted by Sheriff Riney for the meals of the prisoners in the amount of \$6,015.20.

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

A claim was received from the Department of Health Education and Welfare, for the overpayment of Social Security to Pleasantview Rest Home in the amount of \$271.80. The overpayment of Social Security was explained at last week's meeting, which was against, one James V. Meyer.

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

RE: BID OPENING...EICHOFF ROAD STUDY

Bids on the Eichoff Road Study were received from the following:

- Andy Easley Engineering
- Engineer Associates Inc.
- Long Gardner & Associates Inc. of Indianapolis, Ind.
- Warren I. Hobson & Associates of Indianapolis, Ind.

County Attorney Swain said not to sign the agreement as it is, because it has been modified and there are certain changes that the county has insisted upon.

Commissioner Schaad moved that the bids be taken under advisement and referred to the County Engineer, so that he can work with Mr. Ken Marlin on them and to bring his findings back to the Commissioners. Commissioner Willner seconded the motion. So ordered.

RE: RE-ZONING PETITION.....LEO & LEONA BAUMGART

Premises affected are situated on Green River Road approximately 1250 feet North of the intersection of Division Street with Green River Road. The commonly known address is 401-413 North Green River Road. The requested change is from A to C-1B. The proposed land use is commercial stores and shops.

Commissioner Schaad moved that this re-zoning petition be referred to Area Plan on first reading. Commissioner Willner seconded the motion. So ordered.

RE: RE-ZONING PETITION.....KAUAI CORPORATION

Premises affected are situated on the east side of St. Joseph Avenue. The commonly known address is 4010 North St. Joseph Avenue. The requested change is from R-2 to M-2. The proposed land use is for an Industrial Park.

The vote on this petition by Area Plan was six affirmative votes, four negative votes and one abstention. The petition was approved.

Mr. John Carroll, Attorney for the petitioners, presented the proposed plat for this re-zoning. He said there was an effort to rezone this property in 1969 to M1 classification, and it was rejected at that time and subsequent to this, the matter was then on an option to the Corporation, who came back and sought for a zoning of R-2 Classification. This petition was rezoned by the Plan Commission and approved by the County Commissioners with the cooperation of the people in the area. After the rezoning was completed, an application was made for F.H.A. financing and this was rejected. He said this property lies approximately 9/10 mile North of the intersection of Diamond Avenue and St. Joe Avenue and explained various uses of the surrounding area. He said the question is whether the Commissioners are going to determine the future growth of the St. Joseph area, by reason of the residential area, lying immediately to the South, or are they going to take into account, all of the factors which are involved in the property.

Mr. Carroll said that this property should be for an industrial use, with the proper protection and safeguards to the residents in the residential subdivision. He said they were submitting that there would first be provided, a buffer of 40 to 42 feet on the North end of the residential properties, they are also providing a 6 foot cyclone fence which would fence off the industrial property from the residential property, also a sight screen, in terms of greenery and shrubs, that would completely shield and protect the industrial property to the South, as well as along St. Joe Avenue, to the West side of the property. They are also proposing that there be severe restrictions on the use of the industrial property to the North of this. The restrictions would provide that there would be no building within 20 feet of the South line of this property. He said, provided also in the restrictions, that there would be no odor at the lot line and no obnoxious materials that would create a nuisance for the residents, etc.

Mr. Carroll said he thought this to be sound rezoning for the area and asked that it be rezoned from R-2 to M-2 classification.

County Attorney Swain asked Mr. Carroll, in regard to the restrictions, if he proposed to do it by deed or by covenant.

Mr. Carroll said the restrictions would be part of the planning of the subdivision and will be in the deed.

Mr. Gary Gerling, Attorney for the remonstrators, said that the evidence he submitted to the Area Plan Commission apparently wasn't sufficient because they approved the petition, so he would change his presentation. He presented a copy of the zoning code and said he would like to examine the restriction and see what kind of protection that Mr. Carrolls plans are giving the persons in that neighborhood, that the County Commissioners have not already given. He related that the covenant says that you can do anything there that is in M-1 classifications and Mr. Carroll is asking for an M-2 classification, obviously the neighbors would be opposed to any industrial use of the property, but the restriction itself, anticipates that these persons

never ever hoped to secure zoning for a wide range of industrial activity and they never thought they would get that strong, that they would be able to secure that kind of zoning, so they already had their built-in hedge, as indicated, by the covenants, that the most they were ever going to hope for was M-1 and they tailored the proposed covenants to that. He also said that the building restrictions, that they'll not build within 20 feet of the rear lot line, is an exact requirement of the county code, also that they purpose not to do anything that constitutes a nuisance, which is the law that everyone has to obey, so there is nothing that they have offered to do, other than the law already requires. He said they wouldn't be able to control the noise made by factory-type operations and the letters that were sent out to the residents just said as much as they will agree not to violate the law in Vanderburgh County.

Mr. Gerling presented a drawing of the homes in the area and said the homes range from \$20,000 to \$30,000 and the residents ask to be treated fairly and honestly, as they are very concerned about this and recognize that something will be done with this land but don't think Industrial Zoning to be the proper use.

Both Attorney's then made their rebuttals.

One remonstrator said that she didn't have the extra footage they were talking about.

Mr. Carroll said the 40 feet they were talking about lies to the rear of the property and that a site screen would be placed along the property.

Commissioner Schaad moved that the Zoning Petition be approved. Commissioner Ossenberg seconded the motion. The vote being in the affirmative by Commissioner Schaad, with Commissioner Willner voting "no".

Commissioner Ossenberg said it should have stopped at the very beginning and he couldn't see penalizing these people and he thought they were giving the area every protective device that they can think of. He therefore voted "yes". By a two to one vote, the Ordinance 73-24-PC was passed.

RE: MR. WILLARD

Mr. Willard presented an absentee list of the County Garage employees, for the past week.

Mr. Willard said that the \$200,000 of Revenue Sharing money that he received is in the wrong catagory and he can't use it. He said that he needs some in his gravel and in his bituminous materials.

Mr. Volpe said that the money was asked for in the contractual account but that it can be transferred to the accounts where it is needed, by going to County Council.

Mr. Willard said he would need about \$35,000 in gravel and about \$50,000 in Bituminous materials.

Mr. Volpe asked Mr. Willard to give him a letter, as to how he wants the money distributed.

Mr. Willard also said that Weinbach Avenue and River Road won't have to be re-surfaced before the races, this year.

RE: MR. NUSSMEYER.....NOTICE TO BIDDERS

Mr. Nussmeyer presented a Notice To Road & Maintenance contractors for proposals, for the resurfacing with bituminous pavement of six roads, as follows:

- St. Joe Ave., from Boonville New Harmony Rd. to Baseline Road.
- Martin Station Road, Olmstead Road, Telephone Road, from Boonville-New Harmony Road to St. Wendell Road and Baseline Road, from Hwy. 65 to County Line Road, a total of 9.1 miles at a cost of \$144,415.22.

Commissioner Schaad moved, with changes made in specifications, that the Auditor be authorized to advertise for bids, with the completion date of August 18, 1973, and the opening of the bids to be on June 4, 1973, at 9:30 a.m. Commissioner Willner seconded the motion. So ordered.

RE: TWICKINGHAM DRIVE

Commissioner Willner asked Mr. Nussmeyer if he had anything to report on Twickingham Drive.

Mr. Nussmeyer said that the contractors worked out there until Friday, when his machinery broke down, that they are up to the intersection now and has the project 90 to 95% completed. He said they thought they would complete the job before the June 15th date.

RE: CUTS-IN

The following cuts-in were submitted for approval:

The Indiana Bell Telephone Co. requests permission to cut into Baseline Road to place underground telephone cable.

The Indiana Bell Telephone Co. requests permission to cut into Mosquito Road & Schillinger Road to place underground telephone cable.

The Southern Indiana Gas & Electric Co. requests permission to cut into Summertime Drive to provide gas service to Lot #4 in Kleinknechts Subdivision.

The Waterworks Co. requests permission to cut into 10023 Old Petersburg Road to install a watermain.

Commissioner Schaad moved that the cuts-in be approved. Commissioner Ossenbergs seconded the motion. So ordered.

RE: RIGHT OF WAY ON OLD STATE ROAD

Mr. Jay Welch said he was still negotiating one Right of Way on Old State Road, that three will probably need to be condemned. He said he is dealing with two people who got no damages from the Railroad and the other one has a suit against the Railroad for damages and refuses to sell the property until the suit is settled. He said that the attorney who represents the people, won't even return his telephone calls.

County Attorney Swain suggested sending a registered letter to the attorney and a carbon copy to the land-owner, so they are aware of what is going on.

Commissioner Schaad then moved that Mr. Welch advise their attorney of a final offer and send the carbon copy to the land-owner before any further action is taken. Commissioner Willner seconded the motion. So ordered.

RE: BRIDGES

Mr. Nussmeyer said there are three bridges that are contained in one contract with Eagle Slough. He said that nothing could be done with one woman, since she has been complaining about the dumping there. He understands that the Right of Way has been obtained for the bridge on Weinbach Avenue and for Green River Road, but there is still this problem on Old Green River Road. He recommended to proceed on the two and forget the third one. He said that this woman wants the junk hauled away and since it isn't just on the County Right of Way, the county can't clean it up.

County Attorney Swain said to give her a final offer and if she refuses, after a certain period of time, condemn it, and in the meantime, they can proceed with the work.

Commissioner Schaad moved to proceed with this and give the lady a final offer. Commissioner Ossenbergs seconded the motion. So ordered.

RE: HEERDINK LANE

Mr. Nussmeyer presented easements on Heerdink Lane. He said this is a road that has existed since 1940, that it is on the county maps and he thought the previous Commissioners agreed to accept and maintain this road, providing that the Right of Way was acquired.

Commissioner Willner suggested that they go back through the Commissioners past minutes and see just what has transpired.

County Attorney Swain said that the procedure to determine this would be to determine if these easements were in proper form and if they are, to accept them and have them recorded, and the Commissioners can then decide what they want to do. He also said that the names should be typed over the signatures and it should state as to whether they are husband and wife, also that the notary's name should be typed above her signature.

County Attorney Stephens said that Mr. Nussmeyer should fill out an acceptance form, with legal description of Heerdink Lane and bring them back next week, so the Attorneys can check them before they are recorded.

RE: BRIDGES

Mr. Willard said the County Garage could cut the weeds around the bridge abutments, and that he has talked to Mr. Judd about painting them with orange fluorescent paint, as this is the prescribed regulations of the Traffic Department, so they will be properly painted.

Mr. Willard said there are quite a few narrow bridges in the county and if they are painted with the fluorescent paint, they will be seen much better.

RE: TUPMAN CEMETERY

Commissioner Schaad said he thought perhaps a letter would have come from Tupman Cemetery, but it hadn't, so he had someone call and he found that the small section of the Cemetery is owned by the county, but it must be maintained by the Township Trustee. He said that Mr. Will asked that the County Surveyor come out and actually mark off the part that is owned by the county.

Commissioner Schaad asked Mr. Will to send the Commissioners a letter of request, and he wondered if this matter should be taken care of now, or wait.

Commissioner Ossenbergs said he would rather wait until the Commissioners receive the request.

RE: MR. CROOKS

Mr. Crooks said he has not been able to dispose of the property, formerly owned by the Kissel's, on St. Joe Avenue. He suggested offering it to the Fire Department for burning practice. This property was purchased for the Right of Way and the County owns the house.

County Attorney Swain said that it could be made part of the contract in the widening of St. Joe Avenue.

Mr. Crooks asked Mr. Hotz if he has had any problems of vandalism on this property.

Mr. Hotz said not to his knowledge, also that they had boarded the house up.

Commissioner Willner said he would like to look at this property and that if it was made part of the road project, they would probably be better off.

Commissioner Schaad said that he would also go out to look at it.

RE: LETTER ON DRAINAGE PROBLEM

A letter was received by Mr. Schaad, from Mr. Ralph Toon of 3300 N. 12th Avenue. It reads as follows:

Mr. Schaad:

This letter is in reference to a serious problem which affects the residents of North 12th Avenue, which is a portion of the district which you represent in your capacity as County Commissioner.

The drainage situation following a rain shower is "literally" -- a mess. Water stands in front of the yards and covers the sidewalks. When the water does drain off, usually a couple of days later, the sidewalks are covered with mud and in some spots becomes quite slippery and dangerous. This makes for a very dangerous situation for the children who play on or near the sidewalks.

We use to have drainage ditches until the sewers were put in by Don Stucki in 1966. Since that time the street has been paved several times making the street much higher than the street where the pavement ends. Perhaps this is blocking the drainage. No matter the cause, this situation has developed into a serious problem for the residents of North Twelveth Avenue.

We would appreciate it if you or a representative from your department would look into this matter as soon as possible. I will be glad to meet with you or any other county official concerning this matter. Thanking you, Ralph A. Toon.

Mr. Willard said that the catch basins are higher than the streets and there is no way for the water to get into them.

Commissioner Schaad moved to refer this matter to Mr. Nussmeyer for him to take a look at it and report back at the next meeting.

RE: LETTER OF APPRECIATION

The following letter was received by the Commissioners, from Mr. & Mrs. Benson Strunk of 6101 Feltman Drive:

Dear Sirs:

During the past 4 years we have pleaded and petitioned to have our street, Feltman Drive re-surfaced. All we ever got was promises.

You gentlemen have been in office less than 6 months and we have had our street re-surfaced, and a very good job was done.

We want you to know that we appreciate very much your co-operation and we sincerely thank you for the fine work done by the County Highway Department on Feltman Drive.

RE: MR. HOTZ

Mr. Hotz said they had recently requested that a walk be placed at Alcoholics Help Inc. and construct it with the brick from the demolition of the old boiler room, but in wrecking the building, the wrecking ball was used and the bricks were broken to pieces, so he would like the permission of the Commissioners, to change the material to cement. He said that he has funds to do this.

Commissioner Willner moved that they be permitted to build a cement walk. Commissioner Schaad seconded the motion. So ordered.

Mr. Hotz said that most of the Commissioners have looked at the old Carpenter Shop and the building is ready for demolition.

Mr. Crooks suggested that the Fire Department burn the roof and the floors and they could take a bulldozer to the walls and let Mr. Willard haul it away for rip rap. He said the building could be renovated if storage space was badly needed.

Commissioner Willner said he would like for the building to be left standing, since it is structurally safe. The other Commissioners agreed, so nothing will be done to the building at the present time.

RE: CODES OF VANDERBURGH COUNTY.....DRAFTING COMMITTEE NAMED

Commissioner Ossenberrg said that the Vanderburgh District Board has been working very closely with the County Commissioners to develop some new building codes related to site conditions. He said the Commissioners had received a letter from Leland Schnepfer, Chairman of the Board, which outlined some basic ideas for their consideration. Mr. Pugh, at that time, asked the Commissioners not to take any action on the letter until the district could win support for the proposal from other influential groups in the community. Copies of the letter were sent to several groups, who have now responded affirmatively to the intent of the proposals. He said the Commissioners and Surveyor met with Mr. Pugh last Monday and the Commissioners came up with a drafting committee, which will consist of Mr. Tom Pugh as temporary chairman; Mr. Jerome Crooks, Building Commissioner; Mr. Richard Nussmeyer, County Surveyor; Mr. George Wandel, County Engineer; Mr. Sam Elder of the Health Department and Mr. Tom Swain for the legal radifications of it. He said that this is a drafting committee that will come up with recommendations and then there will be a public hearing on same, as Indiana law requires hearings to be held before the codes are officially adopted by vote of the County Commissioners.

RE: ROAD NAME CHANGED

Commissioner Willner said the Commissioners passed a resolution to change the name of Mosquito Road to Darmstadt Road and he presented the resolution for the signatures of the Commissioners.

RE: MEETING DATE CHANGED

Commissioner Ossenberg announced that the regular meeting of the County Commissioners, next week, will be held on Tuesday, May 29th, 1973, at 9:30 a.m., due to the Memorial holiday on Monday. He said that he will be unable to attend this meeting and that Commissioner Schaad will be chairman of that meeting.

RE: STATUS OF PROPOSED DARMSTADT INCORPORATION

Commissioner Ossenberg said the Commissioners met on the proposed Incorporation of Darmstadt and that Commissioner Willner is gathering figures from the towns of Poseyville, Cynthiana, Elberfeld and Haubstadt, and the Commissioners have agreed to have another public hearing at the 4-H Center, probably in the middle of June.

RE: MR. JACK MILLER

Mr. Miller asked about the merging of departments, questioned the status of the consolidation bill and commented on the Incorporation of Darmstadt.

County Attorney Swain answered his questions but Mr. Miller, apparently wasn't satisfied.

Commissioner Ossenberg suggested that Mr. Miller write the Attorney General for an opinion.

Mr. Miller said that if the Attorney General won't give the Commissioners an opinion, he knew that he wouldn't get one, that he had written to him but doesn't expect an answer.

Commissioner Ossenberg commented that if the Commissioners vote affirmative on the Darmstadt petition, he imagined that the Attorney General would then render an opinion.

Mr. Miller said that he only wanted one question answered and that is, if the Consolidation is in effect today or if it has to go to a referendum.

County Attorney said that consolidation is in effect but that it is not operative.

After many comments by Mr. Miller,  
The meeting recessed at 11:55 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u>                      | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u>          | <u>REPORTERS</u>                                  |
|--|-----------------------|----------------------------------|---|
| Thomas Ossenberg<br>Bob Schaad<br>Robert Willner | Lewis F. Volpe        | Thomas Swain<br>William Stephens | A. Jackson<br>C. Leach<br>S. Clark<br>B. Thompson |

Secretary: Margie Meeks

Bob Schaad  
Robert Willner  
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
MAY 29, 1973

The regular meeting of the County Commissioners was held on Tuesday, May 29, 1973, at 9:30 a.m. with Vice President Schaad presiding.

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

RE: EMPLOYMENT CHANGES....APPOINTMENTS

LAW LIBRARY

Marilyn Merchant 3113 E. Cherry St. Library Clerk \$70.00 Eff: 6/4/73

AREA PLAN COMMISSION

Dorothy Grubb 1627-A W. Franklin Jr. Secretary \$4,720.00 Eff: 5/16/73

RE: EMPLOYMENT CHANGES....RELEASED

AREA PLAN COMMISSION

Dorothy Grubb 1627-A W. Franklin Clerk \$4,270.00 Eff: 5/16/73

RE: LETTER FROM AREA PLAN COMMISSION....VIOLATION

A letter was received from the Area Plan Commission on a reported violation of the Municipal Code, in that the County owned property at 2820 C Street is full of junked cars and it needs to be cleaned up, also that the sidewalks are in bad condition. It also stated that the county owned lot at 1914 S. Governor Street revealed debris and high weeds, which in the opinion of the inspector constitutes an eyesore and is in violation of the Municipal Code, also that unless this violation ceases within ten days of the date of this letter, it will be necessary for them to refer this matter for legal action.

This matter was referred to Mr. Hotz for inspection of these lots.

RE: LETTER FROM H. L. PATTON....TUPMAN CEMETERY

The following letter was received by the Commissioners, addressed to Mr. Schaad:

Dear Mr. Schaad:

The Tupman Cemetery Association requests that you have the County Surveyor survey and establish property lines for the county portion of Tupman Cemetery. This action will also permit the establishment of responsibilities for care and maintenance of the two sections of the cemetery.

Your prompt attention to this request is appreciated.

Signed, H.L. Patton, Sec-Treas. Tupman Cemetery Assn.

Commissioner Willner moved to refer this matter to the County Surveyor. Commissioner Schaad seconded the motion. So ordered.

RE: LETTER FROM TOM PUGH....EVERGREEN ACRES

The following letter was received by the County Commissioners from the District Conservationist:

Gentlemen:

I have reviewed the street plans for the Evergreen Acres Addition with Mr. George Wandell, County Highway Engineer. He has checked the drainage areas for the proposed storm sewers and they appear to be adequate. My only concern is the fact that these streets go through some fragipan subsoil conditions which will undoubtedly create seepage areas under the streets which may cause unstable base material. These same conditions have caused other streets in the area to break up and some of the problems in Melody Hills have been created by the instability of the soil under the streets caused by seepy layers over the fragipan.

Mr. Wandell and I studied the regulations for street construction and find we have no way to require "French Drains" along the upper side of the street to intercept these seepage flows and prevent this condition. These French Drains might add 25 to 50 percent to the lifetime of the street while increasing the original cost by only 2 to 3 percent. Indiana State Highway is now placing French Drains on both sides of all paving in addition to the gravel base under the concrete.

This seepy condition causes the saturation of silt which has no more stability to support the loads than would day-old beef steak gravy. However, as pointed out before, present street requirements do not speak to this problem.

We noted a 15 ft. easement along the proposed sewers. We could not determine if this was 15 ft. on each side of 15 ft. in total. I would like to see 15 ft. each side of center line in order to make room for any repair or replacement in the future. Signed Thomas L. Pugh.

Commissioner Schaad said that Rudy Steeler, President of the Home Builders Assn. called and requested that any action on this matter be deferred until they meet with Tom Pugh.

Letter noted as being received and action deferred until after the meeting.

RE: LETTER FROM C. F. BLESCH...VICTORIA LANE

The following letter was received by the Commissioners from Mr. Blesch:

Dear Sirs:

This is to request that maintenance of Victoria Lane, an unimproved county street used by county and Evansville businesses, the U.S. Mail and residents, be borne in the future by Vanderburgh County.

Victoria Lane is located in a small West Side area long-neglected which includes Speaker Road, Noldau Ave., Daniels Ave. and Crestwood Drive.

Any consideration and improvement which you feel is justified is appreciated.

This matter was referred to Mr. Nussmeyer to check on the matter.

RE: APPRAISALS OF COUNTY OWNED PROPERTY

The County Commissioners had requested that the County Assessor, Jim Angermeier, make a realistic appraisals on county-owned properties, so that they can be advertised for sale.

The County Assessor has now completed the appraisals on these 66 parcels and has submitted his findings to the County Commissioners, with the following letter enclosed:

Gentlemen:

I am abiding by a request of the County Commissioners to appraise County owned property and to return an appraised value of such property. After appraising such property individually on location and by studying market data and using appraisal practices and procedures the market is completed and presented to the Commissioners for their consideration. However, there is no way to determine what the market value or sale price would be without first testing the market for prospective buyers.

However, in our thorough and comprehensive discussion held on May 14, 1973, attended by Commissioners, Ossenber, Schaad and Willner and later to be joined by County Attorney, Thomas Swain, it was thoroughly explained that the duty and responsibility of the office of County Assessor is to maintain the values of adjoining property owners. With that in mind and using the appraised values each property was appraised accordingly. I am trying to ascertain such values that could be received if the proper approach for prospective buyers by adjoining property owners could be pursued by a bid from such.

The office of County Assessor has rendered this service to the County Commissioners at a minimum of mileage expense of approximately \$27.00.

I wish to include my thanks for the assistance and thorough knowledge of my Chief Deputy, Mary Garrison, who assisted me in each appraisal. She has completed courses in appraisal both in 1971 and 1972 at Indiana University. I have also completed these courses as well as a course in appraisal at University of Evansville and a course at Indiana State, Evansville, to obtain my Real Estate license.

In the future this office is more than willing to render this professional service for the people of Vanderburgh County at no additional cost.

A listing of the parcels that will be sold on June 25, 1973, are listed on the back page of these minutes.

Commissioner Schaad suggested that Mr. Angermeier be written a letter of thanks, as this required a lot of work, also that Mr. Angermeier was very conscientious and did a beautiful job.

County Attorney said that anyone could send in a sealed bid if they so desired and the bid could be opened on the day these parcels were sold.

Commissioner Schaad said it would be well for someone to mark the locations of these parcels on a map, since someone may be interested in purchasing more than one parcel, if they are close together.

County Attorney Stephens suggested that Area Plan be asked to prepare the map.

Mr. Volpe suggested that since there are so many parcels, that the sale be held at a Commissioners meeting.

Commissioner Willner moved that the proposals for the sale of county-owned property be referred to Area Plan so they can mark a map, showing the location of parcels by numbering them with correspondent number on the map and have them by date of sale. He also moved that the Auditor be instructed to advertise these parcels for sale and that 20% of purchase price be paid at time of sale, the balance to be paid at time of delivery of deed. Commissioner Schaad seconded the motion. So ordered.

The ad for the sale will appear in both newspapers on June 1, 8, 15 & 22, 1973, the sale to be held on June 25, at 9:30 a.m. in the council chambers.

Mr. Volpe said that these parcels were taken from the tax sale books and there are probably other pieces of property that have been picked up by the county, by various other ways and he will get to these later.

Commissioner Willner said if the lots don't sell separately, then when the auction is over, they can be listed in a lump sum.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was received by the Commissioners from the American Employers Insurance Co. on the insured, U. S. Sheet Metal & Roofing Co. Inc. Certificate received and ordered filed.

RE: CLAIMS

A claim was received from Paul Hatfield for the appraisal of 3322 N. St. Joseph Avenue, in the amount of \$450.00.

A claim was received from Evansville Titles Corp. for partial abstract of title to Pt. SW 1/4 Section 35-6-11, Re: L & N Railroad Co.

A claim was received from Torian Agency for continental policy #YC.02 03 64 covering yacht and trailer, in the amount of \$190.00.

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

RE: ALFRED W. MARTIN

Mr. Martin said that he was in the process of purchasing some property at 523 Cherry Hill Drive and at the time he made a deposit on this property, he was unaware that there was an open ditch across it, about 204 feet long, that all the septic tanks in the entire community drain into this ditch. He said that he had talked to the Health Department and was told it could not be filled. He said the other side of the road was tiled by the county.

Commissioner Willner said the county would have only tiled it on the county's right-of-way.

Mr. Ludwig said he met with Mr. Martin and looked at it and the part that was tiled belonged to the developer and the Health Department wasn't certain who tiled it.

Commissioner Schaad explained that if the problem is on the county right-of-way, it is the responsibility of the county but if it is on private property, the county doesn't enter into it, unless it is a legal drain, then the drainage board is involved.

Mr. Martin said there is an odor from the ditch and from the color of the water, you can tell that there are some septic systems draining into the ditch.

County Attorney Stephens said sewage can't be drained into an open ditch, legally, and Mr. Martin should go to the Health Department and file an official complaint as they have jurisdiction and they should notify the people to improve their sanitary systems so as to stop this drainage into the open ditch.

Mr. Martin asked if he could get his deposit back.

County Attorney Stephens suggested that Mr. Martin go back to the person that he is buying the property from and tell him the situation and he might offer to tile it, and if he won't, suggested that he get a lawyer.

RE: POOR RELIEF:

Mrs. Phyllis Herron....210 E. Florida St. & 503 Underhill Circle...residences. Mr. Jack Chaddock, Knight Township Trustee and Mr. Bob Morrison, Pigeon Township Trustee were both present since there is a question as to which township is responsible for Mrs. Herron.

Mrs. Herron said that when she went into the hospital, she lived at 503 Underhill Court, in a trailer with a friend, so she went to the Knight Township Trustee and they told her that they could not help her because she didn't live in Knight Township and when she went to Pigeon Township Trustee, they said they couldn't help her because she didn't live there when she went into the hospital.

Mr. Chaddock said there was a mix up in jurisdiction and he didn't have her application. He did have a copy of her admittance sheet from Welborn Memorial Baptist Hospital, which was dated 5/8/73, at which time the patient gave her address as 210 E. Florida Street, also a notation for her mother to apply to Pigeon Township for assistance. He said he checked with Underhill Trailer Court and found that this trailer was rented to a Judy Higgins and no one else was supposed to be living there so he assumed that she was just visiting. He said Mrs. ~~Martin~~ has a small child and suggested she make application today, to the Department of Public Welfare, for A.D.C. which might solve the problem.

Mrs. ~~Martin~~ said that she is divorced and her ex-husband is paying no alimony, that she has no job and is 18 years of age. She thought her ex-husband to be in Denver, Colorado.

Commissioner Willner asked Mr. Morrison if he didn't require people to file a formal complaint against their former husband before he will give them assistance.

Mr. Morrison said that he certainly did.

County Attorney Stephens asked Mrs. ~~Martin~~ if the hospital was pressing her for her bill.

Mrs. ~~Martin~~ said that the hospital and the doctor both were.

Mrs. <sup>HEPPEL</sup>~~Martin~~ was then advised to first go to the Prosecutors office and file a complaint against her ex-husband and then go to the Welfare Department and file for A.D.C.

RE: PUBLIC HEARING SET

Commissioner Schaad announced that there will be a public hearing on the proposed Incorporation of Darmstadt, which will be held on Thursday, June 21, 1973, at 7:00 p.m. at the Rural Youth 4-H Auditorium.

Commissioner Willner moved that the Auditor be authorized to prepare notice for the newspaper, to be advertised one time in each newspaper. Commissioner Schaad seconded the motion. So ordered.

RE: CUTS-IN

The following cuts-in were presented for the Commissioners approval.

Indiana Bell Telephone Co. requested permission to cut into Old Boonville Hwy. to bury a telephone cable. F-5677-73

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Indiana Bell Telephone Co. requested permission to cut into Smith Diamond Rd. between Welborn Road and West Franklin Road to bury telephone cable. F-7976-73

Commissioner Willner said that it seems the utility companies are saying that the rain doesn't bother them as far as installations are concerned, but that when it comes to the repairing, the rain bothers them and he is getting a little tired of it.

Commissioner Willner moved that the cut-ins be approved and that the utility companies be informed that the Commissioners would like repairs to be made as soon as possible, especially if they dig through the pavement. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIM

Mr. Nussmeyer presented a claim from Mr. Fred Johnson in the amount of \$9,390.25, amount due on estimate #2 for completed work between February 28, 1973 and May 18, 1973, on Twickingham Drive in Melody Hills. He said the job wasn't completed as yet but that Mr. Johnson is due this amount.

Commissioner Willner moved that this claim be approved on the recommendation of Mr. Nussmeyer. Commissioner Schaad seconded the motion. So ordered.

RE: DRAINAGE PROBLEMS

Commissioner Willner said that the Commissioners had previously asked that the drainage in Hillsdale be looked into, also Curran Drive and Laurel Lane. He said there were some people asking about what decision was reached and he was unable to tell them.

Mr. Willard said there is a high bank on Laurel Lane, with a drop-off and the bank will have to be cut back.

Commissioner Willner said that Mr. Willard has looked at this several times and that he needs an engineer.

This matter was referred to Mr. Nussmeyer's office so he and Mr. Willard can decide what needs to be done in these areas.

Mr. Ludwig presented a drawing of the proposal of Hillsdale and said the biggest problem is the drainage of Walnut Lane and they have all sizes of pipe out there, that the pipes are clogged and broken and the drainage is going into the yards. He said if the people would get a standard size pipe for their driveways, they could put in ditches that would drain the water. It was recommended that the County Road Inspector, inform these people, that if they want their ditch cleaned out, they will have to purchase a 15 inch tile for their driveways and the county will install them.

Mr. Koch said he will go out to see these people on Thursday.

Commissioner Schaad said it should be made clear, that this will help but that it won't be a cure-all, if there is a real hard rain.

This matter was then referred to Mr. Koch.

RE: REQUEST FOR MAINTENANCE OF ROAD

The following letter was received by Mr. Nussmeyer, from Mr. Curtis F. Stinson:

Dear Mr. Nussmeyer:

The undersigned developer of Edgewater Estates, an unrecorded subdivision lying in the northwest quarter of Section 16, Township 5 South, Range 11 West in Vanderburgh County, did on August 6, 1959, make a grant and dedication of Edgewater Drive and Estate Drive, two roadways lying in such subdivision which grant and dedication is of record in Deed Record 419, page 77, in the office of the Recorder of Vanderburgh County, Indiana.

More than six years ago, Vanderburgh County began the maintenance of Edgewater Drive and Estate Drive as county roads and has continued such maintenance through 1972.

The undersigned, on behalf of himself and all other owners of real Estate in Edgewater Estates, petitions that Edgewater Drive be accepted as a county road from a culdesac on Lot 14 north, east and south to its intersection with Weiss Road, and also accept for maintenance Estate Drive from the point of intersection with Big Cynthiana Road, west a distance of 1,000 feet to the intersection with Edgewater Drive. Respectfully submitted, Curtis F. Stinson

County Attorney Stephens said that he checked and found that this road hasn't been accepted by the county so he asked Mr. Stinson to write this letter to the Commissioners. He asked Mr. Nussmeyer to fill out a resolution form, if this is what he wants to do, and he will put it in the book as a county accepted road. He also said that there is adequate right-of-way.

Commissioner Willner said this is okay, but if they do it for one, they should do it for all.

County Attorney Stephens said this is on the assumption that a road has been maintained by the county.

Commissioner Schaad said there are probably some roads on the list that haven't been maintained and may need to be taken off the list.

County Attorney Stephens said the way they are doing it now, if someone wants something done on a road, is to check the list and if it isn't on the list, they are checking with Mr. Willard, to see if it is on his card system, and if it isn't on it, then nothing can be done unless it is approved by the Commissioners, and even if it is on his card system, but not on the list, it will have to be accepted before anything can be done.

RE: GOEBEL LANE

Mr. Willard said the county maintained Goebel Lane sometime ago and someone lived back there, but from his house to the new road, it has grown up in weeds and the county has 30 feet of right-of-way and we are getting gasoline tax on it. He said that the resident won't let anyone back there but that when he dies, his sons plan to sub-divide it.

Mr. Willard thought they might try to make the county build a road back there, but Mr. Biggerstaff told him that on the new set-up, they would have to build the new road according to the specifications of the county.

RE: PAYMENT RECEIVED FOR MO-TRIM

Mr. Willard presented a check from the Union Township Ditch Association, in the amount of \$6,600.00, for the Mo-trim that they purchased from the county. The check will be deposited in the Highway Account.

RE: MR. WILLARD .... GRAFF ROAD

Mr. Willard said the county has spent about \$38,000 to build Graff Road, down in Union Township, and some farmer came out there with a piece of equipment and made holes in the new blacktop road. He had an idea that it was one of Ervin Burgdorf's employees.

Commissioner Willner moved that the County Attorney write Mr. Burgdorf a letter on this matter. Commissioner Schaad seconded the motion. So ordered.

Mr. Koch suggested that a news item be inserted in the newspaper, as to the statute on this matter and telling the men to be careful on these roads.

Commissioner Schaad asked Mr. Gene Clabes to insert such a news story in the newspaper, to the effect that the County Commissioners are going to investigate such damages, because a great amount of money is spent in building these roads.

RE: ABSENTEE LIST

Mr. Willard presented an absentee list of the county garage employees for the past week. Report received and filed.

RE: TRAFFIC ENGINEERING REPORT....ST. WENDELL ROAD

Mr. Lochmueller presented the following Traffic Engineering Report on St. Wendell Road:

Re: Installation of speed signs, enforcement, and painting of center lines on St. Wendell Road.

A comprehensive investigation of traffic conditions and physical characteristics on St. Wendell Road was conducted to determine if guard rails should be installed to increase safety and lessen the number of accidents on this corridor.

Volume counts on St. Wendell Road were conducted for 24 hours (May 17), 1973.

An accident inventory and collision diagram was prepared for St. Wendell Road for a period of 2 years and 5 months.

A physical inventory was conducted on St. Wendell Road. St. Wendell Road is narrow and has many curves throughout its length. The Right-of-Way varies from 30' to 50'.

The speed of vehicles using this road is much too high for this type of facility. Mr. Norman Kissel has placed posts on his property on St. Wendell Road one mile south of St. Wendell Road to prevent vehicles leaving the road and colliding with his home.

The majority of accidents that has occurred in the Kissel area were due to driver error, not physical roadway limitations.

#### RECOMMENDATIONS

It is the opinion of the C.O.G. Staff that this section of roadway on St. Wendell Road is lacking in sufficient traffic control devices and enforcement. In order to improve this situation we recommend:

1. The installation of warning signs with advisory speeds attached thereto.
2. The installation of 35 m.p.h. speed signs along St. Wendell Road.
3. The painting of reflective center lines along the entire length of St. Wendell Road.
4. Strict enforcement of the speed signs.

We feel that when these improvements are implemented in accordance with the State Manual on Uniform Control Devices, it will greatly improve safety and decrease accidents along this corridor.

Mr. Volpe wondered if rumble strips couldn't be placed on the roads as a warning device.

Commissioner Willner said this was discussed before and there was a question as to if it was legal or not.

The Commissioners agreed that the recommendations on St. Wendell Road be followed. County Attorney said that he would prepare the proper papers.

#### RE: MR. CROOKS

Mr. Crooks said that Commissioner Willner went to look at the Kissel property on St. Joseph Avenue, that the county is trying to sell.

Commissioner Willner said he thought this house was sellable, but that the appraised value was set too high. He asked the County Attorney if the County Assessor couldn't re-appraise the property at a realistic price, and use his figure in trying to sell it.

The County Attorney said that this would be perfectly all right.

Commissioner Willner then moved that the County Assessor be requested to make a realistic appraisal on this property. Commissioner Schaad seconded the motion. So ordered.

#### RE: MR. HARNESS

Mr. Harness said that they will be moving the surplus property that is to be sold, from the Pleasantview Rest Home on Friday, to Curran Miller's place of business, for sale of same.

#### RE: MR. KOCH'S REPORT

#### DRAINAGE PROBLEMS

1. Received call from Mr. Frank Boyd of Oglesby Tool & Die Co., 7809 Baumgart Road, bad drainage, water stands in front of his office. This firm is one of the new industries in the area and two others under construction and more planning to locate in the area. Burch Plow Works are also vitally interested in the drainage problem in this area.

Mr. A.V. Burch Jr. felt that the ditch that runs in the rear of their plant, could be properly dredged and perhaps made wider, remove all brush and growth, also make a straight cut. He also mentioned that the ditch on the opposite side of Baumgart Road be made wider and larger culvert installed, this would afford much relief.

The big problem lies with the U.S. Corps of Engineers to correct the Little Pigeon Creek flow, this at present stalled due to lack of funds, however, it would seem with Federal funds in the Air Port and No. 41 Hi Way, both adversely affected, some immediate steps be taken to give relief.

In this immediate area, a much better set up on Baumgart Road can be made, than what is now in place, full of chuck holes, poor ditch drainage, high shoulders and water standing in many places of this road. We need to assume a more practical and engineering type of performance, with a new \$15,000 County Engineer, there should be none such in the future, and there is a dire need for better training of our Road Supervisors to obtain sound results.

2. Bad wash out on Burkhardt Road, south, some 500 feet of Hirsh Road in area where new bridge to be constructed. Matter of some 2 months standing. Washing out edge of road forms a vicious road hazard. Blinkers are being knocked down. What we need to do is to place a steel plate or heavy wood timbers over the hole, and put up a warning sign. In the past we have been too negligent on such matters, Blaming one utility or the other for such conditions. They're the county roads and we need to protect the car users traveling on same. Let there be no further delay on same.

3. County bridges with 2 and 4 ton load limit signs. One such on Kansas Road. What of our rural fire department equipment weight from 8 to 14 tons loaded. Could not some temporary under support be given until such time as new and wider bridges are put in place. Many cases need to go miles out of their regular run causes delay in rescue and fire fighting time. Such should not be too costly and would give the needed results. Other localities have done just this in emergency.  
Signed John A. Koch, Road Inspector

The meeting adjourned at 11:30 a.m.

PRESENT

COUNTY COMMISSIONERS

Robert Schaad  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEY

William Stephens

REPORTERS

C. Leach  
A. Jackson  
G. Clabes

Secretary: Margie Meeks

*John Schaad*

*Bob Schaad*

*Robert L. Willner*

BOARD OF COUNTY COMMISSIONERS

1. 22-70-12....1902 Judson....Lot 13..Blk.4, Oakdale.....
2. 7-156-18...209 S. Elm St..Pt. L.32&33..Dorothy Acres....(18-138-11)
3. 7-218-6....2200 Blk. Bosse Ave. Pt. Blk. 5.....
4. 12-112-5....2317 Kathleen..Eastview Terr. L.5, Blk. 12...
5. 12-115-2....Behind Fickas Rd. Pt.L.1...Fickas Sub.....
6. 21-74-7.....812 Line St. Southern Enlg. L.7, Blk.20.....
7. 22-68-14....1814 Emmett St. Crofton Pl. L.14, Blk.5.....
8. 22-70-23....1809 Judson St., Oakdale, L.5, Blk.5.....
9. 22-70-24....1811 Judson St., Oakdale, L.6, Blk.5.....
10. 22-71-31....1811 S. Governor, Oakdale, 135 ft.L.5, 23 ft.L.6, Blk 3
11. 22-73-33....1923 S. Governor, Oakdale, Pt.L.30 & 31, Blk.3
12. 22-76-18....1821 S. Garvin, Kronenberger Add. to Oakdale, L.24, Blk.1
13. 22-77-2.....1904 S. Elliott, Kronenberger Add. L.3, Blk.2
14. 22-77-26....1905 S. Garvin, Kronenberger Add. to Oakdale, L.33 & 34, Blk.2
15. 24-21-8.....617 E. Sycamore, Garvin & Browers Add. L.9, Blk.3
16. 27-57-7.....816 N. Third Ave. Beckers 1st. Add. Pt.L.8, Blk.2
17. 31-42-3.....Cardinal Dr. Parkland Annex, Pt.L.1, Blk.2
18. 32-38-19....2820 C St. Ingleside, L.42, Blk.4
19. 32-40-17....2806 Dennison, Ingleside, Pt. L.45, Blk.5
20. 32-40-18....2804 Dennison, Ingleside, L.46, Blk.5
21. 32-40-19....Next to 2804 Dennison, Ingleside, L.47, Blk.5
22. 18-160-34...Next to 363 Craig, Eville-Indl. Add. L.33, Blk.71
23. 34-175-14...2506 Second Ave. Beverly Hghts. L.3, Blk.15
24. 13-39-23....1000 Blk. of Gum. Kenmore Pl. 1.5 ft. Lot 24
25. 21-19-11....402 John St. Northeastern Enlg. Pt. L.17 & 16, Blk.3
26. 22-70-11....1820 Judson St. Oakdale, L.12, Blk.4
27. 22-70-27....1815 Judson St. Oakdale, L.9
28. 22-70-39....behind 229 Sweetser, Oakdale, Pt. L.7
29. 22-73-23....1922 S. Governor, Oakdale, L.32, Blk.2
30. 22-76-21....1815 S. Garvin, Kronenbergers Add. L.27, Blk.1
31. 22-77-23...next to 1919 S. Garvin, Kronenbergers Add. to Oakdale, L.28, Blk.2
32. 24-39-35....823 John St. Ballards Add. 19' L.12, Blk.2
33. 25-101-1....701 E. Maryland, Scholz & Nolan 2nd.Add. L.1, Blk.5
34. 12-18-14....next to 1717 Eastwood Ave. Eastwood Terr. L.166
35. 12-18-13....next to 1717 Eastwood Ave. Eastwood Terr. Pt. L.165
36. 22-77-22....1919 S. Garvin..Kronenbergers Add. to Oakdale, L.27, Blk.2
37. 18-160-16...Werner Ave. Evansville Industrial Add. L.16, Blk.71
38. 21-59-23....781 S. Governor St. Southern Enlg. L.13, Blk.21
39. 21-78-7.....913 Line St. Southern Enlg. 25' L.9, Blk.18
40. 34-161-14...2433 Edgar St. Avondale, L.118 B
41. 16-67-20....2000 Blk. of Polster, Vernon Terr. 2nd. amended, Pt. L.21
42. 17-40-8....940 N. Boeke, Pt.S.E. N.W. 22-6-10
43. 22-70-32...Next to 1905 Judson. Oakdale, L.15, Blk.5
44. 22-73-20...1914 S. Governor, Oakdale, L.28, Blk.2
45. 24-45-6....533 Canal, Gordon Add. L.7, Blk.2
46. 21-55-17...660 Governor, Elliotts Enlg. L.6, Blk.3
47. 28-56-6....1812 N. Grove. Blankenburgh..L.4, Blk.15
48. 34-165-34...2506 Edgar St. Avondale Sub. Lts. 7,8,9 & 43, Blk.B
49. 21-59-7....770-774 Line St. Youngloves Enlg., 15 1/4 L.12,13, Blk.2
50. 21-67-3....756 Judson St. Southern Enlg. 19 1/2 L.4, Blk.16
51. 22-70-6....1810 1/2 S. Garvin, Oakdale, 23' L.7, Blk.4
52. 22-73-2....1909 S. Elliott St. Oakdale, L.22, Blk.1
53. 22-73-10...1925 S. Elliott St. Oakdale, Lts. 31 & 32, Blk.1
54. 22-73-12...1933 S. Elliott St. Oakdale, L.35, Blk.1
55. 22-76-19...1819 S. Garvin, Kronenbergers Add. L.25, Blk.1
56. 24-29-5....609 Olive St. Bullens Sub.A, Walnut St. Add. L.5
57. 24-30-5....631 Olive St. Walnut St. Add. L.15 & 15' of L.16
58. 24-35-6....Next to 670 E. Cherry, Rietman & Schulte's Add. 5 ft. L.6, Blk.5
59. ~~22-69-13...314 Sweetser, Crofton Pl. L.18 & 19, Blk.4~~
60. 31-38-13...behind 725 Reis, Dixie Bell Add. Pt. L.14 & 15, Blk.2
61. ~~22-70-5...1810 Judson St. Oakdale L.6, 2ft. L.7, Blk.4~~
62. 22-70-27...1815 Judson, Oakdale, L.9 & 10, Blk.5
63. ~~24-21-8...617 E. Sycamore, Garvin & Browers, L.9, Blk.3~~
64. ~~25-85-6...645 E. Missouri St. Kumlers Add. L.11 & 12 1/2 L.12, Blk.6~~
65. ~~24-42-14...502 S. Evans Ave. Ballards Sub. L.30, Blk.6~~
66. ~~24-36-56...444 S. Linwood, Rietman & Schulte's, L.20, Blk.7~~

Vanderburgh County reserves the right to waive any formalities or to reject any or all bids.

By order of the Board of County Commissioners this 29th day of May, 1973.

BOARD OF COUNTY COMMISSIONERS

THOMAS OSSENBERG  
ROBERT SCHAAD  
ROBERT WILLNER

LEWIS F. VOLFE, AUDITOR

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COUNTY COMMISSIONERS MEETING  
JUNE 4, 1973

The regular meeting of the County Commissioners was held on Monday, June 4, 1973, at 9:35 a.m. with President Ossenberg presiding.

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

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

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

PIGEON TOWNSHIP ASSESSOR

|                   |               |                 |             |              |
|-------------------|---------------|-----------------|-------------|--------------|
| Roberta Burkhardt | 507 Herndon   | Pt. Time Deputy | \$15.00 Day | Eff: 5/23/73 |
| June Hallenberger | 1409 Fountain | Pt. Time Deputy | \$15.00 Day | Eff: 5/30/73 |

COUNCIL OF GOVERNMENTS

|            |                    |               |            |             |
|------------|--------------------|---------------|------------|-------------|
| Mary Brown | 829 S.E. Riverside | Admn. Planner | \$4.00 Hr. | Eff: 6/4/73 |
|------------|--------------------|---------------|------------|-------------|

\*Note: Hourly salary is for 2 weeks training period as approved by County Council on May 16, 1973.

COUNTY SURVEYOR

|                 |                  |           |             |             |
|-----------------|------------------|-----------|-------------|-------------|
| Jeffrey Mueller | 4912 Conlin Ave. | Draftsman | \$5,200 Yr. | Eff: 6/1/73 |
|-----------------|------------------|-----------|-------------|-------------|

RE: LETTER FROM BRINK'S INC. ...NEW WAGE AGREEMENT

The following letter was received by the Clerk of the Circuit Court, from Brink's Inc.:

In view of the President's announcement of January 11, 1973, Brink's Incorporated and its subsidiaries will continue to hold prices to those that would have been dictated under the "allowable cost" increase formula in effect prior to that time: therefore, the price increase covered by this letter would, in our opinion, have been approved by both the Interstate Commerce Commission, under whose jurisdiction Brink's Incorporated operates, or by the Price Commission if their approval had been required.

On February 5, 1973, a new wage agreement will be effective at this branch which will have, with other "allowable cost" increases, established a new price for the services rendered to your account as indicated below:

Effective July, 1, 1973, our charges to your account will be as follows:

Item a & b: \$62.00 per month

All other terms of our present contract dated 3/26/70 #24541, will remain the same.

Brink's Incorporated operates under Interstate Commerce Commission regulations as a contract carrier (Permit No. MC-124328); therefore, it is important that you sign and return the attached copy of this letter or the enclosed documents indicating your acceptance of this adjustment. A stamped, self-addressed envelope is enclosed for your convenience.

May we express our appreciation of your favorable consideration of this matter and your patronage. If you have any questions, please call our Evansville office.

Signed by Thomas F. Horigan, General Manager.

Letter received and filed.

RE: LETTER FROM EVANSVILLE-VANDEBURGH COUNTY BUILDING AUTHORITY  
NEW SPACE ASSIGNMENTS

The following letter was received by the Commissioners:

Dear Mr. Ossenberg:

Since April 18, 1972, there have been re-assignments of space as per the attached list.

You have previously approved these assignments as has our Board of Directors.

In accordance with the provisions of the Lease, whenever such adjustment of space is made, the liability of the City and the County for rentals provided for in Section 301 and 302 shall likewise be adjusted ratably to reflect the change in the amounts of space allocated to them.

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Considering these new space assignments, the conversion to the new rental percentage is herein displayed and will be the basis for the 1974 budget which will be presented to you on or before June 15, 1973. Sincerely, C.G. Ruston

Letter received and ordered filed.

RE: LETTER FROM INDIANA ASSOCIATION OF COUNTY COMMISSIONERS

Commissioner Ossenberg said that he received a letter from the Indiana Association of County Commissioners, stating that the Southwestern District meeting was set for Thursday, June 7, 1973. He said that he brought the letter to an open meeting, to see if any of the Commissioners plan to attend the meeting.

Commissioner Willner said that he will probably be able to attend.

Commissioner Ossenberg said he also received a notice of his association dues in the amount of \$10.00.

Mr. Volpe said that this is a personal obligation, that the only organization that is approved by the state, to be paid from public funds is the Association of Indiana counties.

RE: GENERAL FORM STATUS INQUIRY RECEIVED

An inquiry was received by the Commissioners, from the American States Insurance Co., as to the status of D.K. Parker Co. Inc., on replacement of Bridge #88, located on Mt. Pleasant Road, 1/8 mile west of Hwy. 41, Evansville, Indiana.

After checking on this, Mr. Volpe said that in November of 1972, they presented a bill of \$10,120.00 and the county paid \$9,108.00. holding out the retainage. He said there was a special Council Call in March and the balance in the account is \$16,208.00 and there has never been another bill presented since last November and he would imagine that Mr. Nussmeyer will get a bill. He also said that the contract is not complete.

Mr. Ludwig said that this project will be completed in the next few months. This matter was deferred until a future date.

RE: ADMISSION OF T. B. PATIENTS

The following letters were received by the Commissioners from the City-County Department of Health, Mildred M. Knodel, Tuberculosis Control Officer:

Re: Frank Rowland of 107 Harriet St., Evansville, Indiana...D.O.B. 3/15/92

Dear Mr. Ossenberg:

The referenced individual was admitted to Good Samaritan Hospital, Vincennes, Indiana on May 15, 1973 for definitive workup and treatment of pulmonary tuberculosis.

Mr. Rowland has Medicare-Medicaid coverage which will probably take care of these hospital and medical expenses; however, he is an indigent individual who will need financial assistance if his insurance benefits do not provide the anticipated coverage.

Re: Marvin Miller of 801 Boehne Camp Road, Evansville, Indiana...D.O.B. 10/12/27

Dear Mr. Ossenberg:

The above individual was admitted to Good Samaritan Hospital, Vincennes, Indiana, on May 23, 1973 for isolation and treatment of pulmonary tuberculosis, moderately advanced active.

Mr. Miller is a transient, alcoholic with absolutely no financial resources, and in need of financial assistance for this medical care.

Commissioner Schaad moved that the assistance needed by these patients be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS ON RENTAL

The following letter was received by the Commissioners, from the Evansville-Vanderburgh County Building Authority, on the Fixed Rental and the Additional Rental:

Dear Mr. Ossenberg:

In accordance with Article III, Section 3.01 Fixed Annual Rental and Section 3.02 Additional Rental, the following amounts will be due and owing as of June 30, 1973.

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| <u>Lessee</u>                 | <u>Fixed Rental</u> | <u>Additional Rental</u> |
|-------------------------------|---------------------|--------------------------|
| City of Evansville            | \$178,488.00        | \$173,969.50             |
| County of Vanderburgh         | 323,531.50          | 315,341.50               |
| Evansville-Vand. School Corp. | 52,980.50           | 51,639.00                |
| Total                         | <u>\$555,000.00</u> | <u>\$540,950.00</u>      |

The Fixed Rental check should be made payable to the National City Bank of Evansville, Trustee. The Additional Rental check should be made payable to the Evansville-Vanderburgh County Building Authority. Sincerely, C.G. Ruston.

The claims presented were for the Fixed Rental in the amount of \$323,531.50, for the last six months of 1973, and for the Additional Rental in the amount of \$315,341.50 for the last six months of 1973.

County Attorney Swain asked if the check for the Fixed Rental shouldn't be made out to the National City Bank and the Evansville-Vanderburgh County Building Authority.

Mr. Volpe said that it could be done this way.

County Attorney Swain said he thought it should be made out to both.

Commissioner Schaad moved that both claims be approved and the fixed rental check be made out to the National City Bank and the Building Authority. Commissioner Willner seconded the motion. So ordered.

RE: MR. W. C. BUSSING.....EVERGREEN ACRES

Mr. Bussing said that he has been seeking the approval of streets in Evergreen Acres for several weeks, in Section K & L and has been, so far, unable to.

Commissioner Ossenberg said that he has been unaware of this for some time.

Mr. Wandel presented the plans and recommended approval of them, on behalf of the County Surveyor, as revised.

Commissioner Schaad moved that Section K & L in Evergreen Acres, upon the recommendation of the County Surveyor, be approved. Commissioner Willner seconded the motion. So ordered.

Mr. Bussing said that he submitted a letter in request of the street acceptance, to the Commissioners, in 1968, but this was never found in the Commissioners minutes, so he has re-submitted the request.

Mr. Wandel said that they are in the process of checking this out, as some research must be done as to the existing conditions at the time the original request was made, before their recommendation can be made.

Mr. Bussing also submitted a sheet on Shady Hills 4 & 5.

RE: OPENING OF BIDS....BACK HOE

The bids were opened for the Tractor Backhoe and Loader Unit with Trade In of a 1962 model. The bids are as follows:

|                              |            |
|------------------------------|------------|
| Universal Tractor Sales..... | \$8,200.00 |
| Hallenberger Inc.....        | \$8,662.71 |
| Brandeis Machinery Co.....   | 10,332.00  |
| International Harvester..... | 11,462.00  |
| K & W. Equipment Co.....     | 8,500.00   |

Commissioner Schaad moved that these bids be taken under advisement for one week and referred to Mr. Cravens, so that he can check them and come before the Commissioners next week with a recommendation. Commissioner Willner seconded the motion. So ordered.

RE: OPENING OF BIDS....ROAD CONSTRUCTION

The bids were opened for the resurfacing with bituminous material of 8.785 miles of county roads. They are as follows:

|                              |                           |                  |
|------------------------------|---------------------------|------------------|
| Midwest Construction Co..... | Hot Asphalt.....          | \$144,789.50     |
| J. H. Rudolph Co.....        | Bituminous Materials..... | 140,203.30..Alt. |

The Engineer's estimate was \$153,000 & \$151,000.



RE: MR. WILLARD

Mr. Willard submitted an absentee report of the county garage employees for the past week. Report received and filed.

Mr. Willard said that he needs a mechanic at the garage, that he has someone in mind but the man won't come out there for less than \$3.50 per hour and the county pays \$3.42 1/2 per hour.

County Attorney Swain said they would need to amend the salary ordinance from \$3.42 1/2 to \$3.50.

Commissioner Ossenbergh said that he has one possibility he has to work on and he will let Mr. Willard know what he finds out next week.

RE: SCHISLER ROAD

Mr. Koch said that Schissler Road is in a very bad condition and that it is the county's fault that the condition exists. He said that this road has been there for a good many years and he didn't think that an effort had ever been made to clean the ditches on this road and the water runs over the road. He said that the Post Office is speeding up their service and they would like to have this road improved. He said that the people out there have to walk a quarter of a mile to get their mail. He asked the Commissioners if they were familiar with this situation. He said that the sum of cost estimated at \$2,000 seems too high for the repair of this road.

Commissioner Schaad said that the request for repairing this road was turned down because of the cost, when it would only benefit four families of the twelve that live there, as the rest of them don't want it.

Mr. Willard said that they installed a pipe at Schissler and West Franklin Road, which should help drain off the water.

County Attorney Stephens said that he would write a letter to the Post Office informing them of the action of the Commissioners on this road.

Mr. Koch said he was told that the other residents didn't want the road improved because they own camps and a lake in the area and thought it would cause too much traffic and would endanger the safety of their cabins, also felt that theft would increase.. He said that cooperation with the Postal authorities at this time, would be in order, to assist them in improving their service as they have been asked to do from Washington and rightly so.

RE: RESOLUTION....ST. WENDELL ROAD

County Attorney Stephens presented a resolution amending the speed limit on St. Wendell Road, as follows:

Whereas, on the 23rd day of October, 1972, The Board of Commissioners of Vanderburgh County, State of Indiana, did adopt by resolution the Master Traffic Control Code of Vanderburgh County, Indiana, providing for the establishment of certain traffic control devices upon certain public highways or parts of highways in said County, and

Whereas, The Board of Commissioners of Vanderburgh County has made a further determination based upon an engineering and traffic survey that traffic congestion hazards along and upon St. Wendell Road are greater than is reasonable and safe under the conditions found to exist upon said highway; and

Whereas, the highway hereinbefore described is a part of the Vanderburgh County road system and is under the jurisdiction of said Board of Commissioners;

SECTION 1. It is hereby determined and declared that Section 3 of the Master Traffic Control Code be and the same is hereby amended to read as follows:

(1V) It shall be unlawful to operate a motor vehicle in excess of thirty-five (35) miles per hour upon and along the following roads, streets, and highways, to-wit:

(w) ST. WENDELL ROAD, from its intersection with Indiana State Highway #65 to its intersection with Boonville-New Harmony Road (5-29-73)  
PASSED by the Board of Commissioners of the County of Vanderburgh, Indiana, on the 29th day of May, 1973, and upon said date signed and executed by the members of said Board and attested to by the Vanderburgh County Auditor.

Commissioner Willner said that there some existing conditions now, where the speed limit is 35 miles per hour, and they lead into roads where the speed limit is 40 miles per hour, which is kind of a bad situation.

County Attorney Stephens said that this is part of the review of the Traffic Engineer and that he is going to submit a recommendation to make the changes all at once.

RE: MR. HARNESS

Mr. Harness said that he and his wife would like to take a week's vacation from June 11, 1973, until June 17, 1973. He said that Nurse Buchanan would be in charge of the comprehensive section and Bookkeeper Westfall would be in charge of the residential section.

Commissioner Willner moved that permission be granted. Commissioner Schaad seconded the motion. So ordered.

Mr. Harness said that all of the surplus items, to be sold, has been moved to Mr. Miller's Auction Mart, from the Pleasantview Rest Home.

RE: TUPMAN CEMETERY

Commissioner Ossenberg asked Mr. Wandel if anything has been done in establishing property lines of the county-owned portion of the cemetery.

Mr. Wandell said that he is working on it at the present time.

RE: VICTORIA LANE

A letter was received from a Mr. C. F. Blesch last week, requesting that Victoria Lane be accepted by the county for maintenance. This matter was referred to Mr. Nussmeyers office.

Mr. Wandel said that he and Mr. Willard went over this road last week and that it is in sad shape.

Commissioner Schaad said that a letter should be written to Mr. Blesch, telling him that Victoria Lane will have to be brought up to county specifications before the county can accept it.

Commissioner Schaad moved that this letter be written, that if the street is brought up to standards, the county will accept it. Commissioner Willner seconded the motion. So ordered.

RE: CURRAN DRIVE AND LAUREL LANE

Drainage problems were discussed last week, that they are having on Curran Drive and Laurel Lane and Commissioner Willner asked what Mr. Nussmeyer found that needs to be done.

Mr. Wandel said that this isn't too much of a problem, that there are a couple of places that may be a little narrow and this matter can be taken care of, but the roads, as a whole, are in pretty good shape.

Commissioner Willner moved that the county make the necessary repairs. Commissioner Schaad seconded the motion. So ordered.

RE: DEED FOR EASEMENTS

Mr. Ed Johnson presented a deed for two easements from the Westside Christian Church, at Upper Mt. Vernon Road and Red Bank Road, for the road widening.

Commissioner Schaad moved that this be taken under advisement and referred to the County Engineer's office. Commissioner Willner seconded the motion. So ordered.

RE: MR. KOCH'S REPORT

WALNUT ROAD - Residents asking for elimination of drainage and overflow into yards. Folks stated some two years ago, under Charles Althaus, a petition was presented and signed by most of the folks to agree to size culvert and correct flow and ditches, later asked about same..no action given. Hoped this time it would go through. Most agreed to place a 25 inch pipe minimum length 20 feet, most should be 25 feet and they agreed a wider width would be better. Could this petition be

located? It is difficult to find folks at home since they work at different hours. It is apparent the need is urgent. Some asked why the county did not clean the ditch, some also asked why was a 12 inch culvert placed under Walnut Road at intersection of Campbell Road, said culvert clogged and too small. School buses use this road and said road needs to be made wider. Made second check in Assessor's office and found transfers of names from former names and those in telephone book. Will make final home check from revised list.

BAUMGART ROAD - Drainage problem by Mr. Frank Boyd of Oglesby Tool & Die Co. Vitally interested as water in front of his office and plant door. Mr. A. V. Burch Jr. also vitally interested. Area is full of weeds, need a thorough cleaning and a better drop to give ample flow. Vanderburgh County is fortunate in having a graduate county engineer from Purdue University in Mr. George Wandel and working with Mr. Nussmeyer as Surveyor, a sound coordinated set-up. Many of our road and ditch problems can be corrected, if the advise and study of these men will be adhered to and save the county thousands of dollars in road and ditch maintenance. This figure could easily reach \$3,000 per month.

The meeting recessed at 10:45 a.m.

PRESENT

COUNTY COMMISSIONERS

Thomas Ossenberg  
Robert Schaad  
Robert Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEYS

Thomas Swain  
William Stephens

REPORTERS

G. Clabes  
S. Clark  
B. Thompson  
A. Jackson

Secretary: Margie Meeks

*Thomas Ossenberg*

*Bob Schaad*

*Robert L. Willner*

BOARD OF COUNTY COMMISSIONERS

270

COUNTY COMMISSIONERS MEETING  
JUNE 11, 1973

The regular meeting of the County Commissioners was held on Monday, June 11, 1973, at 9:30 a.m. with President Ossenberg presiding.

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

RE: REQUEST FROM MR. HANK SAUER

Mr. Sauer said that he understood that the county has two grade-alls and he would like to borrow one to help them in their drainage program, in conjunction with the new streets they are installing. He said that they would also like to borrow a strap-on tree saw in order to protect a mower they had previously borrowed. He said they would also like to borrow a bus, if possible, to transport the kids in, that are aiding them in their garage work. He said that they could take care of the insurance on the bus.

Mr. Willard said it would be alright for them to use one of the grade-alls.

Commissioner Schaad moved that Mr. Sauer have permission to borrow what he needs. Commissioner Willner seconded the motion. So ordered.

RE: AWARDING OF BID...BACKHOE

Mr. Cravens said that he had reviewed the bids on the backhoe that were received last week and he submitted an analysis of these bids, stating that the bid from Kitchen Mach. Inc. Panke Div. Allis Chalmer didn't meet the specifications but the other four bids did and he recommended that the lowest of the four bids as submitted by Universal Tractor Sales Inc. in the net amount of \$8,200.00, receive consideration in purchasing the backhoe. Date of delivery is from 30 to 45 days. Mr. Willard said that this met with his approval.

Commissioner Schaad moved that the Commissioners award the bid for the backhoe, to Universal Tractor Sales Inc. at the cost of \$8,200.00. Commissioner Willner seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A letter was received from the United States Fidelity and Guaranty Company, notifying the Commissioners that the insurance of George D. Woods Co. Inc. was cancelled effective May 19, 1973. A notification was also received that the insurance on this company was picked up by CNA Insurance Co. as of 6/5/73. Certificate of Insurance received and ordered filed.

RE: MONTHLY REPORTS RECEIVED

The monthly reports were received for the offices of the County Treasurer, the County Clerk, the Traffic Director and for Pleasantview Rest Home for the month of May, 1973.

Reports received and ordered filed.

RE: EMPLOYMENT CHANGES...APPOINTMENTS

KNIGHT TOWNSHIP ASSESSOR

Suzanne Demney 113 S. Euclid Dr. Pt. Time Deputy \$15.00 Day Eff: 6/7/73

PIGEON TOWNSHIP ASSESSOR

Roberta Burkhart 507 Herndon Dr. 4th Deputy \$5,320 Yr. Eff: 6/1/73

COUNCIL OF GOVERNMENTS

Vince Bernardin 3114 E. Blackford Summer Planning Aid \$2.00 Hr. Eff: 6/4/73

SHERIFF'S OFFICE

Mark C. Mabrey 7 Polster Dr. Pro. Co. Policeman \$7,800 Yr. Eff: 6/1/73  
Billy C. Denton 1216 Homestead Pro. Co. Policeman \$7,800 Yr. Eff: 6/1/73  
Willain H. Young 705 Bayard Pk. Dr. Pro. Co. Policeman \$7,800 Yr. Eff: 6/1/73

RE: EMPLOYMENT CHANGES...RELEASESPIGEON TOWNSHIP ASSESSOR

|                  |                |            |                |             |
|------------------|----------------|------------|----------------|-------------|
| Dorothy Wilson   | 603 N. St. Joe | 4th Deputy | \$5,320.00 Yr. | Eff: 6/1/73 |
| Roberta Burkhart | 507 Herndon    | Extra Help | \$15.00 Day    | Eff: 6/1/73 |

SHERIFF'S OFFICE

|                   |                 |               |            |              |
|-------------------|-----------------|---------------|------------|--------------|
| Bevlia Willingham | 907 Judson St.  | Co. Policeman | \$8,587.50 | Eff: 5/31/73 |
| Bernard Betz      | 2300 Harding    | Co. Policeman | \$8,587.50 | Eff: 5/31/73 |
| Robert Wade       | 5900 Kratzville | Co. Policeman | \$8,587.50 | Eff: 5/18/73 |

RE: MR. CARL BERNHARDT...KERN RD. & LAUREL AVE.

Mr. Bernhardt said that he had appeared before the Commissioners some time ago requesting that Kern Road be widened and that Kern Road and Laurel Ave. be repaved. He wondered what they had decided to do.

The Engineering Dept. was asked to make a study of these streets.

Mr. Wandel said that he and Mr. Willard went out there two weeks ago and they decided to make some improvements on Kern Road but they decided that Laurel Ave. didn't merit repairing. He said that the areas they found on Kern Road that needs to be widened for two-way traffic, will call for the removing of mail boxes and stop signs and some grading will probably need to be done.

Commissioner Ossenberg asked Mr. Bernhardt if an 18 foot road would be satisfactory.

Mr. Bernhardt said that it would be better than they have now as it is only 13 feet in some places.

Mr. Willard said that Laurel Ave. is only about a block and a half long and that the county could resurface it as well as Kern Road.

Commissioner Schaad suggested that the County Engineer lay it out as to what needs to be done and let the county do it all at the same time.

Mr. Willard said that it would probably be late fall before they could get to it.

Commissioner Schaad moved that they follow the Engineer's recommendations on this and that the county follow up on it as soon as possible. Commissioner Ossenberg seconded the motion. So ordered.

In last week's minutes, Kern Road was referred to, in error, as Curran Road.

RE: PROPERTY ON ST. JOE AVE:

The following letter was received by the Commissioners from Mr. Angermeier, the County Assessor:

Gentlemen:

On the request of the County Commissioners to appraise value of County owned property located on St. Joe Avenue I will submit to you a figure.

In checking with two parties who have had experience in moving or dismantling property along Highway 41, such values and figures were supported as follows:

\$25.00 to \$200.00 for the purpose of moving to a new location.

In those cases where properties were dismantled sale of \$25.00 was made to the Highway Department.

The parties I talked with were James Julian and Herschel Prince. These figures were somewhat standard with both of these parties.

Commissioner Schaad moved that Mr. Hotz try to get rid of this property at the lower appraised value. Commissioner Willner seconded the motion. So ordered.

RE: RAILROAD OVERPASS ON OLD STATE ROAD

The following letter was received by the Commissioners from the Waterworks Dept.:

Dear Sir:

With the County and the Water Department sharing equally the cost of relocating the water line at the new railroad overpass on Old State Road., the cost to the county would be \$5,625.00. Sincerely, Donald E. Mills.

Commissioner Ossenberg said that this is the one where the Commissioners had a verbal agreement with them to share the cost 50-50 to move those water lines out there and he thought it was a verbal commitment that they had at a meeting in the Surveyor's office.

County Attorney Swain said that they are using our Right of Way and he didn't see why we have to pay for it. He said that he has looked for statutory authority but he hasn't been able to find it.

Commissioner Ossenberg said that the President of the Southern Indiana Gas & Electric Co. would be glad to share the cost on their utilities. He said that they had received a letter, earlier, from Mr. Mills, stating that the cost would be somewhere around \$12,000 or \$13,000 and it wasn't clearly stated and it wasn't clearly stated that it would be a 50-50 cost so he then asked the board for a letter stating that they would share the cost equally but he was totally unaware that they were on our Right-of-Way.

This matter was deferred and referred to the County Attorney's for further checking.

RE: AWARDING OF BID...ROAD RESURFACING

Two bids were submitted last week for the resurfacing of 8.785 miles of county roads, that of J. H. Rudolph Co. and Midwest Construction Co.

Commissioner Schaad moved that the Contract be awarded to J. H. Rudolph Co. who submitted the low bid of \$140,203.30. Commissioner Ossenberg seconded the motion. So ordered.

RE: NOTICE OF CHARGE INCREASE

A letter was received from Brink's Incorporated on increase of Treasurer's office, as follows:

Gentlemen:

In view of the President's announcement of January 11, 1973, Brink's Inc. and its subsidiaries will continue to hold prices to those that would have been dictated under the "allowable cost" increase formula in effect prior to that time; therefore, the price increase covered by this letter would, in our opinion, have been approved by both the Interstate Commerce Commission, under whose jurisdiction Brink's Inc. operates, or by the Price Commission if their approval had been required.

On February 5, 1973, a new wage agreement will be effective at this branch which will have, with other "allowable cost" increases, established a new price for the services rendered to your account as indicated below:

Effective July 1, 1973, our charges to your account will be as follows:  
\$179.75 per month

All other terms of our present contract dated 3/6/72 #29536 will remain the same.

Brink's Inc. operates under Interstate Commerce Commission regulations as a contract carrier (Permit No. MC-124328); therefore, it is important that you sign and return the attached copy of this letter or the enclosed documents indicating your acceptance of this adjustment. A stamped, self-addressed envelope is enclosed for your convenience.

May we express our appreciation of your favorable consideration of this matter and your past patronage. If you have any questions, please call our Evansville office at 426-0607. Yours very truly, Thomas F. Horigan  
General Manager, Central Region.

Letter received and filed.

RE: CLAIMS

A claim was received from the Terminal Warehouse Co. Inc. in the amount of \$500.00 for rent of space for storage of the voting machines, June 1, 1973, to July 1, 1973.

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

A claim was submitted by McCray, Clark, Statham & McCray on account of appropriation for Marjorie A. Shannon, et al v. Board of Commissioners, for legal services since Dec. 11, 1972, Telephone calls, Deposition costs, taking deposition in St. Petersburg, Florida 4/6/73 and mileage to Princeton Ind. - Assign cause for trial 3/17/73, in the amount of \$1,436.26.

County Attorney Swain said that this is that Shannon and Debbie Powell case and that there are five of them, for injuries to those people that were injured on the Stinson Avenue bridge and the firm of attorney's was employed because of their experience in defense work and this was a case where we didn't have insurance at the time. He said that this goes back to December of 1968. He thought the amount of the claim to be fair and reasonable. He said that they have now taken a deposition of every witness, of every car passenger and the driver, and there is a motion for summary judgment pending and he believed that it would be argued on July 9, 1973, in the Gibson Circuit Court. He said that they are reasonably optimistic that it will be granted on the basis that no one knows how the accident happened. Mr. Swain recommended the approval of this claim. This isn't the final payment, however, as Mr. Swain said that a law suit, to trial, costs around \$5,000.

Commissioner Schaad moved that the claim for \$1,436.26 be approved. Commissioner Willner seconded the motion. So ordered.  
.....

A claim was submitted by the Southern Indiana Gas & Electric Co. on account of appropriation for the Evansville Association for Retarded Children, for service rendered in connection with the net loss to remove pole and wire in alley for construction of the Retarded Children's Home, in the amount of \$3,129.00.

Commissioner Ossenberg said that this was granted on October 16, 1972 on approval of former County Commissioners.

County Attorney Swain said that two alley's had to be vacated for this construction and the Gas Company's equipment was in the alley and it was agreed that we would pay for the moving of the gas & electric and the money will come from the E.A.R.C. bond issue, and upon the moving of them, they will release the old easements and we will give them the new easement that is there. He said that he would like for the check to be turned over to him so that he can get the release of the old easement before he turns the check over to them.

Commissioner Schaad moved, upon the recommendation of the County Attorney, that this claim be approved. Commissioner Willner seconded the motion. So ordered.  
.....

A claim was received from Deig Bros. Lumber & Construction Co. Inc. for replacing filter media in #1 and #2 filter tanks in swimming pool at Burdette Park, in the amount of \$12,717.00.

Commissioner Ossenberg said that the contract price was \$8,900 but there has been several change orders and this is the final billing.

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

A claim was received from Clyde E. Williams & Associates, Inc. for professional services per contract dated 4/13/72, on final Master Plan and Cost Estimates on Burdette Park in the amount of \$1,350.00. This was approved by Louise DeVoy, the manager of Burdette Park.

Commissioner Schaad moved that this claim be approved in the amount of \$12,717.00. Commissioner Willner seconded the motion. So ordered.  
.....

A claim was received from Condict and Fosse Architects for the Evansville Comprehensive Mental Retardation Center in the amount of \$1,430.00, Architects fee based on 7.25% of lowest bid cost of \$1,182,425.00. This is bond issue money.

Commissioner Willner moved that this claim in the amount of \$1,430.00 be approved. Commissioner Ossenberg seconded the motion. So ordered.

A claim was received from ATEC Associates Inc. on account of appropriation for the Barker Avenue Underpass in the amount of \$7,536.29, for soil and foundation investigation. This was done in March and in agreement with the Ohio Valley Engineers who had the engineering contract.

County Attorney Stephens said that he would get out the contract and look it over, so this matter was deferred for one week.

.....

A claim was received from the Torian Agency for Continental Bond BND 175 25 99 covering Frank H. Tilford as Treasurer of Vanderburgh County, insuring Agreements II and III of 3D bond, in the amount of \$1,528.00.

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

Mr. Volpe said that on the claim that the Building Authority sent to the Commissioners a couple of weeks ago, he noticed, had included the total amount that they requested in the first place, that it didn't allow for the reduction by the Tax Adjustment Board so he has taken care of it.

RE: REQUEST TO USE XEROX MACHINE

Judge Miller asked if he could make an agreement for the use of the Xerox machine and reimburse the Commissioners, as the Xerox machine does a better job and he could get work done faster. He said that he would furnish his own paper and the Commissioners could bill him for the use of the machine. He said that if they tied up the machine for some time, they could do the work after 4:00 p.m.

Commissioner Schaad asked the County Auditor if a meter couldn't be put on the machine.

Mr. Volpe said that it could and he would ask the man from the Xerox Co. to be here next Monday, as they have a system that can be used and he can explain it to the Commissioners.

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

RE: CONTRACT SIGNED

Sheriff Riney presented a contract from the Federal Government, regarding the prisoners in the jail. He said the cost has raised for Federal prisoners, from \$2.50 to \$3.00. He said that this money comes back and goes into the General Fund. The contract was approved and signed by the Commissioners, in order to keep the Federal prisoners in the jail.

Commissioner Willner asked the Sheriff if the other counties ever used our jail and if so, are we reimbursed for this.

The Sheriff said that we are reimbursed at the rate of \$3.00 per day when other counties use the jail, plus they take care of all their own medical and transportation expenses.

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

RE: DEPUTIES ALLOWED TO WORK AT BURDETTE PARK

Sheriff Riney said that his deputies were allowed to work at Burdette Park on their off-time, some years back, then a couple of years ago, they were told that they could not be paid by two county checks. He said that he has talked to Mr. Worley in Indianapolis who said that it is perfectly all right to do this. He said that they are having difficulty at the park and they have some private agency out there now and he thought the situation could be handled much better if his men could work out there on their off time, and if it is approved by the Board of Commissioners.

Commissioner Ossenberg said he will be attending the meeting of the Burdette Park Board and could discuss it with them.

Commissioner Schaad said as far as he is concerned, Mr. Ossenberg can tell Mrs.

DeVoy that she has the Commissioners' blessing and that there is nothing wrong with doing this if she wants to do it.

Commissioner Willner moved that this be acceptable by the Board of County Commissioners and that Mrs. DeVoy do as she pleases about it. Commissioner Schaad seconded the motion. So ordered.

RE: REVENUE SHARING

The Government of Vanderburgh County plans to expend its revenue sharing allocation for the entitlement period beginning on January 1, 1973 and ending June 30, 1973, a copy of which is enclosed on the last two pages of these minutes.

Commissioner Ossenberg said that this must be turned in by June 20, 1973 and the law requires him to have a plan use, that they have a press conference and that it be advertised.

A press conference was then held.

Commissioner Ossenberg said that the new law under revenue sharing has a plan type deal of revenue type allocation and must have a plan use for the estimated total of \$695,776 and working with the County Council, have allocated amounts as shown on attached report.

Commissioner Ossenberg said that under Revenue Sharing, these are plan uses. He said that it isn't going to be necessarily this way but at this particular time they are trying to work every avenue possible, to make Revenue Sharing the best feasible way that they can in Vanderburgh County.

There being no questions, Commissioner Schaad moved that this report be approved. Commissioner Willner seconded the motion. So ordered.

The County Auditor was requested to advertise this report.

RE: MR. NUSSMEYER....CUTS-IN

The following cuts-in were presented to the Commissioners for their approval:

The Indiana Bell Telephone Co. requests permission to cut into Peerless Road between Hogue Road & Middle Mt. Vernon at the Village Acres Subdivision to place buried telephone cable. F-7993-73.

The Indiana Bell Telephone Co. requests permission to cut into Old State Road at Schroeder Road, to place underground telephone cable. F-8907-73-11.

The Southern Indiana Gas & Electric Co. requests permission to cut into Shady Valley Drive, 300 ft. on the north side of Shady Valley Drive from Honeysuckle to the north line of Lot #4, to provide gas service to Lot #4 in the Valley View Subdivision. W.O. #3158015

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

RE: HEERDINK LANE

Commissioner Ossenberg said that as he understands it, Heerdink Lane was accepted by the past County Commissioners.

Mr. Nussmeyer said that he was informed that the road would be accepted if the people would give the Right of Way that was needed. He recommended its approval subject to certain conditions.

County Attorney Stephens told Mr. Nussmeyer to fill out the resolution for acceptance of Heerdink Lane and present it to the Commissioners next Monday for approval.

RE: MR. NUSSMEYER

Mr. Nussmeyer said that they have a 1970 Dodge that they have taken to Vandever three times in the past month to have repaired, since this is where it was purchased, and they haven't done anything. He said that it needs a new transmission. He said that it was still under warranty but County Attorney Stephens said that it reads on the warranty, that service on the car must be done by an authorized dealer or the warranty is void and the service was done by the county

garage.

Commissioner Willner said that since the car has a standard transmission, he thought it was their best bet for the County Garage to do the work, as it was relatively simple but that it would take some time as they are short a mechanic, but that a letter should still be written by the County Attorney, to the company and to the manufacturer. He said that he thought that they would understand that this is a municipal owned vehicle and that we do our own servicing and he didn't think this a valid excuse.

Commissioner Ossenberg said that Vandever Inc. would probably come in with more bids on equipment needed in the future.

The County Attorney said that he would write a letter to the company of Vandever and to the manufacturer.

RE: MR. WILLARD....REPORTS

Mr. Willard submitted an absentee list of the county garage employees for the past week, also the County Highway Department Work Summary for the month of May, 1973. Reports received and ordered filed.

RE: GRAFF ROAD

Mr. Willard presented pictures of Graff Road, where the farmer tore up the road with his machinery. He said that Mr. Stephens had written the man a letter but that he hasn't heard from him as yet.

County Attorney Stephens said they would have to find out how much the damages are and what it will cost to have fixed and send him the bill.

RE: MR. CROOKS ....REPORT

Mr. Crooks submitted his report of permits issued for the month of May, 1973. Report received and filed.

RE: MR. HARNESS

Mr. Harness said that he was supposed to go on his vacation this week but due to absenteeism was unable to do so. He said that he would like to get away a few days this week if at all possible.

Mr. Harness asked the permission of the Commissioners to go to a meeting of the County Home Administrators and Assistants at Sullivan Indiana on June 21 & 22, 1973, and if permission is granted, he would like mileage to and from Sullivan Indiana and lodging for one night.

Commissioner Willner moved that permission be granted. Commissioner Schaad seconded the motion. So ordered.

Commissioner Willner said that there was a man who was referred to the Commissioners by the Pigeon Township Trustee and he asked Mr. Harness if the man came out to the Pleasantview Rest Home.

Mr. Harness said "no", that the man was in a boarding home for a few days and was thrown out of there because he was drunk and doesn't know where he is now. He said that the man got out of jail on Friday, that he is a former T.B. patient and had a drinking history and on the spur of the moment he refused to take the man at the home until he could find out more about him.

RE: PROBLEM OF DRAINAGE

Mr. Willard said that there is a ditch on Baumgart Road and that there is no way that it can be drained as the bottom of the ditch is one and one-half feet higher than the street. He said that A. V. Burch doesn't want it on his side of the road and he talked to Jerry Lamb, who could see no place for it to go.

Commissioner Ossenberg said that a letter was received from A. V. Burch a while back, telling the Commissioners that he would cooperate in solving this problem. He said that Jerry Lamb told him that he thought there was some type of engineering that would be the only way to alleviate the situation out there.

Mr. Willard wondered who was supposed to follow up on the building permits, to see that once a permit is issued, that the work is completed, as failure to do this has caused a lot of drainage problems and he thought that someone should

see that the work is completed and that he doesn't have the manpower to do this. Commissioner Ossenberg said that this problem will be looked into.

RE: LARCH LANE

Mr. Al Rupprecht said that on his property on Larch Lane, there is an easement for surplus water and he wondered who was responsible for the maintenance of an easement of this type, since he is very concerned and wants to avoid any damage to his home.

Commissioner Schaad said that Mr. Rupprecht was advised by the developer that when the county takes over maintenance, they take over the whole development, which isn't the case. He said this is a drainage problem, that it isn't a legal drain, that it is just a drain put there by the developer. He suggested that Mr. Rupprecht's attorney call County Attorney Swain on this but Mr. Rupprecht said that he doesn't have an attorney, as yet.

Mr. Rupprecht said that he couldn't see a developer doing something like this when there is no responsibility for maintenance involved at all.

County Attorney Stephens said, in his opinion, if the trouble lies in the easement, itself, on private property, because of a defect in the construction or design of the sewer, it is the responsibility of the developer, and if it is a matter of pure maintenance, he would say the adjoining property owners would probably have the responsibility.

Mr. Rupprecht said that a test was made and he was told the problem was in the pipe.

County Attorney Stephens said that perhaps the developer would dig up part of it to see if the pipes were properly installed.

Commissioner Schaad said that the Commissioners are sympathetic to his problem but that the Commissioners can't do anything about it.

RE: FISHING AT BOEHNE LAKE

The Board of County Commissioners are now going to allow fishing at Boehne Lake and have adopted the following rules and regulations:

1. No boats. All fishing shall be done from the shore and around edge of lake ONLY.
2. Fishing is restricted from daylight to dark.
3. No litter. Permittees are required to remove all bottles, cans, bait boxes and fish from premises. If you carried it in, you can carry it out.
4. No alcoholic beverages of any kind.
5. Parking must be done in designated areas only. In no event must driveways or access be blocked.
6. All permittees are required to check in with the caretaker, Mr. Oliver Lawson.
7. Discretion as to the number of people permitted to fish at any one time will be subject to the decision of Mr. Lawson.
8. No person will be allowed to fish under the age of 18 unless accompanied by an adult at all times.
9. These rules and regulations are attached to written permission granted by the Board of County Commissioners of Vanderburgh County to fish at Boehne Camp Lake. This permit shall be good for a period of one year from the date of issuance and is revocable at any time without reason by the Board of County Commissioners.

Commissioner Ossenberg said that for a permit, the person must come to the office of the Commissioners and sign their name, address and phone number and date of permit issuance. The permit number will be furnished and will be signed at that particular time.

Commissioner Willner moved that these laws be put into effect at Boehne Lake. Commissioner Schaad seconded the motion. So ordered.

Commissioner Schaad suggested adding a small sign notating "by permit only" to the present "no fishing signs. This met with the other Commissioner's approval.

RE: PROPOSALS FOR ENGINEERING CONTRACT

Two proposals were received on Engineering Contracts in regard to Burdette Park that had been submitted to the Burdette Park Board. They were from Associated Land Surveyors and Civil Engineers, Inc. in the amount of \$7,500 and from Engineer Associates Inc. in the amount of \$7,500. These bids are for feasibility study, for park improvement and plan.

Commissioner Ossenberg said at that particular time, this was carried out by the Burdette Park Board and he said that this should come under the ruling of the County Commissioners and one attorney agreed with this and the other one didn't agree, but in reading the law, he found that it is the business of the County Commissioners.

Commissioner Willner moved that the Contract be awarded to Engineer Associates in the amount of \$7,500. Commissioner Schaad seconded the motion. So ordered.

RE: MR. KOCH'S REPORT

Re: Drainage and kindred problems, weed removal so urgent.

1. Walnut Road drainage and road made wider, with list of the home owners on this and the forth coming letter to be addressed to them, another step forward to a long awaited action. Also the ditch and culvert on I.S. of Walnut and Hillsdale Drive needs cleaning.
2. Roads and ditches adjacent to newly developed industrial areas or parks for such, starting with plan commission drainage, proper road construction, ample width and a base to handle a minimum of 30 ton loads. When such are built our maintenance problems will be reduced to a minimum.
3. The above are not at all impossible with a registered civil engineer in Mr. Wandel, a Purdue University graduate. Their highway division can be relied upon to help solve any problems on roads and on county garage management. Another good team is Tom Pugh of Soil and Water Conservation. He and his staff stand willing to give you a hearing and possess the know how to solve the problem.
4. An editorial of sound suggestions and ideas entitle (It's Corner Cutter Time Again) in June 1973 Issue of "Better Roads" by the Editor Mr. Frank Reid. It is sponsoring a Corner Cutter Contest which is a vehicle by which highway men can share with their peers the benefits of their inventiveness and get a little well deserved recognition for their work and urges the men to take a long look at the little extras they have build into their work methods or machines and perhaps even a better use of materials, since increasing traffic loads coupled with deteriorating road systems have placed a huge burden on road and street departments. It states that the challenge is to make every highway man aware of the work he does and get him to think about how it can be improved.

The meeting recessed at 11:55 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u>                         | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u>          | <u>REPORTERS</u>                                     |
|---|-----------------------|----------------------------------|--|
| Thomas Ossenberg<br>Robert Schaad<br>Robert Willner | Lewis F. Volpe        | William Stephens<br>Thomas Swain | G. Clabes<br>J. Kessner<br>A. Jackson<br>B. Thompson |

Secretary: Margie Meeks

*Thomas L. Ossenberg*  
*Bob Schaad*  
*Robert Willner*

BOARD OF COUNTY COMMISSIONERS

THIS PORTION TO BE RETURNED TO

DEPARTMENT OF THE TREASURY  
OFFICE OF REVENUE SHARING  
1900 PENNSYLVANIA AVE. N.W.  
WASHINGTON, D.C. 20226

THE GOVERNMENT OF

VANDERBURGH COUNTY

PLANS TO EXPEND ITS REVENUE SHARING ALLOCATION  
FOR THE ENTITLEMENT PERIOD BEGINNING

JAN 1, 1973 AND ENDING JUN 30, 1973

IN THE FOLLOWING MANNER BASED UPON AN

ESTIMATED TOTAL OF \$ 695,776

ACCOUNT NO  
15 1 082 082

VANDERBURGH COUNTY  
COUNTY AUDITOR  
EVANSVILLE INDIANA 47700

(K)  EXECUTIVE PROPOSAL. Check this block if this plan is based on an executive proposal

(L) DEBT How will the availability of revenue sharing funds affect the borrowing requirements of your jurisdiction?

AVOID DEBT INCREASE  NO EFFECT  
 LESSEN DEBT INCREASE  TOO SOON TO PREDICT EFFECT

(M) TAXES In which of the following manners is it expected that the availability of Revenue Sharing Funds will affect the tax levels of your jurisdiction? Check as many as apply.

WILL ENABLE REDUCING RATE OF A MAJOR TAX.  WILL REDUCE AMOUNT OF RATE INCREASE OF A MAJOR TAX.  
 WILL PREVENT INCREASE IN RATE OF A MAJOR TAX.  NO EFFECT ON TAX LEVELS  
 WILL PREVENT ENACTING A NEW MAJOR TAX.  TOO SOON TO PREDICT EFFECT

| OPERATING/MAINTENANCE EXPENDITURES   |                          |  |  | CAPITAL EXPENDITURES                  |                            |                      |                  |                      |                     |
|--|--------------------------|--|--|---------------------------------------|----------------------------|----------------------|------------------|----------------------|---------------------|
| PRIORITY EXPENDITURE CATEGORIES (A)  | PLANNED EXPENDITURES (B) | PERCENT PLANNED FOR MAINTENANCE OF EXISTING SERVICES (C) | PERCENT PLANNED FOR NEW OR EXPANDED SERVICES (D) | EXPENDITURE CATEGORIES (E)            | PLANNED EXPENDITURES (F)   | PERCENT PLANNED FOR: |                  |                      |                     |
|  |                          |  |  |                                       |                            | EQUIPMENT (G)        | CONSTRUCTION (H) | LAND ACQUISITION (I) | DEBT RETIREMENT (J) |
| 1 PUBLIC SAFETY  | \$                       | %  | %  | 10 MULTI-PURPOSE AND GENERAL GOVT.    | \$ 371,330.93              | 100 %                | %                | %                    | %                   |
| 2 ENVIRONMENTAL PROTECTION   | \$                       | %  | %  | 11 EDUCATION                          | \$                         | %                    | %                | %                    | %                   |
| 3 PUBLIC TRANSPORTATION  | \$                       | %  | %  | 12 HEALTH                             | \$ 30,314.03               | %                    | 100 %            | %                    | %                   |
| 4 HEALTH   | \$                       | %  | %  | 13. TRANSPORTATION                    | \$ 200,000.00              | %                    | 100 %            | %                    | %                   |
| 5 RECREATION   | \$ 131.04                | 100 %  | %  | 14. SOCIAL DEVELOPMENT                | \$                         | %                    | %                | %                    | %                   |
| 6 LIBRARIES  | \$                       | %  | %  | 15 HOUSING & COMMUNITY DEVELOPMENT    | \$                         | %                    | %                | %                    | %                   |
| 7 SOCIAL SERVICES FOR AGED & POOR  | \$                       | %  | %  | 16 ECONOMIC DEVELOPMENT               | \$                         | %                    | %                | %                    | %                   |
| 8 FINANCIAL ADMINISTRATION   | \$                       | %  | %  | 17 ENVIRONMENTAL CONSERVATION         | \$                         | %                    | %                | %                    | %                   |
| 9 TOTAL PLANNED OPERATING/MAINTENANCE EXPENDITURES   | \$ 131.04                |  |  | 18 PUBLIC SAFETY                      | \$                         | %                    | %                | %                    | %                   |
| I have advised a local newspaper and the news media of the contents of this report. Furthermore I have records documenting the contents of this report and they are open for public and news media scrutiny. |                          |  |  | 19 RECREATION CULTURE                 | \$ 80,000.00               | %                    | 100 %            | %                    | %                   |
|  |                          |  |  | 20 OTHERS (Specify)                   | \$ 14,000.00 Const. Equip. | 100 %                | %                | %                    | %                   |
|  |                          |  |  | 21 OTHERS (Specify)                   | \$                         | %                    | %                | %                    | %                   |
|  |                          |  |  | 22 OTHERS (Specify)                   | \$                         | %                    | %                | %                    | %                   |
|  |                          |  |  | 23 OTHERS (Specify)                   | \$                         | %                    | %                | %                    | %                   |
| SIGNATURE OF CHIEF EXECUTIVE OFFICER   |                          |  |  | 24 OTHERS (Specify)                   | \$                         | %                    | %                | %                    | %                   |
| Thomas Ossenberg, President Co. Comm.  |                          |  |  | 25 TOTAL PLANNED CAPITAL EXPENDITURES | \$ 695,644.96              |                      |                  |                      |                     |
| NAME & TITLE - PLEASE PRINT  |                          |  |  |                                       |                            |                      |                  |                      |                     |
| June 14, 1973  |                          |  |  |                                       |                            |                      |                  |                      |                     |
| DATE PUBLISHED   |                          |  |  |                                       |                            |                      |                  |                      |                     |
| Evansville Courier and Press   |                          |  |  |                                       |                            |                      |                  |                      |                     |
| NAME OF NEWSPAPER  |                          |  |  |                                       |                            |                      |                  |                      |                     |

THIS PORTION TO BE RETURNED TO THE DEPT. OF THE TREASURY

VANDERBURGH COUNTY  
 EXPLANATION OF PLANNED USE SURVEY  
 JANUARY 1, 1973 TO JUNE 30, 1973

EXPENDITURE

| <u>CATAGORIES</u> | <u>AMOUNT</u> | <u>EXPLANATION</u>   |
|-------------------|---------------|--|
| 5                 | \$ 131.04     | Additional funds requested beyond those already allocated for Recreational Services by Public Recreation Commission.   |
| 10                | 371,330.93    | Accumulation of funds to offset capital expenditures which would tend to increase property tax rate. This is the identical system used in January 1973 to maintain property tax rates. |
| 12                | 30,314.03     | Additional funds for construction of the Treatment Center to be used by the Evansville Association for Retarded Children.  |
| 13                | 200,000.00    | Additional funds for road construction.  |
| 19                | 80,000.00     | Sewer facilities at Burdette Park.   |
| 20                | 14,000.00     | Backhoe for Highway Department.  |
| TOTAL             | \$695,776.00  |  |

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COUNTY COMMISSIONERS MEETING  
JUNE 18, 1973

The regular meeting of the County Commissioners was held on Monday, June 18, 1973, at 9:30 a.m. with President Ossenberg presiding.

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

RE: REQUEST FOR USE OF GRADER

Mr. H. H. Hamilton who is with the Levee Authority, said that he would like to borrow a grader from the county for a couple of days.

Mr. Willard said they have three graders and will only be needing two, so the Levee Authority is welcome to use one.

Commissioner Willner asked if the Levee Authority had an operator who is experienced in operating this equipment.

Mr. Hamilton said that they did.

Commissioner Willner moved that the Levee Authority have permission to use a grader for a couple of days and for Mr. Hamilton to get with Mr. Willard as to when he wanted the grader. Commissioner Schaad seconded the motion. So ordered.

RE: XEROX MACHINE

Judge Miller had previously asked if he could make an agreement for the use of the Xerox machine and reimburse the Commissioners. It was suggested at that time, for a representative of the Xerox Corp. to be present today, to explain the operation in the use of meters on the machine.

Mr. Dan Oakes appeared today, for the Xerox Company and explained the use of the Auditron, in that every office that uses the machine will have a cartridge and must use the cartridge in order to use the machine and the machine records on the cartridge as to how many copies were made and at the end of each month, they are read and each department is then charged the amount owed and the cartridge is then set back to 0.

Mr. Oakes suggested consolidation of all county units under one cartridge and have Judge Miller obtain a cartridge.

Commissioner Schaad said he thought they were going to let each department put their cost in their own budget instead of the budget of the County Commissioners and they would have to charge it back so they would know how much each department uses against their budget.

Commissioner Ossenberg said there has been a definite violation in the use of the machine and he didn't know how else it could be controlled.

Mr. Oakes said the use of the machine for the first 12,000 copies are 3¢ each, from 12,000 to 30,000 they are 2 1/4¢ and from 30,000 to 50,000 they are 1.4¢. He said that the average cost per copy for the year of 1972, for the county, ran about 2.4¢ per copy, but this doesn't include the cost of the paper that is used.

Commissioner Ossenberg said he was hoping the Council would put this in each individual budget but he didn't know if they intended to do this or not.

Commissioner Willner moved that one cartridge be purchased by Judge Miller at \$15.00 and one to be used by all county offices at the cost of at least \$7.50 per month, with each department using their own paper, for the rest of this year and they could make up their minds by budget time as to what they will do next year. Commissioner Schaad seconded the motion. So ordered.

Mr. Oakes said that there are meters on the machine now and the readings can be taken before and after use of the machine to determine the number of copies made by any one department.

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The Commissioners weren't aware that there was a meter on the machine.

Commissioner Schaad said that if the judge is the only one, other than the county offices, to use the machine, it would be better to just use the meter on the machine.

Commissioner Ossenberg said he thought this would be best and that a written record could be kept on the use of the machine and they would know by budget time, as to how it should be handled.

Commissioner Willner stated that Judge Miller had said that if he had a lot of copies to make, he would use the machine after 4 p.m. and that no one would be in the addressograph office after closing time, to read the meter.

Commissioner Schaad said that the judge could keep a record of how many copies he makes by reading the meter before and after use.

Mr. Volpe had said that if it is necessary for Judge Miller to use the machine after working hours, he would give him a key to get into the addressograph office.

Commissioner Willner then withdrew his motion, as did Commissioner Schaad in seconding it.

It was agreed that the present meter that is on the machine, be used, to determine how many copies are made by anyone other than the county offices, in order to bill them.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

COUNTY SURVEYOR'S OFFICE

|                 |                   |             |                |              |
|-----------------|-------------------|-------------|----------------|--------------|
| John S. Hart    | 2919 Washington   | Instr. man  | \$5,720.00 Yr. | Eff: 6/15/73 |
| Thomas Hamlin   | 1025 Covert       | Party Chief | \$7,200.00 Yr. | Eff: 6/15/73 |
| Barbara Heseman | 7417 Oak Hill Rd. | Secretary   | \$5,220.00 Yr. | Eff: 6/11/73 |
| Brian Davis     | 2323 E. Gum       | Draftsman   | \$5,200.00 Yr. | Eff: 6/11/73 |
| Thomas Norton   | 921 Canterbury    | Rodman      | \$5,200.00 Yr. | Eff: 6/11/73 |

COUNTY HIGHWAY DEPARTMENT

|                   |                    |             |            |             |
|-------------------|--------------------|-------------|------------|-------------|
| Randy C. Earll    | 5 E. Powell        | Summer Help | \$2.25 Hr. | Eff: 6/4/73 |
| Donald F. Asay    | 8914 Darmstadt Rd. | " "         | " "        | "           |
| Theodore Niemeier | 8102 Pine Creek    | " "         | " "        | 6/11/73     |

VOTERS REGISTRATION OFFICE

|                |              |       |                 |              |
|----------------|--------------|-------|-----------------|--------------|
| Elizabeth Omer | 1052 Madison | Clerk | \$230.00 Bi-Mo. | Eff: 6/18/73 |
|----------------|--------------|-------|-----------------|--------------|

VAND. CO. CO-OP EXTENSION SERV.

|                  |                      |           |              |              |
|------------------|----------------------|-----------|--------------|--------------|
| Barbara Burgdorf | 2600 Colonial Garden | Secretary | \$390.00 Mo. | Eff: 6/18/73 |
|------------------|----------------------|-----------|--------------|--------------|

BOARD OF REVIEW

|                  |                     |       |             |              |
|------------------|---------------------|-------|-------------|--------------|
| Georgiana Herron | 1819 Short Reickman | Clerk | \$15.00 Day | Eff: 6/18/73 |
|------------------|---------------------|-------|-------------|--------------|

RE: EMPLOYMENT CHANGES....RELEASES

COUNTY SURVEYOR'S OFFICE

|                |                    |            |                |              |
|----------------|--------------------|------------|----------------|--------------|
| Thomas Hamlin  | 1025 Covert Ave.   | Instr. man | \$6,720.00 Yr. | Eff: 6/15/73 |
| Sherry Hoffman | 1114 MacArthur Dr. | Secretary  | \$5,220.00 Yr. | Eff: 6/8/73  |
| Toby Martineze | 1316 Gavitt        | Rodman     | \$5,200.00 Yr. | Eff: 6/8/73  |

COUNTY HIGHWAY DEPARTMENT

|              |                    |            |             |              |
|--------------|--------------------|------------|-------------|--------------|
| James Becker | 605 S.E. Riverside | Tk. Driver | \$3.225 Hr. | Eff: 6/12/73 |
|--------------|--------------------|------------|-------------|--------------|

VOTERS REGISTRATION OFFICE

|                 |                 |       |                 |              |
|-----------------|-----------------|-------|-----------------|--------------|
| Amelia Tornatta | 1411 Reiter Dr. | Clerk | \$230.00 Bi-Mo. | Eff: 6/15/73 |
|-----------------|-----------------|-------|-----------------|--------------|

VAND. CO-OP EXTENSION SERV.

|                  |                 |           |                |              |
|------------------|-----------------|-----------|----------------|--------------|
| Karen S. Kennedy | 1908 Bellemeade | Secretary | \$4,690.00 Yr. | Eff: 6/17/73 |
|------------------|-----------------|-----------|----------------|--------------|

RE: GARNISHEE EXECUTION

A notice was received whereas, the Collection Bureau of Warrick Co. Inc., plaintiff, has obtained judgment against Leon Collins, who is employed by the Area Planning Commission of Vanderburgh County. He owes \$420.80 plus \$15.00 for costs of this execution.

County Attorney Swain asked Mr. Volpe how much he withholds on garnishee's. Mr. Volpe said he thought he withheld \$15.00 and 10% over that.

County Attorney Swain said this was the amount as allowed by an old law and he would inform Mr. Volpe as to the amount to be withheld according to the new law.

This matter was referred to Mr. Volpe for proper action.

RE: SURPLUS ITEMS SOLD

Two checks were received for surplus goods, sold at Mr. Curran Miller's Auction barn. One check was made out to the Welfare Dept. in the amount of \$162.40 and the other check was made out to the County Commissioners in the amount of \$242.88. These checks will be deposited in the proper accounts.

RE: MONTHLY REPORT....E.A.R.C.

The monthly report of the Evansville Association for Retarded Children was submitted for the month of May, 1973. Report received and ordered filed.

RE: LETTER FROM SAFETY BOARD

Commissioner Ossenberg said that sometime ago there was some concern in the expense to the Building Authority of the sum of \$2,603.00 for the washing of the Sheriff's cars, in that they had to install a separate catch basin in the garage since they had a drainage problem, and at that particular time he questioned if the City of Evansville shouldn't share in this cost as the Police cars are also washed here. He asked Mr. Ruston to please address a letter to Mr. Wayne Hartig, who is President of the Safety Board, since he felt that with only 10 Sheriff cars being washed against a fleet of 30 to 40 cars belonging to the city, that there should be a breakdown of the cost.

The following letter was received by Mr. Ruston, General Manager of the Building Authority, from Mr. Hartig:

Dear Gil:

This is to confirm that the City of Evansville under authorization of the Board of Public Safety will assume seventy-five per cent (75%) of the cost of making the necessary modifications to the storm sewer at the west end of the City-County Administration Building.

It is hoped that payment can be delayed until the beginning of the Fiscal Year 1974, if not please submit the billing to the City Comptroller, who will take the necessary steps to release funds for payment.

It is our understanding that the cost of the work will be somewhat less than \$3,000.00 in total, if this is not the case, please advise prior to having the work done. Yours very truly, Wayne Hartig.

Mr. Ruston submitted the previous letter to the Commissioners, together with a note, asking if he has the County Commissioner's authorization to proceed based on 25% of the estimated total cost of \$2,603.00.

Commissioner Ossenberg said that he thought this a fair breakdown on the cost of the necessary repairs.

Commissioner Schaad moved that the county be authorized to pay the 25% of the cost. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was received from Indiana Disposal Service in the amount of \$1,756.76 for services in the dumpster program for the month of May.

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

Four claims were received on Account of Appropriation for the Retarded Children for the Evansville Comprehensive Retardation Center, as follows:

Key Construction.....Certification #2.....Application #3.....Claim..\$62,238.24  
 Goedde Plumbing & Heating...Cert. #2.....Application #4.....Claim..\$19,824.08  
 Kuebler Heating & Air. Cond.Cert. #2.....Application #3.....Claim..\$31,731.13  
 Swanson-Nunn Electric Co. Cert. #2.....Application #2.....Claim..\$12,134.72  
 All claims are in order.

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

Commissioner Schaad then moved that the Commissioner's name stamps be used on all the forms attached to these claims. Commissioners Willner seconded the motion. So ordered.

A claim was received from ATEC Association Inc. for Soil & Foundation Investigation which concerns the Barker Avenue underpass in the amount of \$7,536.29. The Commissioners had no knowledge of the facts surrounding this claim, so it was deferred until next week, when Mr. Ed Boyd, who has the Engineering Contract on this project, will be asked to come in and explain it.

A claim was received from County Attorney Swain for his fee as Drainage Board Attorney for the second quarter of 1973 in the amount of \$437.50.

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

A claim was received from Sheriff Riney for the meals of the prisoners from May 15th, 1973 to June 14, 1973, in the amount of \$6,256.40.

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

RE: REZONING PETITION.....BAUMGART, Leo H. & Leona A.

Premises affected are situated on Green River Road approximately 1250 feet North of the intersection of Division Street with Green River Road. The requested change is from A to C-1B. The proposed land use is commercial stores and shops.

The vote on this petition was nine affirmative votes with one abstention in the Area Plan Commission, so they approved this re-zoning.

Mr. John Carroll, Attorney for the petitioners, spoke on their behalf and said that the Right of Way has already been granted to the county under the topics program. There being no remonstrators -  
 Commissioner Schaad moved that this rezoning petition be allowed. Commissioner Ossenberg seconded the motion. The vote being unanimously in the affirmative, the motion carried.

RE: ANNOUNCEMENT

Commissioner Ossenberg announced that the regular meeting of the County Commissioners, next week, June 25, 1973, will be held in the Council Chambers, Room 301, to accommodate the land auction that will be held on that date.

RE: REVENUE SHARING

Mr. Volpe said he was going to advertise the planned use survey in the newspaper on June 14, 1973, but the newspaper had some trouble in their composing room so it was advertised on June 16th instead.

RE: MR. NUSSMEYER

Mr. Nussmeyer received the following letter from Mr. Pember on the grade separation structures at Darmstadt Road and Old State Road:

Dear Sir:

Please refer to contract with the Board of Commissioners of the County of Vanderburgh and L & N Railroad Company for construction of grade separation structures at the intersection of the Evansville Cut-Off Track with Darmstadt Road and Old State Road.

The contract states that upon completion of the overhead structure and the approaches thereto at Darmstadt Road and acceptance by the County, the County shall own the structure and shall maintain it and its approaches at its sole cost and expense, or without cost to the Railroad.

Verbal approval of the bridge has been given to our Resident Engineer with exception of Slope Paving. On Sheet 6 of attached reproduction of plans retaining wall at piers to correct slope paving is shown. Please advise if the bridge is acceptable to the County. Signed R.W. Pember, Chief Engineer of Design and Construction.

Mr. Nussmeyer presented the Commissioners with the following recommendation on the Grade Separation at L & N Railroad & Darmstadt Road:

Gentlemen:

In accordance with our contract with L & N Railroad, I have examined the plans and have visited the site of the bridge. I hereby recommend that the County accept it for maintenance and ownership without cost to the Railroad.

Commissioner Willner said that he had one complaint on the drainage from a neighbor and wondered if this had been taken care of. He said this would have to be checked out before he would approve it.

Mr. Nussmeyer said that he didn't think this problem had been taken care of and that he would get with the County Engineer to solve the problem.

This matter was deferred until next Monday.

RE: CUTS-IN

The following applications for cuts-in were presented to the County Commissioners:

Indiana Bell Telephone Co. requests permission to cut into Buente Road, St. Joe St. Wendell Section between St. Joe St. Wendell Road and Boonville-New Harmony Road and between Buente and Diamond Island Roads to place underground telephone cable.

Indiana Bell Telephone Co. requests permission to cut into Browning Road at the intersection of Browning Road and Old State Road to place underground telephone cable.

Indiana Bell Telephone Co. requests permission to cut into Evergreen Road and Larch Lane to place underground telephone cable.

The Waterworks Department requests permission to cut into Middle Mt. Vernon Rd. and Forest Glen Drive and Jobs Lane in Shady Court to install a water line.

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

RE: TUPMAN CEMETERY

The Tupman Cemetery Association had requested that the County Surveyor survey and establish property lines for the county portion of Tupman Cemetery.

Mr. Nussmeyer said the survey has been completed as of June 11, 1973.

Commissioner Ossenbergh moved that Mr. Nussmeyer send a copy, showing the work was completed, to Mr. H.L. Patton, the Secretary-Treasurer of the Tupman Cemetery Association as well as to the Perry Township Trustee. Commissioner Willner seconded the motion. So ordered.

RE: MR. NUSSMEYER

Mr. Nussmeyer presented the descriptions on the West Side Christian Church, located on Red Bank Road and Upper Mt. Vernon Road, which he didn't think were correct.

Commissioner Schaad said they are going to give the County some Right-of-Way and the county is going to try to do some ditches and fix the road out there.

RE: NOTICE TO BIDDERS APPROVED FOR ADVERTISING

Mr. Nussmeyer presented a Notice to Bidders for proposals of contractors for Bridge #201 at Weinbach Avenue over Eagle Slough, 50 foot span- Pile End Bents and for Bridge #202 - Old Green River Road over Eagle Slough, 30 foot span - Pile End Bents.

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Mr. Nussmeyer said the cost will be approximately \$80,000.00 for these two new structures. He said they have eliminated the third bridge, at least for the present time, as they have had some difficulties in the Right-of-Way and he is of the opinion that a new bridge isn't really needed.

Commissioner Schaad moved that the Auditor proceed with the advertisement for bids on these two bridges. Commissioner Ossenberg seconded the motion. So ordered. There is money for these projects. The bids on the bridges will be opened on July 2, 1973.

RE: CLAIMS

Mr. Nussmeyer presented a claim from Lillian Carnaghi, the Right-of-Way buyer on Eagle Slough Projects in the amount of \$1,400.00...8 parcels at \$175.00 .

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

A claim was presented from Mrs. Arla Sweeney, for the Eagle Slough Improvement of a 25 foot easement, adjoining the existing 15 foot easement so as to accomodate all combines, tractors, etc. in the amount of \$550.00.

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

The Right-of-Way Grant was accepted and signed by the Board of County Commissioners.

RE: OLD STATE ROAD

Mr. Nussmeyer reported the status of Old State Road, in that time has run out and Jay Welsh isn't quite finished. He is supposed to be in next Monday. This matter was deferred until that time.

RE: TWICKINGHAM DRIVE ...CLAIM

Mr. Nussmeyer presented a claim from Johnson Construction Co. as payment for the work completed from May 18, 1973 to June 13, 1973, on Twickingham Drive in Melody Hills, in the amount of \$3,404.25.

Mr. Nussmeyer said that Mr. Johnson agreed to be out of there in two weeks.

Commissioner Ossenberg said he would like a written statement to this effect from Mr. Johnson. He said there is a great problem at the top of the hill that will eventually come down with seepage and it can destroy the whole thing. Mr. Johnson is asking to go ahead and complete that job.

Commissioner Ossenberg said he felt that if Mr. Johnson had a time element, that he could finish the job but that he wanted it in writing.

Commissioner Willner suggested giving him three weeks to complete the job, to get it in writing and sign it. It was agreed by the other Commissioners to do this.

Commissioner Schaad moved that the claim for \$3,404.25 be approved. Commissioner Willner seconded the motion. So ordered.

RE: HEERDINK LANE

Mr. Nussmeyer presented the legal description on Heerdink Lane which is off Heckel Road, East of Green River Road. He said the people came to him the first of the year and told him that it was agreed by the previous Commissioners, that if they provided the Right-of-Way, the county would take over Heerdink for maintenance. Heerdink Lane is approximately 1/2 mile long and serves about 8 families.

Commissioner Willner said his feeling is that people must be treated alike and they have accepted some roads, that it has been the policy to accept them if they are in proper shape and if there are problems now, that it shouldn't be accepted until the problems are corrected.

Mr. Nussmeyer said the people would do the grading if the county furnished the rock. He said that pipe is also needed.

Commissioner Willner moved that if the road is graded and the pipes are installed and the road meets the requirements of the County Engineer, that the county accept this road. Commissioner Schaad seconded the motion. So ordered.

Mr. Nussmeyer said it was the previous Board that agreed to accept the street and he didn't know if the people would agree to these terms.

Commissioner Ossenberg said he would like to check the past minutes to see how strong a commitment was made by the previous Commissioners. The motion and second that was made, having been rescinded, this matter was deferred for the present time.

RE: BURGENDORF AND SMITH DIAMOND ROAD ... R/W BUYER NAMED

Mr. Nussmeyer said they are ready for the Right of Way for Burgdorf and Smith Diamond Road and they need a buyer for them.

Commissioner Schaad moved that Bob Goff be named as Right-of-Way buyer for both, Burgdorf and Smith Diamond Road. Commissioner Ossenberg seconded the motion. So ordered.

RE: BOONVILLE NEW HARMONY ROAD

Commissioner Schaad said he had a call on Boonville-New Harmony Road, just West of 57. Sometime ago, they said there would be a tree and some telephone poles removed and asked if the county would do something about the ditch and drainage there. He understood that a big tile was installed but that the county has never done the drainage.

Mr. Willard said they want the road widened out there and they want the county to put the tile in so a housing project can be built.

Commissioner Schaad said he understood there was a drainage problem out there and that a tree has to be cut down and the telephone poles must be moved to solve their drainage problem.

RE: HITCH PETERS AND LYNCH ROAD

Commissioner Ossenberg said he thought something should be done on Hitch Peters and Lynch Road, about the guard rail, as there is approximate a 10 foot strip where there is no protection at all.

Mr. Willard said it doesn't do any good as the large trucks keep knocking it down.

Commissioner Ossenberg said it wouldn't have to be a guard rail, he thought even some posts would serve the purpose, but that something must be done because if something happens, the county will be in a law suit. He said they should decide on a temporary deal now because eventually there will be more traffic and a road project will have to be figured on to widen that intersection.

The County Surveyor will make a study on this and give his recommendation to the Commissioners.

RE: MR. KOCH

Mr. Koch said that it is astonishing to see that the new signs that were put up are gone and so are the posts. He said that several are gone in Melody Hills. He also reported that some grate bars that were installed at the corner of St. George and Twickingham Drive, on the side of the road, are upside down. He also said that the weeds behind Burch Plow Works need to be cut badly.

Commissioner Ossenberg said the ditches out there need dredging, that it won't totally alleviate the problem but that it will help.

RE: MR. WILLARD

Mr. Willard submitted the absentee report of the county garage employees for the past week. Report received and ordered filed.

RE: GRAFF ROAD

Mr. Willard said that he thought the county was going to get paid for the damage done to Graff Road , that the Insurance Company called him for an estimate on the cost. He contacted J. H. Rudolph, who will give an estimate on cost of repairs to be made. He said that when he gets it, he will give it to the County Attorney.

RE: CULVERTS

Commissioner Ossenberg presented an Inter-Departmental Correspondence from Mr. Jesse Crooks as follows:

Below is a partial list of construction jobs that have not installed proper culverts. These jobs have been turned over to the County Surveyor for handling as we considered this a drainage problem. In addition, it is necessary for the County Surveyor to determine the culvert size. In the future when we find a job that does not have a culvert we will immediately place a stop order on the job.

1. Wabash Plastics - Burch Road
  2. Regal 8 Inns - Highway 41 and Yokel Road
  3. Stewarts Sandwich - 7813 Baumgart
  4. Modular Home - 4700 Bergdolt
  5. 10140 S.E. Browning Road
  6. Eisterhold - North Greenriver Road near Heckel
  7. 6308 N. Greenriver Road
  8. 5720 Oak Hill Road
  9. 5800 Oak Hill Road
  10. 6108 Oak Hill Road
  11. 5000 Oak Grove Road - Niehaus
  12. 5007 Oak Grove Road - Stevens
  13. Three blocks west of Darmstadt Road on South Side - no culvert - new garage
- Received and ordered filed.

RE: CLOSING TIME CHANGED FOR THE SUMMER

Commissioner Ossenberg said the Commissioners have consented to close their office at 4:00 p.m. during the summer months and will again remain open until 5:00 p.m. when school resumes.

RE: MR. KOCH'S REPORT

All too many hazardous situations go unheeded in spite of the fact that he has time and time again called attention to the responsible parties. One which he was glad to see Commissioner Ossenberg take note of the hazard as a result of no guard rail at Hitch Peters and Lynch roads. A serious condition exists on the corner of Boonville-New Harmony Road and Seib Road. Aluminum culvert mashed. Grass cuttings or weeds on wet pavement can cause serious tire skid. The crew should be advised to remove it before they leave the area. Bad washout at N.E. corner of Old State Rd. and Hillsboro Road.

Meeting recessed at 11:13 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u> | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEY</u> | <u>REPORTERS</u> |
|-----------------------------|-----------------------|------------------------|------------------|
| Thomas Ossenberg            | Lewis F. Volpe        | Thomas Swain           | A. Jackson       |
| Robert Schaad               |                       |                        | G. Clabes        |
| Robert Willner              |                       |                        | C. Leach         |
|                             |                       |                        | S. Clark         |

Secretary: Margie Mecks

*Thomas Ossenberg*  
 \_\_\_\_\_  
*Bob Schaad*  
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*Robert Willner*  
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 BOARD OF COUNTY COMMISSIONERS

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PUBLIC HEARING ON THE INCORPORATION OF DARMSTADT  
JUNE 21, 1973

The second public hearing was held on Thursday, June 21, 1973, at 7:10 p.m. with County Commissioner President, Thomas Ossenberg, presiding.

Commissioner Ossenberg explained that this meeting is for the purpose of the Darmstadt Incorporation. He said that the Commissioners have now taken the matter under advisement and have studied the report of the Area Plan Commission and at this particular time he requested that Commissioner Willner, who has researched different communities and has documented facts, to explain them.

Commissioner Willner then explained the report that he distributed among those present, a copy of which is attached hereto. He said the reason for the comparison was to see whether the town of Darmstadt could possibly get by with a 91¢ tax rate or less. He said that the Area Plan Commission thought that Darmstadt would take an approximate \$2.54 tax rate and this concerned everyone, so this is the reason he made a comparison with other towns.

Commissioner Willner said that the Area Plan Commission didn't take the Revenue Sharing into consideration in their report. He had asked Mr. Volpe, the County Auditor, to try to find out what the dollar figure would be for the town of Darmstadt on Revenue Sharing funds and it is so complicated that they were unable to tell him the exact amount, however, in checking the other four towns, they came to the conclusion that it would be between \$3,000 and \$6,000 which is the best they could do. He said the total figure that the proposed town of Darmstadt has in their budget, he felt, that the 91¢ to be well within the realm of possibility.

Commissioner Ossenberg gave the results of the pole that was taken of the Darmstadt residents, by the Area Plan Commission. He said there were 240 questionnaires sent out and of these, 17 came back for lack of delivery, 76 were received by residents but not returned, 113 were in favor of the Incorporation and 34 were against the Incorporation.

There were no remonstrators present.

Mr. Robert Schuttler, Attorney for the petitioners, then gave a summary, by saying that the main object of this Incorporation is to improve the status of everyone that is within the area of the proposed town of Darmstadt. He said that the main purpose of the Incorporation would be to control the orderly growth of the community and since new industry will be coming in, there will be increased traffic problems, also problems of sewage, sanitation and disposal problems, so they purpose supervision on these matters through the auspices of governing authority. He said that fire control services must be expanded and they must have some means of police protection, subdivision control and some public recreational service and the only way to get all this done is to Incorporate the town and the town body would enable them to accomplish this. He said the organization of a town consists of three trustees and one clerk-treasurer who will serve for four years.

In closing, Mr. Schuttler said that what they are doing here is to protect the community and they feel that this is the way to do it as they want to make it a fine community.

Reverend Clifford Jansen, a resident of the area and pastor of the Salem United Church of Christ, also secretary of the committee for the Incorporation, noted that there has been a great deal of publicity about the tax situation and he said that the committee, in drawing this up, realized that this was kind of a guessing type of figure because of the fact that the committee, itself, cannot bind the elected body that will later determine the tax rate, so when they presented this, they tried to arrive at something that seemed to be reasonable and feasible for the operation of the community and he thought that the figures gathered by Commissioner Willner amply demonstrates that the proposed tax rate is a very reasonable one. He urged the members of the Commission to give their approval for the Incorporation.

Commissioner Ossenberg said that there have been two different legal opinions on this, also that he had asked a state representative to seek an opinion from the Attorney General of the State of Indiana, as to whether it was legal for Darmstadt to Incorporate but the Attorney General preferred not to give an opinion.

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Commissioner Schaad said if the people wanted the Incorporation, he saw no reason that the Commissioners should be opposed to it, but that he wanted to be sure that the people understood the facts. He said that the \$2.54 tax rate that was proposed by the Area Plan Commission isn't a true figure because the street lights, water and sewer are included and it shouldn't have been. He also said that the people would still pay the Vanderburgh County tax rate just as they are paying it now and they will also be paying their city rate. He said that the county has taken care of the roads outside the city of Evansville, in the past, and the bridges are the responsibility of the County Commissioners, so if this area is Incorporated, the county will no longer take care of the streets in the Incorporated area, however, they will get R & S funds from the state, which comes from gasoline tax to take care of their roads and streets.

Reverend Jansen said they did some legal research on this and found that a town of under 5,000 population can leave it's roads with the county, by agreement between the county and the town.

Commissioner Ossenberg asked if in the research on the R & S funds that are for new construction, if they could maintain roads or if the R & S funds could only be applicable to new construction.

Mr. Schuttler said that the law provides that the community may agree with the county to take over the entire maintenance and operation of roads within the Incorporation, thereby must waive all of the R & S funds, which is what they purpose to do because it would be foolish and unwise for a community as small as Darmstadt to attempt to buy equipment to fix roads and they will probably ask the County Commissioners to continue the maintenance of the roads in the Incorporated area .

Commissioner Ossenberg asked if they were really talking about R & S funds or if they were talking about motor vehicle funds and he found that it was the motor vehicle funds that he was talking about. He said that they have an estimate of \$17,317.00 in that account and by law, they can do this but he questioned whether they could waive the R & S funds.

Commissioner Schaad explained that under the R & S funds, the law states that they must come up with 10% of the money, locally and then the 90% will come from the state.

Commissioner Ossenberg explained that the County Commissioners will only be responsible for what is in their motor vehicle fund, that they can contract on, that they cannot go over that fund and if any money is left in that fund, it will go back into their general fund.

Commissioner Willner said, in his opinion, the conditions that have been set by the statutes for the Incorporation of the town have been met. He therefore moved that the Board of County Commissioners, being reasonably satisfied that these conditions have been met, make the following motion, that the town of Darmstadt be Incorporated. Commissioner Schaad seconded the motion. The vote being unanimously in the affirmative, the motion carried.

Commissioner Willner said that here-to-fore, the unincorporated town of Darmstadt did have an unofficial Mayor who is Mr. Walter Wortman, who is with us tonight and he wanted to assure Mr. Wortman that the now-Incorporated town of Darmstadt will not have a Mayor so he can keep his unofficial title as Mayor.

The meeting recessed at 8:45 p.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u>                         | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEY</u> | <u>REPORTERS</u>   |
|---|-----------------------|------------------------|--|
| Thomas Ossenberg<br>Robert Schaad<br>Robert Willner | Lewis F. Volpe        | William Stephens       | B. Gladdish C. Leach<br>G. Clabes S. Brown<br>H. Wolford |

Secretary: Margic Meeks

*Thomas Ossenberg*  
*Robert Schaad*  
*Robert Willner*  
 BOARD OF COUNTY COMMISSIONERS

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COMPARISON OF CIVIC POPULATION, COSTS, INCOME, AND ASSESSED VALUATION

| TOWN  | POPULATION | TAX SUPPORTED SERVICES |  |  |                           | SELF SUSTAINING SERVICES   |  | Tax rate | Approximate Revenue Sharing | ASSESSED VALUATION                  |
|---|------------|------------------------|--|--|---------------------------|--|--|----------|-----------------------------|-------------------------------------|
|   |            | Police                 | Fire                                   | Lights & Streets                       | Planning & Zoning         | Water  | Sewer  |          |                             |                                     |
| POSEYVILLE  | 1200       | \$6,000                | Volunteer                              | Not Known                              | Minimal                   | Self-sustaining<br>(Rates not obtained)  | None   | \$1.17   | \$6,000.                    | \$1,748,230                         |
| HAUBSTADT   | 1184       | \$3,300                | Volunteer                              | "                                      | "                         | Self-sustaining or profit<br>\$1.50 per mo. per 2000 gal.                              | Self-sustaining<br>\$4.00 per mo. per 2,000 gal. water use.                | \$1.10   | \$4,700.                    | \$1 million (Approx.)               |
| ELBERFELD   | 824        | \$1,200                | Volunteer                              | "                                      | "                         | \$7.60 per mo. per 3,000 gal.  | \$8.20 per mo per 3,000 gal water use.                                     | \$1.50   | \$6,000                     | \$646,675                           |
| CYNTHIANA   | 793        | \$3,180                | \$4,600                                | Lights \$340.                          | "                         | \$3.00 per mo. per 3,300 gal.  | Not provided   | \$1.70   | \$3,000                     | <del>\$727,000</del><br>\$1,366,860 |
| PROPOSED TOWN OF DARMSTADT (Marlin Report)          | 806        | \$5,800                | \$3,500                                | Lights \$675 Streets \$18,993 (Net)    | No cost (Area Plan Comm.) | Feasibility Study \$1,000.   | Feasibility Study \$1,000.   | \$2.54   | Not Considered              | \$1,366,860                         |
| PROPOSED TOWN OF DARMSTADT (Petitioner's estimates) | 806        | \$4,300                | \$3,500 (contract w. Scott Fire Dept.) | Lights \$675 Streets-Left with county. | No cost (Area Plan Comm.) | Contracted serv. w/ feasibility study cost borne by contractor or public subscription. | Not intended feasibility study immediately, but initiated on comm. demand. | 91 cents | \$3,000 to \$6,000          | \$1,366,860                         |

NOTE: If feasibility studies for sewer and water were to be borne by the town, Federal Revenue Sharing Funds could be used for that purpose.

NOTE: Federal Revenue Sharing Funds could be used to make the tax rate even less than proposed 91 cents.

NOTE: Petitioners contend that tax rate proposed is reasonably sufficient and that, with Federal Revenue Sharing or reduced support for Fire Department the tax rate could conceivably be considerably less.

COUNTY COMMISSIONERS MEETING  
JUNE 25, 1973

The regular meeting of the County Commissioners was held on Monday, June 25, 1973, at 9:30 a.m. in the Council Chambers, with President Ossenberg presiding.

The minutes of the regular meeting held on June 18, 1973, were approved as engrossed by the Auditor as well as the minutes of the Public Hearing on the Incorporation of Darmstadt which was held at the 4 H Auditorium, on June 21, 1973. The reading of the minutes was dispensed with.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

VAND. COUNTY HIGHWAY DEPARTMENT

|                 |                     |              |               |              |
|-----------------|---------------------|--------------|---------------|--------------|
| Orbie Davis     | 309 Florida         | Mechanic     | \$3.425 Hr.   | Eff: 6/25/73 |
| Aubrey Collins  | R.#7 Box 18 St. Joe | Temp. Watch. | \$3.125 Hr.   | Eff: 6/24/73 |
| Clarence Reuger | St. Joe Ave.        | Rd. Insp.    | \$5620.00 Yr. | Eff: 7/1/73  |

BOARD OF CO. COMMISSIONERS

|                   |             |                |          |                        |
|-------------------|-------------|----------------|----------|------------------------|
| Elaine Wellemeier | 2819 Taylor | Vacation Clerk | \$150.00 | Eff: 7/9/73 to 7/20/73 |
|-------------------|-------------|----------------|----------|------------------------|

BOARD OF REVIEW

|                |               |       |             |              |
|----------------|---------------|-------|-------------|--------------|
| Patricia Swift | 1508 S. Bosse | Clerk | \$15.00 Day | Eff: 6/21/73 |
|----------------|---------------|-------|-------------|--------------|

COUNCIL OF GOVERNMENTS

|                |                |        |            |              |
|----------------|----------------|--------|------------|--------------|
| Barbara Sisson | 1107 N. Spring | Intern | \$2.00 Hr. | Eff: 6/12/73 |
|----------------|----------------|--------|------------|--------------|

RE: EMPLOYMENT CHANGES.....RELEASES

VAND. COUNTY HIGHWAY DEPARTMENT

|                 |                  |                |               |              |
|-----------------|------------------|----------------|---------------|--------------|
| John Koch       | 1108 N. 3rd Ave. | Road Insp.     | \$5620.00 Yr. | Eff: 6/30/73 |
| Clarence Reuger | St. Joe Ave.     | Night Watchman | \$3.125 Hr.   | Eff: 6/30/73 |

COUNCIL OF GOVERNMENTS

|                |                  |               |               |              |
|----------------|------------------|---------------|---------------|--------------|
| Barbara Walls  | 558 S. Ruston    | Coder I       | \$4470.00 Yr. | Eff: 6/30/73 |
| Cheryl Roberts | 2262 E. Franklin | Coder II      | \$4269.84 Yr. | Eff: 6/22/73 |
| Vicki Brand    | Hamilton Ohio    | Planner Admn. | \$7500.00 Yr. | Eff: 6/22/73 |

RE: APPOINTMENT TO AIRPORT AUTHORITY

Commissioner Schaad moved that Ian Lockhart be re-appointed to the Airport Authority, to serve for a three year term, effective as of 7/1/73. Commissioner Ossenberg seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: SURPLUS GOODS SOLD

A check was received from the Auction Mart in the amount of \$33.60 for the sale of surplus goods at Pleasantview Rest Home. Check noted as being received and will be deposited in the General Fund.

RE: INSURANCE POLICY CANCELLED

A notification was received from the Fidelity and Guaranty Co. on the cancellation of Workmens Compensation on George D. Woods Inc. as of May 30, 1973. His insurance was picked up by C.N.A. Insurance Co. as of June 5, 1973. Mr. Woods is a painting contractor and has been working on the pool at Burdette Park.

County Attorney Swain said that Mr. Woods had insurance with three different companies in a 90 day period and he wanted to know why.

Commissioner Schaad moved that this matter be deferred until it can be checked into. Commissioner Willner seconded the motion. So ordered.

RE: TWICKINGHAM DRIVE

Mr. Ludwick of the Surveyors office had written the following letter to Mr. Fred Johnson, on the request of the County Commissioners:

Dear Sir:

Concerning your contract on Twickingham Drive in Melody Hills Subdivision, The Board of County Commissioners have asked that you sign this letter, which states that you will have this job done by July 13, 1973.

The attached letter which was signed by Mr. Johnson read as follows:

The undersigned Fred L. Johnson Construction Company, by and through the president and owner, Fred L. Johnson, proposes to remove and replace according to specifications 2 portions of street pavement on Twickingham Drive approximately 80' x 27' and 27' x 13 1/2' in 15 working days weather and unforeseen conditions permitting.

Commissioner Ossenberg said he was out there yesterday and found that Mr. Johnson was almost finished with the project.

RE: CERTIFICATE OF DEPOSIT

Three bids were received from local banks on 180-day Certificate of Deposit in the amount of \$200,000.00. They are as follows:

|                             |                  |
|-----------------------------|------------------|
| Citizens National Bank..... | 7.875% per annum |
| Old National Bank.....      | 7.875% per annum |
| National City Bank.....     | 7.77% per annum  |

Since the bids of Citizens National Bank and Old National Bank were identical, the Commissioners flipped a coin to see where the money would be deposited.

Commissioner Willner moved that the money be deposited in the Citizens National Bank. Commissioner Schaad seconded the motion. So ordered.

RE: SCHISLER ROAD

A letter was received by the County Commissioners from residents of Schissler Road, as follows:

Subject: Improvement of Schissler Road for Postal Service.

Gentlemen:

Please refer to Mr. Robert Schellhase's letter written to the Board of County Commissioners dated May 2, 1973 and your reply on June 8, 1973.

We would like to bring to your attention that there are approximately ten families who live on Schissler Road and not four as stated in your letter of June 8, 1973. Schissler Road connects with West Franklin and Schmuck Roads. Since it has been brought to our attention that the above-stated road is unsafe for the mail carrier to deliver the mail, isn't it also unsafe for the residents who have to travel this road daily?

Since we are eligible for mail service and meet all requirements except for the road, we are requesting that you improve and make safe the above-mentioned road, not only for the mail carrier but for the residents who live on this road. Very truly yours, Signed Chester Williamson, Raymond Connors, Earl F. Hoppel, Charles Hadley and Jerry L. Damm.

Commissioner Ossenberg said that when this was discussed before, there were only four people who wanted the road repaired and there was quite a bit of cost involved.

Mr. Nussmeyer said there was a neighborhood squabble out there involving the sewage.

Commissioner Willner said this road should be done like the others, to tell the residents that if they are willing to donate the 40 foot Right of Way, the county will fix the road.

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Commissioner Schaad said this would mean they have to reconstruct the whole road.

Commissioner Willner said that he would go out there with Mr. Willard to look over the situation and will report back to the other Commissioners.

RE: ENGINEERING AGREEMENT

An Engineering Agreement from Engineer's Associates Inc. was presented to the Commissioners for their signatures. This was on a scope of services for improvement to Burdette Park in the amount of \$7,500.00. The Commissioners signed the Engineering Agreement.

RE: EICHELE DRIVE

A petition was presented to the Commissioners from Mr. Henry C. Stock, the spokesman for the Petitioners, as follows:

The undersigned owners of property adjacent to and abutting to a private thoroughfare known as Eichele Drive respectfully petition the Board of County Commissioners to accept and maintain said thoroughfare as a public highway.

As an inducement to said acceptance and maintenance, the undersigned hereby agree to dedicate to the County at no charge the necessary Right of Way to provide for a fifty-foot street as per the plat attached hereto and made a part hereof.

Your favorable consideration of this petition will be greatly appreciated.

Commissioner Schaad moved that this matter be referred to the office of Mr. Nussmeyer for investigation and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was received from Mr. Jay Welch for services performed in the appraising, negotiating and acquiring the Right of Way to accommodate the construction of a bridge and approaches over the L & N Railroad on Old State Road, for March, April and May... 13 appraisals...6 parcels acquired and 7 parcels under negotiation and preparation for condemnation proceedings. The claim is in the amount of \$2850.00.

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

A claim was received from Torian Insurance Agency for the Hartford Steam Boiler Policy #90-11827, covering the boiler and machinery...Annual premium in the amount of \$2,340.00.

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

The following claims were presented for the Construction of the Central Services at Burdette Park:

Bill Nix Construction Co. in the amount of \$17,169.30  
 JaLo Electric Co. in the amount of \$1,788.60...Final Payment.  
 Sandleben Plumbing & Heating Co...\$2,826.57.  
 Connie Garnett Contracting Inc. ....\$8,056.36...for paint & repair of the pool. Mrs. DeVoy has approved these claims.

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

A claim was received from ATEC Associates Inc. for the Soil and Foundation Investigation on the proposed Barker Avenue underpass at Barker & Claremont Avenues in the amount of \$7,536.29.  
 This matter had been deferred last week, pending hearing from Ohio Valley Engineers and notification was received from Edwin Boyd, that this work has been completed.

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

RE: BRIDGE OVER DARMSTADT ROAD

Commissioner Willner said that there was a request to accept the bridge over

the L & N tracks on Darmstadt Road and he checked with a gentleman out there who wasn't quite happy with it and he would like for Commissioner Willner to have the county engineer to check this structure one more time. He said that the trucks coming from the North and heading South have dipped the road slightly on the North approach and when big trucks hit it, it vibrates his house. He thought that perhaps this was done for drainage purposes. Commissioner Willner said he wants the approval of the County Engineer before he accepts this bridge.

RE: CLAIMS, CON'T.

The following claims were presented for appraisals and Right of Way buying on the Old State Road overpass, as follows:

William Paul & Anne B. Asbury...Temporary Easement...\$1.00  
 William Paul & Anne B. Asbury...Land, damage to lawn & moving mail box...\$1,432.90.  
 Harold & Narvely A. Blum...Land, damages & loss of trees...\$7,153.38  
 Harold & Narvely A. Blum...Temporary Easement...\$1.00  
 Harold Blum, Palmer Blum & Viola M. Hinds...Temporary Easement...\$1.00  
 Harold Blum, Palmer Blum & Viola Hinds for damages to land...\$2,050.00

Commissioner Willner moved that these claims in total amount of \$10,639.28 be approved for the Old State Road overpass and that a figure be set of 30 months for temporary easement. Commissioner Schaad seconded the motion. So ordered.

RE: RESOLUTION

County Attorney Swain requested a resolution to condemn the following parcels of property:

Property of Donald L. Stevenson & wife, Parcels #5..Temporary Easement & #6.. Permanent Easement.  
 G. Richard Eykamp & wife, Parcels #1..Permanent easement & #2..Temporary Easement.  
 Estil L. Schroeder, Parcel #11.

Commissioner Schaad moved that the resolution be adopted. Commissioner Willner seconded the motion. So ordered.

County Attorney Swain said the final offer was given to these parties by Certified Mail, return receipt requested, with notice to their attorney of record.

RE: PROPOSALS...EICHOFF ROAD PROJECT

There were four proposals submitted for the Engineering on the Eichoff Road project which will eventually tie in, over State Road 62. The proposals were from Warren T. Hobson of Indianapolis, Ind., Andy Easley, Lon Gardner of Indianapolis, Ind. and Engineer's Associates.

Commissioner Willner moved that the Commissioners acquire the services of Engineer Associates. Commissioner Schaad seconded the motion. So ordered.

Commissioner Schaad said he knew it a little unusual to take proposals on engineering work but in as much as quite a bit of the engineering work had been done by the office of the County Engineer, sometime ago, that the Commissioners wanted to be sure they got credit for all the work the county had done.

Mr. Nussmeyer said their proposal is based on a specific route which has already been set up.

RE: RIGHTS OF WAY

Mr. Nussmeyer presented the Rights of Way for easements for bridges at Weinbach Avenue and Old Green River Road over Eagle Slough. He said the bids from the Contractors for these bridges will be received next Monday. The Rights of Way were accepted by the Commissioners.

RE: CUTS IN

The following cuts-in were presented to the Commissioners:

Waterworks Dept. requested permission to cut into Aspen Drive to install 1,230' 6" Water Main Extension.  
 Indiana Bell Telephone Co. requested permission to cut into Boonville-New Harmony Rd.

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Mr. Willard said the cuts in from Indiana Bell Telephone Co. should be held up. He said they had a bad situation at St. Joe Avenue and Allens Road, and he called on this and was told that K & S Construction Co. had an order on it but it hasn't been repaired as yet. This cuts-in will be held up until repairs are made.

Commissioner Schaad moved that the Waterworks Dept. Cuts-in be approved. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR MAINTENANCE

A letter of request was received from Guthrie May to accept the streets in Valley Down Subdivision as follows:

Gentlemen:

We hereby submit the following concrete streets with integral curbs for your approval and request that they be accepted and maintained by the county:

Saratoga Drive from existing intersection of Keeneland Court North to the intersection of Spring Valley Road.

Spring Valley Road from 124' east of the intersection of Oxmoor Road and Spring Valley Road to the intersection of Spring Valley Road and Saratoga Drive.

Hunters Trace from the intersection of Saratoga Drive west to the end of the cul de sac.

Crossbow Lane from the intersection of Hunters Trace north to Deer Trail.

Deer Trail from the intersection of Crossbow Lane east to the intersection of Saratoga Drive.

We also submit the following storm sewers, curb inlets, and their appurtenances for your approval and request that they be accepted and maintained by the County:

Hunters Trace and Saratoga Drive

Deer Trail and Saratoga Drive

Spring Valley Road and Saratoga Drive.

The plans for the construction of the streets and storm sewers were approved by the Board of County Commissioners on December 12, 1972. The plat was recorded on January 1, 1973.

Mr. Nussmeyer recommended acceptance but he recommended that the developer be responsible for the storm sewers until such time as the project is completed. The resolution was presented to the Commissioners for their signatures.

Commissioner Schaad moved that the Commissioners accept these streets for maintenance with the stipulation as recommended by the County Surveyor. Commissioner Willner seconded the motion. So ordered.

RE: MR. NUSSMEYER

Mr. Nussmeyer said there is a subdivision on the West side of Peerless Road where there is actually a drain coming across the road.

Mr. Wandel said that someone called him and asked if he could build on Lot #7 in Vernon Wood Place, Section A. He told the man that they were working on the Building Code and that he would recommend his request be denied under the present circumstances.

Mr. Pugh said that the man needs to present his site plan, elevations, drainage point and septic plan to the County Surveyor and he will have to look it over carefully to see if it can be approved or not.

RE: POSSIBILITY OF NEW BRIDGE

Commissioner Ossenberg said he was touring the county roads and he would like for Mr. Nussmeyer to explore the possibility of a new bridge with the city sharing the cost of the approaches, on North Kentucky Avenue, off Pfeiffer Road. He thought that Whirlpool had requested this bridge. He said that Mr. Nussmeyer should get with the Levee Department and the Corp of Engineer's to see what they are going to do on it.

RE: MR. WILLARD

Mr. Willard submitted an absentee report of the County garage employees for the past week. Report received and filed.

Mr. Willard said that he was going to buy some stock for his storeroom, so that he doesn't have to go to the Purchasing Department everytime he needs something.

Commissioner Schaad said he thought the stockroom should be kept locked and that a man should be put in charge of it and to keep an inventory, whereby anyone that takes anything must sign for it.

RE: CLAIM

A claim was presented from County Attorney Stephens for his fee as Drainage Board Attorney, for the second quarter of 1973, in the amount of \$437.50.

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

RE: MR. HOTZ....PROPOSAL FOR EMERGENCY

Mr. Hotz presented a proposal from Mr. Wolf of the Evansville Wet Heat & Piping Co. Inc. for the replacement of a domestic hot water storage tank at the Washington Home. He said this is a dire emergency and an appropriation by the County Council will be needed for it. He said that the Evansville Wet Heat & Piping Co. propose to replace the one tank with two smaller glass tanks with the necessary pipe for the sum of \$2,595.00.

Commissioner Ossenbergs suggested that Mr. Crooks go out there with Mr. Hotz so they can get their request for appropriation in time for the Council Call of July 18, 1973.

RE: POOR RELIEF

Josh C. Swope Sr....Pigeon Township....800 E. Gum St.  
Mr. Willett, Investigator and Mr. Bob Olsen were both present, representing the Pigeon Township Trustee's office.

Mr. Swope asked for money to pay his water bill. He said the Waterworks Dept. has shut off his service. He said that he has an infection around his heart and has a bad leg, that he has put in for Social Security and he received a letter about the hearing and that the hearing on his Welfare Disability was held on May 16, 1973, but he hasn't heard anything. He thought that it had been arranged for his water to stay on until he got his money and could pay his water bill.

Mr. Swope has a wife and a 17 year old daughter.

Mr. Olsen said that the previous plumbing inspector had inspected the plumbing and found the toilet to be leaking. His water bill at that time was \$309.10 and it is now over \$500.00.

Mr. Olsen said this problem was discussed and they thought that the Commissioners would instruct the present plumbing inspector to re-inspect this plumbing, since the trustee said he wouldn't give it any consideration if corrective measures haven't been taken.

Mr. Olsen said it was his understanding that the trustee's office would maintain the utilities of gas and electricity and that Mr. Swope could make arrangements with the Water Co. to maintain this account until such a time as Mr. Swope was granted his Social Security disability or his Welfare disability, neither of which has been granted. He said the water service had been shut off and that Mr. Swope had paid \$25.00 on the account and the service was restored but it will be cut off again soon, if some sort of payment isn't made soon. He said there must still be a malfunction in the plumbing.

Mr. Swope said that he didn't think the water company was reading his meter every month. He thought that they had been sending him an estimated bill.

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Mr. Olsen said that Mr. Swope had been placed on Welfare for a period of time, as an essential needy relative and his wife was actually the welfare recipient but when they received medical information to the effect that Mr. Swope was able to return to work, they removed his wife from the A.D.C. rolls which resulted in his being removed from E.N.R. rolls and he filed an appeal on this, also he filed an appeal for denial of Social Security disability.

Commissioner Willner said that the Commissioners couldn't accurately rule on this case without a doctors report, that Mr. Swope has been off and on the trustee's rolls for some time and he thought Mr. Swope should apply for Welfare again and with this application, would have to have a complete medical report.

Mr. Olsen said that Mr. Swope has had a hearing on his appeal on May 16, with the Welfare Department but the decision hasn't been rendered by the State Medical Board.

Commissioner Ossenberg said that he would talk to Mr. Wetzel or to Mrs. White of the Waterworks Department and see if the water can be kept on until such a time as Mr. Swope hears from the state or from his Social Security, also that the meter is read every month.

Commissioner Schaad said that he would go along with this providing there is no longer a malfunction.

Mr. Crooks was instructed to send the Chief Plumbing Inspector to 800 E. Gum St. to check the plumbing for a malfunction and to report back to the Commissioners.

RE: AUCTION OF COUNTY OWNED PROPERTY

County Attorney Stephens was the Auctioneer for the disposition of county-owned property for sale. He asked all those interested in bidding to please raise their hands. He said all offers would be subject to a 20% down payment, the balance payable at time of delivery of the deed and that the Commissioners make no warranty of any kind, express or imply, concerning the ownership of property or existence of any lien with the exception of real estate taxes and none would be due until May of 1975.

Commissioner Willner said the Commissioners will not guarantee that this price will then become the assessed valuation of the property as it would be if it was a regular sale.

The following parcels were sold:

#18 to Rose A. & John S. Peacock of 705 N. St. Joe Avenue...sole bidder, Code - 32-38-19....2820 C. St. Ingleside, L. 42 Blk. 4.....\$250.00 ...Appraisal price, \$250.00.

# 40 to Anthony & Edna N. Faccone of 5715 Ward Road.... Code, 34-161-14... 2433 Edgar St. Avondale, L. 118 B....\$350.00..... Appraisal price - \$210.00.

#15 to Joyce E. Berry of 619 E. Sycamore St....sole bidder, Code, 24-21-8, 617 E. Sycamore St. Garvin & Browers Addition..L. 9 Blk. 3....\$250.00. Appraisal price...\$250.00.

# 2 to Jack L. & Edna P. Grisham of 22 Dorothy Drive...sole bidder, Code, 7-156-18... 209 S. Elm St. Pt. L. 32 & 33..Dorothy Acres...\$200.00 Appraised price..\$200.00.

# 49 to Ralph D. & Rachel M. Powell of 407 S. Bedford Ave...sole bidder, Code - 21-59-7....770 - 774 Line St. Youngloves Enlg., 15 1/4 L. 12 & 13, Blk. 2... paid \$260.00...Appraised price...\$260.00

# 48 to Dallas Hughes of 401 W. Buena Vista...sole bidder, Code, 34-165-34, 2506 Edgar St. Avondale Sub. Lts. 7,8,9 & 43...Blk. B...\$210.00..Appraised price...\$210.00

#23 to Dallas Hughes of 401 W. Buena Vista...sole bidder, Code, 34-175-14, 2506 Second Avenue .... Beverly Heights..L. 3, Blk. 16....\$250.00...Appraised price...\$250.00.

County Attorney Stephens recommended the sale be continued, day to day, until such a time as the other parcels may or may not be disposed of.

Mr. Volpe wondered if the statute applies here, that after 90 days, individual contracts can be made with people, on the sale of remaining parcels, regardless of what original appraised value is.

County Attorney Stephens said he wasn't familiar with this statute but that he would check into it.

Commissioner Schaad moved that anyone may come in to any meeting of the County Commissioners and offer to bid on any parcel available. Commissioner Willner seconded the motion. So ordered.

Mr. Dallas Hughes who had also bid on #40, said that he would like to make a bid on #17 at less than appraised value, if possible, as the appraised value was \$500.00 which was more than he wanted to pay for it. He will be back next week.

Mr. Sidney Brown of 229 Sweetser Ave. also wanted to bid on #28 but the appraisal value of \$900.00 was more than he wanted to pay.

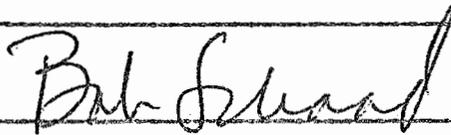
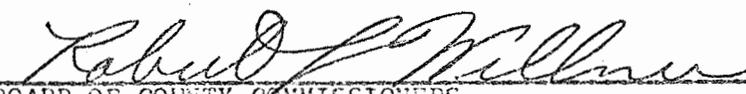
County Attorney Stephens said that he would contact Mr. Brown so that he can come back next week and bid for less than appraised value.

The meeting adjourned at 11:45 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u>                         | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u>          | <u>REPORTERS</u>                      |
|---|-----------------------|----------------------------------|---------------------------------------|
| Thomas Ossenberg<br>Robert Schaad<br>Robert Willner | Lewis F. Volpe        | William Stephens<br>Thomas Swain | S. Clark<br>B. Thompson<br>A. Jackson |

Secretary: Margie Meeks

  
  
 BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
JULY 2, 1973

The regular meeting of the County Commissioners was held on Monday, July 2, 1973, at 9:30 a.m. in the Commissioners hearing Room, with Vice President Robert Shaad presiding.

The Meeting was called to order by Sheriff's Deputy Terry Hayes.

The minutes of the regular meeting held on June 25, 1973, were approved as engrossed by the Auditor. The reading of the minutes was dispensed with.

The ordinance for the Incorporation of Darmstadt was presented to the County Commissioners for signing, Commissioner Willner moved the ordinance be approved and signed. Commissioner Shaad seconded, So ordered.

RE: COUNTY SURPLUS PROPERTY

Mr. Shaad asked if there was anyone there to bid on County Surplus Property. Mr. Merle Ekkert said he made a bid last week on a lot at 701 E. Maryland, Code No. 25-101-1, The bid was for \$300.00. The Property is appraised at at \$375.00. County Attorney William Stephens said the Commissioners could reappraise the property to \$300.00 and go ahead and sell it. Robert Willner moved they reappraise the property to \$300.00. Robert Shaad seconded, so ordered.

Mr. Hughes made a bid last week of \$200.00 on a piece of property with Code # 31-42-3. The appriased value of the property is \$500.00. Mr. Stephens said he would check with Mr. Angermeier to see why the property is appraised so high. When Mr. Stephens came back he said Mr. Angermeier wasn't in and the deputy could not tell him why the appraisal was so high. Mr. Stephens said they could do as they done with Mr, Ekkert and reappraise the property to \$200.00. Commissioner Willner moved they reappraise the property and sell it, Mr. Shaad seconded, so ordered.

RE: BIDS ON EAGLE SLOUGH

The bids were opened by County Attorneys and read as follows:

|                                 |              |
|---------------------------------|--------------|
| G. H. ALLEN CO. of Vincennes    | \$104,987.76 |
| TRAYLOR BROTHERS                | 130,851.00   |
| DIEG BROTHERS                   | 108,208.30   |
| BARNETT BRCS. of Henderson, Ky. | 94,918.25    |

County Attorney said if the Henderson Firm proved to bid the Low Bid he would ask for two (2) reccommendations: 1. There is indication they are permitted to do business in Indiana. 2. The Bond be countersigned by an Indiana Resident agent. The Bids were referred to the County Engineer.

Mr. Shaad said that last week there were 6 parcels of land sold. He said the deeds were ready to be signed. He and Mr. Willner signed the deeds and said that Mr. Ossenberg could sign them when he came in.

RE: T. B. PATIENTS:

The following letters were sent to Mr. Ossenberg:

RE: Thomas N. McGraw  
108 W. Iowa St.  
Evansville, Indiana  
B-D. 11-24-48

Dear Mr. Ossenberg:

The above referenced individual was admitted to the Good Samaritan Hospital Vincennes, Indiana, June 22, 1973, for isolation and treatment of active pulmonary tuberculosis, with cavitation and hemorrhage. Also, special permission was requested for transfer of the patient to the hospital by private ambulance.

This letter is to certify that Mr. McGraw is a resident of Vanderburgh County and in need of financial assistance with the medical expenses incurred during his hospitalization.

If there are any questions, feel free to call me.

Sincerely,  
Arnold W. Brockmole, M.D.  
Health officer

RE: Floyd Phelps  
1329 N. Fulton  
Evansville, Indiana  
Birthdate: 9/16/10

Dear Mr. Ossenberg:

The above referenced individual was admitted to Good Samaritan Hospital Vincennes, Indiana, on June 22, 1973 for isolation and treatment of active, pulmonary tuberculosis.

This letter is to certify that Mr. Phelps is a Vanderburgh County Resident and in need of financial assistance with the medical expenses incurred during his hospitalization.

If there are any questions, feel free to call me.

Sincerely,  
Mildred M. Knodel, R.N.  
Tuberculosis Control Officer

RE: John H. Tekoppel, Jr.  
511 N. Boehne Camp Rd.  
Evansville, Indiana  
Birth date 5/3/18

Dear Mr. Ossenberg:

The above referenced individual was admitted to the Good Samaritan Hospital Vincennes, Indiana, May 2, 1973 for isolation and treatment of active pulmonary tuberculosis.

Mr. Tekoppel has Blue Cross-Blue Shield insurance which will be utilized to the full extent of coverage; however, he will probably need additional financial assistance in meeting the total medical expenses incurred during this hospitalization.

If there are any questions, feel free to call me.

Sincerely,  
Mildred M. Knodel, R.N.  
Tuberculosis Control Officer

Commissioner Willner moved that the three (3) Patients be compensated for their stay at the Hospital. Robert Shaad seconded, So ordered.

POOR RELIEF:

Mr. Shaad said that last week Mr. Josh Swope was in for poor relief, wanting quite a sum of money on a water bill. It was requested that Jesse Crooks have someone investigate the plumbing. Mr. Crooks report reads as follows:

At the request of the county commissioners, the residence of Josh Swope at 800 E. Gum St. has been inspected by the plumbing inspector with these findings;

1. There are no leaky valves on faucets except for one minor leak at the first floor bath-tub.
2. The water meter does not indicate any flow of water when all faucets are closed.
3. The water meter is new.
4. An inventory of fixtures show:

2 water closets  
2 lavatories  
2 bath tubs  
1 sink  
1 sill cock  
1 water heater

- 302
5. There was no vent on the water heater.
  6. There was no relief valve on the water heater.

Items 5 and 6 are definite hazards and we are requesting our inspectors to follow-up and have the owner ( J. Swope) correct these. Mr. Willner said they checked and he has a \$500.00 water bill. He feels they should file the letter in case Mr. Swope comes back. Mr Shaad said Mr. Ossenbergl talked to the water dept. and they agreed not to turn his water off.

RE: CERTIFICATE OF INSURANCE:

The following was received by the auditor of Vanderburgh County:

Dear Mr. Volpe,

Enclosed is a Certificate of Insurance showing insurance coverages, as requested by your contract.

Workman's Compensation (Indiana Industrial Board Form No 19) and Occupational Disease Insurance (Indiana Industrial Board Form No 105) will be sent to you from the State Office in Indianapolis, Indiana.

Our CONTRACTOR BOND is enclosed, as required under the terms of our contract.

The Bond is in the penal sum of \$140,203.30 is for one-hundred percent (100%) of said contract.

Kindly file these papers with our accepted contract.

Sincerely yours,  
J.H. Rudolph & Co. Inc.  
Daniel E. Peters  
Controller

Commissioner Willner moved the letter be received and filed, Robert Shaad seconded, So ordered.

RE. ALLOCATION STATUS REPORT

Mr. Volpe said he wanted to inform them what the R & S funds are.

|                       |                  |
|-----------------------|------------------|
| Previous Balance      | \$530,372.31     |
| Allocation this Month | <u>37,358.46</u> |
| Current Balance       | \$567,730.77     |

Commissioner Shaad said show that this is received and filed.

RE: VERNON WOOD PLACE LOT 7

This letter was received by the county commissioners from Jesse Crooks:

The question was raised as to the advisability of building a house on lot 7 of Vernon Wood Place sub. This is the third lot south of Middle Mt. Vernon Rd. on Schutte Road on the east side of the road. As discussed at the meeting on June 25th, this lot is in a natural drainage way.

Inspection of the lot shows this to be true and that there is an elevation change of seven to ten feet on the lot and the entire area to be low. An 18" culvert crosses Shutte Road at approximately the center of the lot. This culvert carries flood water from the approximate seven (7) acres drainage area.

Any construction permitted on the lot would have to make provision for this drainage but the lot is not wide enough to provide good rerouting. It would appear that any structure would have to sit on piers and the drainage would be underneath.

A structure on this lot is not recommended.

County Attorney Swain said all he knew to do was to file this letter and when they apply for a Building Permit it would be turned down. Commissioner Willner said they would go on record as saying unless some major change in plans are made, they would not issue a permit.

RE: LETTER FROM ROGER ZION

The following letter was sent to the county commissioners by congressman Roger Zion:

Dear Sirs:

The enclosed correspondence from the residents of Schissler road is sent for your consideration.

Apparently they are unable to secure an extension of service from the Post Office until action is taken to improve the quality of their rural route. Inasmuch as this is a matter that falls within your jurisdiction, I would greatly appreciate your taking the necessary steps to effect the change.

Thank you for your cooperation.

Commissioner Willner said he inspected the Road with Jack Willard, he said it is a one lane gravel road, no drainage and it would be a major expense if we done it. He also feels that all the commissioners can do is regular maintance on the road. Mr. Shaad feels they should answer Mr. Zions' letter and state the facts as they are.

RE: LETTER FROM MARILYN FLEIG:

The following letter was received by the county commissioners:

Gentlemen:

I moved into my home at 7001 Broadway in January and have found exiting from my driveway a problem due to 1) the exit being on a curve and 2) the excessive speed of cars at the curve.

Since the hill which my house is on blocks visability of approaching cars, I found myself pulling onto the road directly in the path of cars traveling in excess of 50 m.p.h.

I believe that the standard 50 m.p.h. for county roads is too high at this curve and request that a lower speed limit be established with appropriate signs.

There are three homes at this curve, just East of Schutte Road on Briadway, and all of us are concerned about this problem.

The problem is greater when Indiana State University is in full session because many students use this route rather than the highway.

Commissioner Willner moved the letter be referred to Area Plan, Robert Shaad seconded the motion. So Ordered.

RE: LETTER ON LEMAY DRIVE

A Letter from Melvin P. Lutterbach to the Commissioners asking that they accept and maintain Lemay Drive as a County Road. Robert Shaad moved they refer the letter to the County Surveyor, Robert Shaad seconded, so ordered.

RE: GARNISHEE

A garinshee against Sam Robinson of the County Garage was referred to Mr. Volpe, to attach his salary.

RE: CUT-INS:

The following cut-ins were presented to the commissioners.

Indiana Bell Telephone request permission to cut into right of way of Boonville New Harmony Way

Indiana Bell Telephone request permission to cut into Old State Road & Eissler Rd. to bury telephone cable.

RE: EMPLOYMENT CHANGES

VANDERBURGH SUPERIOR COURT:

APPOINTMENTS:

|             |                    |           |        |
|-------------|--------------------|-----------|--------|
| Alice Dye   | Clerical Assistant | \$5120.00 | 7/1/73 |
| Sara Clouse | Clerical Assistant | 5020.00   | 7/1/73 |

RELEASES

|                 |                    |         |        |
|-----------------|--------------------|---------|--------|
| Kathleen Elpers | Clerical Assistant | 5120.00 | 7/1/73 |
| Alice Dye       | Clerical Assistant | 5020.00 | 7/1/73 |

CLAIMS

Claims were submitted to the commissioners by Walter Day & Paul Bitz for appraisals of property for St. Joseph Right of Way, Commissioner Willner moved th claims be approved, Robert Shaad seconded, so ordered.

RE: AGREEMENT, DOMESTICATED ANIMAL & POULTRY DESEASE CODE OF INDIANA

Mr. Volpe said we sign a contract with them each year, we are required to maintain a balance of \$1000 in that account. Right now the balance is \$1300. The account is used for testing animals once or twice a year. If an animal gets sick, the money is used to reimburse the owners. Commissioner Willner moved the contract be approved, Robert Shadd seconded, so ordered.

RE: CLAIM

Mr. Richard Nussmeyer said he has a claim from Johnson Construction Co. for the amount of \$4277.80. He said it was for all work completed between June 15, and June 30th, 1973. Robert Willner moved the claim be approved, Robert Shaad seconded, so ordered.

RE: NEW SUBDIVISIONS

Richard Nussmeyer and George Wandel presented two (2) new subdivisions to the commissioners for approval, the names are Harper Hights and Village Acres. Robert Willner moved they be approved, Robert Shaad seconded, so ordered.

RE: EDGEWATER ESTATES

The following letter was sent to Mr. Nussmeyer:

Dear Mr. Nussmeyer:

The undersigned developer of Edgewater Estates, an unrecorded subdivision lying in the northwest quarter of Section 16, Township 5 South, Range 11 West in Vanderburgh County, did on August 6, 1959, make a grant and dedication of Edgewater Drive and Estate Drive, two roadways lying in such subdivision which grant and dedication is of record in Deed Record 419, page 77, in the office of the Recorder of Vanderburgh County, Indiana.

More than six years ago, Vanderburgh County began the maintenance of Edgewater Drive and Estate Drive as county roads and has continued such maintenance through 1972.

The undersigned, on behalf of himself and all other owners of real estate in Edgewater Estates, petitions that Edgewater Drive be accepted as a county road from a culdesac of lot 14 North, east and south to its intersection with Weiss Road, and also accept for maintenance Estate Drive from the point of intersection with Big Cynthiana Road, west a distance of 1,000 feet to the intersection with Edgewater Drive.

A copy of the plat of Edgewater Estates is enclosed for your convenience.

Robert Willner moved that they make it legal and approve it, Robert Shaad seconded the motion, so ordered.

RE: HERMAN HOTZ

Mr. Hotz said they had received one bid on the Water Storage Tank at Washington Home, the bid was for \$2,595.00. Mr. Shaad asked if he thought this was a fair bid and Mr. Hotz said yes. Mr. Willner moved that the bid be accepted, Mr Shaad seconded, so ordered.

RE: JACK HARNESS

Mr. Harness said he and Mrs Harness had the pleasure of visiting the County Home in Sullivan, Indiana, He said it was a very nice home and similiar to the one here in Vanderburgh County.

Meeting recessed at 10:45.

PRESENTCOUNTY COMMISSIONERS

Robert Shaad  
Robert Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEYS

William Stephens  
Thomas Swain

REPORTERS

C. Leach  
G. Clabes  
B. Thompson  
A. Jackson

Secretary: Jean Wilke

*Thomas L. Osseberg*

*Bob Shaad*

*Robert L. Willner*

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
JULY 9, 1973

The regular meeting of the County Commissioners was held on Monday, July 9, 1973, at 9:30 a.m. in the Commissioners hearing room, with President Ossenbergs presiding.

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

RE: CONTRACT AWARDED ON BRIDGES

The bids were opened last week for Bridge Contract 1-73 R & S No. 7, #201 - Weinbach Avenue over Eagle Slough and #202 - Old Green River Road over Eagle Slough. The four bidders were G. H. Allen Co. of Vincennes Indiana, who bid \$104,987.76, Traylor Brothers who bid \$130,851.00, Deig Brothers who bid \$108,208.30 and Barnett Brothers of Henderson, Kentucky who bid \$94,918.25.

The County Attorney said, at that time, if the Henderson Firm, Barnett Brothers, proved to be the low bid, he would ask for two recommendations; First, that there is an indication they are permitted to do business in Indiana and Second, that the Bond be countersigned by an Indiana Resident Agent.

Mr. Nussmeyer said that everything seemed to be in order. A certificate of admission from the Secretary of State was presented, showing that Barnett Brothers is authorized to transact business in Indiana and the Bond was countersigned by Mr. Dean of Indianapolis, Indiana.

Commissioner Schaad moved that Barnett Brothers Inc. of Henderson, Kentucky, be awarded the contract in the amount of \$94,918.25 on the Eagle Slough project and the Performance Bond to be filed with the Vanderburgh County Auditor. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

COUNCIL OF GOVERNMENTS

|               |                    |            |            |             |
|---------------|--------------------|------------|------------|-------------|
| Leon Collins  | 2809 Madison       | Technician | \$5,500.00 | Eff: 7/2/73 |
| Gail E. Smith | 1123 S. Rotherwood | Secretary  | \$4,470.00 | Eff: 7/2/73 |

AREA PLAN COMMISSION

|                |               |            |            |             |
|----------------|---------------|------------|------------|-------------|
| Douglas Thomas | 3312 Waggoner | Technician | \$5,500.00 | Eff: 7/2/73 |
|----------------|---------------|------------|------------|-------------|

COUNTY HIGHWAY DEPARTMENT

|                 |                   |               |             |              |
|-----------------|-------------------|---------------|-------------|--------------|
| Glenn F. Jones  | R.R.2 Schmuck Rd. | Nightwatchman | \$3.125 Hr. | Eff: 7/8/73  |
| Daniel Hoffherr | R.R.5 Box 357A    | Summer Help   | \$2.25 Hr.  | Eff: 6/27/73 |

PROSECUTOR'S OFFICE

|                  |                  |             |                |             |
|------------------|------------------|-------------|----------------|-------------|
| Mary Laugel      | 2204 W. Michigan | Office Mgr. | \$6,600.00 Yr. | Eff: 7/2/73 |
| Christy Pinkston | 2606 W. Oregon   | Secretary   | \$5,620.00 Yr. | Eff: 7/2/73 |

KNIGHT ASSESSOR

|                  |              |           |             |                     |        |
|------------------|--------------|-----------|-------------|---------------------|--------|
| Henry B. Chapman | 817 S. Villa | Part Time | \$15.00 Day | Eff: 6/22 6/26 6/28 | 3 days |
|------------------|--------------|-----------|-------------|---------------------|--------|

COUNTY AUDITOR

|                  |                 |            |             |             |
|------------------|-----------------|------------|-------------|-------------|
| Lucille Musgrave | 4304 Pennington | Extra Help | \$15.00 Day | Eff: 7/2/73 |
|------------------|-----------------|------------|-------------|-------------|

PLEASANTVIEW REST HOME

|             |                   |            |              |             |
|-------------|-------------------|------------|--------------|-------------|
| Betty Hiter | 3124 S. Frederick | Temp. Aide | \$350.00 Mo. | Eff: 7/3/73 |
|-------------|-------------------|------------|--------------|-------------|

RE: EMPLOYMENT CHANGES....RELEASES

AREA PLAN COMMISSION

|              |              |            |            |             |
|--------------|--------------|------------|------------|-------------|
| Leon Collins | 2809 Madison | Technician | \$5,500.00 | Eff: 7/2/73 |
|--------------|--------------|------------|------------|-------------|

COUNTY HIGHWAY DEPARTMENT

Glenn F. Jones R.R.2 Schmuck Rd. Truck Driver \$3,225 Hr. Eff: 7/6/73

PROSECUTOR'S OFFICE

Christy Pinkston 2606 W. Oregon Office Mgr. \$6,600.00 Yr. Eff: 7/2/73  
 Mary Laugel 2204 W. Michigan Secretary \$5,620.00 Yr. Eff: 7/2/73

PLEASANTVIEW REST HOME

Linda Bunch Wadesville, Ind. Extra Help \$350.00 Mo. Eff: 7/3/73

RE: AUCTION OF COUNTY OWNED PROPERTY

The following property was bid on by Mr. James Julian, at less than appraisal price. He said that if he gets this property, he would like it in the name of Dorothy R. Emery, his sister.

Item #6 - Code- 21-74-7, 812 Line Street. Bid of \$50.00...Commissioner Schaad moved that they accept this bid. Commissioner Willner seconded the motion. So ordered.

Item #34 & 35 - Codes 12-18-13 & 12-18-14 - Next to 1717 Eastwood - Pt. of 165 & 166. Bid of \$100 for them. Commissioner Schaad moved that this bid be accepted. Commissioner Willner seconded the motion. So ordered.

Item #45 - Code - 24-45-6, 633 Canal Street. Bid of \$50.00...Commissioner Willner moved that this bid be accepted. Commissioner Schaad seconded the motion. So ordered.

Item #54 - Code - 22-73-12, 1933 S. Elliott St. Bid of \$75.00...Commissioner Willner moved that this bid be accepted. Commissioner Schaad seconded the motion. So ordered.

Mr. Julian also bid \$75.00 for Item #13, Code-22-72-2, 1904 S. Elliott St. but there was a question on this parcel so the Pigeon Township Assessor was asked to bring the field sheet on this property. He appeared and said he doesn't make appraisals unless he is paid for it and this property is assessed for \$900.00 and according to the Assessors valuation, it is worth \$2,700.00. He said there may or may not be a building on this lot, that he has no reason to check these things and he isn't notified when these buildings are torn down. Mr. Kornblum said that he would check this parcel out.

Commissioner Ossenbergsaid that if Mr. Julian is still interested he can come back next week.

Mr. Julian also bid \$100.00 for Item #46, Code- 21-55-17, 660 S. Governor Street, but the appraisal shows there is a building on it and Mr. Julian said there is no building. The Commissioners will ask Mr. Angermeier about this and report on it next week.

Commissioner Schaad explained that although Mr. Julian is buying these parcels at a reduction of appraisal price, the assessed valuation will be based on what is comparable in the neighborhood now, also that the purchaser is liable for any liens that may be on the property. He said that the county is selling these parcels without any warranty of any kind.

The following property was bid on by Mr. James Julian and said that if he gets this property, he would like it to be put in the name of his son, Bruce Julian.

Item #5 - Code- 12-115-2, Behind Fickas Rd. Pt. 1. Bid of \$50.00. Commissioner Schaad moved that this bid be accepted. Commissioner Willner seconded the motion. So ordered.

Item #7 - Code- 22-68-14, 1814 Emmett, Lot 14. Bid of \$75.00. Commissioner Willner moved that this bid be accepted. Commissioner Schaad seconded the motion. So ordered.

Item #39 - Code- 21-78-7, 913 Line St. Bid of \$100.00...Commissioner Willner moved that this bid be accepted. Commissioner Schaad seconded the motion. So ordered.

Item #50 - Code - 21-67-3, 756 Judson St. Bid of \$75.00...Commissioner Schaad moved that this bid be accepted. Commissioner Willner seconded the motion. So ordered.

Mr. Julian offered \$150.00 for parcels #19,20 & 21 that were appraised at \$1,500.00.

Commissioner Willner moved that these be put on hold, so they can be rechecked as to the appraisal price. Commissioner Ossenberg seconded the motion. So ordered.

Mr. Stephens said that he will check with the County Assessor on parcels #13,46, 19,20 & 21 and try to have him at the meeting next week and that Mr. Julian can bid again on these parcels if he so desires.

He said that he would have the deeds ready next Monday, for the parcels sold today.

Mr. Kornblume appeared later and said that parcel #13 was vacant and he will remove it from the tax roles. He said that he had been asked to make appraisals on all these parcels and he refused and he said that if you don't pay for appraisals, you aren't going to get a good one.

Commissioner Ossenberg said that the whole concept of this was to save the taxpayers money. He complimented Mr. Angermeier for the job he had done. He said he understood that the past Commissioners had appointed appraisers who were paid and they didn't give a realistic appraisal and no property was sold. He said that the only thing Mr. Angermeier is asking for is about \$25.00 for gas mileage, which he is certainly entitled to and these parcels are being put back on the tax roles.

Commissioner Schaad said if money was paid out for appraisals, the county would be in the hole and it would take a long time to collect taxes to make up for it.

Commissioner Willner moved that Mr. Julian can now buy Item #13, Code-22-77-2, 1904 S. Elliott St. for \$75.00. Commissioner Schaad seconded the motion. So ordered.

Commissioner Willner moved to check with the City and the School Corporation and others to see what surplus property they have and said that perhaps there could be an auction of all the surplus property. He thought there might be a larger crowd and maybe some competitive bidding. Commissioner Schaad seconded the motion. So ordered.

Mr. Stephens presented the deeds on property sold last week, to the Commissioners, for their signatures, and said that he would check on parcels #46, 19, 20 and 21.

RE: REQUEST FOR PAYMENT

A letter was received from Contractors Sheet Metal & Roofing Inc. on the hot water system replacement at Hillcrest Childrens Home, as follows:

Gentlemen:

On 22 May, 1972, we last billed you for Sheet Metal work in connection with the above referenced project. To date, no payment has been received.

We believe there must be some misunderstanding or misplaced invoice as the charge is reasonable, the work was done and payment should have been made some time ago.

In order to aid in your approval of this invoice, we are enclosing copies, etc. With this information, we believe the Board will see the validity of our claim and we ask prompt payment of monies due and thank you for your consideration.

Very truly yours, Norman F. Knoop, President.

Mr. Hotz said the rest of the bills on this project were paid the first of this year and this account must have been misplaced. He said that he would have to get another blue claim for this bill.

Mr. Volpe said the whole procedure on this project was very poorly done, that he suggested that bids be advertised for on this project and they, (the previous Commissioners), said that it was such an emergency that they couldn't spend 10 days advertising and the project wasn't finished for 18 months and the original bid of \$1,500.00 more than tripled in cost and he had to get a "Nunc Pro Tunc" before he would even pay anything on it.

Mr. Volpe said that everytime he paid a bill on this, he made darn sure that the history of the entire project was placed in the minutes because he disapproved of the way it was handled.

This matter was deferred until next week, when Mr. Hotz will present another claim.

RE: MONTHLY REPORT...OFFICE OF TRAFFIC DIRECTOR

A monthly report of materials used by the Traffic Engineering for the county was presented to the Commissioners for the period, from June 1, 1973 to June 29, 1973. Report received and ordered filed.

RE: REQUEST FOR RADIO

The following letter of request was received by the Commissioners from Alvin P. Gaul, Shop Foreman of the Bureau of Traffic Engineering:

I would like to request the use of the extra two-way radio that the county now has at the county garage to be placed in our county vehicle 501.

We will have it converted to our frequency at our own expense. This will improve the efficiency of the county vehicle when working in the county.

Commissioner Schaad said that since the department's are combined, there is one truck that doesn't have a radio. He said there is a radio at the county garage that isn't needed out there and could be installed in this truck.

Commissioner Willner asked if this was the truck that the county relinquished to the Traffic Department.

Commissioner Schaad said that it was.

Commissioner Willner was assured that in case of a break-up between the City and the County in the Traffic Department, this truck would come back to the county.

Commissioner Willner then moved that the use of the radio be approved. Commissioner Schaad seconded the motion and said that if there should ever be a divorce between the City and the County Engineering Department, that the county get the radio back, along with the truck. So ordered.

RE: QUIT CLAIM DEED

A Quit Claim Deed was received by the County from R. Owen & Leona M. Williams, on property, code 21-73-23. This is property that is up for tax sale and Mr. Williams is deeding it to the county.

Commissioner Schaad moved that this parcel be accepted, on the recommendation of the County Attorney. Commissioner Willner seconded the motion. So ordered.

RE: HOUSE ON ST. JOE AVENUE

Mr. Crooks said that someone called him that was interested in the house on St. Joe Avenue that was for sale. This parcel of property is now being advertised again and will go on sale next Monday.

RE: MONTHLY REPORT

The monthly report was submitted from the Pleasantview Rest Home for the month of June. Report received and ordered filed.

RE: CLAIMS

Claims were received from the Building Commissioners office, of 40% contribution of the consolidated departments. The amount was questionable for what the period of time was that it involved. This matter was deferred and the Deputy Controller will be asked to attend next week's meeting.

A claim was received from the Terminal Warehouse Co. Inc. for rent of space for storage of voting machines from July 1, 1973 to August 1, 1973, Invoice #10200 in the amount of \$500.00.

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

A claim was received from Multigraphics for Addressograph and graphotype supplies in the amount of \$4,352.70. The money for this was appropriated by County Council from Revenue Sharing, Account #506.3.

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

RE: CUTS IN

An application was received by the Indiana Bell Telephone Co. requesting permission to cut into Burch Drive to install telephone cable.

Commissioner Schaad moved that this cuts-in be approved. Commissioner Willner seconded the motion. So ordered.

RE: MR. NUSSMEYER

Mr. Nussmeyer submitted plans for the bridge on Burkhardt Road. He said he would like the Commissioners approval so he can request R & S funds.

Commissioner Willner moved that the plans be approved. Commissioner Ossenbergh seconded the motion. So ordered.

Mr. Nussmeyer also presented plans for the bridge on Kuebler Road. Commissioner Schaad moved, on the recommendation of the County Surveyor, to approve the plans for this bridge. Commissioner Willner seconded the motion. So ordered.

Mr. Nussmeyer presented applications for the R & S funds for the bridges on Burkhardt Road, Old Green River Road and Kuebler Road, which were signed by the Commissioners and the County Auditor.

RE: RIGHT OF WAY BUYER NAMED

Mr. Nussmeyer said that he needed some Right of Way on Boonville-New Harmony Road and he would like for the Commissioners to name a Right of Way buyer.

Commissioner Schaad moved that Jim Shrode be the Right of Way Buyer. Commissioner Ossenbergh seconded the motion. So ordered.

RE: ACCEPTANCE OF BRIDGE

Acceptance of the L & N Bridge over Darmstadt Road was held up because there was a swag on the North approach to the bridge and when the trucks hit it, it caused a man's house to vibrate and he would like to have this corrected. The Commissioners agreed that the county lay a patch in the hole.

Commissioner Schaad then moved that the L & N Bridge over Darmstadt Road be accepted. Commissioner Willner seconded the motion. So ordered.

RE: AMENDMENT TO THE COUNTY CODE

Mr. Ludwig said they have a problem with a subdivision and that they have some conflict with the engineers. He said the ordinance calls for 2 inches of asphalt and they would like to have three inches.

County Attorney Stephens said he will draw up an amendment to the county code and he asked Mr. Nussmeyer to make a list of the changes he wants made in the county building code and report back.

RE: WHISPERING HILLS

Street plans were submitted for Whispering Hills Subdivision. Commissioner Willner moved that these plans be passed for approval with the stipulation that the asphalt be three inches deep. Commissioner Ossenbergh seconded the motion. So ordered.

RE: BROWNING ROAD ESTATES

Mr. Nussmeyer presented plans for Browning Road Estates, Section B and Browning Road Estates, West, and asked the Commissioners approval of them. It was stated that Pine Gate Road in Browning Estates is already on record as having been accepted by the county for maintenance. Commissioner Willner said the plans could be approved and before the streets are accepted, they could ask that the egress-ingress be widened. The plans on this project are for two inches of asphalt. Mr. Nussmeyer said that he would negotiate for three inches of asphalt and come back next week to let the Commissioners know what he found out.

RE: EVERGREEN HEIGHTS

Plans were presented for Evergreen Heights. Mr. Wandel said he would recommend some changes to be made on these plans and he will bring them back for approval next week.

Mr. Wandel said that there is some sort of bill on Railroad Crossing protection and there will be governmental participation in providing crossing protection in the county and they want a list of the county roads that would be affected, also they want a traffic count on these roads.

Commissioner Willner recommended that the Commissioners submit a request to the Area Plan Commission for a traffic count of these roads. He then made this request in the form of a motion. Commissioner Schaad seconded the motion. So ordered.

RE: WATER PROBLEM

A water problem in Cloverlawn Subdivision was discussed and Mr. Pugh said that all concerned should get together and set up guide lines for this sort of thing. Commissioner Schaad asked Mr. Pugh to set up the meeting.

Commissioner Schaad moved that the developer of the Real Estate Development on Oak Hill Road which is the property of Citizens Management Corporation, be called in to next week's meeting. He asked Mr. Wandel to contact him. Commissioner Willner seconded the motion. So ordered.

RE: MR. WILLARD

Mr. Willard submitted a list of roads that aren't listed in the Master Plan, that the county has been maintaining for years. County Attorney Stephens said he would like more information on these roads as to length and width, also where they begin and end. Mr. Willard will report back.

Mr. Willard presented an absentee report of the county garage employees for the past week. Report received and filed.

RE: MR. CROOKS

Mr. Crooks, the Building Commissioner, presented a report of permits that were issued in June of 1973. Report received and ordered filed.

RE: MR. HARNESS

Mr. Harness said that Evelyn Caudell was an employee at Pleasantview Rest Home and now has terminal cancer. He has paid her hospitalization insurance for three months and wondered how long he should continue paying it, since she won't be able to work again. She has also paid her portion of life insurance.

County Attorney Stephens said the Commissioners should set a policy but he thought that a person might cease being an employee under the plan after so long and the Insurance Co. would terminate the policy.

Commissioner Willner moved to establish a time limit of paying their portion of Insurance at 90 days in all cases where the employee has been on sick leave and will not return to work, and at the end of that time, the policy be terminated, the employee to be notified so they can apply for a different policy plan. Commissioner Schaad seconded the motion. So ordered.

Mr. Harness said he would help Mrs. Caudell and try to see that she gets some insurance, that because of her being an employee, he feels that he owes this to her.

RE: GAS ALLOWANCE REQUESTED

Commissioner Schaad said that Charles Russell, the office manager at the County garage, comes to the Civic Center quite often on business and he isn't reimbursed for using his own car and he thought if Mr. Russell were given five gallons of gas per week, it would help on his expenses.

County Attorney Stephens said this couldn't be done, that Mr. Russell will have to file a claim showing the miles driven and he can then be reimbursed at the rate of 8¢ per mile.

The meeting recessed at 12:00 Noon.

PRESENT

COUNTY COMMISSIONERS

Thomas Ossenberg  
Robert Schaad  
Robert Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEY

William Stephens

REPORTERS

G. Clabes  
A. Jackson  
V. Thomas  
B. Thompson  
D. Berry

Secretary: Margie Meeks

*Thomas H. Ossenberg*

*Robert Schaad*

*Robert F. Willner*

BOARD OF COUNTY COMMISSIONERS

373

COUNTY COMMISSIONERS MEETING  
JULY 16, 1973

The regular meeting of the County Commissioners was held on Monday, July 16, 1973, at 9:40 a.m. in the Commissioners hearing room, with President Ossenbergs presiding.

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

RE: HEERDINK LANE

A letter was received by Commissioner Ossenbergs, from Mr. Jess Hulse, as follows:

Dear Tom:

We are interested in getting Heerdink Lane accepted as a county road. Nine families use this road regularly. Thirteen children must walk along this road to catch the school bus on Heckel Road.

The road in question is approximately one half mile long. It has been in service since about 1939 as a public road. The county has graded and spread white rock on this road since the early 1940's.

The previous county commissioner, Ted Stofleth, told us that before the county could officially accept the road, the property owners along the road must dedicate an additional thirty feet of right-of-way. He further stated that the commissioners would accept the road when the right-of-way was dedicated.

Unfortunately, Ted was out of office before we got the right-of-way descriptions from the county surveyor. The signed right-of-way dedications were delivered to Dick Nussmeyer the first week in April, 1973.

The property owners along this road agreed with Dick to do any clearing of trees, rough grading, excavating, and furnish fill dirt required to bring the road up to county standards. We expected the county to furnish any engineering study or supervision required. We also felt that the county should furnish culverts, finish grading and ditching, and surface white rock.

The property owners along the road have farm tractors with front end loaders, grader blades, dump scrapers, and other light earth moving equipment. Two property owners also have dump trucks. We have agreed individually and collectively to furnish whatever labor and equipment we have available without out-of-pocket expense.

We do not expect a county road that meets present new road standards. We propose only a minimum road to meet acceptance qualifications. Probably a 12 or 14 foot road that is passable year round. At the present time water washes over the road during heavy rains because the culverts are too small. In the spring of the year when Pigeon Creek gets high, portions of the road are flooded. A three or four feet fill would correct this condition.

You can imagine the distress of the children that live along this road when they have to face these conditions, either going to school or coming home. Parents feel inadequate in these situations, too.

We are eager to complete this project. Please direct as much kind attention to this matter as you can. If the terms outlined are not satisfactory, please outline a course of action that will qualify this road as a county road.

Signed by residents of the area.

County Attorney Stephens recommended that this road be accepted for maintenance.

Commissioner Willner said that he felt the Commissioners should know about how much this will cost before accepting the road. Heerdink Lane has been maintained by the county.

Mr. Nussmeyer said he thought the cost would be less than \$1,000.00, to the county.

Commissioner Schaad moved that after the residents have done the work that they have agreed to do, and it meets approval, the resolution will be prepared by Mr. Nussmeyer after the work has been done, then they can come back and the road will be accepted by the county. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

CUMULATIVE BRIDGE FUND

Dave Guillaum      2131 Lincoln      Project Engineer      \$9,600 Yr.      Eff: 7/1/73!

PLEASANTVIEW REST HOME

Zadie M. Cobb 1004 Allens Lane Aide \$350.00 Mo. Eff: 7/9/73

COUNTY HIGHWAY DEPARTMENT

Charles H. Keil 10 E. Campground Temp. Tk. Dr. \$3,225 Hr. Eff: 7/16/73  
 James Fralix 1128 W. Maryland St. " " " \$3,225 Hr. Eff: 7/16/73

AUDITORS OFFICE

Dorothy Wilson 603 N. St. Joe Clerk \$5,020.00 Yr. Eff: 7/16/73

RE. EMPLOYMENT CHANGES....RELEASESCUMULATIVE BRIDGE FUND

Dave Brown 1015 W. Iowa Asst. Inspector \$5,720 Yr. Eff: 7/15/73  
 Dave Guillaum 2131 Lincoln Project Engineer \$9,100 Yr. Eff: 7/1/73

PLEASANTVIEW REST HOME

Evelyn Caudil 869 Christ Road Aide \$350.00 Mo. Eff: 7/9/73  
 Zadie M. Cobb 1004 Allens Lane Temp.Aide \$350.00 Mo. Eff: 7/8/73

COUNTY AUDITORS OFFICE

Evelyn McCoy 16 E. Louisiana St. Clerk \$5,020.00 Yr. Eff: 6/15/73

RE: SALE OF COUNTY-OWNED PROPERTY

Mrs. Georgia Benson of 759 S. Governor Street expressed interest in parcel #38, Code 21-59-23 - 781 S. Governor St. Southern Enlargement, Lot 13, Blk.21. She offered \$50.00.

Commissioner Schaad explained that this wouldn't be the assessed value for taxation.

County Attorney Stephens said that the county makes no warranty on the title of any kind and that the purchaser is responsible for any liens that may be on the property.

Commissioner Schaad moved that the bid of \$50.00 be accepted. Commissioner Willner seconded the motion. So ordered.

Last week Mr. James Julian bid on parcels #19, 20 & 21, also on # 46 and was told that if he was still interested to come back this week, which would give the Commissioners time to check them out with the County Assessor. Mr. Julian said that he was still interested.

Commissioner Willner said that he talked to Mr. Angermeier about parcel #19, 20, & 21, and he was told that the property was worth the appraisal price of \$1500.00. Mr. Willner said that he looked at this property and said that he is of the opinion that he cannot accept the low bid of \$150.00 for the three parcels.

Mr. Julian then withdrew his bid of \$150.00 for the three parcels on Dennison.

The appraised value of parcel #46, located on 660S. Governor St. was \$925.00 and Mr. Julian offered \$100.00. He withdrew his bid but then the Commissioners decided to go ahead and sell it, so Mr. Julian reinstated his bid of \$100.00. The code # 21-55-17, Elliotts Enlargement, Lot 6, Blk. 3.

Mr. Julian said that he would like this property in the name of his sister, Dorothy R. Emery.

Commissioner Schaad moved that the bid of \$100.00 be accepted for parcel #46. Commissioner Willner seconded the motion. So ordered.

County Attorney Stephens presented deeds on the property that was sold last week, for the signatures of the Commissioners and the Auditor. The deeds were then given to Mr. Julian so he could have them recorded.

Mr. Volpe made mention of the property on St. Joe Avenue that was sold to Leo Beck Jr. in 1971 and has never been recorded. He said that this is the only one that is outstanding and he would like to have it recorded and get this cleared up.

Mr. Stephens said that he would check with Tom Swain on this matter.

RE: WATER AND MUD PROBLEM

A water problem in Cloverlawn Subdivision was discussed last week and the developer of the Real Estate Development on Oak Hill Road was to be here today.

Mr. Wandel said that they were contacted but have had no reply.

A group of residents from the area were at today's meeting.

Mr. Pete Arnold said that he wasn't certain that it was all the responsibility of Citizens Management Corp., as he thought the ditches along the road weren't deep enough and over a period of time the ditches are filled with mud and when it rains, the water and mud washes through the culvert and out onto the street and then when it dries up, it makes the area a dust bowl. He also said that according to Mr. Peters, there has been debris thrown into the ditches and clogging them up.

Commissioner Ossenberg said that he, the County Surveyor and the County Engineer were out there and that it is in deplorable condition and something must be done. He said that there should be a ponding area in the Real Estate Development to catch the sediment, thereby eliminating the mud from coming down on Clover Drive.

Mr. Arnold said that he thought there was also a lack of communication and a lack in supervision because he has made several calls and nothing has been done.

Commissioner Ossenberg said that he would get Citizens Management Corp., the Southern Indiana Gas & Electric Co., Mr. Peters and others together and go out there and get something done this week.

Mr. Nussmeyer said that the residents may need to give the county some right-of-way.

There was a question of whether the county has a right to do anything.

Commissioner Schaad said that if it was a legal drain or if it is along a county road, then the county can do something, but they have no legal authority to do anything if it is on private land, unless the water is affecting the county roads, which in this case, is what they will work on.

Mr. Arnold will be the spokesman for the residents and this matter will be reported on next week.

RE: LETTER OF REQUEST

A letter was received from the Indiana Firefighters Association, requesting that they be allowed to rent a voting machine for their annual convention that will be held at the Executive Inn on August 3, 4, & 5. They need the machine on August 5, 1973, for their election of new officers.

Commissioner Ossenberg said that the Commissioners went on record with the Frat. Order Police, that they drew up a contract for a voting machine and the contract so stated that they carry insurance for any damage that may occur to the machine, plus that the Commissioners did not charge them for the use of the machine, however they were responsible for the transportation to and from the place of use and they paid the operator of the machine. He thought the Firefighters should be granted the same privilege.

Commissioner Willner moved that the request of the Firefighters be granted at no rental fee with the same stipulations made to the F.O.P. Commissioner Schaad seconded the motion. So ordered.

RE: PERMIT REQUESTED

Mr. Jack Cooper of Petty Geophysical Engineering Co. for Amoco submitted a written request for a permit to use the county roads as they desire to do oil explorations on the roads.

County Attorney Stephens said that there is a statute that reads, that anytime that anyone is going to obstruct any traffic on a county highway or perhaps damage it in some way, they must obtain a permit from the County Commissioners, they must also post an indemnity bond for whatever amount as the Surveyor may recommend.

Commissioner Schaad moved, on the recommendation of the County Surveyor, that the permit be approved, providing the legal aspects meet the approval of the County Attorney. Commissioner Willner seconded the motion. So ordered.

County Attorney Stephens said that he would like to know for what period of time they would be using the county roads for this purpose so it can be placed in the minutes, so approval was made, subject to them furnishing an adequate bond and furnishing the Commissioners with some sort of time period.

RE: APPROVAL OF PROJECT SUMMARY REPORT

Mr. Tom Jones presented the project summary report for the new building of the Evansville Association for Retarded Children, for the approval of the Commissioners.

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

The plaque that will be placed at the new building was discussed and Mr. Jones said that the Building Committee was interested in whose names should appear on the plaque and thought the previous Commissioners should appear along with the present Commissioners, the County Council, Mr. Volpe, the County Auditor and the present County Attorney's.

RE: CERTIFICATE OF GUARANTEE

A Fifty Year Guarantee was received by the County Commissioners from the Alabama Pipe Company House Drainage System on work done by the Goedde Plumbing & Heating Co. at the Evansville Comprehensive Mental Retardation Center, located at 615 W. Virginia Street in Evansville. Certificate received and ordered filed.

RE: MONTHLY REPORTS

The following monthly reports were received for the month of June, 1973:

Clerk of the Circuit Court, County Treasurer's Report and the Evansville Association for Retarded Children. Reports received and ordered filed.

RE: SIX MONTH REPORT

The office of the Traffic Director submitted a six month report for materials used by the Traffic Engineering Department for the County from January 1, 1973 to June 30, 1973. Report received and ordered filed.

RE: CLAIMS

Claims were received from the Building Commissioners office, last week, of the contribution of the consolidated departments but were held up because the amount was questionable as to the period of time that was involved. This has now been determined so the claims were again presented for approval.

A claim was received from the City of Evansville for 25% contribution of the Public Purchasing department by the county, payable to the City Controller in the amount of \$1,740.40. This billing represents the first quarter of 1973. Commissioner Schaad moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was received from the City of Evansville for 42% contribution of Weights & Measures budget by the county payable to the City Controller in the amount of \$1,224.77. This billing represents the first quarter of 1973. Commissioner Schaad moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was received from the City of Evansville for 14% contribution of the Traffic Engineer budget by the county payable to the City Controller in the amount of \$6,443.21. This billing represents the first quarter of 1973. Commissioner Schaad moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was received from the City of Evansville for 40% contribution of the Building Commission budget by the county payable to the City Controller in the amount of \$9,467.58. This billing represents the first quarter of 1973.

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

A claim was received from Condict and Fosse Architects for Architects compensation for services rendered on Evansville Comprehensive Mental Retardation Center in the amount of \$1,430.00. This is Bond Issue money. Commissioner Schaad moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was received from Indiana Disposal Service Inc. for services for the month of June, 1973, in the amount of \$1,885.50. Commissioner Schaad moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was received from Southwestern Indiana Mental Health Center Inc. for the remaining 50% of Vanderburgh County's share of operational expenses for the Southwestern Indiana Mental Health Center for 1973, in the amount of \$66,137.00. Commissioner Schaad moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was received from Comaier Services Inc. for ambulance service from Welborn Hospital to Vincennes, Indiana, for Mr. Thomas McCraw who is a T.B. patient, in the amount of \$37.00. Commissioner Ossenbergsaid that he checked with the Health Department and found this to be an emergency case as this man began to hemorrhage and had to be moved immediately. Commissioner Schaad moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was received from Contractor's Sheet Metal & Roofing Co. Inc. for fabrication and installation of fresh air vents to hot water heaters at Hillcrest Children's Home; and fabrication and installation of breaching for steam boiler in main boiler room; installation of barometric damper in steam boiler breeching, in the amount of \$308.80. Commissioner Schaad moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM CITY CONTROLLER

Commissioner Willner said he had a letter from Mr. Gaither, saying that the office of the Purchasing Department will have a survey in the Commissioner's hands in the near future and he said that he would like the Commissioner's and those concerned, to check very closely on the budget for the Purchasing Department for 1974.

RE: LETTER FROM OFFICEHOLDER

Commissioner Willner said that he received a letter from one of the officeholders in the Civic Center, stating that he had ordered some forms in May for delivery in June and the forms were never ordered by the Purchasing Department.

RE: LETTER FROM THE PURCHASING DEPARTMENT

Commissioner Willner said that he had a letter from the Purchasing Department saying that they were on vacation and couldn't get the order out. Commissioner Willner said that he thought the Commissioners should take a very careful look at the Purchasing Department and see if it should continue another year or not, that maybe they should make a recommendation.

Commissioner Ossenbergsaid that he intends to take a close look at the Purchasing Department. He said that he thought the County Council will also take a good look at this situation.

Mr. Volpe said that he didn't think that the Sheriff's Department and the courts were ordering supplies through the Purchasing Department. He said that the Prosecutor was very displeased, as was the Highway Department.

RE: COMPLAINTS ON ROAD STRIPING

Commissioner Willner said that he has had several complaints on the road striping, that solid yellow paint was used for center striping as well as for the "no passing" stripe, and no one can tell which side of the road the "no passing" stripe is on.

RE: OLD STATE ROAD OVERPASS

Commissioner Willner said that he read in the newspaper that the Old State Road overpass would not be started this year, that there wasn't time to purchase the right-of-way, and he was rather shocked to read this. He asked the County, when they start condemnation procedures, which has been done, if this didn't give them the right to use the right-of-way immediately.

County Attorney Stephens said that once the appraisal is made and the money is paid, this is the case.

Mr. Nussmeyer said that it appears that they can't start on this project this year because if the job is started, it will be late in the season and then it will just sit until next year, since even after all the right-of-way is obtained, it will be another month before contracts are let. He recommended that this project be started next spring.

RE: MR. NUSSMEYER

Mr. Nussmeyer introduced Mr. Louie Wagner who had a problem in that 162 acres of property was purchased in one piece by a gentleman some time back. He sold 10 acres of ground and then he sold 70 acres of ground to Charles Kuhlenschmidt, then he sold Mr. Wagner's Grandfather 50 acres of ground and another 30 acres more or less. The gas company then asked him for an easement. He asked Mr. Biggerstaff to survey it. After this was done, they dedicated 25 feet south of their property line to a point 25 feet from there, so these people have tried to claim this 25 feet, but this was on the 50 feet that was bought by his grandfather. The property is on Schmitt Lane. He said the county didn't have a right to put this road in because it is partially on his property. Mr. Nussmeyer contends that the property doesn't belong to Mr. Wagner. Commissioner Schaad said that Mr. Wagner should get legal council and take his advice.

Mr. Wagner said that he had an attorney who said this land belonged to him. County Attorney Stephens said that if a developer wants the county to improve the road, he would have to dedicate it and give it to the county.

County Attorney Stephens said that Mr. Wagner had better get another attorney to gather the facts together and perhaps come back, if it is found that the County Surveyor has made a mistake and the Commissioners will try to rectify it.

RE: KORFF ROAD PROJECT

Mr. Nussmeyer presented plans for the Korff Road project and said that it will be 28 feet wide. He said they are going to install pipes and this will eliminate wash out. He also that they are not planning any blacktop on this road, that it will be concrete.

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

Mr. Nussmeyer said that he hoped to have the specifications for this road and for Kuebler Road ready next week, so that bids can be advertised for.

RE: EVERGREEN HEIGHTS

Mr. Wandel again presented the plans for Evergreen Heights. They were presented last week but he had to make a few changes.

Commissioner Willner moved that the plans be approved, on the recommendations made by Mr. Wandel. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIMS

A claim was received from Rickard Realty Inc. for appraisals and right-of-way negotiations for permanent easements parallel to the Middle Mount Vernor Road in the amount of \$500.00.

Another claim was presented from Esther M. Neville for permanent and irrevocable easement to the Middle Mount Vernon Road, consisting of Parcel One (18,000 Sq. Ft.) and Parcel Two (400 Sq. Ft.) belonging to Esther M. Neville, widow and unmarried. Commissioner Willner moved that these claims be approved. Commissioner Schaad seconded the motion. So ordered.

RE: CUTS-IN

The following cuts-in applications were submitted to the Commissioners.

The Waterworks Department requested permission to cut into 10200 Darmstadt Road to install 1,945' of 12" waterline.

The Waterworks Department requested permission to cut into 6201 thru 6225 O'Hara Drive to install a 1,096' of 6" water main.

Indiana Bell Telephone Co. requested permission to cut into Old State Road.

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

Commissioner Willner said that he and Mr. Willard went out to look at Darmstadt Road on Friday and that there are still three or four holes that haven't been repaired, that were caused from that waterline.

RE: BASELINE ROAD

Commissioner Schaad said that he had another call from Mrs. Laugel on Baseline Road about the water running across her ground.

Commissioner Willner said that someone has placed a piece of wood in front of the culvert so that the water has to go over the road instead of in the culvert.

Mr. Ludwig said that Mrs. Laugel boarded up the pipe and that there is no way the county can help her. He said that she has an attorney and that he knows it but doesn't know how to handle it.

Commissioner Willner said that he talked to Mrs. Laugel's attorney and he said that the people on the other side that build homes and have run-off shouldn't be allowed. He said that Mrs. Laugel wants the county to go all the way across, under Old Princeton Road and lay tile to drain the water.

Mr. Ludwig said that Mrs. Laugel's son-in-law would try to talk to her. He said that he was raised on this farm and they have always had this water problem.

RE: MR. WILLARD

Mr. Willard submitted the Work Summary of the Vanderburgh County Highway Department for the month of June, 1973.  
Report received and filed.

Mr. Willard said that they have some boulevards to cut and that their riding lawnmower is disabled. He said that in his opinion, the 8 horsepower riding mowers are to light for this kind of work.  
He said that he would like the permission of the Commissioners to look at a small tractor.  
The Commissioners agreed that Mr. Willard look for the kind of tractor that he wants and to report back to them.

Mr. Willard said that the reason he didn't clean the ditch off Oak Hill Road was because it is private property.

RE: ST. JOE AVENUE

Commissioner Willner said that St. Joe Avenue, in the vicinity of Wimberg Avenue has been torn up by a contractor.

Mr. Willard said that a concrete truck turned over with five tons of concrete on it and Shorty's Wrecker Service had three or four wreckers out there, trying to get the concrete back on the truck and tore up the road.  
Commissioner Ossenbergs said that they will have to be contacted to check to see if they have insurance to cover this.

RE: MR. HOTZ

Mr. Hotz said that the Commissioners were to receive bids for the house on

St. Joe Avenue, but that there were no bids received, so wondered what to do now. Mr. Volpe said that the county has spent more money for legal ads for this property, than the amount it will bring in.

Commissioner Willner said that he had a call last evening on this property from a man that is interested in this house and he asked that the matter be postponed for one week. The Commissioners agreed that they postpone this matter until next Monday.

RE: MR. PUGH

Mr. Pugh said that their drafting committee met and that they are ready for the final Building Code Revisions. He said that Mr. Marlin is going to make up copies to go out to about 60 people who have been inventoried. He said that he would submit the draft of the letter, this afternoon, for the approval of the Commissioners.

RE: BRIDGE FUND TAX RATE SET

Mr. Volpe said that they were going to have to get busy on the bridge fund as it is getting awfully late, and the tax rate must be set.

County Attorney Stephens said that Tom Swain told him that he would have it here today. He said that he would check on it. He suggested that the Commissioners adopt the tax rate today and draw up the resolution later.

Commissioner Schaad moved that the Commissioners maintain the tax rate of 15¢ on the Accumulative Bridge Fund for the next five years. Commissioner Willner seconded the motion. So ordered.

County Attorney Stephens said that he will furnish the information for advertising.

Mr. Volpe said that he must send this up to the state to be approved by them and then they come down and set a hearing.

The meeting recessed at 11:47 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u>                   | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEY</u> | <u>REPORTERS</u>                                   |
|---|-----------------------|------------------------|--|
| Tom Ossenberg<br>Bob Schaad<br>Robert Willner | Lewis F. Volpe        | William Stephens       | B. Thompson<br>A. Jackson<br>G. Clabes<br>S. Clark |

Secretary: Margie Meeks

*Thomas L. Ossenberg*  
 \_\_\_\_\_  
*Bob Schaad*  
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*Robert Willner*  
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 BOARD OF COUNTY COMMISSIONERS

321

COUNTY COMMISSIONERS MEETING  
JULY 23, 1973

The regular meeting of the County Commissioners was held on Monday, July 23, 1973, at 9:40 a.m. in the Commissioners hearing room, with President Ossenberg presiding.

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

RE: EMPLOYMENT CHANGES....APPOINTMENTS

COUNCIL OF GOVERNMENTS

|                |                 |          |            |              |
|----------------|-----------------|----------|------------|--------------|
| Linda Britton  | 513 E. Mill Rd. | Surveyor | \$2.00 Hr. | Eff: 7/11/73 |
| Lynn H. Watson | 867 S. Harlen   | Surveyor | \$2.00 Hr. | Eff: 7/11/73 |
| Donna J. Sims  | 5125 Conlin Ave | Surveyor | \$2.00 Hr. | Eff: 7/12/73 |

KNIGHT TOWNSHIP ASSESSORS OFFICE

|            |                 |           |             |             |
|------------|-----------------|-----------|-------------|-------------|
| Jimmy Cook | 2040 Mahrendale | Part Time | \$15.00 Day | Eff: 7/9/73 |
|------------|-----------------|-----------|-------------|-------------|

AUDITORS OFFICE

|                  |                 |               |            |              |
|------------------|-----------------|---------------|------------|--------------|
| Lucille Musgrave | 4304 Pennington | Payroll Clerk | \$5,370.00 | Eff: 7/16/73 |
|------------------|-----------------|---------------|------------|--------------|

VOTERS REGISTRATION OFFICE

|                   |              |       |                                    |              |
|-------------------|--------------|-------|------------------------------------|--------------|
| Martha Green      | 1319 Henning | Clerk | \$230.00 Per Pay (\$19.11) one day | Eff: 7/16/73 |
| Agnes Lichtenfeld | 637 S. Fares | Clk   | \$230.00 Per Pay (Bal.\$191.78)    | Eff: 7/18/73 |

RE: EMPLOYMENT CHANGES....RELEASES

VANDERBURGH HIGHWAY DEPARTMENT

|               |                      |            |             |              |
|---------------|----------------------|------------|-------------|--------------|
| James Fraliex | 1128 W. Maryland St. | Tk. Driver | \$3.225 Hr. | Eff: 7/23/73 |
|---------------|----------------------|------------|-------------|--------------|

AUDITORS OFFICE

|              |               |               |            |              |
|--------------|---------------|---------------|------------|--------------|
| Vera Reimann | 2308 Garrison | Payroll Clerk | \$5,370.00 | Eff: 7/16/73 |
|--------------|---------------|---------------|------------|--------------|

VOTERS REGISTRATION OFFICE

|                |                   |       |                  |              |
|----------------|-------------------|-------|------------------|--------------|
| Elizabeth Omer | 1052 Madison      | Clerk | \$230.00 Per Pay | Eff: 7/15/73 |
| Martha Green   | 1319 Henning Ave. | Clk.  | \$230.00 Per Pay | Eff: 7/16/73 |

RE: AMENDMENT TO ZONING ORDINANCE

County Attorney Stephens presented an Ordinance to Amend Article XXX, Section 6, by amending subsection (3); and, by amending section 7 in its entirety; and by adding sections 8 and 9, all being a part of the Comprehensive Zoning Ordinance for Vanderburgh County, Indiana Ordinance No. 1053, Effective Date, September 30, 1963.

Mr. Stephens said that this amendment, in its entirety, is substantially the same as the city. The significant changes are that re-zonings will be heard on the third meeting of the month and it will take care of the people who are involved in the re-zonings so they will know when to appear, as they will be notified. Also, the county re-zoning petitions will now have a number to refer to, when the petition is presented to the County Auditor.

Commissioner Schaad moved that the ordinance be approved as amended. Commissioner Willner seconded the motion. The vote being unanimous in the affirmative, the motion Carried.

RE: BURDETTE PARK

County Attorney Swain told Mr. Rafferty that the county is still trying to get money for Burdette Park and that H.U.D. has raised another requirement and it is, that since the money they are trying to get for the 52 acres they purchased, is open space, they have to enter into covenant that run with the land, stating that we will not sell or lease the land except with the approval in writing from the Secretary of Housing of Urban Development for his designate..

Mr. Swain said that he has a restrictive covenant that is now being typed.

RE: REQUEST TO ACCEPT SECTION OF ROAD

The following letter was received from the Indiana State Highway Commission and presented to the County Commissioners:

Dear Sirs:

Relocated US 41 from approximately one-half mile south of the south city limits of Evansville to one-half mile north of Pigeon Creek has been completed and is now open to traffic.

In accordance with Highway Commission policy and Indiana Road Abandonment Laws, the portions of old highway not being utilized as state highways are to be returned to local jurisdiction.

The portion of old highway to be returned to Vanderburgh County is approximately 2236 ft. (0.423 Mi.) in length extending from south of Eagle Creek Slough to the south city limits of Evansville as shown in the attached sketches.

Will you please inspect this section of old road and if you desire any further work to be done, notify either of the undersigned at the Indiana State Highway Vincennes District office and a joint inspection will be arranged. If the county will accept this portion as it is would you please send us a letter so stating. Yours truly, J.S. Chadwick, Dist. Dev. Engr. N. VanNielen, Dist. Engr.

Commissioner Schaad moved that this matter be referred to the County Engineer to investigate, to see what needs to be done before the county accepts it, and report back to the Commissioners. Commissioner Willner seconded the motion. So ordered.

RE: COUNTY-OWNED PROPERTY

There were no bids today on the surplus, county-owned property that was acquired by delinquent taxes owed.

County Attorney Stephens presented deeds for the county-owned property that was sold last week, plus two corrected deeds, for the signatures of the Commissioners and the County Auditor. He said that the Recorder's office called him and told him that these two deeds were wrong, so he prepared the corrected deeds.

He also said that the sale of the surplus, county-owned property, will continue at each Commissioners meeting.

RE: N.Y.C. PROGRAM

Norma Feldhaus of the Neighborhood Youth Center appeared and said that they have received \$270,000.00 to run the N.Y.C. Program in Vanderburgh County. She said the city is running their program within the city limits. This is a program to hire youths between the ages of 14 to 22 years of age, to work 29 hours a week and they are paid \$1.60 per hour. She said they can work a total of 234 hours at non-hazardous occupations. She asked if there was available work in the county for these youngsters.

Commissioner Ossenberg said that they have started this program by hiring 20 youths to clean up around Boehne Lake and the only other place he knew of, that might need help, would be the county highway department and this would be cutting weeds. This program will run for 6 weeks and the work must be supervised and the supervisor will be furnished if 20 or more are hired for a job.

Commissioner Ossenberg asked Mr. Hotz if he could use some help in cleaning up the county-owned lots.

Mr. Hotz said that he would check on this.

Commissioner Ossenberg said that Ms. Feldhaus might also check with Mrs. DeVoy at Burdette Park to see if she has any work out there.

Ms. Feldhaus said that they carry workmen's compensation and liability insurance.

County Attorney Stephens said it would be a good idea to have a Certificate of Insurance on file in the Commissioners office.

Commissioner Ossenberg said that Ms. Feldhaus should keep in contact with Mr. Willard, Mr. Hotz and Mrs. DeVoy. He was sure they would find enough work for the youths.

RE: LETTER OF THANKS

A letter was received by Commissioner Ossenberg from the American Legion, as follows:

Dear Mr. Ossenberg:

I would like to thank you and your staff of the Vanderburgh Auditorium and Civic Center for their fine cooperation during our recent Department Convention.

Your technicians and staff greatly helped us in the efficient running of a most successful Convention. Your facilities are beyond compare and we certainly look forward to returning to Evansville for a Convention in the future.

Again, thank you and please convey my thanks to your staff for a job well-done. Sincerely, Dyke E. Shannon, Assistant Department, Adjutant. Letter received and ordered filed.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received on Sandleben Plumbing & Heating . Certificate received and ordered filed.

RE: PERMIT REQUESTED

Last week, Mr. Jack Cooper of Petty Geophysical Engineering Co. submitted a written request for a permit to use a paction machine to do oil explorations on the county roads. This matter was deferred until this week. The Commissioners asked Mr. Cooper to furnish the county with a sufficient bond and also to give them a period of time that they would be doing this work. They have now posted a \$5,000 surety bond.

County Attorney Stephens recommended that the approximate period of time that they would like the permit for , be given and that the Commissioners would like to have some general idea as to when the work would be finished. He said that he would also like to know whether or not the surety that they have listed with their bond has been authorized to do business in Indiana.

Commissioner Schaad moved that the Petty Geophysical Engineering Co. be given a permit for 6 months and if they need an extension of time, they can come back and ask for it, also, subject to the satisfaction of the County Attorney, on the bond, as to their doing business in the State of Indiana. Commissioner Willner seconded the motion. So ordered.

RE: BURKHARDT ROAD

Commissioner Ossenberg said that the Commissioners have had a number of phone calls requesting lower speed and that the bushes be trimmed on Burkhardt Road. He said that since Green River Road is closed from Division Street, North, they are using Burkhardt Road and they are using excessive speeds and the residents are having trouble getting in and out of the driveways..

Mrs. Dorothy Lamey spoke on behalf of her mother and said that this road is being used as a speedway and also being used by large trucks and semi's. She said that the road is very narrow with ditches on both sides and that there are no speed signs nor weight limits posted. She said there was an accident close to Division St. & Burkhardt Road, that someone went off into a deep ditch. She also said that the weeds need cutting on the county right-of-way because they can't even see the cars when they try to get out of the driveways. Mrs. Lamey said that they contacted the Sheriff's Department and they came out there. They said that they have been trying to get a posted speed limit out there for some time but this hasn't been done.

After further discussion, Commissioner Schaad moved that a speed limit of 30 miles per hour and a weight limit of 5 tons be placed on Burkhardt Road and that the weeds on the county right-of-way be cut and that this matter be referred to Area Plan in order that they might study this situation. Commissioner Willner seconded the motion. So ordered.

RE: INDIANA CROP AND LIVESTOCK REPORT

A report was received from Mr. Earl L. Park, Agricultural Statistician in Charge, for the Indiana Crop and Livestock Reporting Service, on the harvested crop acreage and livestock for 1971. Report received and ordered filed.

RE: PLANS AND CONTRACT PROPOSAL

The following letter was received from the Indiana State Highway Commission:

Contract No. TX-9481                      Project No. T-6005(7)

Gentlemen:

We are transmitting herewith one set of plans covering the improvement of intersection improvement on Franklin Street in Evansville at 2nd Ave., 4th Ave., Fulton Ave., 7th Ave., 9th Ave., Wabash Ave., 10th Ave., 11th Ave., 12th Ave., St. Joseph Ave., and Marine Ave., along with a copy of the Contract Proposal for the above contract.

We expect to receive bids for this construction project on July 24, 1973.

We are supplying you with this advance information so that you may anticipate local traffic conditions, during the construction period.

If you have any questions with reference to the conduct of the work, please contact our District Engineer, Mr. Nicholas VanNielen at Vincennes District who will have the details available after the contract is awarded and after he has had an opportunity to hold a construction conference with the contractor.

Very truly yours, Signed N. W. Steinkamp, Chief Highway Engineer.

County Attorney Swain said that this is a topics program of the State Highway Commission, although it is Vanderburgh County money and the State Highway Commission lets the contract.

Letter received and ordered filed.

RE: STATE FLAG PRESENTED

The Commissioners received an Indiana State flag from Representative Bob Rickard, to display in the Commissioners hearing room. Commissioner Ossenberg said that he has long sought this, as he thought it should be displayed along with the American flag. He said he would like to thank Mr. Rickard for purchasing this flag for them.

RE: SHARON DRIVE

The following letter was received by the Commissioners from the residents of Sharon Drive:

Gentlemen:

We, as property owners and/or residents on Sharon Drive (Feltman Place Subdivision), do hereby respectfully request that you make necessary repairs and hard surface our road.

This short, dead-end road was accepted for maintenance by the County many years ago but has had very little maintenance since then. We would appreciate you having the County Highway Department take the necessary steps to give us a usable, all-weather road.

The County Attorney said that this is on the list of accepted roads and that Area Plan is now making a study as to which roads should be repaired first.

Commissioner Schaad moved that this matter be referred to Area Plan, so they can work it in with their program. Commissioner Willner seconded the motion. So ordered.

RE: HOING ROAD

Commissioner Willner received the following letter from the residents on Hoing Road:

Dear Commissioner:

A very serious flooding problem exists due to an inadequate culvert on Hoing Road, between Boonville New Harmony and Darmstadt roads.

Flooding occurs over 4 to 6 acres of land due to head water, as a result of this restriction. The drainage ditch south of Hoing road has in it restriction such as concrete slabs, etc., which doesn't seem justifiable.

It is suggested that the U. S. Conservation Corp of Engineers be consulted to determine the amount of water that is shed to this position and provision be made for an opening under the road and beyond which will adequately eliminate the problem.

There are 4 homes in the locality and plans to build 3 to 4 additional dwellings which could be damaged by the improper disposition of surface water due to heavy rains.

Thanking you in advance for your consideration and hoping it will warrant your immediate attention.

Commissioner Willner said that he looked over this situation, that the county has patched up this culvert several times and that it is still caving in.

Commissioner Willner moved that this matter be referred to the County Engineer, to determine the proper culvert size, then to the County Garage for some action. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIMS

A claim was received from the Indiana Bell Telephone Co. for the relocation of telephone lines from vacated alley to perimeter of site, (Evansville Comprehensive Mental Retardation Center) in the amount of \$2,575.87. This is Bond Issue money. County Attorney Swain recommended this be approved. Commissioner Schaad moved that this claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was received from Briles Sewer Service in the amount of \$18.00, for the cleaning of the garbage disposal drain pipes for the Sheriff's Department.

Commissioner Ossenberg said that he has talked to the Building Authority and was told that they do not, in the leased line of maintenance, do any equipment. This matter was deferred and County Attorney Swain was asked to check this matter out. Further action will be taken next week.

Claims were received from Sandleben Plumbing and Heating Co. in the amount of \$1,833.00 in request for retainage payment on the Central Services Facility for Burdette Park, and the final billing, Est. #6, in the amount of \$698.33.

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

A claim was received from Mills-Wallace & Associates Inc. for final billing for the remainder of their Architectural Engineering fee on the Central Services Building for Burdette Park in the amount of \$1,255.90.

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

A claim was received from Sheriff Riney for the meals of the prisoners from June 15th to July 14, 1973, in the amount of \$5,101.40. Commissioner Willner moved that this claim be approved for payment. Commissioner Schaad seconded the motion. So ordered.

RE: CLOVERLAWN SUBDIVISION

A water and mud problem in Cloverlawn Subdivision was discussed last week. The developer of the Real Estate Development on Oak Hill Road was to appear last week but failed to do so. A group of the residents were present at that time. Commissioner Ossenberg said that he would get all those who are involved, together, and try to get something done during the past week.

Mr. Robert Draper of 2900 Longacre Drive, appeared, and told the Commissioners of his water problem and said that he would like it all to be taken care of at the same time.

Mr. Ludwig said that Mr. Draper was losing his yard and would like to have some dirt.

After further discussion, Commissioner Willner moved that the county garage haul one load of dirt and 2 loads of rip rap to the residence of Mr. Draper and he will do the work himself. Commissioner Ossenberg seconded the motion. So ordered.

Mr. Ludwig said that he set up a meeting during the past week with the So. Ind. Gas & Electric Co., Mr. Harold Peters, Jack Willard of the County Highway Garage, and himself. He said that nothing was accomplished, that the Gas & Electric Co. and Mr. Peters were dissatisfied with the spokesman for the residents, and before we could get on the property of the Gas Co. to do any work, they want a written apology from Mr. Pete Arnold who was the spokesman.

Mr. Peters said that Mr. Arnold blamed him for this situation and that he isn't to blame.

Mrs. Bobbie Ziliak of 4418 Clover Drive, who is here today, to speak for the residents, said that she was present last week and that Mr. Arnold tried to state the facts as he saw them, and the factors that they felt might be responsible for the conditions present. She didn't think he placed the blame on any one person.

Commissioner Ossenberg said that the thing he was trying to do was to get the meeting set up to generalize the problem and to get something done as this is a deplorable situation. He said that Citizen's Management Corp. chose to ignore his letter as he hasn't heard from them.

Mr. Ludwig said that Mr. Willard should go out there tomorrow morning and clean that pipe out 25 feet on either side and this should help the situation. Mr. Peters said that it should all be cleaned out. Mr. Ludwig said that the Gas Co. & Mr. Peters would have to agree for this to be done since it is on the Gas Co's. right-of-way and Mr. Peters has soy beans planted out there.

Mr. Ludwig said they should find out, for once and for all, who is suppose to be the watchdog for the Subdivision Ordinance.

Commissioner Ossenberg said that he was of the general opinion that the residents that were present last week would grant the easement that was needed.

Mr. Draper said that they are afraid that they will have deep ditches like he has in back of his house.

Commissioner Schaad moved that this matter be referred to the county attorney's, for them to see what the law is and if Citizen's Management Corp. is violating a Subdivision Ordinance, to see who is to enforce it and what steps to take. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg said that the Commissioners were going to have to have 100% total cooperation. He said that he has been in office for seven months and everyone wants to be helped but a lot of times he has found it difficult to help them. He went on record that the Commissioners want to help the people but they should want to help themselves also. He said that if there is 100% total cooperation, the Commissioners will help and the first move is to get rid of the mud.

Mrs. Ziliak said that she would take care of getting a petition signed by the residents.

RE: ABSENTEE REPORT

Mr. Willard presented an absentee report of the employees of the county garage for the past week. Report received and filed.

RE: BURDETTE PARK...CON'T.

The restricted covenant at Burdette Park for the \$24,000.00 H.U.D. money that was discussed by County Attorney Swain, earlier in this meeting, was presented to the Commissioners at this time.

Commissioner Schaad moved that the restricted covenant be approved. Commissioner Willner seconded the motion. So ordered.

RE: MR. NUSSMEYER .... OAK GROVE ROAD OVER SO. R.R.

Mr. Nussmeyer said that there was a misunderstanding on the Southern Railroad project, that Kight Lumber Co. was given right-of-way by the Railroad but they couldn't get out on the highway. He said that he has the highway right-of-way and needs the easement across the railroad, also that Kight Lumber Co. is going to abandon their proposed crossing but they aren't going to abandon their switch.

There was a question of whether the signalization was required or not. Mr. Nussmeyer said he didn't think it was needed at present.

Mr. Wandel said he just received word from the City Engineer that Green River Road was scheduled to be open to two-way traffic on August 10th.

Commissioner Willner moved that the County Attorney's write a letter and get the signalization cleared up. Commissioner Schaad seconded the motion. So ordered.

Commissioner Ossenberg said the only thing he questions is the delay in this matter and what the Public Service Commission has to say about all the roads that are involved in this. He asked the County Attorney, if no signalization is required, if it is necessary to write them a letter.

After further discussion, Commissioner Schaad withdrew his motion and said to ignore the right-of-way thing and if it comes to a problem, they can hassle on the question of signalization later.

Commissioner Willner said that he is not willing to sign a release saying that the county will take care of the signalization in the future. He then withdrew his second on the motion that was withdrawn by Commissioner Schaad.

Commissioner Ossenberg said he couldn't see why they would have any controversy over the signalization at this particular point, if they don't have signalization at Green River Road.

Commissioner Schaad said that maybe the motion should stand as it was and let the County Attorney's come back with a recommendation, as he would like to go ahead with the thing.

Commissioner Willner said he would sign the agreement if the clause of signalization in the future was eliminated.

Mr. Nussmeyer said he might get them to go along with this for now.

Commissioner Schaad then moved that Mr. Nussmeyer try to work this out as far as the signalization is concerned. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg said that he thought this matter should go through Congressman Zion's office, to let him understand what the situation is and tell him that the other major thoroughfares does not have signalization.

RE: BRIDGE ACCEPTED

Mr. Nussmeyer didn't think that the L & N bridge over Darmstadt Road had been accepted by the Commissioners but it was accepted by them on July, 9, 1973.

RE: FUQUAY AND LONG ROAD

Mr. Ludwig said that Mr. Slater of the State Board of Accounts said that they could go contractual on this project and the county would have to appropriate the money, that they could share the cost with the city, that it would be acceptable to them, that the Commissioners state in the minutes why they are putting in this pipe. He said their reasoning for this is to try to keep the road from deterioration.

Mr. Nussmeyer said that they also have a chance for R & S funds on this project. Mr. Ludwig said that they won't have to abandon that section as a legal drain, that this won't enter into it at all, as this is so stated in Burns Statute.

Commissioner Schaad moved that this project be pursued along these lines.

Commissioner Willner said that he really feels that this is being done for an individual and he isn't questioning the fact that it needs to be done. Commissioner Willner then seconded the motion, and said that he wanted to know exactly how much money they were going to take out of highway contractual. So ordered.

RE: CUTS-IN

The following cuts-in were presented to the Commissioners:

Indiana Bell Telephone Co. requests permission to cut into Church Lane and Old State Road #66 and U.S. 460 to place buried telephone cable. Commissioner Schaad moved that this cut-in be approved on the recommendation of the County Surveyor. Commissioner Willner seconded the motion. So ordered.

Indiana Bell Telephone Co. requests permission to cut into right of way across Boonville-New Harmony 2000' east of St. Joe Avenue. Commissioner Schaad moved that this cuts-in be approved, on the recommendation of the County Surveyor. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

Mr. Nussmeyer presented a claim from Mr. John Singer, Inspector for the repair of concrete streets on Twickingham Drive in Melody Hills, for mileage in the amount of \$41.12.

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

RE: MR. WILLARD

Mr. Willard presented an absentee report of the employees at the county garage for the past week. Report received and filed.

Mr. Willard said that the time clock at the county garage has been there since the garage was built and it is now broken. He requested information from the Simplex Time Recorder Co., which he has received. He presented the following letter from them, to the Commissioners:

In compliance with your request to our Mr. Green the cost to chemically clean and overhaul your Model 8500 Attendance Recorder No. 624770 manufactured in 1957, would be \$275.00. We will provide a loan recorder for you to use while your machine is being overhauled and it will require approximately three weeks to perform this work and fully test the unit.

The price for a new Model 85FAA Attendance Recorder with the same specifications as your present machine is \$460.00 F.O.B. Gardner, Massachusetts, and we can allow you \$25.00 trade-in on your Model 8500 No. 624770. Delivery on a new recorder will require approximately 90 days and we can provide you with a loan recorder until the new machine is received.

We trust this is the information you desired but if you have any questions please let us know. Respectfully, D. A. Dixon, Branch Manager.

Commissioner Willner moved that Mr. Willard be permitted to purchase a new time clock. Commissioner Ossenbergs seconded the motion. So ordered.

RE: AGATHON DRIVE

Mr. Willard presented a report on the cost of resurfacing Agathon Drive in the amount of \$1,328.94. Report received and filed.

RE: MR. WILLARD

Mr. Willard requested permission to go to Indianapolis tomorrow, to look over Government surplus material.

Commissioner Schaad moved that permission be granted. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad said that the Commissioners had given Mr. Willard permission to look over some mowers for cutting grass. He asked Mr. Willard if he had found anything.

Mr. Willard said that he has found what he wants, one that will do the job, but he hasn't talked to the Purchasing Agent about it yet. It is an International low boy with a mower between the wheels and it can be used for other things besides for cutting grass and it is \$2,500.00.

RE: MR. HOTZ

The problem of getting rid of the house on St. Joe Avenue was deferred until this week since Commissioner Willner had received a call from someone that was interested in it but he said that he hadn't heard from him. This matter was again deferred until next week and Commissioner Willner will call him and see if he is still interested.

RE: MR. HARNESS....RATES APPROVED

Mr. Harness said that in the statute that pertains to county homes, there is something that says that the rates shall be established by the County Commissioners

in a July meeting for the oncoming year. He has proposed the rates to be effective on January 1, 1974...Residential care rate of \$175.00 per month shall apply, or as established by law for the township trustees, who are limited to \$100.00 per month. The private day rate shall be \$175.00 per month, this to be paid by the resident, by his guardian or other responsible relative. The intermediate care rate and comprehensive care rate shall be \$12.50 per day or as allowed by medicaid.

Mr. Harness said the intermediate and comprehensive care rates are the same as last year and the residential care rate is \$50.00 higher than last year. He said he thought this would put them in a considerably better position than they are now and will put them, in general, above other homes in the state.

Commissioner Willner moved that the proposed rates be approved. Commissioner Schaad seconded the motion. So ordered.

RE: POLLACK & FUQUAY ROAD .... Right of Way Buyer named

Mr. Wandel said that they are planing structural relocation at Pollack Ave. & Fuquay Road and putting in a pipe. He said that they were going to have a right-of-way problem and will need to consult with a professional in the field to help them to get this under way. He said that there are trees there that the residents have placed value on and someone will have to deal with them.

Commissioner Schaad moved that Jay Welsh be appointed as right-of-way buyer. Commissioner Ossenberg seconded the motion. So ordered.

RE: BOONVILLE-NEW HARMONY ROAD

Commissioner Willner said that there was a problem with the right-of-way on the Boonville-New Harmony Road. He said that there are two twin culverts there and the culvert to the west is right in a man's yard. His attorney called and wondered if this culvert couldn't be moved to the north so it wouldn't take up so much of his yard.

Mr. Wandel said that he didn't think they should compromise too much as they are moving the hazardous driveway and thought he was gaining more than anyone out there. He said the right-of-way buyer has the plans for this project.

RE: COMMISSIONERS DAY

Today has been designated as Commissioners day by Ellis Park and all the Commissioners from the 8th district are invited to attend the races today and to meet and dine at the West Haven Gun Club this evening.

The meeting recessed at 12:10 p.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u> | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u> | <u>REPORTERS</u> |
|-----------------------------|-----------------------|-------------------------|------------------|
| Thomas Ossenberg            | Lewis F. Volpe        | William Stephens        | S. Clark         |
| Bob Schaad                  |                       | Thomas Swain            | A. Jackson       |
| Robert L. Willner           |                       |                         | B. Thompson      |
|                             |                       |                         | G. Clabes        |

Secretary: Margie Meeks

*Thomas Ossenberg*

*Bob Schaad*

*Robert L. Willner*

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
JULY 30, 1973

The regular meeting of the County Commissioners was held on Monday, July 30, 1973, at 9:35 a.m. in the Commissioners hearing room, with President Ossenberg presiding.

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

RE: APPOINTMENT MADE

Commissioner Ossenberg said there is an appointment to be made of a Building Authority Trustee, for a four year term effective August 15th., 1973.

Commissioner Schaad moved that Mr. Bill Needler be re-appointed to the four year term, beginning August 15, 1973. Commissioner Ossenberg seconded the motion.

Commissioner Schaad moved that the nominations be closed. Commissioner Ossenberg seconded the motion. The vote being unanimously in the affirmative, the motion carried.

RE: EMPLOYMENT CHANGES...APPOINTMENTS

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Dennis Merideth      1503 W. Louisiana St.    Tk. Driver    \$3,225 Hr.    Eff: 7/26/73

VETERANS SERVICE OFFICE

Loraine Rohner      2525 N. Heidelbach    Clk-Typist    \$4,320.00 Yr.    Eff: 8/1/73

CUMULATIVE BRIDGE FUND

Toby Martinez      1316 Gavitt St.      Ass't. Inspector    \$5,720.00 Yr.    Eff: 7/23/73

PLEASANTVIEW REST HOME

Blanche Hall      304 Bosse Ave.      Extra Help      \$350.00 Mo.      Eff: 7/25/73

RE: APPOINTMENT CHANGES...RELEASES

VETERANS SERVICE OFFICE

Juanita Roth      4606 Taylor      Clk-Typist      \$4,320.00 Yr.      Eff: 7/31.73  
Loraine Rohner      4525 N. Heidelbach    Clk-Typist      \$ 15.00 Day      Eff: 7/31/73

PLEASANTVIEW REST HOME

Mary Caldwell      219 Mulberry      Aide      \$330.00 Mo.      Eff: 7/17/73

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids on the county-owned surplus property today. The sale will continue each Monday.

Commissioner Willner said that he talked with the gentleman that was interested in the property on St. Joe Avenue and found that the man wanted to talk to Mr. Kissell who had owned the house and he was on vacation and he asked that this matter be held up until a later date. The Commissioners agreed.

RE: REQUEST FROM MR. SAUER

Mr. Sauer asked permission to borrow a four to six ton roller from the Highway Department for approximately one month starting August 13, 1973, for their chip and seal program. Commissioner Schaad said that he has talked to Mr. Willard on this and he indicated that Mr. Sauer wanted to chip and seal some alley's.

Commissioner Schaad moved that Mr. Sauer be permitted to use the roller for one month, rent free, and that he be responsible for any damages. Commissioner Willner seconded the motion. So ordered.

RE: CLOVERLAWN SUBDIVISION

A bad mud and water problem in Cloverlawn Subdivision was again discussed last week. There was a meeting on this problem, also, but no decision was reached due to a misunderstanding of those involved.

Mrs. Bobbie Ziliak was spokesman for the residents and she said that she would get their signatures on a petition to present to the Commissioners.

Commissioner Ossenberg said that Mrs. Ziliak called him this morning and said that she had all but two signatures of the people to grant the right-of-way and those two people are due back from vacation this week so she will present all the signatures next week.

Mr. Joe Wallace appeared and said he agreed to the ponding area that the County Surveyor had suggested.

Commissioner Ossenberg said he believed this would relieve the mud situation.

Mr. Wallace said if they had known that we would have had all the rain we have had, this would have been done. He said they have cut a ridge across the top of the hill to revert the water back. He said if it doesn't rain, they will start a new street tomorrow and this will also help the situation.

Commissioner Ossenberg said he was out there with Mr. Nussmeyer and the condition is terrible and it will have to be cleaned up.

Mr. Nussmeyer suggested waiting until next week, when the petition for the right-of-way is presented and get the whole thing done at one time.

Mr. Willard said he didn't have enough hose to clean this mess up. After checking with the Deputy Fire Chief, Commissioner Ossenberg said that Deputy Fire Chief Dennis said that if he is given, from 24 to 48 hours notice, he will round up the amount of hose that is needed.

Mr. Wallace agreed to work with Mr. Wandel, Mr. Nussmeyer and Mr. Willard, also with the Gas Company, and after the right-of-way is granted, they will get this problem solved.

RE: ALLENS LANE BRIDGE...EMERGENCY DECLARED

The bridge on Allens Lane, over Locust Creek, caved in and Mr. Nussmeyer said he had two survey crews out there Friday and he said that in order to be in line with the present state codes and in order to qualify for state funds to help finance construction, the new bridge will have to be built 8 feet higher than the old bridge and this will require the county to buy additional right-of-way for the approaches. He estimated the total cost to be from \$125,000.00 to \$50,000.00. He said that more than half of this cost will be for the right-of-way purchases and construction of the approaches. He suggested that Mr. Volpe advertise for bids so the bids can be opened on August 13, 1973.

Commissioner Ossenberg said that in Phase I, the bridge will have to be widened.

Mr. Nussmeyer said that they presently have 40 feet and will have to have at least another 40 feet. He said he will have the plans ready by next Monday. He suggested that they be permitted to initiate proceedings for R & S funds for this project. He also said that a right-of-way buyer is needed. He said there is enough money in the contractual account to let a contract and in the meantime he could pursue the R & S account for the bridge and the road, since it is eligible for these funds.

Commissioner Schaad moved that Bob Rickard be appointed as the right-of-way buyer. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Schaad then moved that Mr. Volpe, the County Auditor, be authorized to advertise for bids. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad also moved for Mr. Volpe to pursue the R & S funds. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM ANCHOR INDUSTRIES

A letter was received from Anchor Industries, as follows:

Dear Mr. Ossenberg:

We feel that it is urgent to bring to your attention the problems developing in the Burch Industrial Area. Drainage conditions and proper watershed practically don't exist. Streets are repeatedly flooding because many culverts cannot handle the volume of water, thus flooding adjoining property. Many ditches have grown up with weeds and debris to the point of practically clogging any flow of water whatsoever. We request your investigation as early as possible. Thank You. Signed John J. Daus Jr. President.

Commissioner Ossenberg said they were out to see this condition and the only recommendation they had was that they were going to have to clean some ditches and replace some culverts.

Commissioner Willner said this was another case of zoning, where it should be agricultural zoning and there is an Industrial Park and as long as it is there, we are going to have problems, even if the ditches are cleaned. He said the mistake was made a long time ago and he didn't think it was possible to rectify it, as it is a ponding area.

The Commissioners agreed to conduct a study to determine what needs to be done to correct the drainage and flooding problems in the Burch Industrial Park area.

RE: CHANGE ORDER

Mr. Will Fosse presented a change order for the Evansville Comprehensive Mental Retardation Center in the amount of \$1,095.69. He said the change order concerns sewer work, in that the initial plumbing drawings were based on drawings that were provided with on the sewer for the nurses home and when they started the excavation, found that they weren't as indicated in the drawings.

The changes are, 1. To repair 4" sewer to nurses home, in the amount of \$105.94. 2. Repair 6" sewer to nurses home in the amount of \$152.53. 3. Work performed on 10" sewer to change in the amount of \$837.22.

County Attorney Swain asked what the 12% labor burden was, that was listed. He said that he would appreciate knowing what it is.

Mr. Fosse said he didn't really know what it was but he would find out.

Commissioner Willner thought it might be a raise in labor or salary, over the amount, since the contract was let. This was thought to be the case.

Mr. Fosse said he would write the Commissioners a memo on it.

This matter was tabled for the present.

RE: AGREEMENT SIGNED

An agreement with the Indiana State Board of Animal Health and the County Commissioners, in that the cattle within the certified and accredited county of Vanderburgh shall be tested for Bovine Brucellosis and Tuberculosis, to conform with regulations governing the re-certification and re-accreditation of the county.

Agreement noted as being received and ordered filed.

RE: LETTER FROM RAY BECKER

A letter was received from Ray Becker concerning the Fulton Satellite Health Center.

Commissioner Ossenberg said he received this letter on June 27th, and at that time, he held it and then referred it to the County Council, as they will be the body to meet in joint agreement for the center and he turned the material over to the President of the County Council. He said he hasn't heard what they have done on it, other than they were in agreement to discuss it with the City Council.

This matter was deferred until Commissioner Ossenberg discusses it with the County Council.

RE: APPLICATION TO PLEASANTVIEW REST HOME

An application was submitted for the admission of Nicholas Paulin, to the Pleasantview Rest Home.

Commissioner Willner moved that this application be approved, upon the recommendation of Mr. Harness. Commissioner Schaad seconded the motion. So ordered.

RE: LINCOLN & FUQUAY ROAD DRAINAGE & OLD HENDERSON ROAD RESURFACING

A letter was received by Mr. Nussmeyer, the County Surveyor, and presented to the County Commissioners, as follows:

Dear Dick:

As per our conversation this date, instead of the City and the County splitting the costs on the above jobs and complicating both projects, the City will repair and resurface Old Henderson Road to the L & N shops (approximately 3000 ft.) install new drainage, in exchange for the County doing the necessary drainage work at Lincoln and Fuquay Road.

Costs for each job should be approximately equal, and each can fund their projects separately much easier. We will proceed with our job immediately and plan to be completed before fall.

Very truly yours, Richard Eifler, City Civil Engineer  
& Henry Sauer, Pres. Board of Public Works

It was explained that Riverview Road ties in to Old Henderson Road at the South end of the overpass, over L & N tracks, at Hybrid Inn and the old Stockyards and it runs to the L & N roundhouse. The county owns half of it and the city owns half of it. The Commissioners had previously agreed that the county would take care of the drainage of the new road and the city would put the new road in. Now this has been changed since there are two projects that are similar, in that the city owns half and the county owns half. The other one is at Lincoln and Fuquay Road, where the same situation exists so now that the letter has been received, requesting that the city take care of Riverview Road and the county take care of outer Lincoln & Fuquay Road. The Evansville Industrial Foundation has two parks going, one is at Hitch Peters & Bergdolt Road. There is one industry located in there now, with a potential of more coming in. The other one is on Oak Grove Road, off Green River Road by Boonville Highway. They have been asking the county for a long time to come in there and they have put their money into the projects and they are wanting the county to improve and widen the roads to encourage the other industries to come in.

The L & N owns quite a bit of right-of-way to the North side, at the intersection of Hitch Peters and Burgdolt Road and the people that own land on the South side are waiting to see what the L & N does.

The L & N is wanting to close seven crossings on Broadway Ave. They had originally proposed to grant the county and city the right-of-way and move their tracks, if the county would come in and improve the roads and this would give them another access to Barker Avenue. They are willing to spend several thousand dollars that way and if this comes about, they will grant the Bergdolt right-of-way. He said the ditches will have to be cleaned and maybe deepened, also some culverts need replaced but he didn't know how long this would relieve the situation.

Commissioner Ossenberg said this is involved and it is a package type deal that they hope to work out with the Railroad, the city, and the county, to try to get this thing moving.

Mr. Nussmeyer suggested that the County Auditor make application for R & S Funds.

Commissioner Schaad moved that the Auditor be authorized to proceed with the application to the state for R & S Funds. Commissioner Willner seconded the motion. So ordered.

Mr. Volpe asked Mr. Nussmeyer to furnish him with the necessary papers for making application for these funds.

RE: RIGHT OF WAY DEDICATION

Mr. Nussmeyer presented the additional Right-of-Way dedication at the West Side Christian Church on Red Bank Road for the acceptance of the Commissioners.

County Attorney Swain said that there are two ways that churches can go, they can go trustee or they can go corporation. He said the Commissioners can just accept the dedication and he will prepare the resolution for acceptance of maintenance.

RE: DEDICATION OF ROADS

A dedication was presented from Melvin and Roseline Lutterbach, of an easement for a public road and the right-of-way over and across part of Crestmont Drive, part of Lemay Drive and part of Agathon Road. This dedication is to be recorded.

Commissioner Schaad moved that this dedication be accepted. Commissioner Willner seconded the motion. Commissioner Schaad then amended his motion, by adding, that the Commissioners will not be responsible for side road or ditch drainage until such a time as the area is fully developed. Commissioner Willner seconded the amended motion. So ordered.

RE: MR. NUSSMEYER

Mr. Nussmeyer said that he would like another week or two on the vacation of a bridge on Old State Hwy. 41 South, that the county is accepting it and the span is busted out on each end.

Commissioner Willner said that he can't understand that the state can pass us a bridge that we can't even get to, that they are giving us a liability. He was under the impression that the law states that they must first bring it up to acceptable standards. Mr. Nussmeyer said he would see what could be done about this.

RE: CUTS-IN

Applications for cuts-in were presented, as follows:

Waterworks Dept. requests permission to cut into Red Bud Land and Holly Drive in Evergreen Acres to install 1,500' 6" Pipe. Est. 5111

Waterworks Dept. requests permission to cut into Miller Road to install 375' 6" Water line to provide water service. Est. 5139

Waterworks Dept. requests permission to cut into 2517 Diefenbach Road, to install 680' 12" Water line. Est. 5138

Waterworks Dept. requests permission to cut into Schenk Road to install water line to provide service on Schenk Road. Est. 5098

Waterworks Dept. requests permission to cut into Petersburg Road and Whetstone Road, to repair water main break.

Mr. Nussmeyer recommended that these cuts-in be approved. Commissioner Willner moved that the cuts-in be approved. Commissioner Schaad seconded the motion. So ordered.

Commissioner Schaad said he has been concerned for some time about these cuts-in, also when new improvements are made. He said that under the previous Commissioners, a year or two ago, that 12th Avenue was beautifully repaved and it wasn't three months later, when a new water line was installed and the whole street was dug up. He said that it seemed to him that there should be some kind of ordinance between the utilities and the county and the city, so this thing can't happen.

Commissioner Ossenbergsaid that they should have some notification, either through their department or through the utilities, before a road is repaired and if necessary, this will be put into the form of an ordinance.

Commissioner Schaad moved that letters be written to the utility companies, advising that they submit plans one year in advance for any major road cuts for planned extension of utility lines, except for emergencies, also as to what roads they will be working on. Commissioner Willner seconded the motion. So ordered. Commissioner Ossenbergsaid all they want is cooperation.

RE: MR. WILLARD

Mr. Willard said he has found an International power mower tractor that he needs and the bid he received was in the amount of \$2,550.00. He said that numerous attachments can be used with it.

Commissioner Schaad moved that Mr. Willard be permitted to purchase this equipment. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

Mr. Willard presented a claim for his travel expenses to Indianapolis, to get government surplus materials for the county garage in the amount of \$21.00.

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

Commissioner Willner asked if a standing motion would be proper, to give Mr. Willard permission to go to Indianapolis any time he needs to go for surplus material or for anything that he needs. The Commissioners agreed that it was proper.

Commissioner Willner so moved. Commissioner Schaad seconded the motion. So ordered.

RE: INSURANCE ON COUNTY-OWNED VEHICLES

Mr. Volpe said that there was a question that came up on the Insurance coverage of county-owned vehicles that were taken outside the county. He also said that Mr. Willard couldn't be paid 8¢ per mile if a county vehicle was used.

After checking, the Commissioners were advised by Torian Insurance Agency, that county-owned passenger cars are covered outside the county but that trucks are not covered.

RE: SURPLUS MATERIALS

Commissioner Ossenberg asked Mr. Volpe if he knew whether the other county officeholders or Trustee people have received a copy or list from Clyde Cavanah as to the surplus materials. He said that he would have a federal letter coming out today with a list.

Commissioner Schaad said that just because they are elected officials doesn't mean that they qualify for these surplus materials. He said the county garage qualifies because, in case of emergency or disaster, under civil defense, the county garage will open roads, etc.

Commissioner Ossenberg said that Mr. Mosby, the Perry Township Trustee said that he didn't have a running power lawnmower to use at Tupman Cemetery and he was asked if a Township Trustee could get a mower like this and he was told that he could.

Mr. Willard said the county garage was eligible because they are part of the civil defense and a letter from Mr. Cavanah was also necessary.

Commissioner Ossenberg said the entire building is under civil defense and he was told that there was a possibility of Mr. Mosby getting a power mower.

Commissioner Schaad said this had better be checked out, as this isn't the way he understood it.

Mr. Willard said however, that there were no trucks or heavy equipment available in this district, that they would have to go to Akron, Ohio, Texas, or Louisiana and they must tag what they want and in five days, after it has been approved, they can go to pick it up.

RE: MR. WILLARD

Mr. Willard presented his report of the absentee's at the county garage for the past week.

Report received and filed.

RE: REPORT ON REPAIRS

Mr. Willard presented a report on repairs made on Strueh Hendricks Road in the amount of \$2,810.88. Report received and filed.

RE: PROBLEM...INSTALLING CULVERTS

Mr. Willard said they are stopping the permits now because people don't have their drives in and someone wanted him to put his culvert in, which is something that he can't do. He said that Mr. Crooks should inform these people that they have the backhoe at work and the man should put it in himself, or wait until he has time to do it.

Mr. Crooks said that about a month ago, they put a stop order on permits on Hoing Road if they didn't put their culverts in.

Commissioner Schaad said he thought the builder or subdivider should be able to put it in themselves, but an individual wouldn't have the equipment to do it.

Commissioner Schaad moved that builders and subdividers put in their own tile on the county right-of-way, where a drive will be put over it. Commissioner Willner seconded the motion. So ordered.

RE: CHANGE ORDER...CON'T.

Mr. Tom Jones appeared on the Change Order of the Evansville Comprehensive Mental Retardation Center and asked if it had been approved.

Commissioner Ossenberg said that it wasn't, as yet, approved, as there was a question of the 12% labor burden. The Commissioners agreed that if it was Social Security and unemployment, it would be alright and if it satisfied the county attorney, it would satisfy them.

RE: NAME CHANGED

Mr. Jones said the Building Committee met and wanted to see if the Commissioners would agree, that rather than using the name of Evansville Comprehensive Mental Health Center, to go with the name of the Vanderburgh Development and Training Center, as they would like to recommend this change. He also said some people would be reluctant to come to the center as it is presently named, because they don't want their child labled.

Mr. Jones said that the committee also decided that rather than try to list all the Board members of the county side, on the plaque, they would list the Presidents that were in office during the time the project was undertaken, the Building Committee chairman's names and his own for the association side of the plaque.

He extended an invitation to the Commissioners, at their convenience, to visit the building, to see how things are progressing.

Commissioner Schaad moved that the buildings's name be changed to Vanderburgh Development and Training Center. Commissioner Willner seconded the motion. So ordered.

Mr. Jones reported that Mr. Swanson indicated that the building is 53% completed in construction and 64% financially.

Meeting adjourned at 11:00 a.m.

PRESENT

COUNTY COMMISSIONERS

Thomas Ossenberg  
Bob Schaad  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEY

Thomas Swain

REPORTERS

C. Leach- A. Jackson  
B. Thompson-S. Clark  
R. Heinman

Secretary: Margie Meeks

Bob Schaad  
Robert L. Willner  
VANDERBURGH COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
AUGUST 6, 1973

The regular meeting of the County Commissioners was held on Monday, August 6, 1973, at 9:30 a.m. in the Commissioners Hearing Room, with President Ossenberg presiding.

Meeting was opened by Deputy Terry Hayes.

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

RE: REQUEST FROM ILLINOIS CENTRAL GULF R.R.

The Illinois Central R.R. is asking permission to close the road at Boonville-New-Harmony Road which is  $\frac{1}{4}$  mile east of Highway 65, in order to make improvements. They want to close it on August 8th. from 8:00 a.m. to 3:00 p.m. Mr. Leo Paul is the foreman on this job.

Commissioner Schaad moved that this request be granted. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

VETERAN SERVICE OFFICE

Lowel Stephens 915 Canterbury Ave. Extra Help \$15.00 day Eff:8-2-73

COUNTY TREASURER'S OFFICE

Suzanne Demsey 113 Euclid Drive. Clerk \$4,920.00 Yr. Eff:8-1-73

RECORDERS OFFICE

Susan Sherwood 1205 N.Garvin Photo Copy Dep. \$4,792.50 Yr. Eff:8-6-73

RE: EMPLOYMENT CHANGES...RELEASES

COUNTY TREASURER'S OFFICE

Josephine Christmas 3021 W.Franklin St. Clerk \$4,920.00 Yr. Eff:7-31-73

RECORDERS OFFICE

Karen Reitz Colony Road Photo Copy Dep. \$4,792.50 Yr. Eff:8-1-73

RE: MEETING ON NEW BUILDING CODE FOR VAND. CO.

Commissioner Ossenberg said the county commissioners should take a new look at the Building Code in Vanderburgh County. He talked to Mr. Ed Ash of the Chamber of Commerce and their board could not meet, nor could the Board of Realtors, in the month of August. The law requires that we have a public meeting on this, so at this time he is setting for September 24, at 2:00 p.m. in the Commissioners Hearing Room, in order to review the proposed amendments to this ordinance. This will have to be advertised.

RE: BIDDING OF COUNTY OWNED SURPLUS PROPERTY

There were no bids on the county-owned surplus property today. The sale will continue each Monday.

RE: MR. GUY SMITH...GREEN THUMB PROJECT.

This is a program in which this organization furnishes labor to cut weeds, etc. at no cost to the county.

Mr. Smith spoke at this time explaining how the Green Thumb Project works. He said they consist of three crews. Two for the city and one for the county. Each crew has five men. These men can all furnish their own transportation and each one is insured. The only thing the county has to furnish is the tools, and tell them where to work. Each of the five men crews also have a supervisor.

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He said they do a lot of work around town that the Park Board is getting the credit for. They keep the boulevards up and plant all the flowers in them. They are sponsored through the Farmers Union in Seymore. These men are all 55 years of age or older and will work eight hours a day. They can't do a lot of heavy work but can use a shovel and out weeds, etc. This winter they will have to do inside work.

After discussing it with Mr. Willard, he agreed to put a crew to work in the morning.

Mr. Smith said this project has been going on for about three years now. It is going to be sponsored by another organization starting the first of next year.

Mr. Stephens asked him if they have a contract with the city and he said no, they just work through the Park Board.

Mr. Stephens said the Commissioners would need a written certificate of insurance on each of these men.

Commissioner Willner suggested that perhaps these men could also help out in keeping the cemeteries clean for the Trustees.

Commissioner Schaad moved that we take advantage of Mr. Smith's offer of the Green Thumb Project starting August 7th, 1973. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORT...PLEASANTVIEW REST HOME

A monthly report from the Pleasantview Rest Home was presented to the Commissioners for the period from July 1, 1973 to July 31, 1973. Report received and ordered filed.

RE: MONTHLY REPORT...OFFICE OF TRAFFIC DIRECTOR

A monthly report of materials used by the Traffic Engineering for the county was presented to the Commissioners for the period from July 2, 1973 to July 30, 1973. Report received and ordered filed.

Also received was a seven month report from the Traffic Department. This report was also ordered received and filed.

RE: RESOLUTION...INCORPORATING ROADWAY

The Commissioners received a resolution of the Board of Commissioners of the County of Vanderburgh Incorporating a certain public roadway within the County road system. This resolution was approved in a previous meeting, but has to be signed.

RE: STATEMENT...SCHOOL CHILDREN TRANSFERING

Mr. Lewis F. Volpe said this is a normal thing that comes in for court and welfare children, whereas the county is liable for their school tuition. Commissioner Willner moved that this be approved. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIMS

A claim was received by Condict and Fosse, Architects for architect's fees for the Evansville Association for Retarded Children in the amount of \$1,430.00. Commissioner Schaad moved that the claim be approved. Commissioner Willner seconded the motion. So ordered.

A claim was received from The Terminal Warehouse Company, Inc. for rent of space for storage of voting machines from August 1, 1973 to September 1, 1973. Invoice #10278.

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

The following claims were received from the Vanderburgh Abstract Corporation.

Title Report Re:

The south  $\frac{1}{2}$  of SW $\frac{1}{4}$  of Sec.20-5-10,Exc.  
Janet A. Schroeder and Eitel H. Schroeder.....\$47.50

Title Report Re:

Part of the NW $\frac{1}{4}$  of Sec.29-5-10, 1 Ac.  
Donald Lee Stephenson, et ux.....\$47.50

Title Report Re:

Part of the W $\frac{1}{2}$  NW  $\frac{1}{4}$  of Sec. 29-5-10, 40.27 A.  
G. Richard and Rita Eykamp.....\$47.50

Title Report Re:

Pt.S $\frac{1}{2}$  of SW $\frac{1}{4}$  of Sec.20-5-10  
Dorothy E. McCutchan.....\$47.50

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

RE: MR. NUSSMEYER

Mr. Nussmeyer presented the preliminary plans on Allen's Lane. They have a preliminary estimate of \$63,000.00. This includes improving the approaches to the bridge and also the purchasing of right of ways. Their problem is going to be the right of ways. He talked to Bob Richardt this morning and he told him he might know something this afternoon, as he is negotiating with Mr. Ed Johnson who is the attorney for a property owner that has gone to Florida, that they need to purchase some right of way from. However, we can go ahead and start on the drainage and pick up the rest of it later.

Mr. Stephens asked how much right of way we need from these people who are gone and Dick said about 100 feet. Mr. Stephens asked will it take any houses and Dick said possibly yes.

Commissioner Schaad said can we go ahead and let the contract and get started on it and Mr. Stephens said yes, we can let a partial contract.

Mr. Nussmeyer said we will start on St.Joe and go west.

Commissioner Ossenbergs asked Dick if he wanted the commissioners to go ahead and approve these engineer plans for the whole project and Dick said yes because the engineer plans have to be approved before he can apply for R & S Funds which will be 90% and the Bridge Fund will be 10%. This is from St.Joe to Mesker Park Drive on Allen's Lane.

Commissioner Schaad moved the preliminary plans for the Allen Lane project be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

Mr. Nussmeyer presented the following claims to the Commissioners:

Barnett Bros., Inc., for work completed between July 19, 1973 and August 3, 1973, in the amount of \$5,842.50.

Commissioner Schaad moved it be approved. Commissioner Willner seconded the motion. So ordered.

J.H.Rudolph and Co., Inc. for work completed between June 1973 and July 1973. This was in the amount of \$89,056.61.

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

RE: EASEMENTS.

Mr. Nussmeyer presented the highway easements on Korff Road from Darrell A. & Jo Ann Hart and Wilfred G. and Irma Schmitt.

Commissioner Willner moved they be approved. Commissioner Schaad seconded the motion. So ordered.

RE: CUTS-IN

Application for cuts-in were presented, as follows:

Indiana Bell Telephone Co. requests permission to cut into Seib Road, across Kansas Rd. at intersection with Seib Rd. and across Seib Rd., 4100' North of Kansas Rd.

Southern Indiana Gas and Electric Co. requests permission to cut into Red Bud Lane, Holly Hill Drive and Holly Hill Court, to provide gas service to 19 lots (1 to 18 inclusive and out Lot "A") in Evergreen Acres, Section "L".

Waterworks Dept. requests permission to cut into Berry Drive off Holly Drive to install 1,050' 6" pipe.

Mr. Nussmeyer recommended that these cuts-in be approved.

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

RE: MR. WILLARD

Mr. Willard said out on Boehne Camp Road one of our dumpsters turned into a driveway and tore a plant down. The owner of the property said it was worth \$35.00 and that he wanted it replaced. Mr. Stephens said our insurance will cover it and for Jack to turn it into the insurance company.

Mr. Willard said also that at 2:00 p.m. tomorrow (Aug 7th.) a man will demonstrate the crack sealing machine out in Melody Hills and he wanted the commissioners to know this in case any of them would like to see it demonstrated.

RE: #6 SCHOOL ROAD

Mr. Willard said that he and Mr. Wandel went out on #6 School Road to check out a complaint from a woman that says her cattle are getting sick from drinking soapy water that is draining on her property from another persons property. This is a natural drain down through this field.

Commissioner Schaad said he had also talked to this lady and she told him the Health Department has been out there and hasn't done anything about it and she wants to know if she can dam up this flow of water on her property to keep it from spreading onto it. Commissioner Schaad said he thinks this is out of the commissioners jurisdiction.

Attorney Bill Stephens said if it isn't interfering with our easement or road then its a private matter and the county commissioners have no jurisdiction.

RE: HOING ROAD

Mr. Willard said out on Hoing Road there is a drainage problem. He said that Mr. Willner, Mr. Wandel and himself went out there and inspected it and the culvert is alright. The trouble is that a man by the name of Mr. Flittner who owns a farm out there, has the ditch stopped up with concrete blocks back on his property and this causes the flooding on Hoing Road. Mr. Wandel said he didn't see the blocks, but this flooding is washing the road out. Some people thought the culvert was falling through, but it isn't.

Attorney Stephens said since we don't really know if Mr. Flittner has done this why don't we talk to him first. Commissioner Ossenbergh said he would contact Mr. Flittner.

RE: PROBLEM ON PEACOCK LANE

Commissioner Schaad said he received a call from a Mr. Eberhardt at 6108 Peacock Lane telling him that Mr. Moser has a ditch out there that is clogged up and the water is all draining onto his property.

Mr. Ludwick said this has been going on for about two years. Most of the driveway culverts out there were put in wrong and the ditches are clogged up and need cleaned out, but we need to know who is going to be responsible for replacing the culverts.

Commissioner Schaad said we need to have someone go out there and make a survey of this thing and see what has to be done and who is going to do it. He asked will they need any new culverts and Mike said possibly yes.

Attorney Stephens said if they do need any new culverts then the individual property owner will have to buy them, as this has been the policy of the board that they buy them and we put them in.

Mr. Wandel said what if we want to replace the culverts because we don't think they are adequate and the property owner doesn't want to.

Mr. Stephens said then it's ours, but before we do all of this work, why not cut the weeds and clean it out and see if that helps.

Commissioner Ossenbergs suggested that the Green Thumb Project men be sent out to do this work.

RE: HILLSDALE

Commissioner Willner said sometime ago the commissioners received a letter from the Hillsdale residents on Walnut Road and we were suppose to do the same thing there, and he wondered what happened on it.

Mr. Willard said it hasn't been done and Commissioner Ossenbergs said lets put the Green Thumb men out there also.

RE: SPRY ROAD

Commissioner Schaad said he had another call on Spry Road about all the dirt out there.

Commissioners Ossenbergs and Willner said they have also received calls on this.

Mr. Crooks said the contractors are suppose to clean the dirt up every evening.

RE: MR. CROOKS

Mr. Crooks said what this amounts to is just a follow through with what the Administrative Council allowed last year in their authority to pre-empt local codes. In actuality what happened, was that all the local codes came back into effect. The local codes requires that in any building that dwells more than two families, they have to use this part that the other code threw out. What he is asking is that the commissioners adopt a resolution allowing the use of the National Electric Code in these instances. The Board of Building Commissioners have passed this resolution, and everyone was present that should be considered on it. So at this time he would recommend that the County Commissioners pass it also.

Commissioner Schaad moved the following resolution be approved:

CONTRACTOR MAY USE NATIONAL ELECTRIC CODE REQUIREMENTS ON FRAME STRUCTURES A B C CLASS V, APARTMENT BUILDINGS THAT MEET A B C REGULATIONS FOR FIRE SEPARATIONS.

Commissioner Willner seconded the motion. So ordered.

RE: MR HOTZ

Mr. Hotz said concerning the Kissel house on St. Joe Road, they have found a prospect and asked that this be continued another week.

RE: CLOVERLAWN SUBDIVISION:

Commissioner Ossenbergs asked if anything further has been done about the problem out in Cloverlawn. He said that Mrs. Ziliak was suppose to be back this week with signatures on a petition so that the right of ways could be granted.

Mr. Ludwick said he had a survey crew out there and the job shouldn't cost over \$1500.00.

Commissioner Ossenbergs asked Mr. Willard if Mr. Wallace had contacted him and he said no, that he hadn't.

Commissioner Ossenbergs said he would like to know about 48 hours in advance when this project is done so that he may contact Deputy Chief Dennis to get the necessary footage of hose to clean all the mud and dirt up.

RE: CUMULATIVE BRIDGE FUND

Attorney Stephens said the public hearing is today for establishing the rate for the Cumulative Bridge Fund.

Mr. Volpe said it has been advertised as instructed.

Commissioner Schaad said it is 15¢ now and we can go to 20¢.

Mr. Volpe said we did sign a resolution two weeks ago making it 15¢ and that is what it was advertised as.

Commissioner Ossenberg asked if there was anyone in the audience that would like to speak either for or against this...there was none.

Mr. Volpe said this is the rate we've had for about eight years.

Commissioner Schaad moved that we set the rate for Cumulative Bridge Fund at 15¢. Commissioner Willner seconded the motion. So ordered.

RE: AMOCO PRODUCTION COMPANY

Attorney Stephens said several weeks ago this company requested permission to conduct a Vibroseise geophysical survey along various county roads. We granted this permission for six months, subject to them furnishing us an adequate bond, as the bond they furnished us did not have a counter signed Indiana Surety. He has received this from them and at this time he would like to submit to the commissioners, a written approval for them to operate for six months commencing July 23, 1973 and also wants the records to show that the bond is on file.

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

RE: SYLVESTER STOTZ

Mr. Stotz said they are having a terrible water problem out on Armstrong Road. There are no ditches at all on the other side of the road from him, for the water to drain and he doesn't feel he should have to take all the water himself.

Commissioner Willner moved we refer this to the highway engineer and see how much right of way we have and bring in his recommendation. Commissioner Schaad seconded the motion. So ordered.

Meeting adjourned at 10:45 a.m.

PRESENT:

COUNTY COMMISSIONERS  
Thomas Ossenberg  
Robert Schaad  
Robert Willner

COUNTY AUDITOR  
Lewis F. Volpe

COUNTY ATTORNEY  
Bill Stephens

REPORTERS  
A. Jackson  
C. Leach  
R. Heinman  
B. Thompson  
S. Clerk

Secretary: Janice Decker

Bob Schaad

Robert F. Willner  
BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
AUGUST 13, 1973

The regular meeting of the County Commissioners was held on Monday, August 13, 1973, at 9:30 a.m. in the Commissioners hearing room, with Vice President Robert Schaad presiding.

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

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNCIL OF GOVERNMENTS

Mildred Greany 6615 Little Schaffer Rd. Surveyor \$2.00 hr. Eff:7-23-73

RE: EMPLOYMENT CHANGES...RELEASES

COUNCIL OF GOVERNMENTS

Linda L. Britton 513 E. Mill Rd. Surveyor \$2.00 hr. Eff: 8-1-73  
Lynn H. Watson 867 S.Harlan Ave. Surveyor \$2.00 hr. Eff: 8-1-73  
Donna J. Sims 5125 Conlin Ave. Surveyor \$2.00 hr. Eff: 8-1-73  
Mildred Greany 6615 Little Schaffer Rd. Surveyor \$2.00 hr. Eff: 8-1-73  
Leon Collins 2809 Madison Technician \$5500.00 yr. Eff: 7-31-73

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

Donald Asay 8914 Darmstadt Rd. Summer Help \$2.25 hr. Eff: 8-13-73  
Ted Niemeier 8102 Pine Creek Dr. Summer Help \$2.25 hr. Eff: 8-13-73  
Daniel Hoffherr R.R.5 Box 357A Summer Help \$2.25 hr. Eff: 8-13-73  
Shirley Stofleth 15 S.Barker Ave. Prt.time Clerical Asst. \$3.125 hr. Eff:8-1-73

RE: RESOLUTION...ANCHOR INDUSTRIES

Mr. Schwensker and Mr. Doss was present from Anchor Industries and presented a resolution to the commissioners asking for their authorization and approval of the construction of an industrial facility which facility is to be financed from city of Evansville Industrial Revenue bonds, which facility is to be located outside of the City of Evansville in Vanderburgh County, Indiana.

Attorney Bill Stephens explained that the only reason they are here is that a 1973 amendment to the statute requires the county commissioners to consent to it even though we have, in this case, nothing to do with it, as this is a project between Anchor Industries, Inc. and the City of Evansville. It doesn't have anything to do with the county government as a unit, but because of the amendment it requires that the county commissioners give approval of the forms. It doesn't obligate us in any way, but is a matter of formality.

Commissioner Willner said if Anchor Industries would default, would it then become the duty of the Industrial Developpe Commission. Mr.Schwensker said yes.

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

RE: BIDDING OF COUNTY OWNED SURPLUS PROPERTY

There were no bids on the county-owned surplus property today. The sale will continue each Monday.

Commissioner Willner wondered if we needed some more advertising on this as it seemed we had some interested people.

Mr. Volpe suggested that maybe some of the reporters could help us out be letting the public know that we are still taking bids on this property and that several parcels are still available.

RE: MONTHLY REPORT...CLERK OF CIRCUIT COURT

A monthly report from the Clerk of the Circuit Court was presented to the Commissioners for the Month ending July 31, 1973. This report was received and ordered filed.

RE: REQUEST...DEMOCRAT CENTRAL COMMITTEE

The commissioners received the following letter from the Democrat Central Committee:

Dear Sirs:

The Vanderburgh County Democratic Central Committee respectfully request the use of a voting machine.

The voting machine will be used at the National Guard Armory on August 23, 1973, between the hours of 7 p.m. and 9 p.m.

Joseph F.O'Day, Chairman  
Vanderburgh County Democratic  
Central Committee

Commissioner Willner moved that this request be granted. Commissioner Schaad seconded the motion. So ordered.

RE: RESTRAINING ORDER...FREEZE DRY PRODUCTS

The following letter was received from Lacey, Terrell, Annakin and Heldt, representing Freeze Dry Products, Inc.

Gentlemen:

We represent Ray F. Becker, trustee in bankruptcy of Freeze Dry Products, Inc., and we are advised that certain real estate owned by the captioned corporation is scheduled to be sold for delinquent taxes on August 13, 1973.

On this date, Referee in Bankruptcy entered an order restraining you from selling this real estate until further order of court and we enclose herein a copy of said order for your reference. In the near future you will be notified of hearings to be held regarding proceeding in this matter, but until such time please be advised that you are not to proceed with this sale.

Yours truly,  
Thomas H. Terrell

Commissioner Schaad said to let the records show that this property will not go on sale and that this letter be shown received and ordered filed. Also that a copy of the restraining order is on file with the letter.

RE: CLAIMS

A claim was received from Torian Agency for Continental Bond BND 193 12 20 Faithful Performance Blanket Position Bond, in the amount of \$375.00.

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

The following four claims was received from the City of Evansville:

25% Contribution of Purchasing budget by the County  
( Payable to the City Controller)

Amount stated due for second Quarter of 1973-April 1st.through June 30th.  
\$2,419.07.

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

42% Contribution of Weights and Measures budget by the County(Payable to the City Controller)

Amount stated due for second quarter of 1973(April 1st. through June 30th.  
\$1,734.31.

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

CLAIMS.....CONTINUED

14% Contribution of Traffic Engineering budget by the County (Payable to the City Controller)

Amount stated due for second quarter of 1973 (April 1st. through June 30th.)  
\$7,854.34.

Commissioner Willner moved that the above claim be approved. Commissioner Schaad seconded the motion....so ordered.

40% Contribution of Building Inspection budget by the County (Payable to the City Controller)

Amount stated due for second quarter of 1973 (April 1st. through June 30th.)  
\$13,433.36.

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

OHIO VALLEY ENGINEERS

A claim was received from Ohio Valley Engineers for the Barker Avenue project in the amount of \$25,000.00.

Commissioner Willner asked isn't it customary for them to turn in a progress report with these claims, and wondered if this is the first bill.

Mr. Volpe said he believes there was one other one.

Commissioner Schaad said we will hold this claim under advisement for one week and check it out and see if they can get a progress report on it.

BILL NIX CONSTRUCTION CO.

A claim was received from Bill Nix Construction Co., for work done at Burdette Park on Nurrenbern Road, in the amount of \$7,490.40.

After county attorney Tom Swain looked it over he said he couldn't see whether or not the 10% retainage fee was held out.

Commissioner Schaad suggested they hold it for one week and check it out.

Commissioner Willner moved that the claim be held for one week. Commissioner Schaad seconded the motion. So ordered.

RE: DEEDS TO BUYERS ...SALE OF 1971

Mr. Volpe said these are deeds for people that bought property in 1971 and they are now elligable for their deeds. They are as follows:

| <u>CODE</u> | <u>BUYERS NAME</u>     | <u>CODE</u> | <u>BUYERS NAME</u>       |
|-------------|------------------------|-------------|--------------------------|
| 6-40-8      | J.E. Conley            | 34-162-4    | Milton Purdie            |
| 18-31-16    | Paul Humphrey          | 34-162-5    | Milton Purdie            |
| 18-163-23   | H.C.McDonald           | 34-173-24   | Milton Purdie            |
| 19-7-72     | Milton Purdie          | 34-175-22   | Milton Purdie            |
| 22-76-2     | Roy J. & Lucille Wills | 34-229-2    | Milton Purdie            |
| 22-76-3     | Roy J. & Lucille Wills | 34-238-1    | Urban Seibert            |
| 22-76-4     | Roy J. & Lucille Wills | 22-89-7     | Crane Realty             |
| 22-76-5     | Roy J. & Lucille Wills | 95198-01    | Raymond & Virginia Andry |
| 24-36-60    | Bernice Thomas         |             |                          |
| 24-41-9     | Milton Purdie          |             |                          |
| 25-21-21    | Urban Seibert          |             |                          |
| 27-17-14    | Milton Purdie          |             |                          |
| 28-50-13    | Dorothy Sanderson      |             |                          |
| 29-85-7     | Gene Stone             |             |                          |
| 31-116-30   | Milton Purdie          |             |                          |

RE: MR. NUSSMEYER...MR. WANDEL

Mr. Wandel presented a claim from Robert A. Goff, Real Estate Broker, for the widening of Burkhardt Rd., for the purchase of parcels 1,2,3,5,6,7 and 8, in the amount of \$2,100.00.

Commissioner Willner asked Mr. Goff if it would be possible to wrap this up by next week and Mr. Goff said yes, one way or another.

County attorney said the parcels are all in order, with the exception of parcel number five, which is not notorized.

Commissioner Willner moved that the above claim be approved, with the exception of parcels number 4 and 5. Commissioner Schaad seconded the motion. So ordered.

A claim was also presented from Robert L. Richard Jr. for appraisals and right-of-way negotiations for widening, improving and re-building bridge on Allens Road. Partial payment due as of August 8, 1973...2 appraisals and 2 parcels negotiated. This claim is in the amount of \$800.00

Mr. Wandel said there will be about six parcels all together on this.

There was also a claim for the easement for widening of Allens Road for Alvah D. and Gladys M. Alexander in the amount of \$4,075.00.

Commissioner Willner moved that the above claims for Allens Road be approved. Commissioner Schaad seconded the motion. So ordered.

EASEMENTS

Mr. Wandel submitted the following easements to the commissioners for their approval.

Victor R. and Mildred F. Hordynski..for easement on Burkhardt Road, in the amount of \$558.29.

Victor R. and Mildred F. Hordynski..for easement on Burkhardt Road, in the amount of \$741.71.

Arthur W. and Ruth Hartig...for easement on Burkhardt Road, in the amount of \$10.00.

Harold T. and Margaret M. Schnur...for easement on Burkhardt Road, in the amount of \$10.00.

Roy J. and Dorothy M. Gibson...for easement on Burkhardt Road, in the amount of \$640.00.

Nellie M. Shelton and Alvin L. Shelton...for easement on Burkhardt Road, in the amount of \$10.00.

Commissioner Willner moved that the above easements be approved. Commissioner Schaad seconded the motion. So ordered.

RE: CUTS IN

Applications for cuts-in were presented, as follows:

Indiana Bell Telephone Co. asked permission to cut into Owensville Road to place buried telephone facilities.

Indiana Bell Telephone Co. asked permission to cut into Baseline Road, across Baseline 1900' east of Cemetary Road then 200' on north side in berm, to bury telephone cable.

Indiana Bell Telephone Co. asked permission to cut into Volkman Road intersection of Old State Road and Voakman Road to push buried telephone cable.

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

Upon the typing of these minutes, and the issuing of checks for claims, it was brought to the Auditor's attention that on the claim for Alvah D. and Gladys M. Alexander for the easement for widening of Allens Road that the commissioners approved only one claim for \$4,075.00 and there should have been two claims approved for \$4,075.00 each. This matter will be brought up in the commissioners meeting again next week.

RE: SPRY ROAD

Commissioner Willner said last week they talked about the problem out on Spry Road and this week he received a letter from a Mr. Reynolds at the corner of Spry Road and Elna Kay Dr. telling him that the situation has not improved at all. Bob said he feels we must take some kind of action on this right now.

The contractor is Norman Jacobs who has been excavating dirt and in the hauling of it, they have dropped some off and the dirt and dust is just terrible out there.

Mr. Crooks has contacted the contractor out there and advised him that he is to clean up the dirt every evening, but evidently has not been doing so.

*Unfried*  
Mrs. ~~Humphrey~~ who lives at 6222 Division St. was present and stated that she is a precinct committeeman and she has had over a hundred calls on this. On this same project, they are bringing the dirt over on Division St., next to her property. She said they gave 15 feet for the right of way for the lane (Kimber Lane) but she doesn't think the county ever accepted it. She said the dust is just unbearable, as they have put some white rock on part of the road which only adds to the dust. She feels like there should be a law to keep this kind of thing from happening.

*Unfried*  
Commissioner Willner asked Mrs. ~~Humphrey~~ if she lived within the city and she said no, she is in the county.

Commissioner Willner asked the county attorney what is our legal rights on this and Mr. Stephens said the county commissioners have no jurisdiction to stop activities on private property. If they are creating a dust storm on private property through their excavating or falling dirt, we don't have any jurisdiction over it. It doesn't make any difference, as long as they aren't damaging the road. He and Mr. Swain both looked the statute up and it doesn't apply to dirt on the road, only litter. He asked Mrs. Humphrey if she has talked to Mr. Brune about this problem and after she said no she hadn't, he advised her to do so.

Mr. Crooks said he would follow through and go out and talk to the contractor and give us a full report.

Mr. Stephens said Kimber Lane isn't on the official list of accepted roads adopted by the county. He is cross matching his list of roads with the list Jack Willard has and getting the records all straight. In the mean time he will write a letter to the contractor.

RE: CONDEMNATION ON L & N OVERPASS

Mr. Swain said he needs one more resolution to condemn on piece of property on the L. & N. Overpass. The people's name is McCutchan. This is the last of the four. They have been unable to agree on a price. He will furnish the commissioners with a legal description on this. Commissioner Willner moved that this be approved. Commissioner Schaad seconded the motion. So ordered.

RE: APPRAISALS.....ST. JOE

Mr. Swain said he has got two appraisals back on St. Joe Ave. He has ten days from August 7th. to file objections to the appraisals, so what is the commissioners pleasure on it. These are court appraisals. He said he doesn't object to strong, other than they paid for every bush and tree, and it seems to him that when you buy a lot, that goes with it. Commissioner Willner asked the price of the court appraisals over our appraisals and Tom said he didn't know what our appraisal was, but the court

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appraisals are \$3700.00 and the taking is 2,000 sq.ft. plus five trees and 108ft. of fence and damage to the residue and the other one is \$2300.00 for 1830 sq.ft. and forty ft. of hedge and forty ft. of fence and \$900.00 damage to the residue.

Commissioner Willner said he would be interested in the difference between the appraisals.

Mr. Swain said he could file an objection and we could always withdraw it. Commissioner Willner moved that Mr. Swain be permitted to go ahead and file the objection on these two pieces of property on St. Joe Avenue. Commissioner Schaad seconded the motion. So ordered.

RE: JACK WILLARD

Mr. Willard presented a monthly report from the county highway department for the month of July. The report was received and ordered filed.

Mr. Willard said out on Seib Road and Lamey Dr. there is a contractor that is wanting a culvert put in. This developer is building houses back on Lamey Dr. and this is not an accepted road. The developer said there was a four inch culvert there at one time.

Mr. Stephens said we should check and see if he wants the culvert within the county right-of-way on Seib Road.

Mr. Willard said he feels the contractor should install it with the commissioners approving it, since its in our right-of-way.

Commissioner Willner said he would agree with that.

Mr. Willard was instructed to advise the contractor of the commissioners feelings on this.

RE: LIST OF ACCEPTED ROADS

Mr. Willard presented a list of roads he has on cards that Bill Stephens doesn't have on the official list. These were referred to Bill Stephens.

RE: COMPARISON OF PRICES

Commissioner Willner asked Jack Willard if he could give him a comparison of his prices that he has paid for his parts, supplies, etc. He would like one list showing his 1972 prices and then his 1973 prices, and would like for this to be an itemized statement. Mr. Willard said he would get it for him.

RE: HERMAN HOTZ

Mr. Hotz presented an application for the admittance of Anunda Christman to the Pleasantview Rest Home. Mr. Harness attached a note to the application stating that he would recommend it be accepted.

Commissioner Willner moved it be approved. Commissioner Schaad seconded the motion. So ordered.

RE: HOUSE ON OUTER ST. JOE

Mr. Hotz suggested that on the Kissel house, since they can't seem to get rid of it, he thinks that if there is no time limit on removing it, that his department could tear it down, if they could have one of the trucks from the highway dept. to haul it off. Mr. Willard said he can use the truck, but it would hurt him. While on the subject of trucks, Jack said in Columbus, Ohio there are all the trucks, tractors and trailers they could want. We've got to go up there and check them out, as the aren't running because the batteries are all dead. He would like for himself and Bob Willner to fly up there, so that Bob, as a mechanic, could check them out.

Commissioner Schaad moved that Mr. Willard and Mr. Willner be permitted to fly, round trip, to Columbus, Ohio to check out this surplus equipment. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner moved that Mr. Hotz be permitted to tear the Kissel house down, at their own leisure time. Commissioner Schaad seconded the motion. So ordered.

Meeting recessed at 10:55 a.m.

PRESENT:

COUNTY COMMISSIONERS

COUNTY AUDITOR

COUNTY ATTORNEY

REPORTERS

Robert Schaad  
Robert Willner

Lewis F. Volpe

Thomas Swain  
Bill Stephens

C. Leach  
G. Clabes  
B. Gladish  
B. Thompson

SECRETARY: J. Decker

*Thomas Ossenberg*

*Bob Schaad*

*Robert Willner*

VANDEBURGH COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
AUGUST 20, 1973

The regular meeting of the County Commissioners was held on Monday, August 20, 1973, at 9:30 a.m. in the Commissioners hearing room, with President Thomas Ossenberg presiding.

RE: PREVIOUS MINUTES AMENDED

It was brought to the attention of the Commissioners that there were two parcels on Alvah D. & Gladys M. Alexander for the widening of Allens Road, last week, instead of one, as reported. The two claims were in the exact amount of \$4,075.00 and only one of them was approved. At that time, as they thought the second one to be a duplicate.

Commissioner Schaad moved that the second claim be approved and that the minutes be approved as amended. Commissioner Willner seconded the motion. So ordered. The reading of the previous minutes was dispensed with.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

VANDEBURGH COUNTY HIGHWAY DEPARTMENT

Mary Burch 1616 Division St. Secretary \$3.125 Hr. Eff: 8-20-73

AREA PLAN COMMISSION

Jack E. Hanes III 414 S. Willow Rd. Zoning Admin. \$9,500 Yr. Eff: 8-16-73

VOTERS REGISTRATION OFFICE

Wandalee Cain 2601 Melrose Rd. Clerk \$230.00 Se. Mo. Eff: 8-16-73

RE: EMPLOYMENT CHANGES....RELEASES

AREA PLAN COMMISSION

Jack E. Hanes III 414 S. Willow Rd. Technician \$6,420.00 Eff: 8-15-73

VOTERS REGISTRATION OFFICE

Agnes Lichtenfeld 637 S. Fares Ave. Clerk \$230.00 Se. Mo. Eff: 8-15-73

RE: LETTER ON TOWN OF DARMSTADT

A letter was received by the Commissioners from Robert Schuttler, as follows:

Gentlemen:

This letter has reference to a proposed agreement between the Town of Darmstadt and the Board of County Commissioners in which the Town agrees to waive all road tax distributions in return for the county assuming all road maintenance, the same as for the unincorporated areas of the county.

The authority for such an arrangement is found in Sec. 36-3901, Burns Statutes Vol. 7, Part 2 (Supp).

If you will refer this matter to one of your attorneys, I am sure we can work out an agreement satisfactory to all concerned.

Commissioner Willner moved that this matter be referred to the Legal Department. Commissioner Schaad seconded the motion. So ordered.

RE: LETTER - BICYCLE ROUTE

A letter was received from Michael Petrovich, in reference to a bicycle route, as follows:

Gentlemen:

I recently spoke with County Commissioner Robert Schaad, by telephone, and he suggested that I put in writing this request.

As bicycling has become increasingly popular this past summer, I would like to know what the requirements would be to have the speed limit reduced to 40 miles per hour from Marx Road to Church on New Harmony Road and have this posted as a bicycle route.

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Over the past several weeks, I have noted an increase in the bicycle traffic especially on Saturdays and Sundays over this road. I am a resident at 6311 New Harmony Road, and I have discussed with some of the neighbors this idea and they concur that they would be interested in accomplishing this objective.

May I hear from you regarding this matter.

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

RE: REPORT ON KIMBER LANE

Mr. Crooks submitted the following report on Guy Ramsey Apt. Project, Outer East Division and Kimber Lane:

Inspection on August 13 at 7:30 P.M. of the lane and building site shows these conditions:

1. Kimber Lane is a gravel road which is in good condition, which would be dusty when dry. There was very little dirt on the surface.
2. Dirt fill is being placed on the project between building sites.
3. The closest house is on outer East Division about 300 feet east of Kimber. The building project is west of Kimber.
4. The houses on Burkhart Road are approximately 800 to 900 feet east of Kimber.
5. The houses across Division (Slaughter Avenue) are approximately 300 feet south and west of Kimber.

It appears the situation is in good shape from a construction standpoint. The only possibility would be to treat Kimber, but due to the distances involved, I would question the need.

Commissioner Schaad moved that a copy of this report be sent to Mrs. Unfried, who complained about the conditions, last week. Commissioner Willner seconded the motion. So ordered.

RE: REPORT ON SPRY ROAD

Mr. Crooks submitted the following report on Marvin Jacobs Spry Road dirt removal project:

For some time this project has been watched and requests made to Jacobs to clean up the dirt from the streets every day. Jacobs did this and even drove a well to supply water to flush down the street.

Our latest observations of the project are:

August 8, 1973 - - Paul May inspected the site at approximately 5:30 P.M. The crew was sweeping the road at that time. Also the sheriff's department was there and reportedly filed no complaint report. The crew reported the pump on the well had been stolen and they could no longer flush the road.

August 13, 1973 - - I inspected the site at approximately 7:00 P.M. after the rain to determine mud condition. There was absolutely no mud on the road.

As a point of interest the complainant, William Reynold, lives directly in front of the driveway (entrance) to the dirt removal project. Spry Road runs east and west and Reynolds lives on the northwest corner of Spry Road and Elna-Eay Drive.

It appears the contractor has made an effort to control dust on the road. We will continue to observe the situation.

Commissioner Schaad moved that a copy of this report be sent to those concerned in this matter. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORT...TREASURER

The monthly report of the County Treasurer was presented to the Commissioners for the month of July, 1973.

Report received and ordered filed.

RE: CERTIFICATE OF INSURANCE

A certificate was received from the Insurance Co. of North America, covering the concert on August 2, 1973, which was held at the County Auditorium. Certificate received and ordered filed.

RE: ROAD DEDICATION

The resolution on the dedication of part of Crestmont Drive, part of Lemay Drive and part of Agathon Road was presented again to the Commissioners, after having been recorded. The resolution was approved on July 30, 1973. The resolution is being filed and made a part of the record.

RE: MATTER OF RECEIVERSHIP

Receivership papers were received on Kelb Inc. with Citizens National Bank being the receiver. The hearing is set for September 14, 1973 at 9:30 a.m. in Superior Court.

This matter was referred to the Legal Department.

RE: CLAIMS

A claim was received from Brink's Inc. for services to the Clerk of the Circuit Court in the amount of \$59.40, with the following letter attached:

Gentlemen:

Recently you were informed of an adjustment in your contract with Brink's, Incorporated effective July 1, 1973, due to our wage agreement in Evansville, Ind.

You have agreed with these increases and the rates in your contract have been changed to reflect our new service charges.

However, in compliance with the President's order on a temporary price freeze, these increases were not implemented.

With the lifting of this freeze on August 12th, we are initiating our agreed upon rates effective August 16, 1973.

These new prices are based on the criteria established by the Interstate Commerce Commission and such other regulating bodies as may be concerned. Brink's, Incorporated agrees to refund any charges or price increases to the extent that any regulatory board or commission having jurisdiction may find them improper in the future.

May we express our appreciation of your favorable consideration of this matter and your past patronage. If you have any questions, please call our Evansville office at 426-0607.

Very truly yours, Brink's Inc., Thomas F. Horigan, General Mgr:

Commissioner Willner moved that the claim for \$59.40 be approved. Commissioner Schaad seconded the motion. So ordered.

A claim was received from Thomas Swain in the amount of \$24.60 for Xerox copies for condemnation...246 copies at 10¢ each.

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

A claim was received from Ohio Valley Engineer's for work on designing the proposed Barker Avenue underpass in the amount of \$25,000. Estimate #2. This matter was deferred for one week as the total plans and maps were just received this morning and was turned over to the County Surveyor and the County Engineer to study the plans, after which time they will make their recommendation to the Commissioners.

A claim was received from Sheriff Riney for the meals of the prisoners that were served from July 15, 1973, to August 14, 1973, in the amount of \$4,755.20. Commissioner Willner moved that this claim be approved. Commissioner Schaad seconded the motion. So ordered.

RE: CLOVERLAWN SUBDIVISION

Mrs. Bobbie Ziliak of 4418 Clover Drive, appeared for the residents of this area and presented a petition for the residents of this area and presented a petition, signed by all the residents except for one family who had been out of town and when she did reach them, they evidently didn't understand the problem and Mike Ludwig agreed to go out and talk to these people.

The petition reads as follows:

We, the residents of Cloverlawn Subdivision do hereby agree to two requirements as layed out by the county, by the correction of the overflow from our ditch onto Clover Drive and Longacres.

1. A temporary easement of up to four feet onto our property, if necessary.
2. A temporary Right-of-Way for machinery needed to correct the problem.

These agreements are temporary and will be terminated at the completion of the project.

Commissioner Ossenberg asked what Citizens Management was doing on this.

Commissioner Willner said that it was his understanding that they were waiting on the county to get this easement and then they were going to share the cost with trucks and manpower.

RE: MR. NUSSMEYER

Mr. Nussmeyer presented Notice to Bridge Contractors and specifications for proposals for bridges on Kuebler Road, Korff Road and Allens Road. He said these were ready to go except for one Right-of-Way on Korff Road which the people have verbally agreed to, but Mr. Niederhaus has the papers.

County Attorney Stephens said that he will call Mr. Niederhaus.

Commissioner Schaad moved that the bids be advertised for, on the Kuebler Road bridge, also that the bids on the Korff Road bridge be advertised for, providing that the Right-of-Way is cleared up before advertising. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner said there were some concessions made with some of these bridges because the county didn't pay any Right-of-Way and he would like for this to be aired between the other Commissioners, so he will be backed up on this. He said that on Korff Road bridge, the county is to haul some dirt into an adjacent field and repair and clean the culvert there. This is to be done to get the Right-of Way free of charge.

Mr. Wandel said they also would appreciate if the Commissioners would give some study to the prospect of more efficient signs as to the hazards of the hills and speed limits.

Commissioner Schaad said that the County Attorney suggested that the people on Kuebler Road write a letter on the hazards out there and to state what they want so it can be referred to the Area Plan Commission.

Mr. Wandel said that the gentleman that owns property on three corners on Kuebler Road has been trying for some time to get the side road ditches cleaned out, that he granted the Right-of-Way, contingent upon the county cleaning these ditches.

Mr. Nussmeyer said they were also ready to go on the Allens Road bridge.

Mr. Rickard said he has been negotiating on the Right-of-Way for this project and he hoped to hear from Mr. Beck on the last Right-of-Way, as the rest of them can be finalized today. This is from St. Joe to West of Mesker Park Drive.

Mr. Nussmeyer said that there was a matter of financing this project. He said that according to Mr. Hudson, they can't use any of the \$96,000. He said the R & S funds will be approved on September 6th or 7th, also that there isn't anything left in this account.

Mr. Volpe said that he has this taken care of on a temporary deal, that he is taking it out of Right-of-Way Highway funds and will reimburse the account.

Mr. Ludwig said he has talked to the State Board of Accounts and R & S in order to get the money before September 6th., that Mr. Hudson is working on it but he hasn't heard anything as yet.

Commissioner Willner moved that the Auditor be authorized to advertise for bids. Commissioner Schaad seconded the motion. So ordered. This authorization is for bids for the Allen's Road bridge.

RE: CUTS-IN

Applications for cuts-in were presented as follows:

The Southern Indiana Gas & Electric Co. requests permission to cut into Evergreen Acres to provide gas service to 18 lots in Section K.....W.O. #3158020.

Commissioner Schaad moved that this cuts-in be approved. Commissioner Willner seconded the motion. So ordered.

The Indiana Bell Telephone Co. requests permission to cut into N. Green River Road.....F-5717-73.

Commissioner Willner moved that this cuts-in be approved. Commissioner Schaad seconded the motion. So ordered.

RE: ITEMS OF INFORMATION

Mr. Nussmeyer said that A.T.&T. has a main shipping line on Allens Road on our Right of Way, that the Gas Co. has since taken over this line and they have agreed to move the lines at their expense.

Commissioner Schaad said at the last Council Call we were given \$103,000.00 for three bridges, that one was withdrawn because the city is going to do it and another one was taken off also. He said that the council had a presentation made by Mr. Rader, who suggested that pipes be put in instead of building these structures.

Mr. Ludwig said this wouldn't qualify for accumulative bridge funds, but that since this is R & S money, he wondered if pipes could be used on any of these projects.

Mr. Wandel said that he has the list of roads that are to be repaired with the \$210,600.00 that was approved by the County Council.

Commissioner Willner said he thought that hot mix will be needed on Old Petersburg Road, since it has a concrete base.

Commissioner Schaad said they have the money and the Right of Way on Middle Mt. Vernon Road.

Mr. Nussmeyer said that Middle Mt. Vernon Road will be ready to advertise for bids, next week. He also said that they received the last Right of Way on Burkhardt Road so this will also be ready next week.

RE: EASEMENTS AND CLAIMS

Mr. Nussmeyer presented the following easements that were presented last week which were parcels # 4&5:

Martin J. & Mildred C. Dunchholz & Albert E. and Mary C. Dunchholz for easement on Burkhardt Road in the amount of \$510.00.

Oscar and Josephine Folz and Joseph and Emma Folz for easement on Burkhardt Road in the amount of \$1,500.00.

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

Claim from Robert A. Goff for services for purchase of parcel #4, in the amount of \$400.00. This parcel completes all parcels required to be purchased for this project.

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

Easements were presented for the Right of Way on Kuebler Road from the following:  
Norma J. Erwin for Right of Way on Kuebler Road on Parcel #1  
Charles A. and Mary Lee Wolf on Parcel #2

Commissioner Willner moved that these easements be accepted and that all easements be recorded. Commissioner Schaad seconded the motion. So ordered.

Easements and claims were presented for Right of Way on Allens Road as follows:

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Bertha Cobb...Parcel #7 for widening of Allens Road....Amount of Claim is \$931.00.

George E. & Pearl L. McClellan....Parcel #6 for widening of Allens Road.... Amount of Claim is \$600.00.

A claim was presented from Rickard Realty Inc. in the amount of \$800.00.... second partial payment for appraisals and negotiations for Right of Way in the widening, improving and re-building bridge on Allens Road.

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

RE: BERGDOLT ROAD

Mr. Ludwig said that the L & N is tied up in the Rights of Way in several places on the Bergdolt Road project and he heard there is to be a meeting on this. Commissioner Ossenberg said that the local Superintendent has recommended that the Right of Way be given.

RE: INDUSTRIAL PARK

Mr. Nussmeyer presented plans for the Industrial Park on outer St. Joe Ave., which is about a quarter of a mile long.

Commissioner Schaad moved, on the recommendation of the County Surveyor, that these plans be approved. Commissioner Willner seconded the motion. So ordered.

RE: SALE OF COUNTY OWNED PROPERTY

County Attorney Stephens received the following bids on parcels of county-owned surplus property:

Bid from George Taylor on Parcel # 56...Code 24-29-5, located at 609 Olive Street. Appraised value is \$210.00. Amount of Bid is \$25.00.

Bid from Evansville Ins. & Financial Service on Parcels #25...Code 21-19-11, located at 402 John Street. Appraised value is \$100.00. Amount of Bid is \$25.00, and Parcel #57...Code 24-30-5, located at 631 Olive Street. Appraised value is \$150.00. Amount of Bid is \$25.00.

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

County Attorney Stephens said that he will prepare the deeds on these parcels and they can be picked up and paid for next week in the Auditors office.

The sale of the surplus county-owned property will continue.

RE: MR. WILLARD

Mr. Willard said he has three more roads to do in the west side and wanted to get them done. He said they are working on Five-Dollar Road today and will still have Van Ness Avenue, Tupman Lane and around Nesbit Station to do in this area, also that nothing has been done on Pruitt Road and the school buses will be going over it soon and if something isn't done, it will deteriorate the road.

Commissioner Ossenberg said he thought the county should fix this.

Mr. Willard presented his report on roads resurfaced by the Highway Department.

RE: REVENUE SHARING

Commissioner Schaad said at the last County Council meeting, they asked for an accounting of the Revenue Sharing money that the County Commissioners have given so far. He suggested going through accounts 506.1, 506.2 and 506.3 and see what money the County Commissioners have been given each time. He said it would be difficult to account for repair of roads and which account it was paid from but if Mr. Willard would make a list of all the roads that have been done since the first money came in for Highway construction from Revenue Sharing, the length of the road and the cost. He said that Mr. Willard only puts down the actual cost of materials and the man hours, which isn't a true reflection of cost because there is Retirement, Social Security, etc. to consider.

Mr. Volpe said he thought that a 20% addition on the labor report would take care of this. He also said that an actual use survey has to be sent to the Federal Government by September 1, 1973.

RE: BUENA VISTA BRIDGE

Commissioner Willner asked if there was money allocated for the Buena Vista bridge from the bridge fund.

Mr. Ludwig said there was, also that this project will be totally done by the city. He also said that the County Council wants a breakdown as they wanted to know if there had been money from the accumulated bridge fund which had been appropriated for certain jobs and maybe the present County Commissioners don't look at it the same way the past County Commissioners had and maybe some of the funds could be repealed to do these jobs at hand.

Commissioner Schaad said they agreed to study those items on which money had been allocated against the bridge funds and maybe some could be repealed to do some of the projects now being proposed.

Former County Commissioner Buthod said there was a five-year plan submitted some four or five years ago, in accordance with the herbic requirements. He said they were set pretty much at priority but he didn't know how specific the money was allocated but it was in accordance with the five year projection.

Mr. Ludwig said he thought the Council President had a good idea by suggesting the money be placed in a lump sum and use it as it is needed. He said the Council is reluctant to giving Revenue Sharing money for projects that they ask for when this money is available. He said some money could be repealed on projects such as Buena Vista, New Green River Road and Claremont & Carpenter Creek.

Mr. Nussmeyer thought there should also be an emergency fund set up.

RE: COMPLAINT ON PURCHASING DEPARTMENT

Commissioner Willner stated that Mr. Willard had presented a list to the County Commissioners, of all the products that the county garage has purchased through the purchasing agent. He said he found that on Forty-one different products listed, the price has gone up in price and some has doubled from the price of last year and he understands that in ordering the parts, it amounts to a 50% increase of his work load to go to the purchasing agent.

Commissioner Schaad said they really couldn't tell anything about this until the end of the year.

Commissioner Ossenberg said he thought that since it is a city-county venture and they are buying more, that they would get more favorable prices. He thought the list should be turned over to the purchasing department and ask them for an opinion. The other Commissioners agreed to ask the purchasing officials to appear at next Monday's meeting to explain the situation.

RE: MR. CROOKS

Mr. Crooks presented his monthly report of the Building Commission on the permits that were issued in July of 1973.  
Report received and filed.

RE: BOEHNE LAKE

Commissioner Schaad said he drove out Boehne Camp Road yesterday and there was a scum of some sort on the lake.  
Mr. Hotz said he had talked to Commissioner Willner about this and he said that he was going out to look at it.

The meeting recessed at 11:15 a.m.

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PRESENT

COUNTY COMMISSIONERS

Thomas Ossenberg  
Bob Schaad  
Robert Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEY

Bill Stephens

REPORTERS

S. Clark  
B. Gladdish  
A. Jackson  
C. Leach  
G. Clabes

\_\_\_\_\_  
*Bob Schaad*  
 \_\_\_\_\_  
*Robert Willner*  
 \_\_\_\_\_  
 BOARD OF COUNTY COMMISSIONERS



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RE: RESIGNATION OF COUNTY ENGINEER

The following letter was received by the Commissioners from Mr. George Wandel, the Vanderburgh County Highway Engineer:

Gentlemen:

On March 16 of this year I was afforded the distinct honor of being employed as the Vanderburgh County Highway Engineer. It has been my privilege and pleasure to work under the direction of the Vanderburgh County Commissioners and Mr. Richard Nussmeyer, the Vanderburgh County Surveyor. My association with other officials, office holders, and private citizens concerned with the progress of Vanderburgh County and the City of Evansville has been most gratifying.

My particular appreciation is extended to the personnel of the County Surveyor's office and of the County Garage without whose co-operation it would not have been possible to function in my appointed capacity.

It is with regret that I must submit for your consideration the following: I feel that the post of Vanderburgh County Engineer would be more appropriately fulfilled by a resident of Vanderburgh County. A person more closely related with the citizens of and the ambitions of the citizens of Vanderburgh County. I therefore respectfully request that my resignation be considered final by the date of September 1, 1973. If you find it to be desirable to make other arrangements before that date, it will be acceptable to me.

Commissioner Willner moved that the resignation of George Wandel as Vanderburgh County Engineer be approved. Commissioner seconded the motion, with regret. So ordered.

RE: VIOLATION OF HEALTH LAWS

A copy of a letter from the City-County Department of Health to Yewell & Nellie Raleigh of 2520 N. Grove Street was presented to the Commissioners, stating that they have received several complaints regarding the dumping of trash on their property, that it will be necessary for this area to be closed to further dumping and that the trash must be removed. A reinvestigation will be made in approximately fifteen days to determine if this condition has been corrected. Letter received and filed.

A copy of a letter from the City-County Department of Health to Nathan & Lorene Foster of 352 S. Craig Street was presented to the Commissioners, stating that they have received several complaints regarding the dumping of trash on property in the 200 block of S. Craig, that it will be necessary for this area to be closed to further dumping and the trash must be removed. A reinvestigation will be made in approximately fifteen days to determine if this condition has been corrected. Letter received and filed.

RE: LETTER FROM THE YOUTH EMERGENCY SERVICE

The following letter was received from the Youth Emergency Service of 5600 Old Boonville Highway:

Dear Gentlemen:

In the next several weeks, Youth Emergency Service will once again initiate a program to help fight drug abuse in the City of Evansville. The Y.E.S. Program will be one part of a comprehensive program for our youth which will be federally funded. With the serious cutbacks in most federal programs, our budget requires that we ask many people to participate in our program to keep it viable.

County we please ask the County Commissioners to help us keep our program in top running order. We are requesting a dumpster to be placed on the property at 5600 Old Boonville Highway or could we have free disposal of the trash on a regular basis. We see a great need for this type of service for our residence as approximately 15 to 20 youths will be residing in the therapeutic community.

Sincerely, R. W. Zehner, Board of Directors

Mrs. Zehner said they had the money in their original budget to have their trash picked up but this was one of the things that had to be cut out. She said that the staff on duty could police the dumpster.

Commissioner Willner moved that two dumpsters be located at 5600 Old Boonville Highway, on a trial basis. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST OF RIGHT OF WAY FOR A PUBLIC STREET

A request for the dedication of Right of Way for Westmore Drive was received by the Commissioners. County Attorney Swain said that the dedication of most of this street has been accepted and this is just a matter of accepting the dedication of the rest of it.

Commissioner Willner moved that the dedication of the rest of Westmore Drive be accepted. Commissioner Schaad seconded the motion. So ordered.

RE: LETTER OF COMPLAINT...DARMSTADT ROAD

A letter was received by the Commissioners from Mr. Warren Klein of 10100 Darmstadt Road, as follows:

Dear Sirs:

Darmstadt Road is one of the oldest and most scenic roads around Evansville, (Highland School - Darmstadt), I doubt whether anyone could take exception to that statement but it has been sadly neglected. 1. Trees and brush have been allowed to grow on the right of way. 2. Culverts are stopped up and in some cases ditches filled in without tile, thereby ruining the drainage and causing the road to break up. 3. The road is well posted regard curve warnings and speed but these are being violated. 4. Also heavy trucks trying to evade the U.S. 41 weigh station take this route into the city, thereby causing the surface to break up and add to the hazards of the heavy traffic.

I could list specific spots of these violations but there are so many. Your experts could spot them more readily than I could name them. The road does need corrective work and better patrolling. Hoping you'll get this project on your agenda and give it your attention as soon as possible.

Commissioner Willner said there are some driveways that have no tile, whatsoever and in the winter time, when it rains and freezes, the water is washing across the road and causes slick spots. He agreed that something should be done.

Commissioner Schaad said if the people will supply the tile, the county will install them, but if they don't want to do this, they can't correct it, as this has been the policy of the county.

County Attorney Stephens said they can take the problems one at a time and if they refuse to buy the tile, the county can try to find out what is causing the obstruction and perhaps a letter can get them to take care of it.

The Commissioners agreed that this matter be referred to the Co. road Inspector.

RE: COMPLAINT ..... DITCH ON OAK HILL ROAD

The following letter was received from Mr. Arvil L. Hilgedieck of 4408 Oak Hill Road:

Dear Sirs:

In regard to the ditch along the East side of Oak Hill Road in the 4400 block.

A developer is working on the ground and has the ditch blocked.

This summer the rains send water across the road into our lawn leaving a dirt cover on the grass and driveway.

With the coming of the Fall rains, it will be worse. Is there anything that can be done to have this ditch opened before too much damage is done to our property?

Will you please have someone check this problem?

Mr. Nussmeyer said that this problem is related to the problem in Cloverlawn Subdivision.

Mr. Willard said the contractor had agreed to clean this ditch and put in the proper drainage.

Commissioner Schaad said that the County Attorney told him that after the drainage problem is solved, they wanted to borrow the street sweeper from the city and get this mess cleaned up. He said this letter should be answered and inform Mr. Hilgedieck that this problem is being looked into.

RE: RELEASE OF EASEMENT

A Release of Easement was received from the Indiana Bell Telephone Co. stating that the Board of Public Works of the City of Evansville, Indiana, adopted and confirmed Declaratory Resolution No. 1-1972, vacating portions of alleys located

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

RE: R & S APPLICATION

Mr. Nussmeyer presented the application for R & S funds for the drains in the vicinity of Lincoln Avenue and Burkhardt Road. The estimated cost in \$50,000. \$45,000 will be R & S funds and the other \$5,000 will be from Highway Funds.

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

RE: CUTS-IN

An application was received from Indiana Bell Telephone Co., requesting permission to cut into Owensville Road in order to place a buried telephone cable.

Commissioner moved that this cuts in be approved. Commissioner Schaad seconded the motion. So ordered.

RE: CLOVERLAWN SUBDIVISION

A petition was presented to the Commissioners from all of the residents concerned, in Cloverlawn Subdivision, which reads as follows:

We the undersigned residents of Cloverlawn give the County the Right of Entry to use a easement on our property to construct a ditch to facilitate a drainage problem that exists. We as home owners also agree to keep this ditch clean. Signed by nine residents.

Commissioner Schaad said that Mike Ludwig did a fine job in getting this task accomplished.

Mr. Ludwig said they have a small problem in letting a contract since Mr. Peters has soybeans in a field out there and they want to wait until approximately October 15th., or when the soy beans are harvested to let this contract for the ditch and in the meantime they would like for the mud to be removed. He suggested using the street sweeper and said that it will probably take all day to do it. He also said that the pipe going across Cloverlawn should be cleaned out now and he asked Mr. Willard to try to get it cleaned out this week.

Mr. Willard later said that he had talked to the Board of Public Works and they said that they will furnish the sweeper and maybe a flusher so he didn't think they would need any hoses.

RE: HOUSE ON ST. JOE AVENUE

Mr. Hotz said that Mr. Willard has two prospects to purchase the house on outer St. Joe Avenue. He said if they were to sell the house to these people for \$1.00, it would then be their responsibility to obtain a wrecking permit and a bond. County Attorney Stephens said that he will write them a letter, informing them of their responsibility.

RE: DEEDS PRESENTED

County Attorney Stephens presented the deeds on the county-owned surplus property that was sold last week, to the Commissioners for their signatures. The deeds were referred to the County Auditor, who will collect the money for the parcels when the purchasers come to pick up their deeds.

RE: ACTUAL USE STUDY

Mr. Volpe presented the Actual Use Study of the Federal Revenue Funds for the period of January 1, 1973, to June 30, 1973, to the Commissioners for their signatures. This must be sent to state by September 1, 1973. This Actual Use Study is also to be advertised in the newspaper.

RE: REQUEST

Commissioner Willner received a note from Mr. Bill Lloyd, stating that he would like for Mr. Nussmeyer to go out and check a bridge or culvert between his property and Eagle Slough. Mr. Lloyd wondered if something could be done for access to his land. This matter was referred to the County Surveyor.

between Virginia and Olive Streets and Edgar and Oakley Streets.

WHEREAS, said vacation was made subject to an easement in favor of the Indiana Bell Telephone Company, Inc. to maintain and remove its telephone facilities located in said alleys and

WHEREAS, the company has removed all of its telephone facilities located in said alleys and no longer requires said easement and has agreed to release same.

This vacation was for the Evansville Association for Retarded Children.

County Attorney Swain said the county had an agreement with the Indiana Bell Telephone Co. and the Southern Indiana Gas & Electric Co., that their easements would not be vacated until they moved their facilities, then after they moved their facilities, they would vacate the easements in the alley's. He said he thought Indiana Bell Telephone Co. had now removed their facilities. This Release of Easement was referred to the County Auditor in order for it to be recorded.

RE: CLAIMS

A claim was received from the Evansville Wet-Heat & Piping Co. Inc. for the installation of 2 - 200 gallon glass lined storage tanks, cleaned pilot, replaced thermo lead, replaced magnet on gas regulator for the Washington Home in the amount of \$2,595.00.

Mr. Hotz said this has been completed and inspected.

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

A claim was received from Indiana Disposal Service Inc., for scheduled locations in the amount of \$1,844.50 and for extra pick-ups in the amount of \$97.15, making the total amount of claim to be \$1,941.65. This is the total billing for July, 1973.

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

A claim was received from Bill Nix Construction Co. for the construction of the Central Services Building at Burdette Park, in the amount of \$7,490.40 as final payment. This claim was approved by Mrs. DeVoy. Commissioner Willner moved that this claim be approved. Commissioner Schaad seconded the motion. So ordered.

RE: ALLOCATION STATUS REPORT

Mr. Volpe presented a statement of allocated status report on the R & S Funds which was received from the Auditor of the State of Indiana, which shows the current balance available to be \$518,172.81. This report was dated August 1, 1973. Report received and filed.

RE: NOTICE TO BIDDERS

Mr. Nussmeyer presented the Notice to Bidders for the resurfacing with bituminous pavement of certain county highways which are as follows:

Lower Mt. Vernon Road (Old 62) - from City limits 2.8 miles West to West Franklin Road 3600 Tons H.A.C.

Boonville-New Harmony Road - St. Joe Avenue West to Martin Station Road 5000 tons H.A.C.

Old Petersburg Road from Boonville - New Harmony Road Northeasterly 4.0 miles

New Harmony (old U.S. 460) - from U.S. 460 to 2.0 miles West to Marx Road 2800 tons H.A.C.

15,400 tons H.A.C. Type B. Surface 65 tons Tack Coat

There is Revenue Sharing money for these projects in the amount of \$210,600.00. Commissioner Willner moved to authorize the Auditor to advertise for bids. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIM & EASEMENT

A claim and easement was received from Alvah & Gladys Alexander for the widening of Allens Road in the amount of \$3,363.00.

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RE: CLAIM

A claim was received from Mr. Bob Rickard of Rickard Realty Inc. for appraisals and negotiations for Right of Way in the widening, improving and rebuilding the bridge on Allens Road. Final bill in the amount of \$1,200.00.

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

RE: CLAIM & EASEMENT

A claim and easement was received from Doris Anne Folz Beck and George T. Beck Jr. for Right of Way, Easement in the widening of Allen Road for \$2,500.00. They accepted this Right of Way offer on the condition of agreement to provide, build, and construct a culvert, Forty foot from access road to their property.

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

RE: MR. ANGERMEIER ....REQUEST

The County Assessor said that they had Mr. Broerman of the Building Commissioners office before the Board of Review, in order that he might explain the procedure of establishing the dollar value of which they publish on their forms and which in turn are turned over to the Township Assessors office. He thought it was time to come before the Commissioners to request that they write a letter to the Building Commissioners office, stating that before any of the forms be delivered to the Townships in the city, that they be brought to the County Assessors office in order that they can xerox them first, so they will have a file for the Board of Review, so they can check them next year and can also send a copy of each to the Township Assessors office. He also requested that the Building Commissioners office send or make available to him, a list on all buildings and improvements that have been removed, since they have no way of knowing this unless they go out to the site and check it out.

Commissioner Schaad said the Commissioners could check and see if they can't have some forms printed whereby he would have an actual copy, as there would be less foul up.

Commissioner Willner moved that this be done and in the meantime he moved that the Building Commissioners office be written a letter requesting they give him a copy to xerox, until the change is made and that they make the files available to Mr. Angermeier once a month and they can xerox them so they can also have a list of all buildings that have been removed. The Commissioners will also check to see if this information could be included in the forms. Commissioner Schaad seconded the motion. So ordered.

RE: MR. PUGH

Mr. Pugh said the State Legislature made it possible or mandated that the next reassessment of land values will be done on the basis of Soil Survey. He said that Mr. Volpe has added to this by saying that there is a possibility of working with the computer center at the University of Evansville to computerize the material. He said it isn't all this complicated and they can train someone in Mr. Angermeiers office and get them started in doing this work.

Mr. Volpe said this is in line with the proposal that they have been pursuing for a year in front of council for a land data bank of profiling every piece of property.

Mr. Pugh said that perhaps there is a person in the State Tax Board and also from the state office who is familiar with this and he would like to get with them in order to set up a work shop here. He wondered if the Commissioners would want to be in on the workshop.

Commissioner Willner said that he liked the idea but that he didn't think the Commissioners should be in on it. He definitely thought that the Township Assessors should be a part of it. Mr. Volpe suggested that this matter be brought up at the next council meeting.

RE: GUEST RECOGNIZED

Commissioner Schaad recognized Commissioner Willner's daughter, who was present at today's meeting.

The meeting adjourned at 11:45 a.m.

PRESENT

COUNTY COMMISSIONERS

Robert Schaad  
Robert Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEYS

William Stephens  
Thomas Swain

REPORTERS

S. Clark  
C. Leach  
A. Jackson  
B. Thompson  
G. Clabes  
D. Berry

Secretary: Margie Meeks

James L. Ossenberg

Bob Schaad

Robert L. Gellner

BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
SEPTEMBER 4, 1973

The regular meeting of the County Commissioners was held on Tuesday, September 4, 1973, at 9:30 a.m. in the Commissioners hearing room, with President Thomas Ossenberg presiding.

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

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

RE: COUNTY-OWNED SURPLUS PROPERTY

There were no bids today on the county-owned surplus property. The sale will continue.

RE: BID OPENING

The county attorney's were requested to proceed with the opening of the bids that were received today on bridges # 212, on Korff Road and # 93A on Burkhardt Road, also for the improvement of Middle Mt. Vernon Road West of Peerless Road.

RE: EMPLOYMENT CHANGES .... RELEASES

COUNTY SURVEYOR

John Hart            2919 Washington        Instrumentman        \$5,720.00 Yr.        Eff: 8/23/73

CUMULATIVE BRIDGE FUND

Toby Martinez       1316 Gavitt St.        Ass't. Inspector    \$5,720.00 Yr.        Eff: 8/23/73

RE: CLAIMS

The following claims were received for the Evansville Comprehensive Mental Retardation Center:

Kuebler Heating and Air Conditioning, Inc. for Certificate #3, Application #4 in the amount of \$66,986.49.

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

Key Construction Co. for Certificate for payment #3, Application #4 in the amount of \$145,806.12.

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

Swanson-Nunn Electric Co. for payment #3, Application #3 in the amount of \$35,726.01.

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

Goedde Plumbing & Heating Inc. for payment #3, Application #6 in the amount of \$8,434.93.

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

RE: REZONING PETITION ...FIRST READING

John H. & Louise Habermel - Petitioners  
Premises affected are situated on the Northeast corner of the intersection formed by Darmstadt Road and Boonville-New Harmony Road.  
The requested change is from R1-A to C-1.  
The present land use is residential, conforming to present zoning and the proposed land use is for offices and retail commercial.

Commissioner Ossenberg said that he has checked with the attorney for the Area Plan Commission since this petition involves in property in Darmstadt and it

seems as though the County Commissioners have the authority to take up this zoning petition under Burns Statute 48-138A until they can adopt an ordinance.

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

RE: MR. NUSSMEYER .... NOTICE TO BIDDERS

Mr. Nussmeyer presented Notice to Bridge Contractors for bridges BC 4-73, Bridge No. 212 - Korff Road over Claude Ditch and BC 5-73, Bridge No. 93A - R & S No. 8, Burkhardt Road over Boeshe Ditch.

Commissioner Willner moved that these be approved and that the Auditor be authorized to advertise for bids. Commissioner Schaad seconded the motion. So ordered.

Mr. Nussmeyer presented a Notice to Road and Maintenance Contractors for the improvement of Middle Mt. Vernon Road West of Peerless Road.

Commissioner Schaad moved that this be approved and that the Auditor be authorized to advertise for bids. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

A claim was received from Barnett Bros. for work completed on Bridge #202, Old Green River Road, 203-3755, between Aug. 3 and Aug. 28, 1973, in the amount of \$11,294.00.

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

RE: CUTS IN

Mr. Nussmeyer presented an application for cuts-in from Indiana Bell Telephone Co. to place a buried telephone cable in Seib Road. This has been approved by the Road Inspector.

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

RE: BIDS RECEIVED

The following bids were received for a bridge - 137 - Allens Lane over Locust Creek:

|                    |              |
|--------------------|--------------|
| D. K. Parker ..... | \$189,966.47 |
| Barnett Bros.....  | \$162,175.89 |
| Deig Bros.....     | \$158,551.20 |
| G. H. Allen.....   | \$165,105.57 |

The Engineer's estimate was \$177,477.82 on this project.

The following bids were received for bridge - 203 - Kuebler Road:

|                    |   |
|--------------------|---|
| D. K. Parker ..... | \$26,801.25   |
| G. H. Allen.....   | \$24,615.26   |
| Deig Bros.....     | \$28,710.00   |
| Barnett Bros.....  | \$26,519.00 - Not countersigned by Ind. resident agent. |

Mr. Nussmeyer said that any bidder that has filed Form 96A with the County Auditor for the calender year doesn't need to repeat the operation when submitting another bid. The Engineers estimate is \$28,853.50 on Kuebler Rd. Bridge.

Commissioner Schaad moved that all these bids be referred to the County Surveyor for one week. Commissioner Willner seconded the motion. So ordered.

Mr. Nussmeyer said that there will be a meeting on Thursday, pertaining to the R. & S funds for Allens Road, at which time they will be given a verbal approval.

RE: MR. WILLARD

Mr. Willard presented an absentee report on employees at the County Garage. Report received and filed.

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RE: PLANNED USE SURVEY

Mr. Volpe said that he would have a Planned Use Survey ready next week, for the Commissioners to sign. He said that most of it would be on the basis of the actual budgetary approvals.

RE: SALE OF HOUSE ON ST. JOE AVENUE

Mr. Hotz introduced Mr. Gerald Drone, who is interested in purchasing the house on St. Joe Avenue that was previously owned by Mr. Kissell, for the sum of \$1.00 in order that he can tear it down. Mr. Drone lives at R.R. 4, Fisher Road. Mr. Drone said that he will do the job alone and that he has his own insurance, also that he will not hold the county responsible for any accidents that might occur on this property.

Mr. Drone said that he would clear the property down to the ground in 60 days.

Commissioner Schaad moved that the Commissioners permit Mr. Drone to tear the Kissell property down on Outer St. Joe Avenue within 60 days. Commissioner Willner seconded the motion. So ordered.

RE: ADMISSION TO PLEASANTVIEW REST HOME

Mr. Harness presented an application for the admission of Eugene VanWay Sr. to the Pleasantview Rest Home and he recommended approval of same.

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

RE: GARNISHMENT ORDER

An Order of Garnishment was presented to the Commissioners from the Credit Bureau of Evansville Inc. versus Peggy Edith Goins who is an employee of the Pleasantview Rest Home and who owes a judgment of \$131.32. This was referred to the County Auditor in order that he can deduct payments from her paycheck.

RE: CLAIM

A claim was presented to the Commissioners from Mr. John Singer, the Road Inspector, for gas mileage, 514 miles at .08 per mile. The amount of the claim being \$41.12. This claim was approved on July 23, 1973, but it needed the signature of Mr. Willard since Mr. Singer is on the Highway Payroll.

Commissioner Schaad moved that the payment of \$41.12 be approved for payment. Commissioner Willner seconded the motion. So ordered.

RE: PROBLEM...VOTERS REGISTRATION

Dorothy Block and Jo Gaffney appeared on behalf of the Registration office. Mrs. Block said that it was brought to their attention that the Auditor's office, once again, needs the return of the floating graphotype. She said that Mr. O'Day and Mrs. Lurker have stated that they will not stand in the way of getting the bills out for tax purposes but by the same token, they cannot be finished with the work the Commissioners have given them to do, in time for the next election if they give the machine up. She said that with running both machines, they won't finish until approximately December 15th, providing they have no breakdowns.

Mr. Volpe said he didn't know that anyone informed them of this problem.

Commissioner Ossenberg said that anytime they receive a request such as this, they should contact Mr. Volpe.

Mr. Volpe said that he would figure something out and that the Voters Registration Office can continue using this machine.

The meeting recessed at 10:10 a.m.

PRESENT

COUNTY COMMISSIONERS

Thomas Ossenberg  
Bob Schaad  
Robert Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEYS

William Stephens  
Thomas Swain

REPORTERS

G. Clabes  
B. Thompson  
A. Jackson  
S. Clark

Secretary: Margie Meeks

Thomas Ossenberg

Bob Schaad

Robert Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
SEPTEMBER 10, 1973

The regular meeting of the County Commissioners was held on Monday, September 10, 1973, at 9:30 a.m. in the commissioners hearing room, with President Thomas Ossenberg presiding.

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

RE: COUNTY-OWNED SURPLUS PROPERTY

There were no bids today on the county owned surplus property. The sale will continue.

EMPLOYEE CHANGES:

APPOINTMENTS:

COUNTY SURVEYOR:

|                   |                      |           |          |         |
|-------------------|----------------------|-----------|----------|---------|
| Sherry Hoffman    | 1114 McArthur Circle | Secretary | 5,220.00 | 9/8/73. |
| Gary B. Gullledge | R # 8 Charles Drive  | Rodman    | 5,720.00 | 9/1/73. |
| Lloyd Rittenour   | 1404 McArthur Circle | Rodman    | 5,720.00 | 9/1/73. |

PIGECN TOWNSHIP ASSESSOR

|                   |                    |        |              |          |
|-------------------|--------------------|--------|--------------|----------|
| June Hallenberger | 1409 Fountain Ave. | Deputy | 1500 per day | 9/10/73. |
|-------------------|--------------------|--------|--------------|----------|

PLEASANTVIEW REST HOME

|              |                     |            |            |         |
|--------------|---------------------|------------|------------|---------|
| Fredia McKee | 5020 Stringtown Rd. | Extra Help | 350.00 mo. | 9/6/73. |
|--------------|---------------------|------------|------------|---------|

RELEASES

COUNCIL OF GOVERNMENTS

|                   |                    |           |           |          |
|-------------------|--------------------|-----------|-----------|----------|
| Gail E. Smith     | 1123 S. Rotherwood | Secretary | 4,470.00  | 9/7/73.  |
| Keith Lochmueller | 516 E. Adams       | Planner   | 11,550.00 | 9/7/73.  |
| Wayne Rafferty    | 7301 E. Chandler   | Planner   | 11,550.00 | 9/15/73. |

COUNTY SURVEYOR

|                 |                    |           |          |         |
|-----------------|--------------------|-----------|----------|---------|
| Barbara Heseman | 7412 Oak Hill Rd.  | Secretary | 5,220.00 | 9/8/73. |
| Jeffery Mueller | 4912 Conlin        | Draftsman | 5,720.00 | 9/1/73. |
| Thomas Norton   | 921 Catterbury Rd. | Rodman    | 5,720.00 | 9/1/73. |

PLEASANTVIEW REST HOME

|                  |                  |            |            |         |
|------------------|------------------|------------|------------|---------|
| Blanche Lee Hall | 713 Village Lane | Extra Help | 350.00 mo. | 9/1/73. |
|------------------|------------------|------------|------------|---------|

PLEASANT VIEW REST HOME:

The Pleasantview Rest Home report ordered received and filed.

BIDS:

Mr. Nussmeyer said on Allen Lane, they have a verbal approval on their R. & S. Funds Application.

Commissioner Schaad moved they award the bid to Deig Bros. in the amount of \$158,551.20 Commissioner Willner Seconded. So ordered

BRIDGE ON KUEBLER RD.

The bridge on Kuebler Road was awarded to G. H. Allen for \$24,615.26. The motion was made by Commissioner Willner, seconded by Commissioner Schaad. So ordered.

BIDS ON RESURFACING OF ROADS:

County Attorney read the bids on resurfacing of roads with hot mix.

The bids are as follows:

|                           |              |
|---------------------------|--------------|
| Feigel Construction Co.   | \$204,278.50 |
| Mid West Construction Co. | 212,982.00   |

Commissioner Willner asked if they had the Engineering Estimate and President Ossenberg said the Engineering Estimate was \$208,000.00.

Commissioner Schaad moved the bid be awarded to Feigel Construction Co. Commissioner Willner seconded. So ordered.

CLAIMS:

Ohio Valley Engineers, on the Barker Ave. Underpass for 25,000.00, Mr Nussmeyer said he is not sure what the final amount will be. County Attorney Swain said he feels they should pay this claim and assign a new contract, but they should hold this claim for a release. Commissioner Schaad moved they pay this claim of \$25,000.00 for final payment on the Underpass and hold for a release. Commissioner Willner seconded. So ordered. President Ossenberg said if Ohio Valley Engineers' builds the overpass, if there is one built, they should deduct the \$50,000.00 already paid from the total compensation.

Terminal Warehouse, This claim is for rent of space for storage of voting machines. It is in the amount of \$500.00. Commissioner Schaad moved the claim be paid, Commissioner Willner seconded. So ordered.

POINT OF INTEREST:

President Ossenberg said before he calls on Department Heads, he would like to bring up the point of the County Commissioners consideration of trash collection for 1974. He said they proposed through the County Council during the budget session that the Commissioners go on record of the possibility of forming a committee, each Commissioner appointing 2 people from their respective districts to work up some workable plan for trash collection in 1974. After having a couple of meetings with experts from this particular field namely Purdue University with Dr John Hewey and Charles Caine as consultant, we had entertained the idea of going with an alternate bid with the City. That appeared not to work out. He said it was the general consensus of the Commissioners that the storage bins are just not working out. He said they have had numerous complaints, that people just do not want them in their neighborhoods. Burdette park for example was just a total mess. He said in his request to the County Council was that they leave a certain amount of money into the budget and this committee be formed. He said they talked of house to house pickup, mainly with the idea that this committee could go to a private trash collection agency and see if it is feasible to work out a plan where we can have County wide pickup. If not feasible, then he feels they will have to dump the trash program for the County. Commissioner Willner moved they get this committee set up, Commissioner Schaad seconded, So ordered. President Ossenberg said they would announce this committee next Monday.

LAMEY DRIVE

Mr Donald Lambert came before the County Commissioners concerning a water buildup on Lamey Drive, he asked if the Superintendent of the County Garage was there, President Ossenberg said yes and called Mr. Jack Willard up. Mr Willard said the neighbors said at one time a culbert was there but they couldn't find one now. Mr. Lambert said the water buildup was very bad, and he would like a tile put in and the ditch opened up, Mr. Willner asked who the developer was and Mr. Lambert said there was no developer as such, each lot was sold and each person done their own construction. Mr Lambert said there had been a tile there but that was about 17 or 18 years age. He also said they would be glad to furnish the tile if they knew what size and kind. Commissioner Willner moved that the County Surveyor stipulate the size of the culbert, the property owners buy it and the County put in and clean the ditch. Commissioner Schaad seconded, so ordered.

FRED BUENTE

Mr. Buente said he wanted to report about the Culbert on Mossberg & Baseline Rds. He said that Culbert has been bad for some time, he said the tile was so bad that it is sinking in the middle of the road. He said at one time the road crew put some patching on it but it is going down with it. Mr Nussmeyer said he would follow through with plans to put in circular tile and report next week.

POOR RELIEF

Mr. Olsen presented 3 letters to the Commissioners concerning Mr George McFarland, He said these were letters from outside sources. Mr. McFarland's record dates back as far as 1963, and Mr Olsen said he would not work at all. Mr Olsen said Mrs McFarland called in one day and said her husband would not be insulted by working for \$1.60 per hour. President Ossenberg said they would hold it until the end of the meeting and see if Mr McFarland came in.

CLAIM

A claim for J.H. Rudolph & Co. Inc. for the amount of \$44,587.67 was presented to the Commissioners, Commissioner Schaad moved the claim be paid, Commissioner Willner seconded. So ordered.

CUT-INS

The following cut-ins were presented to the Commissioners:

Indiana Bell, to cut into Schlensker Road to bury telephone cable.

Indiana Bell, to cut into Browning Road to bury telephone cable.

Indiana Bell, to cut into Laubscher Rd., Arla Jane & Jay Drives to Push Pits, cable will be pushed under Road.

Indiana Bell, to cut into St. Joseph Ave. & Wimberg Rd. to Direct Bury Telephone cable.

Commissioner Willner moved the cut-ins be approved, Commissioner Schaad seconded, so ordered.

LETTER FROM E.R. CHANDLER:

The following letter was sent to the Commissioners:

Gentlemen:

This is to earnestly request the cleaning of a ditch and extending sixty (60) inch corrugated pipe six hundred and ninety-eight (698) feet North, four hundred and eighty-five (485) feet West to Burkhart Road which has been out-lined on County Surveyors records.

Approximately two (2) years ago there were two hundred and some odd progesters in regard to this ditch causing back-up water and floods in this area.

We understand that there are federal funds available for taking care of this drainage ditch which drains over a hundred (100) acres in this area.

We are sure that the County does not want the petitioners to have to meet on this again.

Mr. Nussmeyer said there are no federal funds available. Commissioner Schaad moved they refer it to Area Plan, Commissioner Willner seconded, so ordered.

LETTER FROM INDIANA BELL

The following letter was presented to the Commissioners:

Dear Sir:

Widening of St. Joseph Avenue  
Estimate 7618

In connection with the proposed widening of St. Joseph Avenue north of Diamond Avenue, Indiana Bell Telephone Company, Incorporated authorized the expenditure of funds to relocate our facilities from the proposed construction limits.

It appears that this project has been postponed indefinitely. This causes several accounting problems for us, trying to keep money authorized in our construction program not knowing when it will be spent. Conditions in the field will also change sufficiently to necessitate re-engineering of our relocation.

We are therefore cancelling our outside plant project. As it takes approximately six months to acquire authorization and re-engineer and construct our relocation, please notify us as soon as it appears this highway project will be undertaken. The letter is signed by H.M. Brinegar, Engineering Manager, Indiana Bell.

Commissioner Willner asked if there was any other way this could be funded besides Federal.

Commissioner Schaad moved this be referred to Area Plan, Seconded by Commissioner Willner. So ordered.

JACK WILLARD

Mr. Willard said he didn't have anything except Employees Absenteeisms and a work summary.

JESSE CROOKS

Mr. Crooks said he planned to be in Chicago for three (3) days on business. Mr. Crooks said he would like to bring up the situation on copies of building permits, it seems the Burns statute reads that they be given to the Township Assessors. He said the Township Assessors objected to the permits being given to the County Assessor. Mr. Swain said the statute says an extra copy be made of permits and given to the Township Assessors. Mr Swain also said the Township Assessors are responsible and the County Assessor merely oversees the Township Assessors.

Commissioner Willner said he would like to be heard on this, he said they have reports that there is some \$900,000.00 that go untaxed. He said this was not only fair to the guy who pays his fair share of taxes, but it is just not right. He said the County Assessor has said he will take this form and xerox it and then give it to the Township Assessor. Commissioner Willner said he could understand why the Township Assessor did not want the County Assessor to have them. Commissioner Schaad asked Mr. Crooks if they went before the Council and got money for the paper would he make copies and send them to the County Assessor and he said he would. So that is what they are going to do. Commissioner Schaad moved they comply with the law, seconded by Commissioner Willner. So ordered.

HERMAN HOTZ

Mr. Hotz said he has a car that needed body repair and before he has it done he wanted to know if the County Owned Equipment has a specific color, the Commissioners said to stick with his own color.

COMMISSIONER WILLNER

Commissioner Willner asked Tom Swain about destruction of personal and County Property when sewers are laid. He said Curtis Construction Co. did the last one and they had several complaints. He wants to know what rights the County has concerning this. Mr Swain said they could go to the City Attorney and on a standard contract add a paragraph that says when a sewer is laid, all County and Personal Property is restored as it was when they started. Commissioner Willner moved the County Attorney meet with the City Attorney on reconstruction of roads and property after the sewer is laid. Commissioner Schaad seconded, so ordered.

Meeting recessed at 11:04 a.m.

Present

COUNTY COMMISSIONERS

Thomas Ossenberg  
Robert Schaad  
Robert Willner

COUNTY AUDITOR

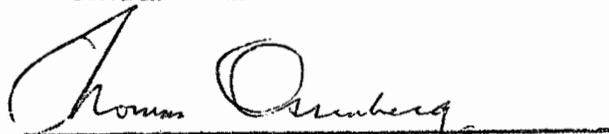
Lewis F. Volpe

COUNTY ATTORNEYS

William Stephens  
Thomas Swain

REPORTERS

C. Leach  
A. Jackson





  
BOARD OF COUNTY COMMISSIONERS

Secretary: Margie Meeks  
By J.W.

COUNTY COMMISSIONERS MEETING  
SEPTEMBER 17, 1973

The regular meeting of the County Commissioners was held on Monday, September 17, 1973, at 9:30 a.m. in the Commissioners hearing room, with President Thomas Ossenberg presiding.

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

RE: LETTER FROM M.R. GAITHER

The following letter was received by the commissioners:

County Commissioners:

In view of recent action taken by the County Council to terminate the County Contract of Purchasing, we wish to advise you we are perfectly willing to permit you to purchase your own gasoline supply from this point onward.

Mr. Willner said at a meeting that I attended that he was able to obtain gasoline at 19 cents per gallon, including tax and delivered to your tanks. As compared to our contract price of 21.42 cents per gallon. We feel it would be improper of us not to permit you not to take advantage of this cost savings. We will await your decision in the matter and make no further purchases of gasoline unless specifically requested.

Commissioner Schaad ask Jack Willard how much gasoline did they have now, Mr. Willard said they had about 4000 gallons now and they wouldn't have to order for at least two (2) weeks. President Ossenberg said in view of the fact that Commissioner Willner did make this statement, and it is possible that we can buy gasoline for 19 cents per gallon, he is going to ask Commissioner Willner to explore this possibility, however, if it is unobtainable at this price, we are funded the rest of this year through the Department of Public Purchase and if we cannot come up with the 19 cents per gallon, we will then request they continue to purchase our gasoline for 21.42 cents per gallon until the end of the year. President Ossenberg said that since the Department has been dissolved, it would be advisable for the County office holders get together and lay out our plan for what we intend to do for the first of the year.

RE: COUNTY OWNED SURPLUS PROPERTY

President Ossenberg said he was going to hold the bidding on County Owned Surplus Property until later in the meeting because he knows of at least one person wanting to bid on it.

RE: BID OPENINGS

President Ossenberg said he was going to take this now so the County Attorney could be opening the bids and they would come back to it later.

RE: EMPLOYMENT CHANGES

APPOINTMENTS

VOTERS REGISTRATION OFFICE

|                 |                   |       |              |         |
|-----------------|-------------------|-------|--------------|---------|
| Frances Mueller | 2904 Wimberg Ave. | Clerk | \$230.00 mo. | 9/17/73 |
|-----------------|-------------------|-------|--------------|---------|

COUNTY TREASURER

|                    |                  |        |              |         |
|--------------------|------------------|--------|--------------|---------|
| Helen N. Middleton | 510 Pfeiffer Rd. | Deputy | \$205.00 mo. | 9/16/73 |
|--------------------|------------------|--------|--------------|---------|

VANDERBURGH SUPERIOR COURT

|                 |                    |           |           |        |
|-----------------|--------------------|-----------|-----------|--------|
| Brenda McDaniel | 809 S.E. Riverside | Pro. Off. | \$7400.00 | 9/1/73 |
|-----------------|--------------------|-----------|-----------|--------|



Mr. VanStone said the City has agreed to pay 1/2. The annual budget is \$40,000.00 plus the amount United Fund pays. Mr. Volpe said this has been advertised for for the September Council Call and if the Commissioners approve it, it will go, if they don't approve it, it won't go.

Mr. Schaad asked who would supervise and Mr. Vanstone said what they want is a six (6) member board, three (3) from the County and three (3) from the City. He said they have a twelve (12) member board now and what they want to do is take six (6) of them and divide them between the City and County for the rest of this year. At the first of next year there will be four new board members. County Attorney Swain asked Mr. VanStone if he can show him anywhere where they can use tax dollars for this, and Mr. VanStone said there was no statute that says they can do this. President Ossenbergsaid to let County Attorney Swain check with Cap Hudson this afternoon and see if it is legal or not, then they can sign the contract.

RE: BID ON BRIDGES

The bids on Korff Road Bridge are as follows:

|                  |             |
|------------------|-------------|
| Barnett Brothers | \$15,197.25 |
| G. H. Allen      | 12,987.60   |

The Engineering Estimate is for \$16,700.25. Commissioner Schaad moved the bid be awarded to G.H. Allen in the amount of 12,987.60. Commissioner Willner Seconded the motion. So ordered.

The bids on Burkhardt Road Ditch are as follows:

|                  |              |
|------------------|--------------|
| Barnett Brothers | \$156,696.68 |
| R. F. Traylor    | 143,995.15   |

The Engineering Estimate is for \$152,777.08.

Commissioner Schaad moved the bid be awarded to R.F. Traylor in the amount of \$143,995.15. Commissioner Willner seconded. So ordered.

RE: MIDDLE MT. VERNON ROAD

There was only one (1) bid on Middle Mt. Vernon Road and it was for \$25,083.65, the Engineering Estimate is for \$24,815.10. Commissioner Schaad moved they award the bid to Feigel Construction Co. in the amount of \$25,083.65 even though it is higher than the Engineering Estimate. Commissioner Willner seconded, so ordered.

RE: LETTER FROM EARL C. ROEHME

President Ossenbergsaid he had a letter from Mr. Roehme, but since he is not there they will hold it back until later in the meeting to see if he shows up.

RE: F.R. IRVIN STAHL:

Mr. Stahl said he is a farmer and he lives on Outer Lincoln Avenue, he said he has a water problem, it seems there was a sewer put in around his property and part of Nurrenbern Ditch was cleaned out, he wants the rest of the ditch cleaned out by the Highway crew. He also said the City put in a water main out there and cut up the road that the farmers had given land for, also, A Sanitary Sewer was put in and cut across the road. Instead of putting sand in for fill, they put the same dirt back in and covered it with chat and it is now sinking in. The Commissioners agreed that the County Highway Crew could clean out the ditch, and President Ossenbergsaid he is going to see that the roads are put back like they were from now on, whether it be a Utility Company or who else.

RE: AREA PLAN

The Area Plan presented a new Street name for the Commissioners to approve, the name of the street is Autumn Lane. Commissioner Schaad moved they accept the new street name, Commissioner Willner seconded, so ordered.

RE: LETTERS FROM T.B. OFFICERS

The following letters were sent to the County Commissioners for approval:

Re: Matilda Folz  
1512 E. Walnut St.  
B.D.: 1-27-01

Dear Mr. Ossenberg:

The above referenced individual was admitted to Good Samaritan Hospital, Vincennes, Indiana on July 31, 1973 for isolation and treatment of Active Tuberculosis.

Mrs Folz has Medicare and Blue Cross Supplement which should adequately cover this hospitalization. However, any balance not covered by medical and Hospitalization insurance will be billed to the Vanderburgh County Commissioners.

This is to certify that Mrs. Folz is a Vanderburgh County resident and medically indigent for Tuberculosis.

Thank you for your consideration in this matter.

Re: Charles Austrew  
612 E. Maryland  
B.D.: 2-20-16

Dear Mr. Ossenberg:

The above patient was admitted to Good Samaritan Hospital, Vincennes, Indiana on August 4, 1973 for isolation and treatment for Active Tuberculosis.

Mr. Austrew has Medicaid coverage which should adequately cover his medical and hospital expenses. However, if for some reason his Medicaid benefits are not applicable, the Vanderburgh County Commissioners will be billed for his medical care and hospitalization.

This is to certify that Mr. Austrew is a Vanderburgh County resident and totally indigent.

Thank you for your consideration in this matter. If there are any questions feel free to call me.

Both letters were signed by Mildred Knodel, R.N. Vanderburgh County T.B. Control Officer. Commissioner Willner they be approved, Commissioner Schaad Seconded, so ordered.

RE: LETTER FROM HEALTH DEPARTMENT

A letter was sent to the commissioners concerning dumping in the Weinbach-Levee area, the letter was received and filed.

RE: LETTER FROM SAM ELDER

A letter dated September 6, 1973 concerning the property located at 5950 N. Fares Avenue was received by the commissioners, it seems the Health Dept. received a complaint concerning a sewage disposal system. President Ossenberg said they would refer this until County Attorney Stephens could look into it and check out the lease.

RE: COUNTY TRASH PICKUP

President Ossenberg said that last week he announced the County Commissioners would come up with appointments on the trash program for the County.

He said they would appoint two (2) people from their respective districts to work out some plan and report to the commissioners. He said Mr. Schaad had two people in mind but have been unable to get in contact with them. Commissioner Schaad said he would like to delay his appointments until later in the week because he feels these people are right for the job. Mr. Ossenbergs said he has asked Herschel Whitham to temporary chair the first meeting until they can get a permanent chairman. He said Mr. Whitham is well aware of what took place at the meeting with the people from Purdue University.

Mr. Willners' Appointments are as follows:

|                  |                           |
|------------------|---------------------------|
| Robert C. Parker | RR # 5 Box 117 Evansville |
| Russ Sieler      | RR # 5 Darmstadt Rd.      |

Mr. Ossenbergs' appointments are:

|                |                         |
|----------------|-------------------------|
| John F.W. Cook | 4000 N. Green River Rd. |
| Manfred Stahl  | 7741 Old Boonville Hwy. |

Mr. Ossenbergs said in selecting his appointments he choose one as rural and one as urban. He also said Mr. Whitham would like to have his meeting sometime next week.

RE: CLAIMS

The following claims were presented to the commissioners for approval: Condict & Fosse Architects in the amount of \$1430.00 for the Evansville Association for Retarded Children.

County Clerks Office in the amount of \$63.30 for Brinks Inc. Commissioner Schaad moved the above claims be approved, Commissioner Willner seconded the motion. So ordered.

Another claim was presented for Indiana Disposal Service, Inc. for the month of August in the amount of \$1383.42. Commissioner Willner moved the claim be approved, commissioner Ossenbergs seconded.

RE: CUT-INS

The following cut-ins were presented to the commissioners for approval:

Indiana Bell Telephone to cut into Hillsdale Rd. to bury telephone wire.

Indiana Bell Telephone to cut into Boonville-New Harmony Rd. to bury telephone cable.

Waterworks Dept. to cut into Middle Mt. Vernon Rd. to install 290' 8" Water Main to provide water service.

Southern Indiana Gas And Electric Co. to cut into Olivia Street to provide gas service to Lot #7 in Kirchoff Sub.

Commissioner Willner the above cut-ins be approved, Commissioner Schaad seconded, so ordered.

RE: LETTER FROM IAN F. LOCKHART

The following letter was addressed to Thomas Ossenbergs, President of the County commissioners.

TO WHOM IT MAY CONCERN

Due to personal business activities, I find it necessary at this time to tender my resignation as a member of the Board of the Evansville-Vanderburgh Airport Authority. Effective this date, September 10, 1973.

It is with regret that I take this step since it has been a pleasure to have served on the Board for so many years. The letter was signed, Ian F. Lockhart. Commissioner Schaad moved they accept the resignation of Mr. Lockhart and write him a letter thanking him for his years of service. Commissioner Willner seconded, so ordered.

RE: BRIDGE SURVEY

Mr. Nussmeyer presented a book of the bridge survey, including pictures. He said the needed about \$3000.00 for reproductions of the book, and he has checked with Creative Press and with Keller Cresent and this is the best they can come up with. President Ossenberg asked Mr. Nussmeyer if they were to appear before the County Council for the money and Mr. Nussmeyer said yes, Willner moved it be approved, Commissioner Schaad seconded, so ordered.

Mr. Nussmeyer said the contract for Deig Brothers needed to be signed by the Commissioners, he said they may as well sign the ones from this week to. Commissioner Willner moved the contracts be signed, Commissioner Schaad seconded, so ordered.

Mr. Nussmeyer presented a print of a road wished to be constructed and the County take it over and maintain it. The road is located around Greenriver Rd and Division Street. President Ossenberg said he was going to defer this and he wants a total explanation on what is to be done here.

RE: JACK WILLARD

Mr. Willard turned an absentism list for the County Garage. He said he wanted to talk about trucks. He said they had \$12,000.00 in the Truck account and did the Commissioners want him to draw specs on it. President Ossenberg said he should go ahead. Mr. Willard said he wanted to talk about one other thing, and that is if some developer comes in here and he had a parkway in the middle of the street, he wants to have it set up where the developer will have to take care of it. He said they spend about 2 days a week cutting around places like Angel Mounds and they want it cut just like their lawns. He says they cant do it now but in the future he would like it set up that way.

RE. HERMAN HOTZ

Mr. Hotz said he was concerned about the tearing down of the Courthouse annex, he said he would suggest the Commissioners have an engineer check that smoke stack, It could be a hazard and could fall down on top of them. Mr Hotz also brought up the fact that there was an old large steel safe in the annex and did the Commissioners want him to get bids on salvage for it or just leave it and let the wrecking crews tear it up. The Commissioners said to check with the salvage company's.

RE: JACK HARNESS

Mr. Harness said all he had was an application for a new patient, the name of the patiency is Linus J. Hurm of 421 N. Third ave. Commissioner Schaad moved the application be approved, Commissioner seconded, so ordered.

Meeting recessed at 11:35 a.m.

PRESENTCOUNTY COMMISSIONERS

Thomas Ossenberg  
Robert Schaad  
Robert Willner

COUNTY AUDITOR

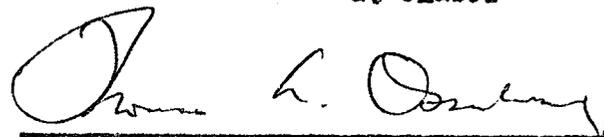
Lewis F. Volpe

COUNTY ATTORNEYS

Thomas Swain

REPORTERS

C. Leach      J. Kesner  
B. Gladish    A. Jackson  
G. Clabes

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
BOARD OF COUNTY COMMISSIONERS

Secretary: Margie Neeks  
By J.W.

COUNTY COMMISSIONERS MEETING  
SEPTEMBER 24, 1973

The regular meeting of the County Commissioners was held on Monday, September 24th, 1973, at 9:30 a.m. in the Commissioners hearing room, with President Thomas Ossenberg presiding.

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

RE: COUNTY OWNED SURPLUS PROPERTY

Mr. Earl Gaffney of 2720 N. Sherman made a bid on County Owned Surplus Property, His bid is as follows:

- #19 Code # 32-40-17 2806 Dennison
- #20 Code # 32-40-18 2804 Dennison
- #21 Code # 32-40-19 nest to 2804 Dennison

Mr. Gaffney made a bid of \$300.00 for the three (3) peices of property. Commissioner Schaad moved they accept the offer, Commissicner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES

APPOINTMENTS

VETERANS SERVICE OFFICE

John Koch      1108 N. 3rd ave.      Clerk      \$15.00 per day      9/17/73

COUNTY SURVEYOR

Scott Althaus      202 Hampton      Draftsman      \$5,720.00      9/15/73  
Edward Martin      Old State Rd.      Drainage Engineer      \$11,550.00      9/15/73

PLEASANTVIEW REST HOME

Betty Hiter      615 N. 3rd ave.      Aide      \$350.00 per mo.      9/1/73

SUPERIOR COURT

Roger D. Walker      Probation Officer      \$7,400.00      9/16/73

RELEASES

KNIGHT TOWNSHIP ASSESSOR

Henry B. Chapman      817 S. Villa Dr.      \$15.00 per day      9/10/73  
Sandra Oakley      1821 Hgven Dr.      15.00 per day      9/10/73  
Suzanne Dempsey      113 S. Euclid Dr.      15.00 per day      9/10/73

VETERANS SERVICE OFFICE

Laurel Stephens      915 Canterbury      Typist      \$15.00 per day      9/14/73

PLEASANTVIEW REST HOME

Betty Hiter      615 N. 3rd ave.      Temp. Aide      \$350.00 per mo.      8/31/73

RE: ALLOCATION STATUS REPORT

President Ossenberg said they have an Allocation Status Report from the State Auditor of Indiana effective September 1, 1973, which is R&S Funds which are available in the amount of \$225,000.00. Mr Volpe said he received this check the same day and he is not sure which amount is correct, wether it is the \$225,000.00 or the \$518,399.67 but they would find out next time.

RE: SIGNING OF CONTRACT

President Ossenberg said they had to sign the contract on the Burkhardt Rd. Bridge for R.F. Traylor Inc. He said they approved the bid last week, County Attorney Stephens said the Bid Bond was in order.

RE: CLAIM ON RUSTON RD.

This claim to Jay C. Welch for the Ruston Road Project is for Services performed in appraising, negotiating and travel to Princeton, Indiana, and acquiring right-of-way and to accomodate bridge and ditch widening and deeping in the amount of \$150.00. Account number 506.3 203-3954.

Another claim to Princeton Mining Co. Inc. fpr right-of-way for Ruston Road and Ruston Lane for for right-of-way 10 ft. by 800 ft. on West side of Ruston Rd. 8000 sq. ft. in the amount of \$80.00, account number 506.3 203-3954. Commissioner Schaad moved the claims be approved, Commissioner Willner Seconded the motion. So ordered.

RE: APPOINTMENT TO AIR BOARD

President Ossenberg said at this time they have an Appointment to make to the Dress Regional Air Board. Commissioner Schaad moved they appoint Mr. John M. Dunn, who is Chairman of the Board of Medco. President Ossenberg seconded the motion. Commissioner Schaad moved the nomination be closed, President Ossenberg seconded the motion. President Ossenberg said Mr. Dunn will serve out the term of Ian Lockhart. Commissioner Willner said they should take a roll call vote, the voting is as follows: President Ossenberg, yes, Commissioner Schaad, yes, Commissioner Willner, yes. Chuck Leach of the news media ask the commissioners if this was a political appointment. President Ossenberg siad it was a Republican Appointment and that he feels sure Mr. Dunn is a Republican because at one time he was campaign manager for David Hoy when he ran for mayor.

RE: MONTHLY REPORT

President Ossenberg said to let the record show that the Traffic Dept. monthly report be received and filed.

RE: LETTER FROM AMOS IPOCK

The following letter was sent to the Commissioners:

County Commissioners  
Civic Center

Dear Sirs:

We would like for the County to maintain our road. We are willing to give all the footage that is ours.

Mr. Joseph Koiwler (Owner West Side Drive In) expressed a willingness to help provide the necessary footage. If you would like to correspond with him you can reach him at the number 424-9939.

The neighbors on the other side are also co-operative. Waiting to hear. The letter was signed Amos Ipock. President Ossenberg said to refer this letter to the County Surveyor.

RE: LETTER ON AUTUMN LANE

The following letter was presented to the Commissioners:

County Commissioners  
Civic Center

Gentlemen:

The persons listed below would like to request Vanderburgh County maintenance of our newly named street " Autumn Lane". It is located East of Peerless Road, approximately 4/10 miles north of Expressway ( Hwy. 62). The road is approximately 500 ft. long. Thanks for your consideration.

The letter was signed by the following persons:

Mr & Mrs Harold Buck  
Mr & Mrs Herb Altheide  
Mr & Mrs Steven McCullough  
Mr & Mrs Robert McCullough

President Ossenberg said to refer this letter also to the County Surveyor.

RE: LETTER FROM TOM SWAIN

President Ossenberg said a letter from Tom Swain was presented to the Commissioners. The letter concerns a law suit, CLARKE VS COUNTY COMMISSIONERS. Mr. Swain is being sued by Berger & Berger. President Ossenberg said to refer it back to Mr. Swain and sit down and talk to him about it.

RE: E.R. CHANDLER

This letter from E.R. Chandler was referred to the Area Plan Commission on September 10, 1973. The letter concerned Cleaning of a ditch and extending pipe West of Burkhardt Rd. President Ossenberg said since Mr. Roehne is not there they will refer it back to the Area Plan.

RE: CLAIMS, SHERIFFS DEPT.

President Ossenberg said they had claims for meals for prisoners in the amount of \$5,892.80. Commissioner Willner moved they be approved, Commissioner Schaad seconded, so ordered.

Mr. Volpe said while they are on the Sheriff's Dept. they have a claim here from Deaconess Hospital, but the circumstances are peculiar. The man was sent to the hospital from the jail but the charges had already been dismissed against him. He said he and William Stephens had talked it over and they don't think they are liable for it. Mr. Stephens explained that the man was taken to the hospital from the jail after the charges had been dismissed, the bill is for his hospital stay. Mr Stephens recommended the Commissioners deny the claim. Commissioner Schaad moved they deny the claim, Commissioner Willner seconded. So ordered.

Mr. Stephens said while they were having discussions he had some good news, back in May some unknown farmer at the time damaged about a mile of Graff Rd. with a corn picker. He said they got paid for it. The insurance Co. paid \$3,281.00 which was the amount of the bid to repair it. He gave the Commissioners the check, bid and release.

The release has to be signed by all Commissioners and the check is made out to the Commissioners. Mr Volpe said for the Commissioners to endorse it. Mr Stephens said they should go ahead and award the bid on it. He said J.H. Rudolph will do the work for this amount. Mr. Volpe said the check would go into the Highway Fund. Commissioner Schaad moved they endorse the check and award the bid to J.H. Rudolph in the amount of \$3,281.00. Commissioner Willner seconded, so ordered.

RE: CUT-INS

The following cut-ins were presented to the commissioners for approval:

Indiana Bell Telephone Co. for permission to cut into Allens Lane Rd.  
So. Ind. Gas & Elec Co. for permission to cut into Laura Lane to provide gas service to 9 lots (15 to 23, inclusive) in Schmitt Sub Section "B".  
Commissioner Willner moved they be approved, Commissioner Schaad seconded, so ordered.

RE: JACK VANSTONE

Mr. VanStone said he has a client whose property joins the road and he read the legal on it. He said he is not there to request the County maintain the road, only to see what standards they had to meet. He said this is just a matter between lawyers just now, he said the easement was there and so was the right-of-way.

RE: CLAIMS

A claim for Johnson Construction Co. for Melody Hills # 201-2260 was presented to the Commissioners in the amount of \$1,973.22.

Another claim to Barnett Bros. for Bridge 201-202 over Eagle Slough in the amount of \$7,357.68. Commissioner Schaad moved the above claims be approved, Commissioner Willner seconded the motion, so ordered.

RE: COUNTY SURVEYOR

Mr Nussmeyer presented his recommendation for Red Bank and Upper Mt. Vernon Roads. President Ossenberg said he thought there was something about existing telephone poles. Mr Nussmeyer said Indiana Bell had been very co-operative. Mr Nussmeyer recommended they go ahead and widen the corner, he also said this was not a contract job. Commissioner Schaad moved they approve it, Commissioner Willner seconded, so ordered.

RE: BRIDGE PLANS

Mr Nussmeyer said he would like to advertise the plans for this bridge, he said this bridge is off Eollack Ave. President Ossenberg asked if this was a Federal Deal and Mr Nussmeyer said yes. Commissioner Schaad moved they approve the plans, Commissioner Willner seconded, so ordered.

RE: BASELINE & MOSSBERG RDS.

Mr. Buente was in a few weeks ago and appeared before the commissioners and explained this situation to them. Mr Ludwick said they checked into this and the ditch needs to be cleaned out and pipe put in. Commissioner Willner asked if the pipe would be put in Mr Buentes' Field to drain and Mr. Ludwick said yes. He also said this work will be done by the highway dept. Commissioner Willner moved it be done, Commissioner Schaad seconded, so ordered.

RE: JACK WILLARD

Mr Willard said he didn't have anything to present to the Commissioners. Mr Willner asked Mr. Willard if they had any paint left they purchased from the Government Surplus and Mr Willard said they used it all except 2 gallons of Yellow. He said he called Indianapolis about getting more. Mr Willard said they had an old safe out at the County Garage he would like to get rid of. Mr Hotz said if they take it to the junk yard they will buy it, but they will not come and get it. Mr. Hotz also said the safe at the Old Courthouse Annex is too large for handling. Mr Harness said he might be able to use the safe at the County Garage and he will go out and look at it.

RE: HERMAN HOTZ

Last week Mr Hotz requested an engineer to check the Smoke Stack at the old jail. He said Mr Crooks looked at it and it was in very bad shape. He said there is no separation between the boiler room and the annex. President Ossenberg said he wanted to ask Mr Stephens if that is part of the Conrad Baker Foundation to include the Stack and Boiler Room. Mr Willner said that when the lease was signed there were no stipulations put on it. Mr Stephens said it had a street address and legal description, so if the boiler room is attached to the annex it would be part of their lease. Mr Stephens said he would check the lease and report back to them. President Ossenberg said that King Wrecking Co. had given the Conrad Baker Foundation a bid of \$9,900.00 for the annex and about \$10,000.00 for the boiler room and stack providing they can do it while they are still here working on the Old Central High School.

Mr Hotz said he wanted to talk about the Carpenter Shop, he said it is bad shape too. Commissioner Schaad said he didn't know what Alcoholic Help was going to do with the Buente Bldg. Mr Hotz said they were going to have a Board meeting the next day concerning the Buente Bldg. President Ossenberg said he would like to go out Thursday and look at the Carpenter Shop. Mr Hotz said he had about \$6,000.00 in his budget they could use to tear it down. President Ossenberg said he was more concerned about the Stack because it is a health hazard. He said he would rather check into the stack first maybe use the \$6,000.00 if they need it to tear down the stack. He said they would hold this until it can be checked out.

RE: GENE CLABES

Gene Clabes of the news media ask the Commissioners about the Inland Marina, he said they ask the Commissioners if they would let them tear up the road to re-route their Drive Way, they would repair it. He said it is a County Road and well traveled. He said they had to get permission from the Levee Board to, because they had to go over the levee. Alice Jackson asked if the Commissioners if they had had any correspondence from the Levee Board and they said no. President Ossenberg said they would check in to it and see that the roads are repaired.

Meeting Recessed at 10:40 a.m.

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Present

COUNTY COMMISSIONERS

Thomas Ossenberg  
Robert Schaad  
Robert Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEY

William D. Stephens

REPORTERS

B. Thompson  
B. Gladish  
C. Leach  
A. Jackson  
G. Clabes  
J. Kessner  
S. Clark

Secretary: Margie Meeks  
By J.W.

Thomas Ossenberg

Bob Schaad

Robert Willner  
BOARD OF COUNTY COMMISSIONERS

INTER-LOCAL GOVERNMENTAL AGREEMENT  
VANDERBURGH COUNTY-CITY OF EVANSVILLE  
JOINT DEPARTMENT OF LEGAL SERVICES

The County of Vanderburgh and the City of Evansville hereby enter into an Inter-Local Governmental Agreement for the provisions of legal services to citizens of the City and County. The County and the City also by this Agreement, agree to cooperate with the United Fund of Southwestern Indiana, Inc. in the provision of legal services.

The parties therefore enter into this Inter-Local Governmental Agreement pursuant to IC 1971, 18-5-1.5-1 et seq., upon the following terms and conditions:

1. DURATION: This Agreement is for the period of three (3) years and shall be automatically renewed for periods of three (3) years, unless either party hereto gives the other party written notice of its intent to terminate this Agreement, which written notice shall be received by the other party no later than one (1) year before the expiration or termination of this Agreement.

2. PRECISE ORGANIZATION: The Joint Department of Legal Services shall be organized as follows: A Committee of six appointed persons shall be the executive head of the Department. Three (3) members shall be appointed by the Vanderburgh County Commissioners, and three (3) by the Mayor of Evansville. The committee shall retain ultimate responsibility for the operation of this Department.

The Department shall have such attorneys as may be needed as determined by the committee. The Department shall have sufficient secretarial and other assistance as shall be needed for the provision of civil legal aid services to the citizens of Evansville and Vanderburgh County, Indiana.

3. PURPOSE OF THIS DEPARTMENT: The purpose of the Joint Department of Legal Services is to provide civil legal aid services for the poor in Vanderburgh County and the City of Evansville. The Department shall adopt operating procedures and standards for the provision of services to the public and where applicable shall incorporate by reference the operational guidelines presently used by the Legal Aid Society of Evansville, Inc.

4. FINANCING: The Joint Department of Legal Services shall be financed as follows: The City of Evansville shall contribute Fifty percent (50%) of the budget of the Department. The County of Vanderburgh shall contribute Fifty percent (50%) of the budget. The United

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ATTEST:

Lewis F. Volpe  
AUDITOR

APPROVED BY RESOLUTION NO. C-73-19 OF THE COMMON  
COUNCIL OF THE CITY OF EVANSVILLE, INDIANA.

Margaret Hunt  
Acting CITY CLERK OF THE CITY OF EVANSVILLE

APPROVED BY THE COUNTY COUNCIL OF THE COUNTY OF VANDERBURGH  
BY RESOLUTION ORDINANCE NO. \_\_\_\_\_.

Lewis F. Volpe  
AUDITOR OF VANDERBURGH COUNTY

7. EFFECTIVE DATE: This Agreement shall be effective on the 1st day of October, 1973.

DATED THIS 1st DAY OF October, 1973.

CITY OF EVANSVILLE

By Russell G. Lloyd  
MAYOR OF THE CITY OF EVANSVILLE

ATTEST:

Margaret Hunt  
Acting CITY CLERK

COUNTY OF VANDERBURGH

By Thomas L. Osenberg  
COUNTY COMMISSIONER

Bob L. Wood  
COUNTY COMMISSIONER

Robert J. Willner  
COUNTY COMMISSIONER

Fund may continue to contribute to the operation of this Department as it has in the past and the respective parties to this Agreement shall receive credit for the amount contributed by the United Fund in that percentage that the party contributes to the operation of this Department. The budget for this Department shall be submitted to both the Common Council of the City of Evansville and the Council of Vanderburgh County. The City and County Councils or a committee of said Councils shall meet in concert for the consideration of the budget of this Department or an amendment thereto. The Councils shall determine staffing, supplying, and budgetary procedure of this Joint Department.

5. PROPERTY OWNERSHIP AND TERMINATION: All property transferred by each of the parties shall be cost accounted and the party transferring said property shall retain title thereto; this Department shall have the right to use and possession of said property. Upon termination, the party transferring said property shall have said property returned to them or be credited with the value of said property less depreciation.

All new property purchased shall be owned jointly by the parties in the percentage that each party contributes to the budget. In the event of the termination of this Agreement, the parties shall by appropriate means distribute the new property of the Department on the basis of the percentages hereinabove set out and the value of the property shall be the actual cash value of the property. Appropriate means shall include, but not necessarily be limited to, one (1) party buying the interest of the other party in the properties of this Department, or a sale of the properties, either in total or in part. All properties to be transferred upon the termination of this Agreement shall be first appraised by three (3) disinterested appraisers as appointed by the Superior or Circuit Court in Vanderburgh County, and the procedure for such appraisal shall follow the procedure as established by the City of Evansville for the sale of surplus property.

6. AMENDMENT: This Agreement may be amended in total or in part. Such amendment shall be attached to this Agreement and made a part of this Agreement, provided, however, the budget of this Department and the percentage allocation of the respective parties shall be reviewed by the parties annually in the preparation of the budgets of the City and of the County.

COUNTY COMMISSIONERS MEETING  
OCTOBER 1, 1973

The regular meeting of the County Commissioners was held on Monday, October 1st, 1973, at 9:30 a.m. in the Commissioners hearing room, with President Thomas Ossenberg presiding.

Deputy Sheriff Terry Hayes opened the meeting, as it was the first meeting of the month.

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

RE: LEGAL OPINION

The following letter was sent to the Commissioners by Thomas Swain, County Attorney:

Mr. Thomas L. Ossenberg, President  
Board of County Commissioners  
Civic Center

RE: Legal Aid Contract

Dear Mr. Ossenberg:

Jack VanStone has cited to me the following Indiana Statute.

"2-211 Poor Person, attorney for.--any person poor not having sufficient means to prosecute or defend an action may apply to the court in which the action is intended to be brought, or is pending, for leave to prosecute or defend, as a poor person. The court, if satisfied that such person has not sufficient means to prosecute or defend the action, shall admit the applicant to prosecute or defend as a poor person, and shall assign him an attorney to defend or prosecute the cause, and all other officers requisite for the prosecution or defense, who shall do their duty therein without taking any fee or reward therefor from such poor person."

You will note the last phrase indicates the attorney shall serve without fee. The cases all state that an attorney could not be required to serve without fee, and the Board of County Commissioners are responsible for attorney fees for an attorney appointed to represent a poor person.

It is my opinion this is sufficient authority for the entering into a contract with Legal Aid for the purpose of Providing legal services to the poor.

The letter was signed By Thomas Swain, who said that all that is required is the Commissioners signatures, Mr Stephens said they also needed a resolution.

RE: APPOINTMENT TO LIBRARY BOARD

President Ossenberg said the had an appointment to make to the Public Library Board, the term is four (4) years, effective October 23, 1973. Commissioner Schaad moved they re-appoint Barbara MacGregor for another four (4) year term. President Ossenberg seconded the motion, roll call vote was Schaad yes, Ossenberg yes, Willner yes.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bidders today and President Ossenberg said the sale will continue.

RE: EMPLOYMENT CHANGES

APPOINTMENTS

PROSECUTORS OFFICE  
Murray West

Deputy \$14,000.00 10/1/73

RELEASESPROSECUTORS OFFICE

James L. Kiely 1113 S. Alvord Blvd. Deputy \$10,000.00 9/30/73.

HIGHWAY DEPARTMENT

Carol Lee Kelly 5908 Ward Rd. Clerk 4,820.00 9/30/73.

RE: MR RUPRECHT

Mr Ruprecht came before the Commissioners concerning fire distinguishers for County Buildings. Mr Ruprecht is with the M&S Fire Equipment Co. He said the Fire Marshall has required this be done and the cost will be \$1,496.30. Commissioner Schaad moved they approve it, Commissioner Willner seconded, so ordered.

RE: LEVEE DEPARTMENT

Mr Hamilton said he was there to thank the Commissioners for their Co-operation of the joint venture of the Evansville-Vanderburgh Levee Authority District.

President Ossenberg ask Mr Hamilton if he knows of anything concerning the Inland Marina agreement to repair a county road when they re-routed their entrance way. Mr Hamilton siad he knew nothing of it.

Alice Jackson of the news media siad she brought this up at the Levee Board Meeting last Monday but did not get much satisfaction.

Commissioner suggested they send the Highway Crew out there and fix the road and then talk to Mr Reeken and Bill they later for it.

Mr. Stephens said they should be sure there is no contract before they do anything about fixing the road. The search for the contract will continue.

RE: ED JOHNSON

Mr. Johnson appeared before the Commissioners and said he wanted a record made of the proposittons of a legal survey of a road which they wish to have constructed and dedicated to the County as a County Road. He said the surveyor had approved it and they wanted to start construction right away because of bad weather coming. He said this road will be located in the Division St., Green River Road area. After looking at the Chart the Commissioners agreed that this is the same thing presented to them a few weeks ago. President Ossenberg said they would take this under advisment so Mr. Johnson could get with the attorney who presented this before and put it on the agenda for next week.

RE: FRED REITMAN

Mr. Reitman had an insurance check for damages on the old Jail and Sheriffs Home. The check was in the amount of \$732.00 and he needed it endorsed by the Commissioners.

Mr. Dodd, attorney for the Conrad Baker Foundation said if the County wanted to tear down the Annex, Boiler Room and Stack they will apply the \$10,000.00 they got on the roof damage of the Annex toward the costs. He said they did not have the money to tear down all three (3) but if the County doesn't help, they will tear down the annex and if the Stack falls that is just to bad. He said if the County takes back the buildings then the question of who gets the \$10,000.00 comes up. Mr Stephens said he thinks the responsiblity of tearing down the bldgs. is the County's and even though King Wrecking Co. Will probably have the low bid, they will have to advertise for bids. Commissioner Schaad roved that Mr. Crocks prepare the specs, advertise for bids and talk about it later. President Ossenberg seconded the motion adding that he will talk to the Department of Redevelopment and see if they are interested in the property.

RE: LETTER FROM HEALTH DEPARTMENT

THE following letter was sent to the commissioners:

RE; Curtis & Bessie Huff  
3328 S. Weinbach Ave.  
Evansville, Indiana

Dear Sir:

This letter is in reference to our correspondence of September 10, 1973 directed to you, regarding a condition existing on your property located at

WEINBACH AVE. AND LEVEE

In that letter we requested your cooperation in eliminating this condition. The details of this condition are listed below:

This Department has received several complaints regarding what is apparently a recent practice of dumping and/or allowing the dumping of trash and debris on your property listed above. It will be necessary for this area to be closed to all further dumping of any type. In addition, in correcting the present unsanitary and/or objectionable condition, it will be necessary either to remove all such material to the city landfill operation, or for the area to be compacted by a bulldozer, and covered with a minimum of twenty-four (24) inches of earth or clean fill, to remove the possibility of this area becoming an insect or rodent harbor.

This action, by the Health Department, is authorized by the Indiana Public Health Laws, Chapter 355, acts of 1963; Section 30, which reads as follows:

"Open dumps are hereby declared to be a nuisances hazardous to human health, and as such are not suitable means of refuse disposal. Except as herein provided, on or after January 1, 1969, disposal of garbage, rubbish and refuse on lands in this state shall be made only through use of sanitary landfills or by means of incineration, composting, garbage grinding or other acceptable methods approved by the state board. No person, firm, association, corporation, city, town, political subdivision of the state, or unit of government shall establish, operate or maintain open dumps, whether or not the service is performed for compensation or gratis, on or after January 1, 1969; provided, however, that the state board may upon written application authorize for a limited period the continued operation and maintenance on or after January 1, 1969, of any existing open dump."

A reinvestigation was made on September 25, 1973 by a representative of this Department. At that time it was revealed that this condition still has not been corrected. Therefore, you leave this Department no alternative other than to order you to eliminate this condition within fifteen (15) days from the date of this letter. You are hereby so ordered.

We would appreciate your immediate cooperation in eliminating this condition within fifteen (15) days, as ordered. By so doing, you will make it unnecessary for this Department to forward this case to the Prosecuting Attorney's office for their consideration and such action as they may deem proper.

Should there be any questions regarding this matter, please contact this office.

The letter was signed by Hadyn Angle, Supervisor, General Sanitation and Sam Elder, Director, Sanitation Division. President Ossenberg said to show the letter received and filed.

RE: LETTER FROM HIGHWAY DEPT.

County Attorney Tom Swain said some time ago they got a letter from the State Highway Commission vacating Highway 41 from the levee south to where the barricade is, they made an inquiry and wanted to know what happened. Tom Swain said he thought they accepted, President Ossenberg said no they did not accept it. The letter was given to Dick Nussmeyer with instructions to answer it.

CERTIFICATE OF INSURANCE

A certificate of Insurance from Robert F. Traylor was presented to the Commissioners. President Ossenberg said to let the record show that the certificate was received and filed.

RE: LETTER ON LONGACRE DRIVE

The following letter was presented to the commissioners concerning Long-acre Drive.

Thomas Ossenberg  
President, County Commissioners  
Vanderburgh County, Indiana

RE: Ditch on Longacre Drive

Dear Sir,

Mr Harold Peters called to inform me that his crop of soybeans has been harvested and the County has approximately ten (10) days to construct a ditch on Longacre Drive for a distance of 800'. The County has promised these people that this ditch will be constructed.

Mr John Manns gave Harold Peters a bid of \$2,000.00 for dredging this ditch so I contacted Floyd Staub Inc. and asked for a invitational bid which is attached to this letter.

I feel Mr Staub can do the job at a lower rate. He informed me if he received the contract he would start the job immediately and finish it in a short period of time.

The aforementioned is only a suggestion and you may have a better one. Please keep in mind that this job has to finished by October 12, 1973. The letter was signed by Mike Ludwick.

This next letter is the one from Floyd I Staub Inc.

Vanderburgh County  
Room 325  
Civic Center

ATTN. Mike Ludwick

Gentlemen

We propose to dig a ditch on Longacre Drive approximately 800 feet long with 2 foot bottom and banks on a 1 to 1 slope. The dirt from the ditch bank will be leveled down FOR THE SUM OF \_\_\_\_\_ \$850.00.

We thank you for the opportunity to quote to you this price and hope it will meet with your approval.

This letter was signed by Robert Staub.

President Ossenberg said they announced if they got total agreement they would get the job done, and it seems that have total agreement. Commissioner Willner moved they accept the bid of Floyd I Staub in the amount of \$850.00, Commissioner Schaad seconded the motion. So ordered.

RE: LETTER FROM PITNEY BOWES

The following was sent to the commissioners:

TO ALL USERS OF PITNEY BOWES 3700 and 3770 SERIES PARCEL POST SCALES

Gentlemen:

In the special POSTAL BULLETIN of September 4, 1973, the United States Postal Service announced certain new postage rates to become effective on September 9, 1973. These rates included Special Fourth-Class and Library Fourth-Class services and have made a cery limited area of your parcel post scale charts obsolete.

Although no specific program of future changes has been released by the Postal Service, information already made public indicates that such changes must be anticipated. Pitney-Bowes offers the best possible "insurance" against unpredictable rate change expense in the form of an annual Equipment Maintenance Agreement which provides not only regular preventive service and emergency repair calls as required, but places the responsibility for rate adaptations squarely upon our shoulders; For one fixed annual charge your scale's accuracy,

performance and rate updating can be placed in the hands of our technically qualified field service force.

For freedom from scale problems for your management people, simply check the first choice on the enclosed form and mail it to us promptly. We will initiate maintenance service at once, our first call being to update your scale to reflect the September 9 rate change.

Should you prefer a one-time flat rate adaptation, simply check the box for the second choice and mail it to us promptly.

If you wish additional information, you may contact our local Branch Service Manager, or write directly to me in Stamford. Incidentally, if you already have one or more scales under agreement, you need take no further action---your scale will be updated without reminder and at no additional charge.

The letter was signed by R.A. Wells, Vice-President of Service.

Commissioner Schaad moved that the letter be referred to the County Auditor, Commissioner Willner seconded the motion. So ordered.

RE: ZONING ORDINANCES

President Ossenberg said the new Comprehensive Zoning Ordinance of the County is available in the Area Plan Office for \$3.00 per copy.

RE: DICK NUSSMEYER

Mr Nussmeyer presented a chart about putting in a culbert at Eagle Slough on New Green River Road. Mr Nussmeyer said this is done with R&S funds, he said they had been held up on Right-of-way. Commissioner Willner moved that it be approved, Commissioner Schaad seconded the motion. So ordered.

Mr Nussmeyer said this also included Lynn-Becker Road which they approved last week. He said he just needs their signature on it.

RE: CLAIM

A claim for final payment for Mt. Pleasant Rd. that was left over from last year, was presented, Mr Nussmeyer said it is for Bridge # 88 in the amount of \$6,867.00. Commissioner Schaad moved it be approved, Commissioner Willner seconded the motion. So ordered.

RE: EXTRA WORK AGREEMENT

Two (2) extra work agreements were presented to the Commissioners for signing, one was on "Addition of Koring Road to Paving Project in the amount of \$26,480.00. Commissioner Schaad said they got \$30,000.00 R&S funds on this. The other one was for \$2,135.26 "Needed to cover costs over Contract, & EWA # 1&2. Commissioner Willner moved they be approved, Commissioner Schaad seconded. So ordered.

RE: CUT-INS

The following cut-ins were presented for approval:

Indiana Bell for permission to cut into Mill Rd. to Provide Telephone facilities.  
 Waterworks for permission to cut into Kimber lane to install 2,249'8" Water Line to provide water service.  
 Waterworks for permission to cut into Eissler Rd to install 950'6" water line to provide water service.  
 Waterworks for permission to cut into Jobes Lane to install 125'8" water main to provide water service.  
 Waterworks for permission to cut into St. Joseph Ave. and Allens Lane to repair water main Two cuts 5'X5' and 6'X5'. Commissioner Willner moved they be approved, Commissioner Schaad seconded the motion. So ordered.

Mr. Nussmeyer presented Easements on Weinbach to the Commissioners for signing.

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Mr Nussmeyer said they had a new form to be approved by the Commissioners. Commissioner Schaad moved they accept the new form, Commissioner Willner seconded the motion. So ordered.

RE: DALE WORK

Mr Dale Work, of the Welfare Dept. appeared before the Commissioners for the purpose of the Commissioners advertising for a new Station Wagon for the Welfare Dept. He said the money was approved at the last Council Meeting. Commissioner moved they advertise, Commissioner Willner seconded. So ordered.

RE: JACK WILLARD

Mr Willard presented his absentee list. He also presented specs for new trucks to the Commissioners for approval. He said he called Ford, Dodge and Chevy and they can all bid on these specs. Commissioner Willner moved he be allowed to advertise, Commissioner Schaad seconded, so ordered.

Mr Willard said he thought they had better start exploring some kind of avenue to get something to floor Bridges with, He said this three (3) inch oak lumber is out. Mr. Nussmeyer said he recommends a material that can be covered with Asphalt. Mr Nussmeyer said it is a steel deck about three (3) inches thick and he has used it with good results.

Mr Willard said he wanted to ask Mr Nussmeyer about a bridge on Adler Road, Mr Nussmeyer said the bridge is not to dangerous right now. Mr Ludwick said there is a lot of drainage in that area. Mr Nussmeyer said to let him check it out. Mr Willner said for him to look at Ingelfield Rd. as it is about the same situation.

RE: HERMAN HOTZ

Mr Hotz said as a point of information he wonders if when preparing the specs of tearing down the Annex if the masonry could be used for fill excavations out at Boehne. He said it could be inserted as an optional item. He said it would save some land fill fees.

Mr Volpe said as he stopped by his office, he had a call from Don Carey wrecking Co. He suggested he and Mr Hotz return Mr Carey's call about 2:00 p.m. that day.

Commissioner Schaad asked Mr Willard if he could use some of the Stone from the Annex and Mr Willard said he could use some of it.

RE: LLOYD SEIFERT

Mr Seifert of 9200 Darmstadt Rd said prior to the Construction of the Guard Rail joining the new bridge over the L & N Bypass. He said he was able to mow up to the road area, after the Guard Rail was built he has been unable to do so. This past week the Highway Crew came by and sprayed for the weeds around the Guard Rail. He said on Two (2) different days during the summer the weed crew came by but elected not to cut the weeds around the Guard Rail, he said his complaint is the total lack of concern in spraying of the weed killer on the leaves accumulated at the Guard Rail and on the spraying of his lawn, in so doing they sprayed and killed a five (5) year old Hemlock Tree. He feels the Commissioners should be aware of the spraying of Private Property. He said the Hemlock tree that was killed stood away from the weeds at least 3 to 4 feet. He said they took dead aim at the tree.

The Commissioners thanked Mr Seifert for his concern.

Meeting recessed at 11:25 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u>                      | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEY</u>           | <u>REPORTERS</u>                                 |
|--|-----------------------|----------------------------------|--|
| Thomas Ossenberg<br>Bob Schaad<br>Robert Willner | Lewis F. Volpe        | William Stephens<br>Thomas Swain | G. Clabes<br>A. Jackson<br>S. Clark<br>C. Cooper |

Secretary: Marcie Weeks

*Bob Schaad*  
*Robert Willner*

COUNTY COMMISSIONERS MEETING  
OCTOBER 9, 1973

The regular meeting of the County Commissioners was held on Tuesday, October 9th, 1973, at 9:35 a.m. in the Commissioners hearing room, with Vice President Schaad presiding.

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

RE: COUNTY-OWNED SURPLUS PROPERTY

There being no bids on the county-owned property that is for sale, this morning, Vice President Schaad said the sale will continue each meeting day until all of the property is sold.

RE: EMPLOYMENT CHANGES...APPOINTMENTS

|                 |                 |             |                 |              |
|-----------------|-----------------|-------------|-----------------|--------------|
| Peggy Atherton  | 2618 Vogel Rd.  | Extra Clerk | \$15.00 Per Day | Eff: 10/9/73 |
| Marjorie Keeney | 2013 Ridgeway   | " "         | \$15.00 " "     | Eff: 10/9/73 |
| Anita J. Sawyer | 5404 Cunningham | " "         | \$15.00 " "     | Eff: 10/9/73 |

RE: MONTHLY REPORTS

The report of the Clerk of the Circuit Court for the month of September was submitted to the Commissioners.  
Report received and ordered filed.

The report of the County Treasurer was submitted to the Commissioners for the month of September.  
Report received and ordered filed.

RE: LEGAL SERVICES MEMBERS APPOINTED

Vice President Schaad said that the Legal Services Department of the City and the County are now combined and that the Board will consist of six members, of which the City will appoint three members and the County will appoint three members.

Commissioner Schaad so moved that Mattie Miller be appointed to this Board, her term to expire 1/1/73, Howard Trockman, his term to expire on 1/1/75 and Lawrence Dailey, his term to expire on 1/1/76. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM ROBERT SCHUTTLER

A letter was received from Attorney Robert Schuttler, accompanied by a copy of the ordinance which was passed by the Board of Trustees of the town of Darmstadt, as follows:

An ordinance to accept the provisions of Chapter 138, Acts of 1957, which pertains to membership in the Area Plan Commission of Vanderburgh County.

Be it ordained by the Board of Town Trustees of the Town of Darmstadt, Indiana, that pursuant to the provisions of Section 7, Chapter 138, Acts of 1957, as amended, the incorporated Town of Darmstadt hereby accepts the provision of the County Area Plan Commission Act, the same being Chapter 138, Acts of 1957, as amended.

1. The Area Plan Commission is requested to forward to the Clerk-Treasurer, the Town of Darmstadt, for legislative action, a comprehensive or master plan, if any, heretofore adopted by said plan commission, for consideration as provided for in section 41 of said act.

2. The Clerk-Treasurer is hereby directed to send a copy of the Ordinance to the Area Plan Commission of Vanderburgh County, Civic Center, Evansville Indiana, and a copy to the City Clerk, City of Evansville, Civic Center, Evansville Indiana. Also a copy to the County Commissioners, Vanderburgh County, Indiana.

3. This ordinance shall be effective immediately upon its passage by the Board of Town Trustees, Darmstadt, Indiana.

4. Passed by the Board of Town Trustees at its regular monthly meeting held October 2, 1973, at Darmstadt, Indiana.

Commissioner Schaad said that as he understands it, this petition is to give them permission to do their own rezoning. He said that with the approval of the ordinance, they will have representation on the Area Plan Commission and the petitions for Darmstadt will go to the Area Plan Commission for recommendation and then referred to the Darmstadt Town Board for final action, instead of being referred to the County Commissioners as was done in the past.

Commissioner Willner moved that if the County Attorney's find this petition to be in order, that it be referred to the Area Plan Commission. Commissioner Schaad seconded the motion. So ordered.

RE: LETTER FROM AREA PLAN

A letter was received from Mr. Marlin, the Executive Director of the Area Plan Commission, as follows:

SUBJECT: State Highway Abandonment (Old Hwy. 41 South of Levee)  
Ref: State Hwy. letters of July 13 and Sept. 14

Inspection of the road was made on October 1, 1973

Immediately South of the levee are three lanes, one to the West and two to the East. Access to these lanes must remain open.

At the North end of the old bridge an approximate 30' of road surface has collapsed, making it impossible to move onto the bridge.

A metal single guard rail across the road has been installed and some sand dumped on back (South side) of this rail. The West end of the guard rail is bent out of shape.

Recommendations:

The following work should be accomplished before accepting abandonment from the State Highway Department:

- a) Warning signs on each side of the road on the North side of the levee.
- b) Double guard rails across the road just South of farm lanes.
- c) Rumble strips installed on Old Hwy. #41 North of the levee.

Mr. Nussmeyer said that he had written the state and suggested that they demolish the bridge but he hasn't heard from them as yet.

This matter was referred to Mr. Nussmeyer to pursue it, to see what is heard from the state and to take it up again at a later date.

RE: PROJECT PROGRESS REPORT

Mr. Jones presented the 4th Project Progress Report for the Evansville Comprehensive Retardation Center. He said the building is now 78% completed and they expect the building to be finished in late January.

Commissioner Willner moved that the Project Progress Report be approved. Commissioner Schaad seconded the motion. So ordered.

RE: GREEN RIVER ROAD & DIVISION STREET INTERSECTION

Attorney's John Carroll and James Buthod were present on behalf of the property near the intersection of Green River Road & Division Street.

Mr. Carroll said the plans were presented last week for the new roadway which would follow one foot off the West line of the Kempf property and there was some question on the fact that it was one foot off the line. He said as he understands it, if the roadway is put on the line, there wouldn't be any objection by the County Commissioners, as everything else is according to the specifications.

Commissioner Willner said he has no real objection but wondered if the County was ready to accept these roads for maintenance to businesses and he also wanted to check to see if it increased our gas tax or our road mileage so he isn't ready to make a commitment yet. He said he would like to see the complete set of plans.

Mr. Buthod said there would be a service road behind the buildings and they will have a small problem in working out it's access to Division Street.

Mr. Carroll said that a substantial amount of money is being put into this roadway with the idea that it is going to be a dedicated public roadway and he would hope there would be a reasonable assurance that it is done according to specifications and on the line, that there would be acceptance of the roadway.

This matter was referred to the County Surveyor and will be placed on the agenda for next week.

RE: CLAIM

A claim was received from the Terminal Warehouse Co. Inc. for rent of space for storage of voting machines from October 1, 1973 to November 1, 1973 in the amount of \$500.00.

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

A claim was received from Torian Agency on the new units of the Sheriff's Department, transferring coverage on units #66, 73 & 74...additional premium for comprehensive on the Sheriff's automobiles in the amount of \$7.00.

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

A claim was received from the City of Evansville for the 1st payment on the Burdette Park Sewer, less 10% retainage, in the amount of \$58,500.00.

Mr. Buthod explained that this claim is going through the city's books rather than that of Curtis Construction Co. so that it can be deducted from the recouped amount.

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

RE: RE-ZONING PETITION..... Laverne C. & Betty Spindler

Premises affected are situated on the East side of State Highway No. 57, approximately one-quarter mile South of the intersection of Indiana State Highway No. 57 and Rucker Lane.

The requested change is from A to R-2. The proposed land use is for townhouses.

Commissioner Willner moved that this petition be referred to the Area Plan Commission for first reading. Commissioner Schaad seconded the motion. So ordered.

RE: GRAFF & NURRENBERN ROADS...ALSO GRAFF ROAD

Commissioner Schaad gave Mr. Nussmeyer a quotation of an estimate from J. H. Rudolph & Co. for \$3,281.00 for repairs to Graff Road and Nurrenbern Road.

County Attorney Stephens said that the Insurance Co. has settled on this but the statute reads that anytime public work is done, it must be advertised. Mr. Nussmeyer was instructed to draw up specifications for advertising for bids on these repairs.

Commissioner Schaad asked Mr. Nussmeyer if it was also possible to do repairs on Hogue Road from the City limits to Peerless Road, as the road will last a lot longer if it is repaired before cold weather sets in.

Mr. Nussmeyer said he would also prepare specifications for bids of repairing Hogue Road.

RE: LETTER FROM C. E. LICHTENBERGER

A letter was received from C. E. Lichtenberger, builder & contractor, in reference to Elna Kay Drive, a street that he had built, a part at a time and part of it has been built for at least 15 years. He stated that he is no longer in the house building business and he requested that the county accept this street for maintenance. He stated that Elna Kay Drive was built according to county specifications and has been inspected by the engineers.

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This matter was referred to the County Surveyor so that he can check it and see if it can be accepted by the county for maintenance.

RE: LETTER FROM BEN SEIFERT

A letter was received from Mr. Seifert stating that four years ago he had asked to have a drainage problem corrected. He said the problem was looked at but no action was taken. He stated that a year ago, county road workers cleaned out the concrete gutter but did not repair the dirt bank where water runs over to what used to be his barn lot, the water runs back to his house and over his garden. He stated that he is tired of promises and that he wants results.

Mr. Nussmeyer and Mr. Willard said they weren't familiar with this problem.

The letter was referred to Mr. Willard, who was requested to look into the matter.

RE: MR. WILLARD

Mr. Willard presented his report of the absentee's at the County Highway Garage for the past week.  
Report received and filed.

RE: PROBLEM ON L & N RAILROAD TRACKS

Commissioner Willner said that he has been working with Mr. Willard on the L & N Railroad crossing at Boonville & New Harmony Road for two years now and he hasn't had any action at all. He said that he would like to move that the County Commissioners write a letter to the L & N Railroad Co. requesting that they repair this Railroad track. He said a stranger came into the area the other day and his little girl got her lip cut when they went over this track. He said that he is tired of promises and that it is time that some action is taken.

Mr. Willard said all he has had is promises and that the engineer at the Wansford Yards won't even talk to him about it anymore.

Commissioner Schaad said he was going to Louisville this afternoon and that he would bring this matter up and see if something couldn't be done.

RE: REPORT OF PERMITS ISSUED

Mr. Crooks presented a report of permits issued from the Building Commissioner's office. The fees for 1973 is in the amount of \$43,078.27 are well above those of 1972 which was in the amount of \$27,745.99.  
Report received and ordered filed.

RE: MR. HARNESS

Mr. Harness presented an application for a James M. Griggs to be admitted to the Pleasantview Rest Home for which he recommended approval.

Commissioner Willner moved that the application be approved for the admittance of Mr. Griggs to the Pleasantview Rest Home. Commissioner Schaad seconded the motion. So ordered.

Mr. Harness reported that last Wednesday evening, he was a guest of the Green River Kiwanis Club's dinner, at which time they donated a 23 inch television which is a colored set, to the Pleasantview Rest Home. He said the money was raised through their activity committee and taken on as one of their projects. He said that Mr. Paul Kinney is a member of this club and he put the name of the home in the hat for a T.V. set and they were nice enough to buy it for them. Mr. Harness said he thought this was a nice gesture and that it should be made part of the minutes.

RE: MR. HOTZ

Mr. Hotz reported that the State Fire Marshall had requested that a fire extinguisher be installed at the Pleasantview Rest Home. He said this has been done and he suggested that a letter be sent to them, stating that this has been completed.

Mr. Hotz said he has an old air raid siren that came off the old Boehne Building and wondered if anyone would have any use for it. He said that he would call the Civil Defense to see if they have need for it after Commissioner Schaad suggested that he do so.

Mr. Hotz said that there are two plaques on the old carpenter shop building at Boehne and before the building is torn down, he would like to remove the plaques and bring them to the Commissioners so that they can present them to the family of those named on the plaques.

Commissioner Schaad suggested that the plaques be removed right away.

Mr. Hotz said the specifications have been prepared for the demolition of the Court House Annex and that they have advertised for bids on October 5 and will again on October 12. The bids are to be opened on October 22nd.

Commissioner Schaad said that a George Minton would be interested in bidding on this project and he asked Mr. Hotz to contact him, as he has given the Conrad Baker Foundation, a bid of about \$16,000 to do the whole job and if this is true, that amount was lower than anything they had before. He said that the Baker Foundation has \$10,000 that they are willing to give us on the job and with other money left in the fund, it should be enough without having additional money appropriated.

RE: EXPENSES FOR TRIP APPROVED

Mr. Volpe, the County Auditor, said that he is instituting a new payroll system for next year and he is going to Indianapolis on Thursday, to get approval for the new forms that will be used and he would like approval of his expenses for the trip.

Commissioner Willner moved that the county pay the expenses for Mr. Volpe's trip to Indianapolis, Commissioner Schaad seconded the motion. So ordered.

The meeting recessed at 10:30 a.m.

PRESENT

COUNTY COMMISSIONERS

Robert Schaad  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEYS

William Stephens  
Thomas Swain

REPORTERS

G. Clabes  
J. Kessner  
S. Clark  
C. Leach

Secretary: Margie Meeks

*Thomas L. Osseberg*  
\_\_\_\_\_  
*Bob Schaad*  
\_\_\_\_\_  
*Robert L. Willner*  
\_\_\_\_\_  
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
SEPTEMBER 24, 1973

The County Commissioners met in Special Session on Monday, September 24, 1973 at 2:00 p.m. to conduct a Public Meeting on The Drainage Code of Vanderburgh County pursuant to Legal Advertising.

Commissioner Schaad said he was going to take President Ossenberg's place because he could not be there.

Commissioner Schaad said after this hearing they will be able to take this thing under advisement and perhaps get this thing shaped up, with everybody in agreement so we might have a better Building Code in Vanderburgh County, he said he was going to hold pretty much to his notes, just to refresh their memories on what has happened in the past. Sometime after the present Commissioners were elected, on January 30th. to be exact, Board President Tom Ossenberg received a letter from Leland Schnepfer, who is Chairman of the Vanderburgh County Soil & Water Conservation District. The letter contained five (5) specific proposals, aimed at the problems of site selection, drainage, septic system problems, related to Residential, Commercial and Industrial Buildings. The District Board then requested support from many organizations in order that the Board of Commissioners might better recognize a broad basis support for such changes in our building code. He said the Commissioners have received many letters in support for such action. The last one being today, a letter they received from Engineering Associates fully in accord with the new proposal. President Ossenberg appointed a drafting committee to draft an amendment which would meet the needs suggested in the five (5) point proposal. Tom Pugh, District Conservationist for the U.S.D.A. Soil Conservation Service was appointed Chairman of this group with the Building Commissioner, Jesse Crooks, Richard Nussmeyer, County Surveyor and at that time the County Engineer George Wandel and Sanitarian San Elder and County Attorney Tom Swain. It was learned at the first meeting that the Area Plan Commission had recognized these problems some time ago and had already presented a format for such a amendment to Mr. Crooks for use by the Drafters. After the second meeting the committee requested to delay action on the fifth point relating to minimum lot sizes until the objections had been cleared on the first four (4) points. The fifth point undoubtedly will bring lengthy debate. A draft copy was sent to many organizations including the State and Federal Government for review, then a final draft was made available which considered every suggestion which had been made by groups and individuals. These reviews are resulting in very good reactions. Commissioner Schaad he would ask Tom Pugh, the Drafting Committee Chairman to bring them up on the minor changes that have happened since the last drafting.

Tom Pugh said it had been pointed out and the Committee has agreed that these things are o.k. with them, on page four (4) section 3 in item D. they revised that to read "approval of the site plan shall be noted thereon" and one approved copy shall be provided to the area plan commission and 1 copy to the Board of County Commissioners, and 1 copy to the applicant. On page 5 item B-1 In the first line "The site plan shall include dimensioned lot boundaries; at N. arrow." On page 8, item 9, the last paragraph, "these sight plans shall provide for protection of the 1st floor or 1st floor of living or work space." Right after that in Section 5 Item A "the County Bldgs Commissioner shall keep separate files of all proceedings, indexed by the location by road name. Striking the words "the owners name and." Mr Pugh said at the bottom of page 10 they left off the last line in typing, he said to add "surfaces & 1/4 inch per foot (2%) for pervious surfaces. Tom Pugh said that paragraph was taken word for word out of the Federal Housing Authority Specifications, and He said that was the immediate changes that have been brought to their attention since this was written.

Commissioner Schaad asked if there was any questions on what Mr Pugh has just said. He also said there was a change in Section 5 on Inspection on Page 8. He said the old one read "The Building Commissioner shall furnish the Board of works or County Commissioner a monthly list of building permits with in the County, outside the City limits of Evansville, issued at the end of each month. Commissioner Schaad said he talked with Tom Ossenberg and Robert Willner and they feel it would be beneficial to them if they knew of any construction that was going on in the County. This would be a service and they feel that it should be left in.

Jesse Crooks said the only thing is, they get into making up of another copy of the permits.

Commissioner Schaad said he realized that but maybe after the first of the year it could be done at one time with new forms with no additional work. He ask Jesse Crooks how many would that be and Mr Crooks said four (4) copies, the original and three.

Commissioner Willner said he thought this was a good idea. He said to make the copies and get them in the right people's hands even if it takes 10 copies. Commissioner Schaad said this was also the feeling of himself and Mr Ossenbergl. Mr Crooks said it really didn't matter to him. Commissioner said since the Commissioners had requested it, could it be put back in.

The question was raised if that would be the type of thing that would be in the ordinance or would it be an administrative action, Commissioner Schaad said before it was deleted it was in the ordinance and Robert Willner said for further personal changes it should be in the ordinance. If it is not down in black and white things get changed around very easily.

Mr. Pugh said that Mr Schaad brought out when the original paragraph included the Board of Works, this is in the City now and should be deleted. Mr Crooks raised a question and Commissioner Schaad explained to him that Section 5 of the old one said that "the Building Commissioner shall furnish the County Commissioner or the Board of Works a monthly list of all Building permits outside the City of Evansville."

Commissioner Schaad asked if there were any questions at this time.

Mr. Bud Bussing said what concerned him was on page 10, site development # 1 reading from 1st floor elevation to the 100 year flood intensity as prepared by the Corps of Engineers, he said he just got a copy and if he reads it right, there will be an awfully lot of building-stopped in Evansville. Mr Pugh said this was the 383 elevation Mr Pugh said Mr Don Reed, of the Corps of Engineers is here and would he explain what this study is.

Mr Reed said maybe he ought to say a few things to make their position clear and basically how they got into this is they were invited in early July by Mr Schaad to make comment on the proposal at this time and it was on the 8th of August that Mr Schaad sent then another letter asking them to comment on a later version, and their position in all of this is technical advisor and they are not making any specific recommendation on the language of the ordinance for the people of Evansville, he said it is a matter that they will assist in any way they can. He said he would explain and try to make the technical data more clear. He said this kind of an ordinance is one that has been used in other parts of the country and there are publications which he brought to Mr Schaad's attention that are put out by the water resource council in Washington and these are used by Federal Lending Institutions, primarily HUD and FHA etc. There is nothing really out of order in the requirements but in each community you have to gear those requirements for your specific needs because the water and soil in every community is different. At the result of this meeting if there are any further Drafting they will be pleased to assist again. He said the question was raised basically on this 100 year flood, one of the drafts in the ordinance everything was passed with an elevation of 383, obviously for those folks who are a little bit more familiar with floods in Vanderburgh County, the river stream varies from up stream Vanderburgh County to down stream Vanderburgh County and th same is true of Pigeon Creek, during a flood the water is considerably lower at the mouth of it then it is at Green River Road or where ever, so they suggested a more general language, that when someone comes in for a building permit, if he is only three maps reference in the zoning ordinance. In the Indiana Dept. Natural Resources flooding maps, the soil Conservation Service flooding maps, the flood information maps that they have published then it automatically raises the red flag on that peticular site. It goes through this additional review process that is set up by the format of the ordinance. So actually in wiping out that 383 which he believes will be a much better builder minded type ordinance and land owner type ordinance aiming at public acceptability. So around the Country FHA is using this 100 year frequency flooding as there basic rule.

He said they will accept a parking lot elevation that they are going to lend money on at a 10 year frequency. They want a foundation on ground that is at or above a 50 year level of flooding. They want the first floor of residences to be at the 100 year level. Some offices, depending on the peaking of the flood situation want the first floor to be 1/3 above. He said he is not familiar what Evansville has been doing but he believes they have been basing their requirments on the mapping of the Indiana Dept. of Natural resources. Because of general lack of information out of the Pigeon Creek area which is the primary building trend. He believes that is all unless someone has a question. Mr Bussing said, for example, this home is a tri level, the lower level

is only 3 foot sub-grade and 2 foot below this 100 year frequency, the Building Commissioner has to approve this permit, and if he were to determine that the owner had made provisions to flood proof that 2 foot level, could he go ahead with it. Mr Reed said his judgment in that case and that judgment is based on what FHA and other Federal Lending People are doing is, (1) Look at the flood proofing, (2) Look at the lower level of living space, if it is going to be used for storage, water heater or furnace then there wouldn't be any requirements, just so long as the 1st floor of living space was at the 100 year level. He said a game room or utility room would be same as a basement and would not be subject to requirements. He said that is his interpretation of living space. Mr Don Niedig asked if maybe it would be appropriate to work out a term for the glossary what living space is. Mr Bussing said that he knows of an area that FHA has approved in the last 3 years, that on this chart of the Corps of Engineers they say is 387. FHA approved at 385 and they are building bi-levels in that area, in other words the lower level with a bedroom is 3 ft. below the 385, but with this ordinance and this chart you couldn't do it, and that kind of changes things.

Mr Reed said one of the problems for the FHA in this area has been the same lack of technical information. FHA sit up their requirements as he understands it on the basis of those maps so what they say, he agrees with, Mr Bussing wanted to know what happens to the person that has the investment in the property and the improvements, is he stopped from future building.

Commissioner Schaad said if he doesn't meet the new code then that would be true, unless it is something that could be built on that particular location. Mr Schaad said after he and Tom talked that this new verbage in here would be better or broader and allow more building than the old 383.

Mr Bussing said he saw the maps that Tom Pugh said to go by and they are confusing to him but he thinks Mr Pugh will agree with him, that at Green River Rd, running North and South, the elevation is 387 and they don't have much ground out there that is 387. Mr Pugh said the ground level there is about 383 to 385, and there is means of using poured foundations rather than block foundations and the basement more flood proof on that lower level.

Mr Bussing said he thought the Building Commissioner should give his opinion on how he interpretes it. Mr Crooks said he agrees with the flood proofing.

Mr Bussing said this whole thing caught him by surprise, he didn't realize the situation and he didn't even see the drafts until 5 minutes before the meeting, so personally he feels it needs looking into because it effects every land owner and every builder in Evansville. Mr Niedig said he agrees with Mr Bussing. As you get up toward the County line the flooding of Pigeon Creek is higher than it is at the mouth of it and what the Corps has done here it seems that right in that area that the 100 year storm of floods seems to be higher than any other fold of record in that area.

Mr Bussing said the 383 in their view was unsupportable from a legal point, because what it was doing was penalizing people who were up stream like on the Ohio River. He said you just can't take the one elevation, the people down at the nouth of Pigeon Creek, the 100 year frequency is about 378, so those people are really being penalized now you move up stream there comes a point where the 385 is still correct, but as you move up on toward the Warrick County line, the 100 year level of flooding is more frequent than the 385. The statement was made that the 383 was based on the 1937 flood.

Mrs Mary Ann Schnepfer asked if she could comment, she said she lived out in the Green River Road area and what she thought they were talking about is the flood proof, she said Bob Wright put his building up about 4 foot above ground level, Cooke Chevrolet did not and that is the difference, She said when there has been about 2 inches of rain you could really see the difference between the two lots.

Mr Bill Mullen, Realtor and Builder said he had a question on the flood or flooding on page 3, he wants to be a little more definite in the guidelines. He wants to know what will be the jurisdiction or the method of evaluating an area. He is speaking of the definations of flooding or flood plan.

Mr Tom Pugh said in head water flooding in the valleys above the areas that are covered by the Corps of Engineers information, anytime the construction is to be done within the flood prone areas on the maps from the Department of Natural resources, they are on file in the Area Plan Office, if it is in one of these soil types that is described from the property soil survey, then in either case, they would be required to be designed by a registered engineer because it would be considered to be a hazardous condition and a registered engineer would have to design it and certify that it meets the 100 year protection in that area. Now if it is outside these areas the registered engineer wouldn't have to do the site planning. He said in the beginning the format said a registered engineer would prepare site plans at the home owners request. He said they couldn't see that either, so they took that out. They don't have to have a registered engineer on site plans unless it is in one of these hazardous site plans. He said page 7 Item 9 would explain it.

Mr Schaad said to Mr Bussing that he brought this up at a previous meeting, about having to have an engineer on all of them and this might cause a hardship, and that is the reason it was changed.

Mr Andy Easley said this was a hypothetical question, but in his opinion quite practical, he recently helped a Mr Bussler set an elevation on a building on the south east corner of St. Joseph & Diamond Avenues, he has heard some remarks from people that they got it rather low, the main floor elevation of the warehouse is 379. He passed a letter around on the 378 elevation of a 100 year flood on the Ohio at the mouth of Pigeon Creek, so if they had a back water to occur they would be 1 foot above the 100 year flood on the Ohio River. It just so happens that that elevation was about the same elevation when they ran out of dirt. They took all the material off the back of the property. On Commercial property this in particular becomes a point, it may be good location to build a building, but it isn't economically feasible to put an extra 4 or 5 feet of dirt over several acres. He said Mr Bussing would understand this and yet the developer is willing to take a calculated risk. He said what Mr Bussler done was at the back of the building there is a large bay that is 40 ft wide and is at a 375 elevation, he said Mr Bussler will take the chance that if the river comes up there won't be any flooding inside the building. He is willing to take a calculated risk because he didn't he didn't feel it was worth filling.

Mr Easley said he supposed the appeal procedure would enable a developer to start commercial developments to take a calculated risk if he wants to build on that location and he knows the ramifications of it, or the Building Commissioner will be able to turn him down. He wants to know what the attitude will be on this.

Mr Pugh said some of the reasoning here is that in almost every case the people, after the flood actually occur's, as in some Commercial Business in the North Park Shopping Center, seem to come to some unit of government to spend tax money to solve their problems, and therefore it would seem that the people should be asking government to make some standards for construction which would provide the tax dollar against having to provide this type of protection. So this is the reason for the appeal procedure.

Mr Schaad said it gets down to the fact when does a public official stop or where do we they begin to protect the public, for example, what if they said o.k. and they go ahead and approve it only later in years to come some non-suspecting somebody comes along and buys it and he has a problem and he comes to the Commissioners and says, "hey look," my property isn't protected because this creek is coming up, those are the problems they always run into, so they have to come up with some kind of a rule or regulation to try to stop the most violations, it not that anyone willingly takes advantage of anyone, at the time fine, but later, they come back and say they have a problem, when it is all brought on, not by them in particular, but by someone else and he thinks that this is the basis for the whole thing,

Mr. Pugh said he had a question for Mr. Reed. He wanted to know if this could be worked out from his information, from such and such points to such and such points. The elevation established at 388 and such and such at 386, can it be done that way.

Mr Reed said he would like to point out at this time, Industry has gotten a waiver and he was a home builder, he would be right down there saying "hey, I've got 100 or 200 acres out here in the same situation and I want to build so and so and I can give you an assurance too, and he sets up some kind of corporation to operate and maintain

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and whatever the Commissioners will let him get by with and he says o.k. Here I am and approve me to. Mr Reed said he is just saying this is what could happen. But in a more realistic situation of an industrial site, if it is going to be primarily used for some kind of storage, railroad ties and etc. and if they have and will stay in business for some time, they very often are given waivers.

Mr Sidney Shane said he was there as Chairman of the Master Plan Development Committee of the Metropolitan Chamber of Commerce, He said this committee is assigned to review this proposed Code. He said with him is Mr Ed Ash of the Chambers Professional Staff. He said they had a written statement prepared for the Commissioners convenience in making the Chambers point of view a matter of record. The statement reads as follows:

Since establishment of Vanderburgh County, 155 years ago, growth and development of our environs has proceeded without a drainage code other than laws enacted by the Indiana General Assembly for application state wide without particular regard for local peculiarities resulting from location of this community at the confluence of Pigeon Creek with the Ohio River. During that period of time, land has been bought and sold, various structures have been erected, and additions and sub-divisions have been developed, all without any real assurances that the land and structures were, or could be made, safe from flooding by one or more of our watercourses. Land could be contoured or re-contoured without respect for adjacent or abutting properties; water courses could be diverted or blocked without regard for natural patterns of water flow or accumulation. No one has known, nor been charged with learning, whether a given site or tract would, or more, support development without flooding. Persons have bought land and erected homes and businesses in peril of flooding; real estate agents have handled transactions without assurance that properties passing through their hands would not redound to their discredit; mortgage-lending agencies have financed purchases without assurance of physical security of properties mortgaged; developers have invested without assurance that properties were, or could be, tenable. It is possible that many properties may have been used for incompatible purposes due to lack of knowledge regarding flooding characteristics of sites concerned. It is possible that, had this information been available--or been studied, alternate sites could have been developed to the advantage of site users and the community.

We believe that the citizens of Evansville and Vanderburgh County deserve assurance that building sites are safe from water damage either inherently, or by treatment. We believe that this assurance would enhance both the physical and economic aspects of property ownership and development.

On May 9, 1973, the Chamber supported the intent of a letter from the Vanderburgh County Soil and Water Conservation District to the Vanderburgh County Board of County Commissioners, dated January 30, 1973, in which were offered recommendations culminating in amendments which are the subject of this hearing. The Metropolitan Evansville Chamber of Commerce re-iterates that support of intent as applied to these proposed amendments.

For the general benefit of the citizens of Vanderburgh County, the Chamber recommends certain revisions to these amendments as follows:

1. In Section 3. (c), on page 4: This amendment does not explain what is to transpire after expiration of 48 hours in the event the Building Commissioner should not respond during that period, regarding a submitted site plan. We believe that, in such an eventuality, the site plan should be automatically accepted thus permitting a builder to proceed without loss of time and further expense.
2. In Section 4, (b), on page 6: "Area drainage map" should be defined in section 1. present wording, without definition, leaves the reader wondering what constitutes an area drainage map. The question arises, "what area?"
3. In Section 4. (b) 6.b, on page 6: The second and third sentences belong in these amendments; but not in this location. This paragraph deals with required minimum details to be shown on site plan, and with documents required to be attached. Restrictions as to location of structures, on the site, should be located in another part of the code.
4. In Section 4. (b) 6.c, on page 6: (See comments on sub-paragraph 3, above)
5. In Section 5. (b) on page 8; As it now reads, this paragraph requires that the Building Commissioner personally inspects each building site

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upon completion of proposed work. We believe that this requirement would unduly delay construction, and that this Board of County Commissioners does not intend this to be the requirement. We suggest re-wording to place responsibility on the Building Commissioner, allowing him to accomplish inspection with the resources of his organization.

6. In Section 4. (b) 9., on page 7; Section 6. (b) 3., on page 11; and in any other Section in which the phrase "duly licensed Professional Civil Engineer or Land Surveyor", or a similar phrase, appears: The phrase should be defined in Section 1. As presently written, this amendment leaves a reader wondering whether license reciprocity is being recognized, or whether the engineer or surveyor must be licensed in the State of Indiana. We suggest requiring licensing in the State of Indiana in order to provide a measure of recourse thereby stimulating high quality performance.

With insertion of revisions which we have recommended, the Chamber would commend this ordinance for your adoption.

Gentlemen, thank you for allowing the Metropolitan Evansville Chamber of Commerce to be heard in this matter.

Mr Pugh said he thinks they need to get into the glossary, just what they mean by Area Drainage and also the committee get together again and decide just how they are to put that thing up under procedure where it belongs.

Commissioner Schaad said this spells out if it is a sub-division, it will come to Area Plan and will be caught there, and if it is an industrial site it will come through the surveyors office and be caught there and still comply with-in 75 ft. of a legal drain, He said they have granted variances.

Mr Frederick Bumb, Vice Chairman of the Vanderburgh Soil and Water Conservation District presented the Commissioners with a written statement which reads as follows:

The District Board is anxious to publicly express appreciation to the Board of County Commissioners for their response to our five point proposal of January 30, this year. We would also thank those organizations which have chosen to support the intent of those proposals. Those organizations were; Vanderburgh County Farm Bureau, League of Women Voters, The Redevelopment Commission, the Chamber of Commerce, Citizens Organized to protect the Environment, Izaak Walton League, Audubon Society, County Council, Westwood Garden Club, and the Tri-State Health Planning Council.

Our board would also like to express appreciation to Plan Commissioner Director Marlin, Surveyor Biggarstaff, Extension Agent Whitham, The Chamber of Commerce, Board of Commissioners and County Council who supported our District Five years ago this month to bring a Cooperative Soil Survey program to Vanderburgh County. This was the beginning of what has turned out to be a five year effort on our part to assist in bringing better land use planning to our county. The new Subdivision ordinances which were completed by the City and County Legislative bodies in cooperation with the Area Plan Commission were the first public documents to make use of this soil survey information.

That ordinance also provides for control of erosion and sediment in subdivisions as well as doing much for the drainage problems. However, it has been our observation that much problem building is done outside the jurisdiction of that and other ordinances. Therefore, it seemed logical to our District Board that building codes related to site drainage and site grading might be the most effective system for control.

We have witnessed some very poor land use decisions through the years. Construction has been done where there was very poor drainage existing and absolutely no hope of obtaining good drainage in the foreseeable future. Home owners, industrialists and commercial businesses have requested assistance from our SCS staff. A few solutions have been simple, some have been tough, and all too many cannot be solved.

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Our SCS staff has observed that women seem more sensitive than men to such things as wet crawl spaces, water in the family room, frogs under the house, slugs in the babies crib, and mildew on the curtains. Heating contractors seem sensitive to water in the crawl spaces while it doesn't seem to bother carpenters. Our board has toured areas where homes are built flat to the ground on very wet land, some in the very bottom of ravines, and homes built in the 50's which had three foot of water on the first floor in 1961.

One can reason that an individual has the right to do on his own land, with his own money, what ever he wishes, however he wishes even though he intends to sell it now or at sometime in the future. Belief in this right of the individual has resulted in your and my tax dollars being spent for this foolishness, in the brief span of three years we can recall a new bridge on Boonville-New Harmony Road, a new culvert at Curanza, on Old State, and on Bujey because someone exercised his right to make a mistake.

We have sponsored a slide program into more than 200 audiences in an effort to change the philosophy of an entire community. The effort was to change from an attitude of "Let the buyer beware" and "we can't help it if our forefathers built our town in a swamp" to an attitude of "Government has an obligation to do for its citizens what they cannot do for themselves."

Has anyone in this room today ever taken a course in high school or college on how to select a home that is safe from water? This is probably the most important decision that a family shall ever make and yet our education system has not provided any guidance. Therefore, we would have to presume that the people are not qualified, by training, or by experience to select a safe home. Our conclusion would lead us to say that "Government has an obligation to do its best for all citizens to provide for the health and safety of all construction in its jurisdiction.

The facts are that our county has much good land on which to build. It has much land on which natural hazards exist which can be corrected. Some has such severe hazards that development is economically unfeasible.

Vanderburgh County residents are fortunate that this government has now obtained the working tools necessary to determine the natural hazards of the land. Detailed topographical maps were made possible through the cooperative efforts of the County Surveyor, Planning Commission, County Commissioners and Council. The Corps of Engineers has provided maps of the "flood prone" areas from Pigeon Creek and the Ohio River, and more recently a "Flood Insurance Study" sponsored by the Department of Housing and Urban Development. The Indiana Department of Natural Resources has provided maps of flood prone areas on the entire county. Our District has cooperated with local government to bring the Cooperative Soil Survey to our county.

These working tools are here only because of the cooperative working relationships of the many units of Federal, State, and Local Government. The time is now right to make use of all these fine working tools in a progressive way for the benefit of all.

Our District Board supports this proposed draft of an amendment to the building codes. It seems to have answered to the first four points in our letter of January 30th. One section seems severe; however, when construction is to be done in the recognized dangerous areas of our county, it seems proper that this be called to the user attention. It then follows that the small additional fractional cost for the services of a qualified engineer is not a high price to pay to assure safety of the investment from water, whether it be an individual or corporation.

It also seems appropriate that existing state laws should be followed such as the State Drainage Act and the Flood Control Act of 1945.

We Federal Taxpayers have carried a tremendous load in the name of flood control through our Federal agencies. The time has come to make use of services in the name of "Flood Plain Management."

We are not asking for a "no-use" policy but rather a "wise use" policy. We are asking that the natural hazards of every site be recognized and dealt with effectively.

At this point we would like to express our sincere appreciation to the Evansville

Homebuilders Association officers and their state president for not being negative toward this proposal. We understand that these people were very helpful to the drafting committee and made no demands during the drafting which would weaken the intent of the code. They have hosted our program on two occasions into their regular meeting.

Our slide program has repeated over and over again in behalf of our board, " We do not believe that we have the God given right to build a home in the bottom of a hollow, lower than the road, in a flood plain, subgrade, and sell it to our veteran sons who have fought so effectively for freedom in many wars."

During the past four years we have dared to be critical of the situation. We have based our right to do this on another quote from Lincoln. " He has the right to criticize who has the heart to help." We have done our level best to help all of the people we serve.

We would urge passage of this amendment to the building code of Vanderburgh County, Indiana as soon as its every detail is completed.

Mr Bumb said he would like to summarize it with one thought, and that is, the fact that they have the youth of today working with them as well as the adults.

At this time Mr Bumb introduced Donna Jergans, Donna is a Junior at Reitz High School, and an active 4-H member. She started in this in January by giving a soil conservation speech, she came in first in the local and third in the area. She didn't stop there, she went ahead and made up a demonstration in 4-H and was the winner at the State Fair this year and she won a trip to Washington D.C. Donna started her demonstration by saying that there were 2 men who decided to build homes, the wise man built his home on stone, the other built his home on sand. When the rains and floods came, the man whose home was on stone stood, the other caved in. She went on to say that soil was most important to Farmers, Construction Builders, and New Home Owners.

Jerry Kindle, representing C.O.P.E. and The League of Women Voters, he said Mrs Shelton of the League of women Voters could not be there so he presented a type written speech which reads as follows: —

The League of Women Voters of Southwest Indiana, by its very name, implies awareness of and interest in the area surrounding, as well as including Evansville, Indiana.

Consequently, we have an interest in county drainage, county land use planning, county building regulations, county taxation, and wise spending of the tax dollar. These were the areas pointed out to us in January, 1973, when we received the original copy of 5 recommendations to the Vanderburgh Board of County Commissioners by Mr Leland Schnepfer, Vanderburgh County Soil and Water Conservation District.

We have followed the results of the Drafting Committee's revisions, and find that we can support them in principle and feel "land-use" is an idea whose time has come. We know that unrestricted and unplanned growth cannot continue. There is growing acceptance of the concept that man is part of an ecosystem whose delicate balance can be upset by uncontrolled growth. People are looking askance at the consequences of suburban sprawl and are beginning to consider seriously "land-use" policies and environmental planning.

Our only regret is that Recommendation #5 of the original group of recommendations stating: "Establish a minimum lot size of 2 acres outside properly designed and approved subdivisions unless public sewers are available" was deleted. This requirement is becoming increasingly more evident in the Northeast-New England area that I visited this summer. It is a wise safeguard, and hopefully this recommendation will be considered again in the near future.

The above letter was signed by Mrs B.W. Shelton, Chairman, Environmental Quality.

Mr Kindle said for his group, C.O.P.E., they are in favor of the amendments, he said he would like to say from the point of view of congratulating the Water and Soil District for the leadership for proposing this. He feels this is a step in the right direction. He said this has been well received at the University. He said on one other point, it seems that their primary for that the environmental quality and he is concerned about the consumer angle, and he has heard a lot of discussion on this and he wonders if in the future problems that were mentioned about the 378 ft level will remain if there will be any kind of protection for the consumer.

County Attorney Thomas Swain said this is not feasible under an abstract, he said he wouldn't say it wasn't feasible otherwise, he said that abstractors now don't abstract zonings or use in occupancy.

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Mr Sam Biggerstaff asked Mr Reed a question, He wanted to know just how the 100 year flood level was determined of Pigeon Creek. He wanted to know if it was based on the 1961 flood. The Ohio River is based on 1937 flood. Mr Reed said the 1961 flood was used as a base.

Mr Bud Bussing, on behalf of the Home Builders association, he would like to say a few words. He said for the last 2 or 3 months they have worked for this ordinance, but he feels it is a whole new ball game here, which just came to light today with the interjection of the Corps of Engineers standards on page 10, and he respectfully requests they give them time to look into this and see how it effects them.

Mr Bob Schaad said he agrees with Mr Bussing, it will have to be referred back to the Committee and looked at again. He said in talking to Tom he was thinking the new verbage was more liberal and wasn't as restrictive as if they left in the 383.

Tom Pugh said they have seen sub-division plans coming into the Area Plan office that have everyone of these procedural Items right on that plan.

Don Neidig asked if someone should build before the curb line and Mr Pugh said they would have to come to the FHA lot grading requirments.

Mr Ken Marlin said on page 7, item 7 after the line "maps prepared by Louisville District of the Corps of Engineers." He feels that everything following that in that paragraph is unnessary. A year from now that would be out-dated. Mr Pugh said he has wondered about this.

County Attorney Swain said he would propose certain technical amendments in Sections 2 DEFGHI & L, 3F, 4B 1,7,9, 5A&B and 6B. Tom Pugh told Tom Swain some of these things had been clarified but he hasn't had a chance to get with him on it.

Commissioner Schaad asked Mr Jim Stocker if he had anything to say and Mr Stocker only said he was pleased with the meeting.

Commissioner Schaad said since there are no other comments he is going to refer this back to Mr Pughs committee and get with the Home Builders and The Chamber of Commerce for their suggestions.

Mr Don Reed said they would like to assist them further, he said they would prepare a set of maps with the 383 that was in the original draft, on the Ohio River and Pigeon Creek, and then they will put the frequency floods on there and compare the two.

Commissioner Schaad said since there is nothing else they will adjourn and see if they can't resolve this in a couple of weeks.

Meeting recessed at 3:40 p.m.

PRESENT

COUNTY COMMISSIONERS

COUNTY AUDITOR

COUNTY ATTORNEY

Robert Schaad  
Robert Willner

Lewis F. Volpe

Thomas Swain

Bob Schaad  
Robert Willner  
BOARD OF COUNTY COMMISSIONERS

Secretary: Jean Wilkey

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COUNTY COMMISSIONERS MEETING  
OCTOBER 15, 1973

The regular meeting of the County Commissioners was held on Monday, October 15th, 1973, at 9:30 a.m. in the Commissioners hearing room, with President Ossenberg presiding.

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

RE: COUNTY-OWNED SURPLUS PROPERTY SOLD

A bid was received on the county-owned surplus property from Mr. Bruce A. Julian. The bid was on item #14, Code 22-77-26 at 1904 S. Garvin St. in the amount of \$75.00. The Appraisal on this property was \$250.00. The legal description is Kronenberger's Addition to Oakdale, Lots 33 & 34... Block 2.

Commissioner Schaad moved that the bid of \$75.00 be accepted from Mr. Julian for the purchase of this parcel. Commissioner Willner seconded the motion. So ordered.  
The sale will continue.

RE: REQUEST FOR APPEAL

An appeal was presented to the Commissioners from Prosecutor Brune as follows:

The Board of County Commissioners of Vanderburgh County, Indiana, hereby appeals to the State Board of Tax Commissioners for restoration of \$8,000 in levy and twenty-five hundredths of a cent (.0025) in rate in the budget of the Vanderburgh County General Fund for the year of 1974.

Said reduction was made by the Board of Tax Adjustment and/or the County Auditor on September 26, 1973, and duly advertised October 10, 1973, having been made specifically in the budget of the County Prosecutor.

We hold that such reduction, if sustained, will seriously impair the proper functioning of the Prosecutor's office, and thus the law enforcement activities of Vanderburgh County.

Approval of this appeal will result in a levy and rate below the levy and rate which had been previously approved by the County Council.

Mr. Volpe said that this appeal must be signed by the County Commissioners and by the Council if it is to be forwarded to the state. He said that the Tax Adjustment Board reduced the total of the department and they recommended that it be in the salary account.

County Attorney Stephens said that if the County Commissioners sign the appeal, they are in favor of it but it is necessary to sign it if they are going to give the Prosecutor an opportunity to get the funds.

In trying to contact the Prosecutor in order that he might explain his budget, it was found that he and his chief deputy are both in Indianapolis, in front of the Supreme Court appealing a case.

County Attorney Stephens explained that the reason for the appeal of the \$8,000 is that the Prosecutor cut off one part-time deputy and put that money into another part-time deputy to make him full-time, that he isn't asking for new money nor additional help.

Commissioner Willner moved that the request of the Prosecutor to appeal the \$8,000 be approved. Commissioner Schaad seconded the motion. So ordered.

RE: ALCOHOLIC HELP INC.

Mr. Lester Reynolds, the Administrator of Alcoholic Help Inc. appeared and said he appreciated the opportunity of meeting everyone. He extended an invitation to the Commissioners to go out to Alcoholics Help Inc. to see the program that is in progress out there. He said that he is new at the job but is well pleased with the way things are going.

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Commissioner Schaad said that the building out there is in bad need of repairs and he thought the Board of Directors out there should decide what needs to be done to restore the building and what repairs it needs.

Mr. Reynolds said that he would bring this matter up at the next Board meeting.

RE: GREEN RIVER ROAD AND DIVISION STREET INTERSECTION

Plans had been previously presented for a new roadway in this area and Attorney John Carroll appeared last week and wanted the assurance of the Commissioners that the roadways would be accepted by the County, for maintenance, as a substantial amount of money is being put into this project.

Commissioner Willner, last week, had said that he had no real objection but wondered if the County was ready to accept these roads for maintenance, to businesses. He also wanted to check to see if it increased our gas tax or our road mileage.

This matter had been referred to the County Surveyor to check into and it was placed on the agenda for today.

Commissioner Willner also wondered whether it would fit into plans for the other shopping centers also if we are setting a precedent for other shopping centers, to have a road through their property, to have accepted for county maintenance.

Mr. Nussmeyer has assured Commissioner Willner that the county is eligible for gas tax.

Mr. Carroll said they are talking only about one shopping center and then, a series of properties which are being individually developed and dedicated public streets will be needed to get to them.

Mr. Gregory Kempf, the developer, said that the individual properties are now being planned and that they will be fronting on the access road. He said they are putting in concrete curbs and gutters and that the road will consist of 8 1/2 inches of blacktop and this is probably the best designed road there is. He said this is his first venture in this area and he would like to help in upgrading the standards.

Mr. Nussmeyer said he thought the plans to be very acceptable.

Commissioner Willner said the proper procedure is to accept the plans and after the project is completed, to have the County Engineer to inspect it and after he has approved it, the County Commissioners can then accept it.

County Attorney Stephens said there is a resolution ordinance that will have to be signed, to accept it into the road system and since it isn't built, the Commissioners will need to give their verbal approval, that once it is built according to specifications, it will be accepted.

Commissioner Schaad moved that the plans be approved and that the word of the Commissioners be given that the roadway will be accepted, providing that it meets the approval of the County Engineer. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORTS

The monthly report of the Pleasantview Rest Home was presented to the Commissioners for the month of September, 1973.  
Report received and ordered filed.

The monthly report of the Evansville Association for Retarded Children was presented to the Commissioners for the month of September, 1973.  
Report received and filed.

RE: REPORT OF THE CLERK OF THE CIRCUIT COURT

The Field Examiners Report of examination of the Clerk of the Circuit Court was presented to the Commissioners for the period of August 1, 1971 to December 31, 1972.  
Report received and ordered filed.

RE: WARRANTY DEED

A warranty deed was presented to the Commissioners, whereby the West Side Christian Church conveys a permanent easement to the county and it had been previously been approved by the Commissioners for the road widening but it failed to state who had prepared the deed.

Commissioner Schaad again moved that the deed be approved. Commissioner Willner seconded the motion. So ordered.

RE: DEED ON SURPLUS PROPERTY

A deed that was prepared by County Attorney William Stephens, last week, on surplus county-owned property, was presented for the signatures of Mr. Stephens and Mr. Volpe. These parcels were sold to Mr. Joseph Freeman.

RE: REQUEST TO PAVE ROAD

A letter was received from Mr. James A. Huber, as follows:

Gentlemen:

I would like to request your considering the paving of an extension of Miller Road.

Miller Road now comes to a dead end at its intersection with Highway 62 West. At the end of Miller Road, a once private drive extends Westward to provide access to four separately owned pieces of property. The roadway presently is maintained by residents of two of these properties. A fifty foot wide easement for roadway purposes is properly recorded in the same manner as for the rest of Miller Road.

In view of the amount of taxes paid by these residents and the difficulty and expense for private parties to maintain a roadway, I request your attention to this matter, possibly in time for action before winter weather. This roadway has been in existence for ten years or more, and the easement is wide enough to provide a turn-around area.

Please advise any further action required or if I should attend your Commissioners meeting to provide you with further information.

Commissioner Schaad moved that this matter be referred to the Area Plan Commission, with the understanding that they inform the residents that this road must be brought up to standards before it can be accepted by the county, also that Area Plan make a study of the road and report back to the Commissioners.

RE: REQUEST TO ACCEPT SUMMERTIME LANE

A letter was received from Mr. Robert Bredemeier requesting that Summertime Lane be accepted as an approved street.

Commissioner Schaad moved that this matter be referred to Area Plan for study and recommendation with the understanding that the road be brought up to county standards before it can be accepted. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was received from Condict & Fosse Architects for compensation for services rendered to the Evansville Association for Retarded Children in the amount of \$1,430.00.

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

A claim was received from Condict & Fosse Architects for compensation for reimburseable expenses on the Evansville Comprehensive Mental Retardation Center in the amount of \$203.18.

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

RE: RE-ZONING PETITION....John H. & Louise B. Habermel

The re-zoning petition of John H. & Louise B. Habermel was presented to the Commissioners for final reading.

Premises affected are situated on the Northeast corner of the intersection formed by Darmstadt Road and Boonville-New Harmony Highway.

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The requested change is from R-1A to C-1. The present existing land use is residential, conforming to present zoning. The proposed land use is for offices and retail commercial. This is ordinance # 73-52-PC - No. VC-1-73.

Mr. Thomas Terrell appeared for the petitioners. He said that this petition was passed unanimously by the Area Plan Commission, that there was no opposition, also that they were getting the informal approval from the new Darmstadt Town Board.

Commissioner Willner moved that the re-zoning petition of John H. & Louise B. Habermel be approved. Commissioner Schaad seconded the motion. The vote being unanimous in the affirmative, the motion carried.

RE: CUTS-IN

Two cuts-in were requested by the Indiana Bell Telephone Co. to cut into Eichoff Road and also on Ruston Lane to bury telephone cables.

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

RE: MR. NUSSMEYER

Mr. Nussmeyer presented a Notice to Bidders and the specifications for repairs to Graff & Nurrenburn Roads. He said that the Insurance Co. will pay for the repairs on these roads because of the damage done by a corn picker.

Commissioner Schaad moved that the specifications be approved and that the Auditor be authorized to advertise for bids. Commissioner Willner seconded the motion. So ordered.

Mr. Nussmeyer presented the Notice to Bidders and the specifications for the storm drainage for Lincoln Avenue at Fuquay Road which is funded by R & S funds.

Commissioner Schaad moved that the specifications be approved and that the Auditor be authorized to advertise for bids. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was presented to the Commissioners from Feigel Construction Corp. on County Road Contract, dated September 10, 1973, on Koring Road in the amount of \$27,446.16 and on New Harmony Road in the amount of \$28,679.30. The total amount due this estimate is \$56,125.46. This will come from Revenue Sharing money.

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

A claim was received from G. H. Allen Inc. on Account No. 203-3759.6, Kuebler Road for work completed between September 15 and October 11, 1973, in the amount of \$6,484.05.

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

A claim was received from Deig Brothers Inc. on Account No. 203-2250 on Allens Lane for work completed between September 24 and October 12, 1973 in the amount of \$7,740.00. This will be paid from R & S and bridge funds.

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

RE: RAILROAD TRACKS

Commissioner Willner asked Mr. Nussmeyer what was found out about the railroad tracks at Boonville-New Harmony Road since the work hasn't been done.

Commissioner Schaad said that this should have been done so he will notify them.

RE: INLAND MARINA

Commissioner Ossenberg said that he looked into the matter of the Inland Marina in detail and it appears as though the Marina built this without a permit from the Corp of Engineers. He said that after they completed it, they submitted what they had done, to the Corp of Engineers and last week someone from the Levee Authority called him and said that he had a verbal telephone call from the Corp stating that the Corp had approved it.

Commissioner Ossenberg said that he had talked to Carl Rieken who told him to go ahead and build the road and that he would pay for it but said if the Corp would not approve what had been done, it would have to be torn up again and he wanted the county to bear that expense and Commissioner Ossenberg told him that there would be no way that the county would bear this expense, so as soon as Mr. Rieken receives a letter, he is to call him. He said that he told Mr. Rieken that he could contract it or that we could go in there and build it and bill him and he agreed to this so he thought that within the week, this should be straightened out.

RE: TRUCK OBTAINED FOR COUNTY

Commissioner Ossenberg said that he had written a letter to the officeholders, previously, asking them to utilize the civil defense surplus goods that the government has and a month or two ago the county had tagged and asked for a truck and they have obtained a brand new dodge truck from them, appraised at \$5,993.00 and it will cost the county about \$100.00. He said that it has to be picked up at Tinker Air Force Base in Oklahoma City so Mr. Willard and one of the County Highway employees has gone to pick it up. He said that he understands that if there are other supplies needed, that Mr. Willard has the right, through the State Civilian Defense and a letter from Clyde Cavannah, to tag what they have that the county can make use of.

Commissioner Ossenberg again appealed to the county officeholders to utilize Mr. Cavannah's office and that he is now trying to get an adding machine and a calculator for the Commissioners office.

RE: MR. CROOKS

Mr. Crooks notified the Commissioners that he plans to take his vacation next week.

RE: MR. HOTZ

Mr. Hotz informed the Commissioners that he has turned the air raid siren over to the Civil Defense.

RE: AMENDMENT TO MASTER TRAFFIC CONTROL CODE

County Attorney Stephens presented the Commissioners with a 30 page resolution amending the Master Traffic Control Code of Vanderburgh County, Indiana, which sets up preferential streets throughout the county. This resolution was submitted to him by Mr. Judd, the Traffic Engineer. He said this isn't new, that it is what now exists but that this makes it legal. Commissioner Schaad moved that the resolution be approved. Commissioner Willner seconded the motion. So ordered.

The meeting recessed at 10:40 a.m.

PRESENT

COUNTY COMMISSIONERS  
Thomas Ossenberg  
Robert Schaad

COUNTY AUDITOR  
Lewis F. Volpe

COUNTY ATTORNEY  
William Stephens

REPORTERS  
B. Thompson C. Leach  
G. Clabes S. Clark

Secretary: Margie Meeks

*Thomas L. Ossenberg*  
\_\_\_\_\_

*Robert D. Willner*  
\_\_\_\_\_  
BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
OCTOBER 22, 1973

The meeting of the County Commissioners was held on Monday, October 22nd, 1973, at 9:30 a.m. in the Commissioners hearing room, with President Ossenbergs presiding.

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

RE: BID OPENING

The County Attorney's were asked to open bids that were received on the Smoke Stack, Annex Boiler Room, the Bridge work, the Station Wagon for the Welfare Department and for the two trucks for the County Highway.

RE: COUNTY-OWNED SURPLUS PROPERTY SOLD

A bid was received on parcel #47, Code #28-56-6, 1812 N. Grove St. Blankenberg, in the amount of \$25.00 from James E. & Edna C. Wilhite. The Appraisal on the property was \$300.00.

Commissioner Willner moved that this bid be accepted. Commissioner Ossenbergs seconded the motion. So ordered.

County Attorney Stephens will prepare the deed and present it to the owners next week. The sale will continue next Monday.

RE: APPOINTMENT OF COUNTY JAIL PHYSICIAN

Dr. Paul Steele was the county jail physician and since he has passed away, the appointment of a physician to replace him is in order.

Commissioner Willner moved that Dr. R. C. Rosenblatt be appointed the county jail physician. County Commissioner Ossenbergs seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY AUDITOR

Lucille Elliott            3920 N. Harmony Rd.    Extra            \$15.00 Day        Eff: 10/11/73

VOTERS REGISTRATION OFFICE

Edna Mae Castrup            426 Richardt            Clerk            \$230.00 Se.Mo.        10/15/73

RE: EMPLOYMENT CHANGES.....RELEASE

Frances Mueller            2904 Wimberg Ave.        Clerk            \$230.00 Se.Mo.        10/15/73

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received from the Ohio Casualty Insurance Company, on William R. Nix, D.B.A. Bill Nix Construction Company for Construction Division A. General Construction of Central Facility for Burdette Park, Certificate of Insurance received and ordered filed.

RE: LETTER FROM VANDERBURGH COUNTY SHERIFF

The following letter was received from Sheriff Riney:

Gentlemen:

I would like to submit this request for a stop sign to be placed at the following intersection:

Elm Street and West Franklin Street

This sign is to control the traffic on Elm Street.

Trusting you see fit to grant this request, I remain, Respectfully yours,  
Richard H. Orisky Jr.

Commissioner Willner moved that this letter be referred to the Area Plan Commission for further study. Commissioner Ossenbergs seconded the motion. So ordered.

RE: CLAIMS

A claim was received from the Sheriff for the meals of the prisoners in the amount of \$6,333.20. Commissioner Willner moved that this claim be approved. Commissioner Ossenberg seconded the motion. So ordered.

A claim was received from Red Spot Paint & Varnish Co. Inc. in the amount of \$1,505.00 for aluminum windows at the Washington Home. Work has been completed. Commissioner Willner moved that this claim be approved for payment. Commissioner Ossenberg seconded the motion. So ordered.

RE: CUTS IN

A cuts-in was requested by the Indiana Bell Telephone Co. to place buried telephone facilities in Mann Road. Commissioner Willner moved that this cuts-in be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIMS

Mr. Nussmeyer presented a claim from Feigel Construction Co. for work done on County Road Contract...Account # 506-201-2260 at Boonville- New Harmony Road in the amount of \$28,679.30. This claim replaces a claim that was presented last week, which was incorrect. This is to be from Revenue Sharing money. Commissioner Willner moved that this claim be approved. Commissioner Ossenberg seconded the motion. So ordered.

A claim was received from John Mans Inc., Account #203-2260-3 for work completed between November 1972 and October 1973 on Heddon Road, in the amount of \$6,728.00. This is the full amount of the project. Commissioner Willner moved that this claim be approved. Commissioner Ossenberg seconded the motion. So ordered.

A claim was received from Barnett Brothers Inc., Account # 216-3766 & 216-3763, Bridge 201-202 over Eagle Slough for work completed in the amount of \$20,016.94. This is estimate #4. Commissioner Willner moved that this claim be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: REPORTS.....MR. WILLARD

Mr. Willard presented an absentee report of the County Garage employees for the past week. Report received and ordered filed.

Mr. Willard presented the Vanderburgh County Highway Department work summary report for the month of September, 1973. Report received and ordered filed.

RE: BIDS RECEIVED

SMOKE STACK, ANNEX & BOILER....Bids received as follows:

|                              |               |                                   |                         |
|------------------------------|---------------|-----------------------------------|-------------------------|
| B & B Wrecking Co.....       | \$16,900..... | No Bond....                       | No change in alternate  |
| Norwood Construction Co..... | \$22,200..... | Bond enclosed which is acceptable |                         |
| Don Carey Wrecking Co.....   | \$19,489..... | Alternate..                       | \$24,989..Bid in order  |
| Valley Wrecking Co.....      | \$15,900..... | Alternate..                       | \$16,900..Bond enclosed |

Commissioner Willner moved that these bids be referred to Mr. Crooks, the Building Commissioner. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Ossenberg asked what the Conrad Baker Foundation was going to do with the \$10,000 check.

Mr. Volpe said that since the county will be accepting the bid, he thought the check should be turned over to the county as soon as possible, as this money will be needed to award the bid.

The Commissioners were assured that the check would be turned over to the County Auditor this week.

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Commissioner Willner asked Mr. Hotz if he thought the materials were worth \$1,000.

Mr. Hotz said that they need the fill but he didn't know if it was worth the \$1,000 or not.

BRIDGE #92, Lynn-Becker Road over Unnamed Slough  
BRIDGE #203, New Green River Road over Eagle Slough

Combined bids were received on these bridges, as follows:

|                                      |             |
|--------------------------------------|-------------|
| Barnett Brothers.....                | \$47,386.64 |
| Deig Brothers.....                   | \$47,186.00 |
| United Design & Construction Co..... | \$55,528.02 |
| P & H Construction Co.....           | \$52,100.00 |
| Robert F. Traylor Co.....            | \$45,584.20 |
| G. H. Allen Co.....                  | \$41,740.44 |

The Engineer's estimate is \$51,240.64. All bids are in order.

Mr. Volpe asked that the bids be broken down by the bridge when the bids are awarded because they involve different monies.

Commissioner Willner moved that these bids be referred to the County Surveyor for the period of one week in order for him to extend the bids. Commissioner Ossenberg seconded the motion. So ordered.

STATION WAGON FOR THE WELFARE DEPARTMENT

Only one bid was received for the Station Wagon for the Welfare Department, as follows:

|                     |            |
|---------------------|------------|
| Key Motor Corp..... | \$3,159.55 |
|---------------------|------------|

TRUCKS FOR THE HIGHWAY DEPARTMENT

Only one bid was received for the two trucks for the Highway Department, as follows:

|                     |             |
|---------------------|-------------|
| Key Motor Corp..... | \$13,476.82 |
|---------------------|-------------|

Commissioner Willner didn't like getting only one bid on motor vehicles. He moved that the bid for the station wagon be referred to the Welfare Dept. and the bid for the two trucks for the Highway Department be referred to Mr. Willard and let them check into the specifications to see if they are met, also for them to check the price of other makes of vehicles to see that these bids aren't out of line. Commissioner Ossenberg seconded the motion. So ordered. This matter will be taken up next week.

Mr. Volpe asked the Commissioners to inform the automobile dealers that all titles on county-owned vehicles should be in the name of the Vanderburgh County Commissioners.

RE: DEED PRESENTED

County Attorney Stephens presented a deed that he has prepared on county-owned surplus property that was purchased by Bruce A. Julian.

This deed was referred to the County Auditor in order for him to turn it over to the new owner.

RE: SOLID WASTE DISPOSAL

Mr. Bob Parker, chairman of the Commissioner's solid waste disposal committee, appeared and gave the commissioners a preliminary report that in counties which have successful programs, strong enforcement of such ordinances exists.

County Attorney Stephens said that the state has a statute against open dumping and littering which is perfectly adequate and can be enforced.

Mr. Parker said that this program is being set up in posey county through the Health Department.

Commissioner Willner said if the Commissioners push this program, they can get the Prosecutor and the Sheriff to enforce the law.

County Attorney Stephens said that he thought the Health Department should be the investigating agency for the program and they would also be the logical ones to take the evidence.

Commissioner Willner said it would probably be wise for the Commissioners to ask the Sheriff, the Prosecutor and the head of the Health Board to attend the next meeting of the Solid Waste Committee. A County Attorney will also be in attendance.

Commissioner Willner moved that those mentioned above attend the meeting of the Solid Waste Committee which will be Thursday evening. Commissioner Ossenberg seconded the motion. So ordered.

The meeting recessed at 10:20 a.m.

PRESENT

COUNTY COMMISSIONERS

Thomas Ossenberg  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEY

William Stephens  
Thomas Swain

REPORTERS

G. Clabes  
C. Leach  
B. Thompson  
S. Clark

Secretary: Margie Meeks

*Thomas L. Ossenberg*

*Bob Schwab*

*Robert L. Willner*

BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
OCTOBER 29, 1973

The meeting of the County Commissioners was held on Monday, October 29th, 1973, at 9:30 a.m. in the Commissioners hearing room, with President Ossenberg presiding.

The minutes of the previous regular meeting were approved as engrossed by the Auditor as well as the minutes of the special public meeting on the Drainage Code of the County, that was held on September 24, 1973. The reading of them was dispensed with.

RE: INVITATION FROM SOLID WASTE COMMITTEE

Mr. Robert Parker, Jr., Chairman of the Solid Waste Committee, appeared and thanked all those who attended their last meeting on the study of the trash disposal in Vanderburgh County.

He extended an invitation to all concerned members of the public to attend a meeting on Thursday, November 1, 1973, in the Commissioners Hearing Room at 7:30 p.m.. He urged anyone wishing to express an opinion on this solid waste problem to attend this meeting.

RE: EMPLOYMENT CHANGES...APPOINTMENTS

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

|                      |                   |                   |             |               |  |
|----------------------|-------------------|-------------------|-------------|---------------|--|
|                      |                   | Field Survey crew |             |               |  |
| Gilbert D. Harris    | 1906 Walnut La.   | Party Chief       | \$7,500 Yr. | Eff: 10/16/73 |  |
| Mark D. Krueger      | 2708B W. Franklin | Tk. Driver        | \$3,225 Hr. | " 10/17/73    |  |
| Richard F. Donaldson | 1317 Savannah     | Tk. Driver        | \$3,225 Hr. | " 10/17/73    |  |
| Mary L. Burch        | 1616 Division     | Clk-Typist        | \$4,820 Yr. | " 9/16/73     |  |

COUNTY SURVEYOR - CUMULATIVE BRIDGE FUND

|                 |                |                  |              |            |
|-----------------|----------------|------------------|--------------|------------|
| Lloyd Rittenour | 1404 MacArthur | Ass't. Inspector | \$280 Se.Mo. | " 10/15/73 |
|-----------------|----------------|------------------|--------------|------------|

RE: EMPLOYMENT CHANGES...RELEASES

VANDERBURGH COUNTY HIGHWAY DEPARTMENT

|               |               |         |             |           |
|---------------|---------------|---------|-------------|-----------|
| Mary L. Burch | 1616 Division | Laborer | \$3.125 Hr. | " 9/16/73 |
|---------------|---------------|---------|-------------|-----------|

COUNTY SURVEYOR - CUMULATIVE BRIDGE FUND

|                 |                |        |                 |            |
|-----------------|----------------|--------|-----------------|------------|
| Lloyd Rittenour | 1404 MacArthur | Rodman | \$238.33 Se.Mo. | " 10/15/73 |
|-----------------|----------------|--------|-----------------|------------|

RE: MONTHLY REPORT

The monthly report was received from the Traffic Director on materials used by Traffic Engineering for the County from September 1, 1973 to September 30, 1973. Report received and ordered filed.

RE: AWARDING BIDS

BRIDGE #92, Lynn-Becker Road over Unnamed Slough  
BRIDGE #203, New Green River Road over Eagle Slough

Combined bids for these projects were opened last week and G. H. Allen was lowest bidder at \$41,740.44 and Mr. Ludwig recommended approval of this bid.

Commissioner Schaad moved that the contract be awarded to G. H. Allen. Commissioner Willner seconded the motion. So ordered.

STATION WAGON FOR THE WELFARE DEPARTMENT

Only one bid was received last week for the station wagon for the Welfare Dept. and this was from Key Motor Corp. in the amount of \$3,159.55. Mr. Dale Work recommended approval of this bid.

Commissioner Schaad moved that Key Motor Corp. be awarded the bid for the station wagon for the Welfare Department. Commissioner Willner seconded the motion. So ordered.

RE: BID REJECTED ON TRUCKS FOR THE HIGHWAY DEPARTMENT

Only one bid was received last week for two trucks for the Highway Department and that was from Key Motor Corp. in the amount of \$13,476.82. Mr. Willard recommended that this bid be thrown out and that the Commissioners re-advertise for bids, since this bid exceeded the budget.

Commissioner Schaad moved that the Auditor be authorized to re-advertise for bids. Commissioner Willner seconded the motion. So ordered.

RE: SURPLUS COUNTY-OWNED PROPERTY

There were no bids today on the county-owned surplus property that is being sold. The sale will continue.

Parcel #47, Code 28-56-6, located at 1812 N. Grove St. was sold last week to James E. & Edna C. Wilhite for \$25.00 and the description read that the lot was 30 X 132 but it was found that the Levee Authority owns part of this and the amount of footage that was left wouldn't be large enough to put their mobile home on, so they withdrew their bid.

Commissioner Schaad moved that Mr. & Mrs. Wilhite be released from the sale since the description was incorrect. Commissioner Willner seconded the motion. So ordered.

RE: BID OPENING.....AWARDING CONTRACT

REPAIRS TO GRAFF & NURRENBURN ROADS

There was only one bid received on the repairs to Graff & Nurrenburn Roads, Road Contract No. 5-73 and this bid was from J. H. Rudolph & Co. Inc. in the amount of \$3,281.00.

County Attorney Stephens reminded the Commissioners that this was the same road that was damaged and they settled with the Insurance Co. for the same amount as this bid and he has received a check from the Insurance Co.

Commissioner Schaad moved that this bid be accepted and that J. H. Rudolph & Co. Inc. be awarded the contract. Commissioner Willner seconded the motion. So ordered.

RE: BID OPENING

IMPROVEMENT OF STORM DRAINAGE FOR LINCOLN AVE. AT FUQUAY RD.

There were three bids received for the improvement of the storm drainage for Lincoln Avenue at Fuquay Road, RC 4-73, R & S #12. They are as follows:

|                                    |              |
|------------------------------------|--------------|
| Deig Brothers Construction Co..... | \$60,258.00  |
| George Ryan Co. Inc.....           | \$48,367.50  |
| Robert F. Traylor Co. ....         | \$ 63,681.00 |

Commissioner Schaad moved that these bids be taken under advisement for one week and referred them to Mr. Nussmeyer. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST USE OF FORMS FOR TRUSTEE RECIPIENTS

Ms. Donna Raye Hagedorn, Attorney for the Legal Aid, appeared before the Commissioners and explained that a letter had been sent to all the Township Trustees, the County Commissioners and numerous other organizations, with a form attached, which they had proposed for use by the Township Trustee's, in regard to appeals and denials and proposed termination of recipients. This form has been used in Marion County, as a result of a law suit they had. She said the U. S. Court of Appeals recently handed down a decision which related to the rights of an appeal and a right to notice of termination. Ms. Hagedorn said that they had in mind, the consolidation and co-ordination among agencies and individuals, since a lot of people do not communicate well when they ask for help from the Trustee and many can neither read nor write.

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She felt that the use of this form would simplify the matter, also that the statute reads that all of the people are entitled to appear before the County Commissioners if they are denied township relief, however, the Court of Appeals states that the statute is not constitutional, as it doesn't go far enough, so they prepared this form in the hope that it will be used on county-wide implementation.

County Attorney Stephens said that the Commissioners can approve this procedure but they can't force the township trustees to fill out the form.

Pigeon Township Trustee, Robert Morrison, said that he thought there should have been a meeting of the trustee's on this matter, but he thought the form would be agreeable with them. He also said that he informs the recipients that they have a right to appeal.

Commissioner Schaad moved to accept the use of the form and said that it would be acceptable if the trustee's want to use it. Commissioner Willner seconded the motion. So ordered.

Ms. Hagedorn said that she will send copies to the attorney's that represent the trustee's.

RE: CONTRACT AWARDED

SMOKE STACK, ANNEX & BOILER ROOM

There were four bids received last week for the demolition of the Court House Annex, the Smoke Stack and the Boiler Room which were referred to Mr. Crooks at that time, for recommendation.

Mr. Crooks stated that Valley Wrecking Co. submitted the low bid of \$15,900.00 for this project with an additional \$1,000 for the disposal of the debris. He said that Mr. Hotz said that he didn't feel that the \$1,000 was worth the expenditure so his recommendation was to award the contract to Valley Wrecking Co. for the \$15,900.

Commissioner Schaad moved that Valley Wrecking Co. be awarded the contract for the demolition at the cost of \$15,900. Commissioner Willner seconded the motion. So ordered. The Commissioners signed the contract.

County Attorney Stephens explained that the county can legally let this contract while the building is leased to the Conrad Baker foundation since it provides for the continuance of the lease possibility, even though the property is torn down.

RE: CLAIMS

A claim was received from the City of Evansville Sewer Department for the Sanitary Sewer at Burdette Park in the amount of \$6,500 which is the balance due.

Commissioner Ossenbergh said that this is part of the Revenue Sharing money where the Curtis Construction Co. ran the sewer line for Burdette Park to tap in, since the State Board of Health is requiring that this be done. He said they also have Revenue Sharing money to run the taps from all over Burdette Park, to this particular line.

Commissioner Willner moved that this claim be approved in the amount of \$6,500 which is the balance in full. Commissioner Schaad seconded the motion. So ordered.

A claim was received from M & S Fire & Safety Equipment Co. Inc. for Fire Extinguishers which were installed at Hillcrest Home, Invoice A-12269 in the amount of \$384.75 and at Washington Home, Invoice A-12270 in the amount of \$380.25. The total amount of the claim is \$765.00.

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

A claim was received from M & S Fire & Safety Equipment Co. Inc. Invoice #A-12021, in the amount of \$731.30 for installation of two fire extinguishers at Pleasantview Rest Home.

Commissioner Schaad moved that this claim of \$731.30 be approved for payment. Commissioner Willner seconded the motion. So ordered.

RE: COMPLAINT BY MR. STAHL

Mr. Irvin Stahl appeared before the Commissioners and complained about cracks and chuckholes in the street on Outer Lincoln Avenue. He said the Waterworks Department had made cuts in the road for installation of a water line and in so doing, has damaged the road. He said that winter is almost here and something should be done to save the road.

Commissioner Ossenberg sent for Rupert Wetzel from the Waterworks Dept. to appear before the Commissioners and try to get this matter resolved.

Mr. Stahl then explained his problem to Mr. Wetzel.

Mr. Wetzel said that he will make a note of this and list the complaints before the Board and if the repairs should be made, they will make them.

Commissioner Ossenberg also asked that the shoulders around Darmstadt Road be graded.

RE: AUTHORIZED TO ADVERTISE

Mr. Ludwig presented a legal ad for the Oak Grove Road Project, for the approval of the Commissioners, in order that he can advertise for bids. He said they are going to widen and improve Oak Grove Road up to the Southern Railroad run.

Commissioner Ossenberg said that they will deal with the Railroad when they get to it.

Commissioner Schaad moved that the specifications be approved and that the Auditor be authorized to advertise for bids. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Ossenberg explained that the hangup in this project is the grade crossing over the Southern Railroad and the Commissioners feel that they should proceed to go to their line with Oak Grove Road and get this project completed this year.

He said that he has been in contact with the Southern Railroad for almost five months and it seems as though they want the county to bear the cost of the total signalization and there is also a hassle with the Southern Railroad, with the city at Green River Road. He said the city has had previous Public Service Commission okay to cross the grade. He said they have been crossing the grade at Oak Grove Road over private property and he didn't think there had been any approval given for this.

Commissioner Ossenberg said that he had written Mr. Tatum a letter about six weeks ago and then talked to him and Mr. Tatum said he hadn't received the letter as yet and he promised an answer in two or three days but no answer has been received. Commissioner Ossenberg said the latest action of the Commissioners was that they will petition the Public Service Commission and let them make the decision.

RE: CLAIMS

A claim was received from Deig Brothers Inc. on Account No. 203-2250 and 216-3767, Allens Lane for work completed between October 12 and 26, 1973, in the amount of \$24,300.00.

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

A claim was received from G. H. Allen Inc. on Account No. 203-3759 & 216-3765, Kuebler Road, for work completed between October 11 and 26, 1973 in the amount of \$14,697.96. Project 97% completed.

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

A claim was received from G. H. Allen Inc. on Account No. 203-3759.7, Korff Road over Claude Ditch, for work completed between October 10 and 26, 1973, in the amount of \$7,628.63. Project 80% completed.

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

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RE: MR. WILLARD

Mr. Willard presented an absentee list for the past week, of the County Garage employees. Report received and ordered filed.

Mr. Willard presented a check from Auto Owners Insurance Co. in the amount of \$140.00 which was reimbursement for damage done to Bridge #78 on Millersburgh Road 1/5 mile west of Green River Road. He requested that the check be put back into the Highway Department Fund.

Mr. Willard reported that the Waterworks Road was completed, east of the levee and he wondered what happened to the work that was supposed to be done at Boonville-New Harmony Road.

Commissioner Schaad said the men were all working out on Division Street and it was to be done as soon as they could get to it. He said that he would call and remind them.

Mr. Willard said that Fort Campbell has some surplus items on the market and he is going there tomorrow.

Commissioner Ossenberg asked Mr. Willard how soon he will be going back to Tinker Air Force Base for surplus materials.

Mr. Willard said that he was going as soon as the letter comes back.

Commissioner Schaad said he had a request from the School Corporation about the condition of Denzer Road.

Mr. Willard said there is a problem with the Right of Way on this and he knew that it needed to be resurfaced but because of this and other problems, they may not get to it until next year.

RE: LACK OF COMMUNICATION

Commissioner Willner told Mr. Judd of the Traffic Department that he was sorry that he had to take time to come to the meetings but he thought it was important. He said the Commissioners have let a contract to resurface Petersburg Road and Thursday of last week, the road was striped and now the problem is, how they are going to get the striping off the old road and onto the new road.

Mr. Judd said this road was on the old list that they had so they striped it.

Commissioner Willner said he thought there has been a lack of communication between the Traffic Department and the Commissioners and said that he would appreciate Mr. Judd attending the meetings.

Commissioner Ossenberg commended Mr. Judd for getting on the job so fast in getting the twenty-two miles of new paved roads striped.

RE: COMPLAINT ON THE HEALTH DEPARTMENT

Mr. Ambrose Clements complained that he has had a problem of raw septic tank sewage, across the top of his ground and it comes from the property of Mr. Harry Land. He said that he reported this condition to the Health Department three years ago and that it is a very serious problem and that he has gone back to the Health Department three times and that they took his name but never did call him. He said that he didn't know where else to go to get this problem solved.

Commissioner Ossenberg said that he will call Mr. Elder and try to get some kind of answer for Mr. Clements.

PRESENT

COUNTY COMMISSIONERS

Thomas Ossenberg  
Robert Schaad  
Robert Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEYS

William Stephens  
Thomas Swain

REPORTERS

S. Clark  
G. Clabes  
C. Leach  
B. Thompson  
A. Jackson

Secretary: Margie Meeks

Thomas L. Ossenberg  
Bob Schaad

BOARD OF COUNTY COMMISSIONERS

423

COUNTY COMMISSIONERS MEETING  
NOVEMBER 5, 1973

The meeting of the County Commissioners was held on Monday, November 5, 1973, at 9:30 a.m. in the Commissioners hearing room, with President Ossenberg presiding.

Deputy Sheriff Jim Tucker opened the meeting, this being the first meeting of the month.

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

RE: COUNTY-OWNED SURPLUS PROPERTY

There were no bids on the county-owned surplus property this morning. The sale will continue.

RE: EMPLOYMENT CHANGE..... APPOINTMENT

COUNTY SURVEYOR

Charles E. Davis                      2182 Maxwell                      Draftsman      \$6,720 Yr.      Eff: 11/1/73

RE: LETTER FROM TEXACO INC.

A letter was received by the Commissioners from Texaco Inc. in reference to the 1972 gasoline purchases, as follows:

Dear Customer:

Pursuant to the provisions of the Federal Mandatory Middle Distillate Fuel Allocation Program issued by the United States Department of the Interior on October 12, 1973, you are hereby advised that our records indicate that you purchased the following monthly volumes of the indicated Distillate in 1972.

If your records of purchases differ from the aforementioned, you must notify us within thirty days. It is recommended that any such notification be on the designated Department of the Interior Certification available from the Washington D. C. and Regional Offices of the Department of the Interior.

Please be advised that the above monthly volumes should not be construed as representing the volumes available. Subject to the terms of the Mandatory Program, if a proportional allocation of our estimated monthly supplies is necessary, you will be so advised each month.

In the event that you did not purchase a product from Texaco Inc. during any month of 1972 Texaco Inc. has no obligation under the program to make that product available to you that month; or in the event you had additional suppliers you must contact such other supplier of record for that month or request the Department of the Interior to assign you a supplier. In addition, if you have had a substantial increase in fuel requirements from your base period supply levels indicated above, you may petition the Department of the Interior to receive an increased allocation.

Very truly yours, Charles L. Randall, Area Sales Manager

The volume of gasoline & Diesel Fuel was correct as stated.  
The letter was noted as having been received and ordered filed.

RE: LETTER FROM RETARDATION CENTER

A letter was received from the Evansville Retardation Center with a check due to an insurance reimbursement for vandalism which requires the signature of the Commissioners. The check was in the amount of \$572.19. The Commissioners signed the check and it will be mailed back to Key Construction Co.

Commissioner Schaad moved that the check signing be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIMS

A claim was received from the Torian Agency for insurance-General Fund... Auto policy #L 4 45 67 57 - eliminating coverage on 1961 Ford in the Weights & Measures Department. This is a credit in the amount of \$21.00.

There were three claims received from Torian Insurance Agency, for Burdette Park. One claim was in the amount of \$2,056 for insurance on the new building. One claim was in the amount of \$3,412.00 for policy of fire, etc. The third claim was for the builders risk policy on the new administration building in the amount of \$194.00..

Action was deferred on these three claims until next week, pending the presence of Mr. Torian, so that he can answer some questions on them.

A claim was presented from The Terminal Warehouse Co. Inc. for the rent of storage space for the voting machines per contract from November 1, 1973 to December 1, 1973, in the amount of \$500.00. Invoice #10554.

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

There were four claims presented for the Evansville Association for Retarded Children. They are as follows:

Swanson-Nunn Electric Co....Certificate for payment #4, Application for payment #4 in the amount of \$12,570.71.

Kuebler Heating and Air Conditioning, Inc....Certificate for payment #4, Application #5 in the amount of \$38,887.47.

Goedde Plumbing and Heating Inc.....Certificate for payment #4, Application #7 in the amount of \$5,955.03.

Key Construction Co.....Certificate for payment #4, Application #5 in the amount of \$122,644.76.

Commissioner Schaad moved that these four claims be allowed. Commissioner Ossenberg seconded the motion. So ordered.

The building for the Evansville Association for Retarded Children is between 75% and 80% completed and according to the architects, the possible completion date is January 15, 1974.

RE: RIGHT OF WAY BUYER NAMED

Commissioner Ossenberg said that a Right-of-Way buyer must be appointed for the widening of Bergdolt Road, for the Evansville Industrial Foundation, where a new park is going up.

Commissioner Schaad moved that Lilliam Carnagie be appointed as Right-of-Way buyer. Commissioner Ossenberg seconded the motion. So ordered.

RE: CONTRACT AWARDED

LINCOLN AVENUE & FUQUAY STORM SEWERS

There were three bids received last week for the Improvement of the Storm Drainage for Lincoln Avenue at Fuquay...RC 4-73, R & S #12. Mr. Nussmeyer has examined the bids and recommended that George Ryan Co. Inc. be awarded the contract since this is the low bid. The amount of this bid is \$48,367.50.

Commissioner Schaad moved that George Ryan Co. Inc. be awarded the contract. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIMS

A claim was presented from Feigel Construction Corporation for County Road Contract dated September 10, 1973...Lower Mt. Vernon Road and Boonville-New Harmony Road in the amount of \$66,572.86. Money for this project will derive from Revenue Sharing.

Commissioner Schaad moved that the claim be allowed for payment. Commissioner Ossenberg seconded the motion. So ordered.

A claim was received from Harold J. Peter, Account No. 201-2260, for Ditch cleaning in Cloverland Subdivision as per agreement with the Board of County Commissioners, in the amount of \$115.00.

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Commissioner Schaad moved that the claim from Harold Peter be approved in the amount of \$115.00. Commissioner Ossenber seconded the motion. So ordered.

RE: MR. NUSSMEYER

Mr. Nussmeyer presented a request from Indiana Bell Telephone Co. for an easement for Mill Road, in front of the county garage. He asked that the Commissioners look at it to see if it is in order. The request is for thirty-three feet north of the center line.

The Commissioners said that this should first be checked.

Mr. Nussmeyer and Mr. Willard will report back to the Commissioners next week, on this matter.

RE: MR. WILLARD

Mr. Willard submitted his report on the County Highway Department absentees for the past week.

Report received and ordered filed.

RE: COMMENTS ON OBTAINING SURPLUS EQUIPMENT

For the benefit of the news media, Commissioner Ossenber asked Mr. Willard to explain what has been done in getting surplus military equipment.

Mr. Willard said that to date, they have a calculator that cost \$750.00 which was purchased for \$35.00, one truck, two typewriters, office supplies, paint, oil, and that they also have six trucks froze, also two vans and one station wagon for the County Surveyor and a wrecker. He said that items needed must first be frozen and then when the paper work has gone through, the items can be picked up.

Mr. Volpe said that he obtained about \$1300 worth of supplies for his office at the cost of \$89.00.

Commissioner Ossenber said that it is the goal of the county to obtain five more trucks like they have, with the idea that they will mount snow plows on them to clean the county roads.

Mr. Harness asked if they would have any furniture or kitchen equipment and supplies.

Mr. Willard said they have all kinds of kitchen equipment at Camp Campbell.

Commissioner Ossenber suggested that Mr. Harness contact Mr. Cavannah and get a letter of authority so he can go down and tab what he needs.

Mr. Willard said that as he understands it, if the Army or the Navy wants any of these items back within four years, they can get it back, but after that time, if they don't ask for it, it is the property of the county.

Commissioner Schaad said that he read where one county obtained an airplane.

RE: MR. HOTZ

Mr. Hotz said that he still has the old building at Boehne which is known as the old carpenter shop, that it has been condemned and he suggested that Mr. Crooks prepare the specifications for the razing of this building.

Commissioner Schaad moved that Mr. Crooks prepare the specifications so that bids can be advertised for. Commissioner Ossenber seconded the motion. So ordered.

Mr. Hotz said they have the old Boehne truck and several other trucks as well as a bus that they would like to dispose of, as well as other items. He suggested that all these items be declared as surplus so they can be disposed of.

Commissioner Ossenber requested that Mr. Willard get together with Mr. Hotz and prepare a list of all the items that they want to sell.

RE: REPORT BY MR. JUDD

Mr. Judd of the Engineering Department reported that they are caught up with the striping of the roads.

RE: MR. CROOKS....BUILDING PERMITS

Mr. Crooks, the Building Commissioner, submitted his monthly report for October, of permits that have been issued. He said that they are still running well ahead of last year. Report received and ordered filed.

RE: PROPOSED UPDATING OF COUNTY BUILDING CODE - Ord.#1118 D

Mr. Crooks presented a proposed updating of the County Building Code. He said that this is primarily, the same thing that has just been completed in the city and the changes he is trying to make will make the codes of the City and County identical. He said that he would like for the Commissioners to study it for a week. He said that the code of the city had been approved. The proposed updating of the County Building Code was taken under advisement for one week.

RE: DEPARTMENT HEADS REQUESTED TO PREPARE SPECIFICATIONS

Commissioner Ossenberg explained that the Purchasing Department between the City and the County was dissolved so it will be essential that the Department Heads prepare their specifications for taking bids so they aren't cut off short the first of the year. He suggested that the Department Heads prepare their specifications so that the Commissioners can go out on the open market and see what they can do about getting some firm bids so they can operate next year.

RE: MEETING DATE SET

Commissioner Ossenberg stated that since next Monday, November 12th. will be a legal holiday, the County Commissioners meeting will be held on Tuesday, November 13, 1973, at 9:30 a.m. in the Commissioners hearing room.

RE: BRIDGE REPORT

Mr. Nussmeyer reported that Kuebler Road Bridge and the Korff Road Bridge were opened last Friday, that six more bridges should be opened this year and that two more will open next year.

Meeting recessed at 10:20 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u>       | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u>          | <u>REPORTERS</u>   |
|-----------------------------------|-----------------------|----------------------------------|--|
| Thomas Ossenberg<br>Robert Schaad | Lewis F. Volpe        | William Stephens<br>Thomas Swain | C. Leach<br>S. Clark<br>B. Thompson<br>G. Clabes<br>A. Jackson |

Secretary: Margie Meeks

*Thomas L. Ossenberg*  
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*Bob Schaad*  
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 BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
NOVEMBER 13, 1974

The meeting of the County Commissioners was held on Tuesday, November 13, 1973, at 9:30 a.m. in the Commissioners Hearing Room, with President Ossenberg presiding.

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

RE: YOUTH APPRECIATION WEEK

This being Youth Appreciation week, several students attended today's meeting, representing the various schools in the county offices. Commissioner Ossenberg introduced these students.

RE: COUNTY-OWNED SURPLUS PROPERTY

There were no bids on the county-owned property today. The sale will continue.

Commissioner Ossenberg said that he would like for the Commissioners to consider bulking the remaining parcels of surplus property together and try to sell them at one gross sale.

Mr. Volpe asked that the Commissioners wait until after the first Monday in December to do this, as a lot more property will be picked up by the county, on tax sale.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

AUDITORS OFFICE

Lucille Elliott            3920 New Harmony            Post. & Util. Clk.    \$5,020 Yr.    Eff: 11/1/73

AREA PLAN COMMISSION

Douglas Thomas            3312 Waggoner            Draftsman            \$6,000 Yr.            Eff: 11/1/73

VANDERBURGH COUNTY SURVEYOR

Thomas Hamlin            1025 Covert Ave.            Party Chief            \$7,620 Yr.            Eff: 11/15/73

RE: EMPLOYMENT CHANGES.....RELEASES

AUDITORS OFFICE

Bettye Cason            208 E. Tennessee            Post. & Util. Clk.    \$5,020 Yr.    Eff: 11/1/73  
Lucille Elliott            3920 New Harmony            Extra            \$15.00 Day    Eff: 11/1/73

AREA PLAN COMMISSION

Douglas Thomas            3312 Waggoner            Draftsman            \$5,500 Yr.            Eff: 10/31/73

VANDERBURGH COUNTY SURVEYOR

Elmer Lou Culp            2703 Hartmetz            Chief Inspector            \$9,000 Yr.            Eff: 11/15/73

RE: INSURANCE ON BURDETTE BUILDINGS

Three claims were presented last week for the insurance on the new addition at Burdette Park and were deferred until today so that Mr. Paul Torian, the Agent of Record, for county insurance, could be present.

Commissioner Ossenberg explained to him that claims came up last week, on the insurance for the new building at Burdette which cost \$80,000 and there was a question as to if the coverage was for 80% or for 100%.

Mr. Torian explained that the building is insured for \$80,000 but the actual cost of it is \$85,000. He said that by insuring it for \$80,000, they get the lowest possible rate and they are insuring it for a reasonable amount, also that in the event of a loss, this means that 100% would be paid, up to \$80,000 on the newer buildings at Burdette Park.

The three claims from the Torian Insurance Agency, for the Insurance on buildings

at Burdette Park are as follows:

|  |                     |
|--|---------------------|
| Continental policy #FDP 1 58 11 71 \$30,000. Bldg. & \$2,000 contents..... | \$802.00            |
| Hartford policy #36FS152742 \$25,000 Bldg.....                             | \$627.00            |
| St. Paul policy #113AH3637 \$25,000 Bldg.....                              | \$627.00            |
| Fire and Extended Coverage on new Administration Bldg.                     | Total.....\$2056.00 |

|   |                     |
|---|---------------------|
| Aetna policy \$66 77 18 \$55,000 on Bldgs. & Contents.....                    | \$682.00            |
| Continental policy #FDP1 20 47 00 \$97,800 on Bldgs. & contents.....          | \$1194.00           |
| Hartford policy #36FS 152732 \$55,900 on Bldgs. & contents.....               | \$682.00            |
| St. Paul policy #113AH0425 \$69,900 on Bldgs. & contents.....                 | \$854.00            |
| 2nd year installments of three year policies on various items, for fire & e/c | Total.....\$3412.00 |

|   |                      |
|---|----------------------|
| Earned premium on Continental policy #FDP 1 58 11 64 for \$55,000 Builder's Risk policy on new Administration Bldg. | Total .....\$ 194.00 |
|---|----------------------|

Commissioner Schaad said that since Mr. Torian assured the Commissioners that this is in keeping with all the insurance that the county has, he would so move that these three claims be approved for payment. Commissioner Willner seconded the motion. So ordered.

RE: DISCUSSION OF UTILITY COMPANIES

Commissioner Ossenbergsaid that the County Highway recently cut some cables on Long Acre Drive, that belonged to Indiana Bell Telephone Co. and they repaired them. He asked Mr. Torian if the county was covered under this insurance, as the cost is \$161.20 for repairs.

Mr. Torian said that off hand, he wasn't sure but he would check it out to see if the county was covered.

Commissioner Schaad wondered if these cables were installed according to the specifications, which means they would be deep enough and Mr. Willard said that there were no signs as to the location of the cables. He said that sometimes the utility company will come out and locate the cables and sometimes they won't.

Commissioner Ossenbergsaid, that since the Commissioners have implemented the meeting with the engineers of the county and Southern Indiana Gas & Electric Co., if contact has been made with the other utilities, to see if they care to meet with the county engineers, once a month.

Mr. Ludwig said, not as far as meeting once a month but when the county has a job coming up, they do call the utility companies.

Commissioner Ossenbergsaid that it came out of the meeting with Southern Indiana Gas & Electric Co., that their engineers and the county engineer would meet about once a month and he suggested that Mr. Ludwig contact the Phone Co. and the Waterworks Dept and suggest that they come up every week and try to map these things out before this sort of thing happens.

Commissioner Willner moved that this matter be referred to the County Attorney. Commissioner Ossenbergsaid seconded the motion. So ordered.

RE: PURCHASING DISCUSSED

Commissioner Willner said that it was time to do something about purchasing for 1974 and he thought that the County Attorney's were to draw up some kind of plan.

Commissioner Ossenbergsaid that Mr. Swain is out of town on business but that he has called and assured him that he would have the resolution and everything drawn up and have it in the hands of the Commissioners by Wednesday. He said he thought that Mr. Swain was going on the theory of what was set up in the meeting with the officeholders, that one of the County Commissioners become the Purchasing Agent and each department designate a Deputy Purchasing Agent. He said that they should get started on this right away and that all department heads should turn in their specifications as soon as possible.

Mr. Volpe suggested that the office supplies be purchased by individual items because if they purchase them by class, they will be in the same monopolistic mess that they were in a couple of years ago.

Commissioner Willner said that as he understands it, the county is guaranteed from Texaco, the like amount of fuel used in 1972 and if more is needed, it is available by applying through the state and then Texaco must supply it. They were speaking of the fuel for 1974.

Commissioner Ossenberg said that he has been working with one individual and that Mr. Willard has been working with one individual and it appears that they will receive a bid from them. He said that the cost will increase though.

Commissioner Ossenberg asked Mr. Willard what he had decided about the speed limit.

Mr. Willard said that he has set the speed limit for all county vehicles at 45 miles per hour, maximum.

RE: OPENING OF BIDS.....TRUCKS FOR HIGHWAY

There were two bids received for two trucks needed by the County Highway Dept. They are as follows:

Vandever Inc. 2 1974 Dodge Trucks and dump bodies at \$12,751.52....in 120 days.  
Key Motors Inc. 2 1974 Ford Trucks and dump bodies at \$13,476.82...soon as possible.

Commissioner Willner moved that these bids be taken under advisement for one week. Commissioner Schaad seconded the motion. So ordered.

RE: OPENING OF BIDS.....OAK GROVE ROAD & HIRSCH DITCH

There were two bids received for the improvement of Oak Grove Road and Hirsch Ditch. The engineers estimate for this project is \$59,727.00. The two bids are as follows:

Midwest Construction & Materials Inc. ....\$70,662.50  
Feigel Construction Co.....\$66,721.70

There was a question on these bids, since they were both over 5% above the engineers estimate.

Commissioner Willner asked the county attorney if they would have to re-advertise for bids.

County Attorney Stephens said that he didn't think so, as he didn't know of any county statute on it and he didn't even think an engineers estimate was needed, that they just use it for a guideline.

Mr. Volpe said that he wants a written opinion on it since they must be real careful and that he would contact Mr. Hudson for an opinion.

Commissioner Willner moved that these bids be taken under advisement for one week and referred to Mr. Nussmeyer for him to examine them. Commissioner Schaad seconded the motion. So ordered.

Mr. Stephens said that he couldn't find anything in the statute on this and Mr. Volpe said that Mr. Hudson isn't available at present and that he will have Mr. Hudson to contact Mr. Stephens so that he can submit a written opinion, as in this case, he thought it important to get an opinion in writing because it is cash leaving us and once it's gone, there is no way of getting it back and he doesn't think there has been a case like this.

RE: MONTHLY REPORTS

The monthly report of the Clerk of the Circuit Court was submitted for the month of October. Report received and ordered filed.

The monthly report of the County Treasurer was submitted for the month of October. Report received and ordered filed.

The combined report of the Pleasantview Rest Home was submitted for the month of October. Report received and ordered filed.

RE: HANDICAPPED EMPLOYMENT REPORT

A report survey of the program for employees of the handicapped, by the Federal Government was submitted to the Commissioners. Report received and ordered filed.

RE: CERTIFICATE OF INSURANCE

A certificate of Insurance was received from the Ohio Casualty Insurance Company, on William R. Nix, DBA Bill Nix Construction Company for the construction of the Central Service Facility for Burdette Park. Certificate received and ordered filed.

RE: CLAIM

A claim was received from Browning-Ferris Industries of Indiana Inc. which was formerly Indiana Disposal Service Inc. for service for the month of October in the amount of \$1,732.43.

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

RE: INTRODUCTION MADE

Commissioner Ossenbergh introduced Miss Carolyn Miller from Lockyears Business College, who is on a work program and she fills in as one of the requirements in the County Commissioners office for two hours a day. He said that they will have a new girl every five weeks and that this is at no cost to the county.

RE: MR. NUSSMEYER

Mr. Nussmeyer submitted a Bridge Inspection Survey Report which has been certified and documented by the State of Indiana.

Commissioner Ossenbergh said there are quite a few bridges that are in deplorable condition and that next year, the F.A.S. money will be released and they will attempt to utilize it with the money of the county, Federal money, R & S money and start a Comprehensive Bridge Program of updating the bridges and bringing them up to safety standards. This would be about a \$10,000,000.00 program and will be projected over a period of 15 to 20 years.

Commissioner Ossenbergh said that this bridge report is one of the finest reports that the State of Indiana has ever seen and this is part of the Herpic Program.

RE: CUTS IN

A cuts-in request was received from the Indiana Bell Telephone Co. to cut into Boonville-New Harmony Road, in berm east of Pine Gate Road to bury a telephone cable. # F-6670-73.

Commissioner Willner moved that this cuts-in be approved. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIM

A claim was received from Barnett Brothers Inc. for work completed between October 19 and November 19, 1973, on Bridge 201-202 over Eagle Slough. Account No. 216-3763 & 203-3755. The total amount due is in the amount of \$19,331.25. Mr. Nussmeyer said that this project is about completed.

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

A claim was received from G. H. Allen Inc. for Korff Road over Claude Ditch, Account No. 203-3759.1, for work completed between October 26 and November 1, 1973. The final payment being \$6,545.07.  
A change order was also submitted in the amount of \$1,130.00 for added asphalt.

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

A claim was submitted from G. H. Allen Inc. for Kuebler Road, Account No. 216-3765-203-3759.6 for work completed between November 5 and November 15, 1973. The final payment being \$5,638.45.  
A change order was also submitted in the amount of \$500.00 for added rail.

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

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RE: MR. WILLARD ....REPORTS

Mr. Willard submitted a report of the Vanderburgh County Highway absentees for the past week, which was noted as being received and filed.

Mr. Willard presented the report of the Vanderburgh County Highway Department for the month of October, which was noted as being received and filed.

Mr. Willard submitted a list of all the surplus military property that has been obtained by the county. Commissioner Ossenbergsaid that the truck that was obtained from Tinker Air Force base only cost the county \$246.00 and this was the cost of going to get it and bringing it back. The truck was valued at \$5,993.00. He also said that the county purchased office supplies and equipment at the cost of \$89.45 which was valued at \$1,300.00.

Mr. Willard presented his specifications for the supplies that he will need in 1974. Received and filed.

RE: PERMIT REFUND

Mr. Crooks presented a claim from Texaco Inc. for refund from Account No. 130-552, on Permit #9721 in the amount of \$105.00 since the building hasn't been started. He said that he told Texaco to cancel their permit and start over.

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

RE: QUESTION ON PURCHASING

Mr. Harness asked what he should do about purchasing the food, dairy products and the bakery goods for Pleasantview Rest Home for next year, and if he would need to get permission to purchase them on the open market.

Mr. Volpe said that he would need to get the permission of the Commissioners to purchase these items on the open market since they will be the purchasing agent and that this goes for the Hillcrest-Washington Home as well.

Commissioner Ossenbergsaid that they will wait until they get the purchasing plan from Mr. Swain and they will then probably give Mr. Harness approval to purchase his food, bakery goods and dairy products on the open market.

RE: MR. CROOKS....BUILDING CODE

Mr. Crooks again presented the updated Ordinance on the county Building Code. He said that the changes made will make the codes of the City and the County identical.

Commissioner Willner moved that action be deferred on the ordinance until next week so that he will have a chance to study it. Commissioner Ossenbergs seconded the motion. So ordered.

RE: PLAQUE REMOVED FROM BOEHNE BUILDING

Mr. Hotz said that he would like for the Commissioners to present the plaque that was removed from the Boehne Building, to the family of John W. Boehne, for which the building was named, as he felt it had sentimental value. The plaque read, "In recognition of the benefactions of John W. Boehne for the development of this institution - Erected January 1, 1926.

Mr. Hotz said that Mr. Boehne has one daughter who is Mrs. Earl Heseman and lives in the Colonial Apartments.

Commissioner Schaad moved that this plaque be presented to Mrs. Heseman. Commissioner Willner seconded the motion. So ordered.

Mrs. Heseman will be invited to attend next week's meeting.

RE: REPORTS ON REMOVAL OF SIGNS

Commissioner Willner said that he has received a couple of reports that the stop signs are down at Darmstadt Road and Schillinger Road, also at St. Joe and Adler.

Commissioner Schaad said that he has had complaints that the signs have been removed on Red Bank Road, from Hwy. 62 North to Hogue Road but that the posts are still standing.

RE: REQUEST FOR SIGNS TO BE ERECTED

Commissioner Ossenberg said that he received a request of the residents in the area of Plaza Park School for signs to be erected, since a couple of students were hit on bicycles and there are no yield or stop signs out there. He said he referred this matter to the Area Plan Commission for study, so they will be submitting a report on this problem.

RE: MR. HARNESS

Mr. Harness submitted an application for the admittance of a Mary Gray to the Pleasantview Rest Home of which he recommended approval.

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

Mr. Harness submitted an application for the admittance of a Linda Gray who is the daughter of Mary Gray of which he recommended the application not be approved. He said that Linda has a mental disorder and is subject to epileptic seizures. He said that she was previously at the home but had to be removed and will have to be placed elsewhere.

Commissioner Schaad moved that this application be denied upon the recommendation of Mr. Harness. Commissioner Willner seconded the motion. So ordered.

Meeting recessed at 10:40 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u> | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEY</u> | <u>REPORTERS</u> |
|-----------------------------|-----------------------|------------------------|------------------|
| Thomas Ossenberg            | Lewis F. Volpe        | William Stephens       | S. Clark         |
| Robert Schaad               |                       |                        | G. Clabes        |
| Robert L. Willner           |                       |                        | C. Leach         |
|                             |                       |                        | D. Goodnow       |
|                             |                       |                        | A. Jackson       |

Secretary: Margie Meeks

Thomas L. Ossenberg

Bob Schaad

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
NOVEMBER 19, 1973

The meeting of the County Commissioners was held on Monday, November 19, 1973, at 9:35 a.m. in the Commissioners Hearing Room, with President Ossenberg presiding.

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

RE: COUNTY-OWNED SURPLUS PROPERTY

There were no bids on the county-owned surplus property today. The sale will continue.

Mr. Volpe said that there would be more surplus county-owned property during the first week in December and that this is property that was bid-in last December and took a certificate for it, that had been on tax sale previously, two years and this is property that taxes haven't been paid on for about four years. It is the plan of the Commissioners to pool all this property together and to sell all of the county-owned property at one time.

RE: CORRECTION MADE ON RESIDENCE

Last week it was stated that the plaque from the old Boehne hospital would be presented to the heir of John W. Boehne which happens to be his daughter, Mrs. Earl Heseman. It stated her residence as Colonial Apartments when it should have read Continental Apartment.

RE: AWARDING OF BID....TRUCKS FOR HIGHWAY DEPARTMENT

Two bids were received last week for the two trucks that are needed by the Highway Department and they were from Vandever Inc. in the amount of \$12,751.52 and from Key Motors Inc. in the amount of \$13,476.82.

Mr. Willard recommended that the bid of Key Motors Inc. be accepted, even though it is the higher bid, because the Dodge people are experiencing difficulty in getting parts and it seems as though the Ford Motor Co. can supply the parts. Mr. Willard said that all of their trucks except for two are Fords and some of the parts in stock could be interchangeable on the newer models.

Commissioners moved that the contract be awarded to Key Motors Inc. Commissioner Schaad seconded the motion. So ordered.

RE: OLD BILL PRESENTED ON BURKHARDT ROAD

Mr. Nussmeyer presented an old bill from the Southern Railroad Co. Commissioner Ossenberg said that he had talked with Mr. Biggerstaff, sometime ago, as to how to proceed with the Southern Railroad, since they were having difficulties getting permission to cross the tracks at Oak Hill Road and he was told, at that time, by Mr. Biggerstaff, that they had written a letter to the Southern Railroad saying that they were going to build right up to their Right of Way and apparently a few days later, they agreed to go along with the county but this is something new to him. The bill was for \$1,114.49.

Commissioner Willner moved that this bill be referred back to Mr. Nussmeyer so that he can check it out. Commissioner Schaad seconded the motion. So ordered.

RE: OAK GROVE ROAD IMPROVEMENT

There were two bids received last week for the improvement of Oak Grove Road & Hirsch Ditch. They were from Midwest Construction & Materials Co. in the amount of \$70,662.50 and from Feigel Construction Co. in the amount of \$66,721.70. Commissioner Ossenberg said they have \$60,000 in this account and money could be transferred for the balance without advertising and that the County Council meets Wednesday night.

County Attorney Stephens said that the contract couldn't be awarded until they have the money.

Commissioner Ossenberg asked, if the Council agreed to transfer the money, couldn't he then take a telephone poll of the Commissioners to award the contract.

County Attorney Stephens then said that he could do this.

Commissioner Schaad asked Mr. Nussmeyer, that since the Railroad has given permission for them to cross the tracks, if he couldn't come up with a ball park figure of what it would take to do the complete job and go before the Council and get the \$6,000 plus that it will take to finish the job, or did he think they should go before the council the second time.

County Attorney Stephens said that they should take it in two steps.

Commissioner Ossenberg said if the Council approved the transfer of funds, he will then take a telephone poll of the Commissioners and the contract will then be awarded. The money to be transferred will come from the Highway Contractual account which is #201-2260 and it will be entered into Account #201-3746. The \$60,000 is Revenue Sharing Funds. They will request that \$10,000 be transferred.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

VOTERS REGISTRATION OFFICE

Stella Mangum            712 Ridgeway            Clerk            \$230.00 Se. Mo.    Eff: 11/15/73

COUNTY HIGHWAY

Robert H. VanWinkle    2811 Egmont            Rodman            \$5,720 Yr.            Eff: 11/15/73

RE: EMPLOYMENT CHANGES.....RELEASES

Edna Mae Castrup       426 Richardt           Clerk            \$230.00 Se. Mo.    Eff: 11/14/73

RE: APPOINTMENT MADE

The appointment of the County Jail Physician, Dr. Rosenblatt, was made a month ago to replace Dr. Paul Steele who had passed away. Dr. Rosenblatt has now resigned and another doctor is needed to replace him. Commissioner Willner moved, upon the recommendation of Sheriff Riney, to appoint Doctor George F. Berry as County Jail Physician. Commissioner Schaad seconded the motion. So ordered.

RE: LETTER FROM THE STATE BOARD OF TAX COMMISSIONERS

A letter was received from the State Board of Tax Commissioners, submitting the second notice of the Cumulative Bridge Fund with instructions to advertise notification to the taxpayers that a plan has been adopted whereby the Cumulative Bridge Fund was established to provide for the building and repair of bridges and grade separations in Vanderburgh County.

Commissioner Schaad moved that this be referred to the County Auditor for advertising. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORT

The monthly report of the Evansville Association for Retarded Children for the month of October was received by the Commissioners. Report received and ordered filed.

RE: INSURANCE

A certificate of Insurance was received, to certify that policies have been issued to Orkin Exterminating Co. Inc. by Continental Casualty Co. Certificate received and ordered filed.

RE: SPECIFICATIONS PRESENTED

The specifications for four new cars for 1974 were presented to the Commissioners from Sheriff Riney.

Commissioner Schaad moved that the specifications be referred to Commissioner Willner so he can check them. Commissioner Ossenberg seconded the motion. So ordered.

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RE: DARMSTADT LAW SUIT

A Darmstadt law suit was presented to the Commissioners. County Auditor, Lewis Volpe, explained that he had recommended that they file for a declaratory judgment to see if they could legally impose a tax this year. County Attorney Swain said that this was up to the State Board of Tax Commissioners and that whatever the Attorney General decides, he will go along with it.

Commissioner Schaad moved that this matter be referred to County Attorney Swain. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

A claim was presented from Sheriff Riney for the meals of the prisoners that were served from October 15, 1973 to November 14, 1973, in the amount of \$6,147.80.

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

RE: CHANGE ORDERS

It was noted that there were two change orders submitted. One for Korff Road in the amount of \$1,130.00 and one for Kuebler Road in the amount of \$500.00.

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

RE: DISCUSSION ON PURCHASING

There was much discussion on the problem of purchasing for the county, for next year, since the consolidated purchasing of the city and the county has been dissolved as of the end of the year.

A proposal was made last week to have one county official serve as a figurehead purchasing agent at no pay. All county departments would report the prices they received on purchases made independently in an effort to get the best prices.

County Attorney Swain told the commissioners that he felt the county could set up its own full-time purchasing department but wondered if the county could operate under the proposed plan.

County Auditor, Lewis Volpe said that it could be done.

Commissioner Schaad moved that until this can be resolved, all of the office heads are to submit their specifications and bids will be advertised for, subject to rejection, so that they are covered in case this thing isn't resolved.

Commissioner Willner said that he is afraid that if it is done this way, they will not change it and he thought that now is the prime time to change it, even if it takes a special meeting to do it.

Commissioner Schaad said that the bids can always be rejected if some plan is worked out for county purchasing.

Commissioner Ossenberg seconded the motion that was made by Commissioner Schaad and he told County Attorney Swain that he had better come up with something by Wednesday night for the County Council. So ordered.

Mr. Harness asked if it was necessary for him to turn in specifications for food, dairy products and bakery goods, or could he buy them on the open market since he never spends the \$5,000 that is allowed by statute without advertising.

Commissioner Schaad said that he wanted to be legal and to clear the County Commissioners, he moved that the food, dairy products and the bakery goods also be advertised for. Commissioner Ossenberg seconded the motion. So ordered. Commissioner Ossenberg said that this is with the understanding that if there aren't any bids, that Mr. Harness can buy on the open market.

RE: HOSPITAL BILL DENIED

A bill was received from Deaconess Hospital for a Albert R. Sinnett. Commissioner Ossenberg stated that this was presented before and it was thrown out because at that time, the man wasn't a prisoner.

County Attorney Stephens said the reason this was turned down before was because at the time of the occurrence of the expense in the hospital, there were no pending

charges against the man and his case was dismissed. He said that Mr. Cox has asked that the bill be reconsidered because on the day he was admitted to the hospital, the charges against him were dismissed and when he got out, they were refiled.

The prosecutor told Mr. Stephens that Mr. Sinnett was charged with second degree burglary on May 28, 1971 and then he went to city court and the prosecutor had seven days to file formal charges or to dismiss the case. On the seventh day, the file of the prosecutor reflected insufficient evidence to file a formal charge so it was dismissed for lack of evidence.

Mr. Stephens said that Mr. Sinnett got sick that same day in the county jail and he was taken to the hospital and by the time he got there, the charges against him had been dismissed. A week later, charges were filed against Mr. Sinnett for second degree burglary in Superior Court and subsequently, a plea of guilty was entered and he received a suspended sentence.

County Attorney Stephens said that his recommendation, with this explanation, is that the county doesn't owe this bill of \$467.60.

Commissioner Schaad moved that the payment of the \$467.60 be denied. Commissioner Willner seconded the motion. So ordered.

County Attorney Stephens said that he will call City Attorney Cox and explain it to him.

RE: ENERGY CRISIS

A letter was received from the Building Authority, in submitting four points for the energy crisis, as follows:

1. To terminate evening meetings at 10:00 p.m. to 10:30 p.m.
2. To start evening meetings earlier.
3. To re-schedule certain meetings during regular working hours or shortly thereafter.
4. Schedule more meetings on the same evenings, Monday, Wednesday or Friday.

Commissioner Ossenberg said he thought the heat in the building would be turned down to 68 degrees.

Letter received and ordered filed.

Commissioner Ossenberg said he went on record with Mr. Clabes, a reporter, that if the energy crisis becomes more acute, he would recommend that the county officeholders close all the county offices at 4:00 p.m. and from what he has read, the condition will become more critical.

RE: DRAINAGE PROBLEM

Mr. Kissell appeared and stated that he has had a problem on Burkhardt Road for about 15 years and now the county is rebuilding part of Burkhardt Road and a new tile system is being put in.

He said that some 40 years ago, someone got the bright idea to close up a ditch and put a field tile in and about 15 years ago this tile started to collapse and the water has backed up. He said the new tile will be connected to the field tile that doesn't work. He proposed that a manhole be dropped down to the bottom of the ditch and open the ditch so it will carry off the water.

Mr. Nussmeyer said this couldn't be done on the present contract and he asked Mr. Kissell if he would be willing to give the county the Right of Way that would be needed.

Mr. Kissell said that he would grant the Right of Way that is needed.

Mr. Nussmeyer said that he would work on this problem and bring back a recommendation to the Commissioners.

RE: CLAIMS

A claim was presented from John Singer for gas mileage for road inspections in the amount of \$50.29. Account # 506-3-201-2260.

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

A claim was presented from Deig Brothers for Allens Lane over Locust Creek # 203-3767-216-3767 for work completed between October 26 and November 26, 1973, in the amount of \$19,971.00.

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

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A claim was presented from G. H. Allen for New Green River Road over Eagle Slough, Account #203-3755-216-3763 for work completed between November 1 and November 15, 1973, in the amount of \$12,384.20.

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

A claim was received from Robert F. Traylor Corp. for Burkhardt Road over Boesche Ditch, Account #216-3764 & 203-3759.5 for work completed between October 22 and November 15, 1973, in the amount of \$55,182.65.

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

RE: EASEMENT

Mr. Nussmeyer presented an easement from the Indiana Bell Telephone Co. and recommended its approval, since the county may want to widen this road some day.

Commissioner Willner said there was no reason to buy an easement if they didn't need it and he would like to examine it.

Commissioner Willner then moved that this be referred to the county attorney. Commissioner Ossenbergh seconded the motion. So ordered.

RE: LATE BID RECEIVED

Bids were opened for two trucks for the Highway Department last week and today a bid was received from Hendrickson & Sons Motor Co. for these trucks. The bids were dated November 8, 1973, but was postmarked November 16, 1973, which was a week late and couldn't be considered.

The County Attorney suggested that the bid be returned with a letter of explanation. Mr. Volpe said that he would be there on Saturday morning and he would return the bid and explain it to them.

RE: MR. WILLARD

Mr. Willard presented a list of roads that were resurfaced by the Vanderburgh County Highway Department in 1973. Report received and filed.

Mr. Willard submitted a report on oil mat roads that were resurfaced by the County Highway Department in 1973. Report received and ordered filed.

Mr. Willard submitted a list of the absentees in the County Highway Department for the past week. Report received and ordered filed.

RE: O'HARA DRIVE

Judge Lensing said that O'Hara Drive out in Melody Hills is now being paved completely, pursuant to the plans that were adopted by the County Surveyor and he wanted the Commissioners to have the surveyor to check it out so it can be accepted by the county for maintenance.

RE: OAK GROVE ROAD

Judge Lensing said he received a letter from the County Commissioners, concerning Oak Grove Road and he said, as a special favor to the Commissioners, he will phone the County Council members and try to find out what their attitude is on the transferring of funds. He said that he has talked to two of the members so far and they think it is quite reasonable that they are going to be transferring funds from the contractual account to the Oak Grove Road project and he foresees no difficulty. He said he would let them know the feelings of the council when he completes his poll, however it will have to be officially acted upon at the Council meeting.

RE: COMMENT ON THE ENERGY CRISIS

Judge Lensing said that he thought the County Council would go along with whatever is recommended, in reference to the energy crisis.

RE: COMMENTS ON PURCHASING

Judge Lensing said he knew of the difficulties that the Commissioners were having in getting the County Purchasing Department off the ground and he thought that this was something that was supposed to have been resolved when the money was taken out of the budget for the consolidated purchasing department and said if it wasn't going to be resolved, maybe they had better put it back in the budget and going along with the city, so if they have a plan, it must come before the council on Wednesday night, to be resolved.

Commissioner Schaad explained to him that he made a motion that all county officeholders under the Commissioners jurisdiction prepare their needs for next year and that bids be advertised for them, including the food items, so that if this thing isn't resolved, we will have our bids in.

Judge Lensing said this will be going back to the old system and the County Council might change their minds. He said this matter was on the agenda for October and then for the first meeting in November and now have it on the agenda for the meeting to be held on Wednesday and he would like to have a report and not just leave it up in the air because the next meeting will be too late.

County Attorney Swain said he would have the information ready for the County Council on Wednesday.

Commissioner Schaad moved that the matter of the extension of O'Hara Drive be referred to the County Surveyor for his recommendation of considering it for maintenance. Commissioner Willner seconded the motion. So ordered.

RE: MR. CROOKS

Mr. Crooks said they have been proposing the ordinance on erosion control and next week the University of Wisconsin will have a two day schooling on erosion control and he plans to attend that meeting and on the way back he plans to attend a modular building seminar.

RE: MR. HOTZ

Mr. Hotz said they are starting to wreck the old court house annex building and he would like to attend the meeting of the safety board and request that they either remove the heads of the parking meters close to the building or to at least take measures to restrict parking. The Commissioners agreed that Mr. Hotz attend the meeting to make this request.

Mr. Hotz said he has one large plaque left and since so many names are on it, he would like permission to have the historical society look at it, to see if they are interested in keeping it. Commissioner Schaad moved that Mr. Hotz have permission to give the plaque to them if they want it. Commissioner Willner seconded the motion. So ordered.

RE: MR. JUDD UNABLE TO ATTEND MEETING

Commissioner Ossenbergh said that Mr. Judd called him and said that he and his drew were all out on the streets because of the traffic changes that are being made.

Mr. Harness reported that Eleanor Crowe at F's Steak House has been nice enough to invite the residents of the Pleasantview Rest Home and sufficient personnel to take care of them, to their establishment for Thanksgiving dinner, with all the trimmings, transportation to be furnished by the M.E.T.S. He said that he thought this to be a very nice gesture.

Mr. Harness said that he and his wife will be taking a weeks vacation the last week of November and that nurse Buchannan will be in charge of the comprehensive unit and that Lois Westfall will be in charge of the residential section.

The meeting recessed at 11:03 a.m.

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PRESENT

COUNTY COMMISSIONERS

Thomas Ossenberg  
Robert Schaad  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEYS

William Stephens  
Thomas Swain

REPORTERS

S. Clark  
B. Thompson  
C. Leach  
A. Jackson

Secretary: Margie Meeks

Thomas L. Ossenberg  
Bob Schaad  
Robert L. Willner  
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
NOVEMBER 26, 1973

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The meeting of the County Commissioners was held on Monday, November 26, 1973, at 9:35 a.m. in the Commissioners Hearing Room, with President Ossenberg presiding.

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

RE: COUNTY-OWNED SURPLUS PROPERTY

There were no bids on the county-owned surplus property today. The sale will continue.

RE: CONTRACT AWARDED FOR OAK GROVE IMPROVEMENT

Two bids had been received for the improvement of Oak Grove Road & Hirsch Ditch. They were from Midwest Construction & Materials Co. in the amount of \$70,662.50 and from Feigel Construction Co. in the amount of \$66,721.70. There was \$60,000 in this account and the contract couldn't be awarded until there was approval from the County Council to transfer \$10,000 from the Highway Contractual Account to this account. This has now been approved.

Mr. Nussmeyer recommended that the low bid of Feigel Construction be accepted.

Commissioner Schaad moved that Feigel Construction Co. be awarded the bid in the amount of \$66,721.70. Commissioner Willner seconded the motion. So ordered.

RE: SPECIFICATIONS PRESENTED FOR SANITARY SEWER

Mr. Leo Weiss presented plans and specifications for the construction of a sanitary sewer at Burdette Park. These plans were prepared by Engineer Associates Inc. Mr. Weiss said that he will have an estimate at time of bid opening.

Commissioner Ossenberg said that Curtis Construction Co. was paid \$65,000 from Revenue Sharing money to run the line to Burdette Park and now the Commissioners have hired Engineers Associates to give them a recommendation which is for the construction of a sewer so that all other sewers can be tied into it.

Commissioner Schaad moved that the final plans for this phase of the Burdette Park system be approved and bids be advertised for, the opening date to be set for December 17, 1973. Commissioner Ossenberg seconded the motion. So ordered.

RE: CONTRACT AWARDED FOR DEMOLITION OF BUILDING

There were three bids received for the demolition of the carpenter shop building at the old Boehne building which are as follows:

Nix Demolition of Florence Alabama....\$3,000....Rejected...No Non-collusion affidavit.

There was \$150.00 in cash enclosed which should be returned by check.

Deig Brothers Lumber & Construction Co.....\$2,950...Bid is in order

Valley Wrecking Co.....\$1,990.....Bid is in order, subject to bond.

Mr. Hotz recommended that the low bid of Valley Wrecking Co. be accepted. Commissioner Schaad moved that the contract be awarded to Valley Wrecking Co. in the amount of \$1,990. Commissioner Willner seconded the motion. So ordered.

Mr. Crooks said that Valley Wrecking Co. has a continuous bond on file. County Attorney Stephens said that a certificate should be obtained from the Insurance Co. showing that the bond is in full force at the time of the new contract work is started.

RE: AUTHORIZED TO ADVERTISE FOR BIDS.....Sheriff Cars

Specifications that were presented last week on the four cars needed by the Sheriff's Department, were referred to Commissioner Willner for study. Commissioner Willner said that he has studied these specifications and found that three or more companies can bid on them.

Commissioner Willner so moved that the specifications be approved and that the Auditor be authorized to advertise for bids. Commissioner Schaad seconded the motion. So ordered.

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RE: CERTIFICATE OF INSURANCE

A certificate of Insurance was received from White Advertising International, Division of Whiteco Industries Inc. which is a continuation certificate and Larry Akin Management. This is for the Auditorium.

This matter was deferred for one week so the County Attorney's can check, to see what the lease requires.

RE: LETTER OF THANKS

A letter was received from Mrs. Heseman, the daughter of John W. Boehne, who had been presented with the plaque that was removed from the old Boehne Hospital Building. The letter reads as follows:

Dear Sirs:

May I take this opportunity to thank you for the plaque honoring my father, John W. Boehme, that was taken from one of the buildings at Boehne Hospital recently. Both of my children saw it this week-end and both agreed that it should go to their cousin, my nephew, John W. Boehne III who lives in Silver Spring, Maryland, because he carries the same name. We feel sure his sentimental nature will value having it. I shall make arrangements to send it to him in the next few days. Thank you again for your thoughtfulness. Signed Edna Boehne Heseman.  
Letter received and ordered filed.

RE: CERTIFICATE OF INSURANCE

A certificate of Insurance was received from White Advertising International, Division of Whiteco Industries Inc., in continuing in force, the sign contractors license of the county.  
Certificate received and ordered filed.

RE: REQUEST FOR MAINTENANCE OF STREETS .....GUTHRIE MAY

The following request was received by the Commissioners, from Guthrie May:

Gentlemen:

We hereby submit the following concrete streets with curbs and with your approval, we request that they be accepted and maintained by the county; Cross boy Lane, North from the intersection of Deer Trail to the intersection of Oxmoor Road. Saratoga Drive, North from the intersection of Spring Valley Road to the intersection of Oxmoor Road. Oxmoor Road, East, from the intersection of Crossbow Lane to the intersection of Saratoga Drive. The plans for the construction of the streets were approved by the Board of County Commissioners on December 12, 1972. The Plat was recorded on January 1, 1973.

Commissioner Schaad moved that this matter be referred to the County Engineer's office for recommendation. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR MAINTENANCE OF STREETS ..... HARMONY HOMES

The following request was received by the Commissioners, from John R. Neidig:

Gentlemen:

We submit the following concrete streets with curbs and storm sewer, for your approval and request that they be accepted and maintained by the county; Meadowlark Lane, from the intersection of Karen Drive and 150 feet East of this intersection on Meadowlark Lane. Magnolia Drive, 700 feet west of the intersection of Westhaven Drive to and including the intersection of Karen Drive. Westhaven Drive, Intersection of Karen Drive and 150 feet East of this intersection on Westhaven Drive. Karen Drive, from the intersection of Westhaven Drive, North, 1000 feet to and including the intersection of Meadowlark Lane. The plans for the construction of the streets and storm sewers were approved by the Board of County Commissioners on October 30, 1972. Section C was recorded on August 30, 1967.

Commissioner Schaad moved that this request be referred to the County Engineer's office for recommendation. Commissioner Willner seconded the motion. So ordered.

RE: T.B. PATIENT ADMITTED TO HOSPITAL

A letter was received from Mildred M. Knodel, the Tuberculosis Control Officer, by the Commissioners, stating that Harry D. Wheaton of 1817 Herndon Drive, was admitted to the Good Samaritan Hospital in Vincennes, Indiana on October 28, 1973, for evaluation and treatment of active pulmonary tuberculosis.

Mr. Wheaton has Medicare and Blue Cross supplemental insurance which will be utilized to the full extent of coverage for this hospitalization. The balance will be billed to the Vanderburgh County Commissioners.

Mr. Wheaton is a Vanderburgh County resident and eligible for financial assistance with the hospitalization.

Commissioner Willner moved that this application be accepted and that Mr. Wheaton receive assistance. Commissioner Schaad seconded the motion. So ordered.

RE: LETTER FROM JESSE STOCK INSURANCE CO.

Re: Lockyears college study program

The following letter was received from Jesse Stock Insurance Co.:

Gentlemen:

We have been asked by the Workmen's Compensation Rating Bureau to confirm in writing to them that your organization provides Workmen's Compensation Insurance of those employees hired under the work study program.

Would you be kind enough to indicate at the bottom of this letter that your organization does report the payroll of these employees under your Workmen's Compensation policy and they are covered by it.

We appreciate your prompt reply. Signed Jesse Stock Jr.

This matter was referred to the County Attorney for disposition.

Commissioner Ossenbergsaid he thought the work study program from Lockyear's Business College was at no cost to the county.

County Attorney Swain said that he would check into this and report on it at next weeks meeting.

RE: CLAIMS

A claim from G. H. Allen Inc. that had been previously approved subject to adjustment, was again submitted to the Commissioners for the work that was completed on Kuebler Road between November 5 and November 15, 1973. The claim is in the amount of \$5,638.45.

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

A claim was again submitted to the Commissioners from G. H. Allen Corp. for Korff Road over Claude Ditch in the amount of \$6,545.07. This claim had also been previously approved subject to adjustment.

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

RE: BILL FROM SOUTHERN RAILWAY COMPANY

A bill was received from the Southern Railway Company in the amount of \$1,114.49, for costs incurred by the Southern Railway Company for account of the Board of Commissioners of Vanderburgh County, Indiana, in connection with widening and improving Burkhardt Road, 1,314' West of Milepost 5-EB, Evansville, Indiana.

Mr. Nussmeyer said that he found correspondence on this but couldn't find the contract.

This matter was referred to the County Auditor's office to see if the contract could be found and if this bill has or has not been paid.

Commissioner Schaad so moved that this be done. Commissioner Willner seconded the motion. So ordered.

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RE: REPORT BY MR. NUSSMEYER

Mr. Nussmeyer said that the bridge plans for N. Kentucky Avenue are about ready. He also said that this project is a joint effort between the city and the county.

RE: MR. WILLARD

Mr. Willard submitted his list of absentees for the county highway employees. Report received and ordered filed.

Mr. Willard reported that there has been vandalism at the site of the bridge on Lynn-Becker Road. He said that the kids have been tearing down the barricades and he is going to have to barricade it and put up lights out there and he asked if he should bill the contractor for it.

The County Attorney said that if the contract reads that the contractor is responsible for safety, etc. he should bill them for it.

Mr. Ludwig said that he tried to contact the contractors but that they were out of town.

County Attorney Swain said that a bill could be made out and given to the engineer and he could deduct it from the next billing.

RE: INDIANA ASSOCIATION OF COUNTY ATTORNEY'S DISCUSSED

County Attorney Swain said that they are trying to start an Indiana Association of County Attorney's and he asked if the county would pay their dues.

Commissioner Ossenberg said that he read the letter on this and he thought that the county attorney's would reap great benefits from it.

County Attorney Swain said that he received a letter from some lawyer in Hendricks County who want to start this and asked him if he was interested and if he wanted it as part of the Indiana Association of Counties. He said that he was interested but that he didn't think that it should be part of the Indiana Association of Counties, that he thought that it was all-right if they had it in this frame work but they should hold separate meetings somewhere, otherwise they are in with the County Commissioners problems and not legal problems. He wrote and told them that it should be either a separate organization or that they should meet at a separate place and time, than the county Commissioners.

County Attorney Stephens said that they didn't need an answer from the Commissioners now, as they don't know if there will even be an association. They just wanted to see how the Commissioners felt about this possibility.

RE: REFUND ON BUILDING PERMIT

Mr. Crooks submitted a claim for a refund to Jim Patton in the amount of \$7.00. He had obtained this permit and then it was found that his property is out of Vanderburgh County so his money must be refunded.

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

RE: STOP SIGNS DOWN

Commissioner Willner said that he had a report that two stop signs are down at Old Owensville Road and Mann Road and at Old Owensville Road and Frontage Road. The proper authorities will be notified.

RE: MR. HOTZ

Mr. Hotz said that the Administrator of Boehne Hospital has indicated that the Commissioners will be receiving a letter, informing them that they are giving up Boehne Hospital, after their next board meeting, with the stipulation that the building will be torn down.

He thought that Alcoholics Help Inc. should bear the expense of any revamping that needs to be done in the heating and electricity for the portion of the building that they are using.

Commissioner Ossenberg said that the Commissioners will enter into an agreement with Alcoholic Help Inc. before the county accepts the building, as recommended by Mr. Hotz.

County Attorney Stephens wondered if there was a provision in the lease, about Alcoholic Help Inc. giving up a part of the building. He said that he would check this out and report back to the Commissioners at next week's meeting.

RE: PURCHASING

Commissioner Willner asked if it was the consensus of the Commissioners that the county is going back to the old system of purchasing, that was in effect prior to joint purchasing.

Commissioner Ossenberg said he has asked County Attorney Swain to draft an ordinance on purchasing which he will present to the Commissioners in two weeks. He said we are not going back to the old system but that we are going to take bids on all materials and supplies so we will have what we need for next year.

County Attorney Stephens said that we will still have to advertise, whether it is done collectively or through a county purchasing agent.

Commissioner Willner said that he felt that we could save money by not lumping everything into a big class.

County Attorney Stephens said that he didn't understand how this could be avoided as the statute requires that this be done. He said the intent of the legislature, in setting up a purchasing department for the county was probably to take the burden off the Commissioners in deciding which of the bidders submit the best bid, by putting it in the hands of a professional, so to speak. He said, in his opinion, the classes can not be broken down and we must advertise for bids so the Commissioners can award contracts by December 31st.

Commissioner Schaad said that the County Council cut off the funding for the joint purchasing as of the end of this year but no one has legally been notified as such.

County Attorney Stephens said that Mr. Becker made the statement at the County Council meeting, that he would relieve the county from any responsibility and he is a city councilman and presumably spoke on behalf of the city when he made that statement.

Mr. Stephens also said that if materials or supplies are needed during the year, under \$5,000, the department head can buy them without advertising.

Commissioner Schaad moved that all county offices list their requirements for 1974 and submit them to the Auditor's office so we can take bids on everything, including the printing and office supplies. Commissioner Ossenberg seconded the motion. So ordered.

RE: PROBLEM OF BRIDGE

Mr. Phegley of the State Highway Department said that there is a structure which crosses Eagle Slough on Old Highway 41, South, which they have asked to be abandoned back to the county and the county has objected to. He has been asked by the Chief Engineer to discuss this as to what the county would require, besides tearing it down immediately, in order for the county to take it back. He asked if the county would tear it down, at their convenience, and use the materials that are in the bridge and take it over at a later date.

He said that the state would like to get the right of way off their records and are trying to find some way to dispose of the bridge. He said that the Chief Engineer has stated that there is no way that they will spend the \$150,000 to tear it down and if the county wants it, they can have it as it stands, to use as they wish.

This matter was referred to Mr. Nussmeyer for a recommendation.

RE: REQUEST FOR ADDITIONAL EMPLOYEES...VOTERS REGISTRATION

Mr. O'Day of the Voters Registration Office appeared and submitted the following request:

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Dear Sirs:

We, the Board Members of the Voters Registration Office, are asking for two new full time deputies to run and maintain the new Addressograph System that has been added to our office. We are requesting they be added as of January 1, 1974. Signed Mabel Lurker and Joseph F. O'Day, Board Members.

Commissioner Ossenberg said that this came up before the County Council and the law was stipulated, at that particular time, that the County Commissioners can grant two additional employees and it is up to the County Council to find the money out of the general fund for them.

Commissioner Schaad said that the council stated that they couldn't take action on this now, but he said that there is to be a special meeting to be held on January 2nd. to take all these things into consideration. He told Mr. O'Day to be sure that this matter gets on the agenda.

Commissioner Schaad moved that the County Commissioners allow the two deputies for the Voters Registration office. Commissioner Willner seconded the motion. So ordered. The County Council will then act on this matter on January 2nd, 1974.

The meeting adjourned at 11:00 a.m.

PRESENT

COUNTY COMMISSIONERS

Thomas Ossenberg  
Robert Schaad  
Robert L. Willner

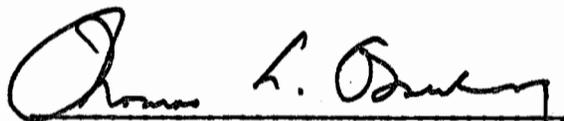
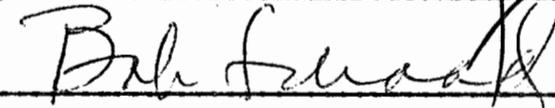
COUNTY ATTORNEYS

William Stephens  
Thomas Swain

REPORTERS

C. Leach  
G. Clabes  
A. Jackson  
S. Clark  
B. Thompson

Secretary: Margie Meeks

  
  
  
 BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
DECEMBER 3, 1973

The meeting of the County Commissioners was held on Monday, December 3, 1973, at 9:35 a.m. in the Commissioners Hearing Room, with President Ossenberg presiding.

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

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

RE: DISCUSSION OF THE PURCHASING DEPARTMENT

Commissioner Ossenberg said that Commissioner Schaad did come up with a proposed plan on purchasing, that the County Attorney is presently working out. He said he discussed this with Mayor Lloyd and suggested that Mayor Lloyd appear before the Commissioners today to state his position in this matter.

Mayor Lloyd said there has been discussion as to, if the city and the county should enter into some operation for the joint purchasing of all materials and supplies. He said he has made inquiries of the city councilmen and various department heads, as well as the employees of the present purchasing operation to inquire, if whether or not, they would be interested in resuming with the county, the joint purchasing operation and the response was a unanimous "no". They were not interested because of all the problems they have had. He said there are really some major problems in getting involved in joint purchasing at this late date, since there is a minimum of 60 days needed before it can be in operation. He said there are problems because of the fragmentation of government and these problems are magnified in the county because of the status of the elected officeholders.

Mr. Lloyd said that centralized purchasing has worked for the city and the city is willing, once again, to enter into a joint purchasing operation, providing that some vehicle can be reached whereby the funds which control the joint purchasing operation can be centralized, co-ordinated and used effectively to fund the joint purchasing. He thought that whether the fiscal control is centralized in the County Commissioners or under the County Council, it should be centralized in control as this control mechanism is absolutely essential for joint purchasing to work, also that there be a commitment on the part of all those entering into a joint purchasing arrangement and commit themselves to make it work and it is necessary to make a decision at this time.

Commissioner Schaad asked Mayor Lloyd if he had given any thought as to how the joint purchasing department could be financed that would meet with the city's approval.

Mayor Lloyd said he thought that the line items of each office should be listed in one budget and the money be appropriated for centralized purchasing and to inform the officeholders that they must follow the proper procedures and get their requisitions in on a timely basis except in the case of an emergency, so that the purchasing department will have the time to do the necessary shopping.

Commissioner Schaad said that whatever they agree on, he understands that the County Commissioners approve every voucher and it should be clearly understood that any officeholder that is buying through the county and doesn't buy through purchasing, won't get their voucher approved, providing they do enter into an agreement with the city.

Commissioner Ossenberg said he felt that the feeling of the county officeholders and the county, in general, was that when the joint agreement was entered into, there was a feeling that the county was left out entirely and he asked the Mayor if a new agreement is entered into, with the city, if he would be agreeable that the county would have some voice in the re-organization.

The Mayor said he thought so, but that the purchasing operation is basically a one-man operation and the city will retain Mr. Cravens as the purchasing agent but he had no objection if some way that the county could be involved in matters of policy for the purchasing operation.

Judge Lensing asked if the Mayor would agree that the county share in the planning, the staffing and the programming of the purchasing department.

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Mayor Lloyd said that he thought so and he gave an example where there is joint staffing in the Rabies Control Department.

Judge Lensing asked the Mayor if his agreement would depend on the line items of the various county offices being transferred into the County Commissioners budget.

The Mayor said what he wanted to see is some kind of financial control.

Judge Lensing then asked the Mayor if he would agree that if the purchasing agent would cooperate with the county in getting this on it's feet, would he instruct the purchasing department and the chief purchasing agent to cooperate with them and have meetings to work out their problems.

Mayor Lloyd said that he would do this and he emphasized that the primary purpose of joint purchasing is to buy the best possible material for the lowest possible price.

Mr. Kinney said that if the county should re-enter into joint purchasing with the city and the County Commissioners would have a certain say-so in the policy of the department, that would be enough as he thought if they asked for say-so in any other phase of it, they would be asking for more problems.

There was further discussion of opinions by Mr. Cox, the attorney for the city and Mr. Earl Seibert of Smith & Butterfield, also from members of the County Council.

Commissioner Ossenberg asked the county attorney to explain three things, first, to explain the three alternatives that the County Commissioners face. Secondly, can the Council put all funds in one particular budget, and thirdly, will the County Commissioners agree to fund the Purchasing Department program.

County Attorney Swain said the Commissioners can go back to the old system that we were on last year, the second alternative is the Joint Purchasing Department and the third alternative is for the county to have a Purchasing Department. He said, in answer to the second question, his opinion is that the Council can put all funds into one budget but that it would be up to the State Board of Accounts.

Judge Lensing then said that the Council suggested that Mr. Volpe, the County Auditor be appointed as the purchasing agent for the county. He asked the Commissioners if they would agree to this or would they consider appointing someone else in establishing a separate purchasing agent at no cost. He said if this was agreed upon, the third question didn't need to be answered.

Commissioner Schaad said he didn't think anyone would have the expertise nor the time to serve as purchasing agent since they would have their offices to take care of, also if we have a county purchasing agent, we will still have to advertise and we are right back where we started.

Mr. Kinney made it clear that the suggestion of Mr. Volpe being appointed as County Purchasing Agent was that of Judge Lensing and that the rest of the members would have to speak for themselves.

Judge Lensing said the Commissioners have to decide now as to what they are going to do as the ads have to be in the newspaper by the tenth of December.

Commissioner Schaad explained that he had made a motion two weeks ago, that we advertise for bids, with the thought that if they could agree to another plan, they could always reject the bids.

Commissioner Schaad then moved that the Commissioners either come up with some plan for the County Commissioners having voice in a consolidated purchasing program or to go back to the old way of doing it. Commissioner Ossenberg seconded the motion.

Mr. Niethammer said that anything that is to be set up in purchasing that they haven't had before is going to take some study and time so he suggested that the County go back to the old way to give the county time to study and make a good plan when the change is made so they won't run into trouble again.

Mrs. Mooney stressed that the council members are not empowered to speak as the County Council at this meeting, that they are only allowed to speak for themselves individually and act officially at their own meeting. She also said that before the Commissioners decide as to what they are going to do, she would hope they would confer with all the officeholders so that this time their decision is with the good will and cooperation of all department heads. She said that when the Commissioners come to the council with a plan she will study it very carefully.

The vote was then taken on the motion made by Commissioner Schaad, with Commissioner Ossenberg and Commissioner Schaad voting in favor of the motion and Commissioner Willner voting against the motion. The motion passed.

In answer to the third question of Commissioner Ossenberg, as to whether the County Council would agree to fund the purchasing department, Judge Lensing said he would vote to appropriate \$10,000 for the City-County Consolidated Purchasing Department.

Mr. Kinney said that he would have to look at the plan and that the County Commissioners would have to be completely satisfied with it.

Commissioner Ossenberg then asked that all county officeholders attend a meeting tomorrow morning at 9:00 a.m. to discuss the purchasing problem, and at that time they will come up with some plan and present it to the County Council.

RE: SALVAGE COMMITTEE REPORT

Bob Parker, the Chairman of the Solid Waste Committee, appeared before the Commissioners and submitted a report on same.

Commissioner Schaad commended Mr. Parker on the beautiful job he has done on this.

Mr. Parker stated that about two months ago, the County Commissioners appointed a committee for recommendations on solid waste and they have found certain things that will and will not work, also things that need to be remedied. They have found that the bins, as they are administered now, are not efficient and has many defects and they lead to health hazards, complaints from people, etc. They then investigated door to door collection financed by the county and found that the cost of this would be too high so this plan was rejected. He said they studied sanitary land fills and found that the cost goes up as the amount of solid waste goes down so this idea was also rejected, so what they are recommending, in general, is that the county inform the public of the services that are now available, which is private haulers, land fill, etc. He said they thought the county should recommend the use of private contractors and that they should establish bin sites at locations that are not serviced by the larger private contractors. He said one of the most important things as outlined in the report is a public education program, in educating the public as to what facilities are available and they would like to see everyone in the county to be contacted at least twice, either by letter or through the news media.

Commissioner Ossenberg said, in summation, that the committee came up with a suggestion that the private haulers remain in the county which they found that a great number of people in the county wouldn't drop anyhow, also that a P.R. public advertisement type deal would greatly assist in the effort of getting people to know where the bins are located and those bins are to be placed in sparsely populated areas and this is where the advertisement program would go to, also they strongly recommend that the county have some teeth in the licensing of moonlighters that are presently in the county, picking up trash, who are not licensed and he thought that the idea of that particular suggestion came through the Health Department or through Mr. Crooks of the Pollution Control and they would probably be the proper channel to go into this area for sanitation reasons. He said, in discussing this with the committee, Commissioner Willner suggested that the committee remain in existence to oversee this by trial and error and the Commissioners will exercise their authority in seeing whether it is working out or not.

Commissioner Ossenberg said it was decided that they would ask Mr. Whitham, the Area Extension Agent, to contact and work in conjunction with Mr. Pugh to contact the farmers in the five designated areas of the county, as to where the bins are located. The locations will be leased by the county and the farmers will be responsible for keeping the areas clean and the Board of Health will be asked to spray the bins. He said that a meeting of the Solid Waste Committee will be called for Wednesday evening.

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RE: COUNTY-OWNED SURPLUS PROPERTY

There were no bids on the county-owned surplus property today. The sale will continue.

RE: EMPLOYMENT CHANGES .....APPOINTMENTS

VOTERS REGISTRATION OFFICE

|                  |                  |        |             |              |
|------------------|------------------|--------|-------------|--------------|
| Edna L. Henry    | 3904 Clement     | Typist | \$15.00 Day | Eff: 12/3/73 |
| Frances Schwartz | 5307 Winding Way | "      | "           | "            |
| Mable Winkler    | 7418 Mulberry    | "      | "           | "            |
| Linda Delano     | 1216 Emmett      | "      | "           | "            |

PIGEON TOWNSHIP ASSESSOR

|             |             |       |             |              |
|-------------|-------------|-------|-------------|--------------|
| Helen Pipes | 401 E. Iowa | Clerk | \$15.00 Day | Eff: 12/3/73 |
|-------------|-------------|-------|-------------|--------------|

RE: TAX CERTIFICATES AND DEEDS

Tax certificates that are bid into the county were presented to the Commissioners as well as the deeds to Vanderburgh County on surplus property, dated December 3, 1973.

Commissioner Willner moved that the list of surplus property be referred to the County Assessor for appraisal and the tax certificate be received and filed. Commissioner Schaad. So ordered.

RE: APPOINTMENT OF HEALTH OFFICER

A certification was received by the Board of Health, of the appointment of Dr. Arnold W. Brockmole as Health Officer of Evansville-Vanderburgh County, Indiana, for a term of four years, effective January 1, 1974. Certification received and ordered filed.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance, concerning the Auditorium, was presented last week and was held over so it could be checked on. This certificate has been acceptable to Mr. Dressback, the manager of the Auditorium, so it is noted as being received and ordered filed.

RE: REPORTS FROM AREA PLAN

The County Commissioners had requested recommendations from the Area Plan Commission on the Carrollton Court area, to increase safety and traffic movement. The staff of the Area Plan Commission recommended that stop signs be installed at all intersections in the area.

The County Commissioners also had requested recommendations from the Area Plan Commission on the safety of Red Bank Road. The staff of the Area Plan Commission recommended that traffic signs be placed in the area.

Commissioner Willner moved that the Area Plan's recommendations of stop signs and traffic signs be approved and that they be referred to County Attorney Stephens for preparing the ordinances. Commissioner Schaad seconded the motion. So ordered.

RE: TREASURERS INVESTMENTS OF TAX COLLECTIONS

Mr. Tilford presented the following report of investments made on tax collections in 1973:

| <u>Certificate of Deposit</u> | <u>Bank</u>       | <u>Days</u> | <u>Rate</u> | <u>Amount</u> |
|-------------------------------|-------------------|-------------|-------------|---------------|
| \$500,000.00                  | National City     | 90 days     | 6.52        | \$8,150.00    |
| \$500,000.00                  | Citizens National | 60 days     | 7.01        | \$5,761.64    |
| \$1,000,000.00                | National City     | 60 days     | 7.476       | \$12,460.00   |
| \$1,000,000.00                | Citizens National | 30 days     | 7.31        | \$6,008.22    |
| \$200,000.00                  | Citizens National | 180 days    | 7.875       | \$7,767.00    |
| \$500,000.00                  | Citizens National | 60 days     | 9.313       | \$7,654.52    |
| \$500,000.00                  | Citizens National | 91 days     | 10.526      | \$13,121.29   |
| \$700,000.00                  | Old National Bank | 75 days     | 9.40        | \$13,707.75   |
| \$600,000.00                  | Old National Bank | 61 days     | 8.55        | \$8,692.50    |
| \$500,000.00                  | Citizens National | 41 days     | 9.252       | \$5,268.50    |
| \$1,000,000.00                | Citizens National | 30 days     | 9.381       | \$7,817.40    |
|                               |                   |             | Total       | \$96,408.82   |

Report received and ordered filed.

RE: APPROVAL OF MACHINE TRADE

Mr. Tilford said he had some Burrough's posting machines in his office and they will be replaced very shortly. He said that he has found that there is no value on them and to keep from getting nothing, he found that he could swap these four machines for a \$600.00 electronic calculator so there will be no money involved and they will move the old machines.

Mr. Volpe said that he recommended this be done because the old machines are obsolete.

Commissioner Schaad moved that Mr. Tilford be allowed to make the trade-in. Commissioner Willner seconded the motion. So ordered.

RE: NOTICE FOR HEARING

County Attorney Swain said he received a notice from the United States District Court of Indiana, Fort Wayne, Indiana, for a hearing on a Utility Development Corporation. He said they originally had a claim in there for \$2,310.71 in taxes. He said, in winding this up, he will make the National Bank Trust Co. of Fort Wayne as filing objections to our classification as a priority claim. He said he hasn't seen the objections so he doesn't know what they are. He said that he could write to them and find out.

County Attorney Swain suggested hiring a Fort Wayne lawyer to handle this matter, and the Commissioners agreed with his suggestion.

Commissioner Schaad moved that Commissioner Ossenberg call to see what the objections are and then come up with a judgment as to where to go from there. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM GERMAN TOWNSHIP BOOSTER CLUB

The following letter was received by Mr. Nussmeyer:

Dear Mr. Nussmeyer:

We of the German Township Booster Club would like to express our appreciation of the new bridge construction in German Township. As you know, the Kuebler Road bridge should be finished in the Spring of next year.

We were pleased with the quick construction of the Kuebler Road bridge and the short time the road was closed to traffic.

It is the purpose of our organization to promote and support those things which are for the betterment of German Township.

Sincerely, Signed by President Bright and the Project Committee  
Letter received and ordered filed.

RE: LETTER FROM U.S. DEPARTMENT OF TRANSPORTATION

The following letter was also received by Mr. Nussmeyer:

Dear Mr. Nussmeyer:

Subject: Completed Vanderburgh County Bridge Inspection Report

Thank you for the very fine bridge inspection report which you sent recently. I have reviewed your report and it is as well prepared as any we have seen.

Sincerely yours, Paul Hoffman, Division Bridge Engineer  
Letter received and ordered filed.

RE: REQUEST TO ADVERTISE

Mr. Nussmeyer presented the plans and a notice to bridge contractors for proposals of the Trapp Road Bridge and the Ruston Lane Bridge. He said that the money is ready for these projects.

Commissioner Willner moved that the plans be approved and that the Auditor be authorized to advertise for bids. Commissioner Schaad seconded the motion. So ordered.

RE: OAK GROVE ROAD & HIRSCH DITCH

Mr. Nussmeyer said this project has already been approved and he presented the Contractors Bond for the signatures of the Commissioners. The bid is now in order.

RE: CLAIMS

Two claims were presented from Feigel Construction Corporation. They were for County Road Contract dated Sept. 10, 1973, for Boonville-New Harmony Road in the amount of \$29,123.27 and for County Road Contract dated Sept. 10, 1973, for Koring Road in the amount of \$23,769.55.

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

A claim was presented from G. H. Allen for work completed between November 14, 1973, and November 30, 1973, in the amount of \$17,039.09, on the Lenn-Becker over Eagle Slough.

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

A claim was presented from John Mans Inc. on Old State Road, Account #203-3781, for work completed between May 1, 1973 and June 15, 1973, in the amount of \$5,363.95. A change order was attached in the amount of \$136.25 for the pipe installation on Old State Road by John Mans Inc.

Commissioner Willner moved that the claim and the change order be approved. Commissioner Schaad seconded the motion. So ordered.

RE: REFUND ON PERMIT

A refund on Permit #3187, duplicate of #2895, dated 9/20/73, is due McConnell Plumbing in the amount of \$18.00, since he paid more than he should have.

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

RE: AUTHORIZED TO ADVERTISE

The requisitions for all county printing supplies were presented to the Commissioner for their approval.

Commissioner Willner moved that the requisitions be approved and that the County Auditor be authorized to advertise for bids.

The meeting recessed at 11:45 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u>                            | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u>          | <u>REPORTERS</u>   |
|--|-----------------------|----------------------------------|--|
| Thomas Ossenberg<br>Robert Schaad<br>Robert L. Willner | Lewis F. Volpe        | William Stephens<br>Thomas Swain | G. Clabes<br>B. Thompson<br>S. Clark<br>D. Goodnow<br>C. Leach<br>A. Jackson |

Secretary: Margie Meeks

*Thomas L. Ossenberg*  
*Bob Schaad*  
*Robert L. Willner*

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
DECEMBER 4, 1973

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RE: SPECIAL MEETING ON PURCHASING

A special meeting was held on Tuesday, December 4, 1973, in the Council Chambers at 9:00 a.m. for the purpose of discussing the problem of purchasing, with President Thomas Ossenberg presiding.

Commissioner Ossenberg, in yesterday's meeting, had asked that all county officeholders attend today's special meeting on purchasing. He said the matter was discussed yesterday and at the meeting, it was decided that there be one of two ways of purchasing, either to go back to the centralized purchasing department or to go back to the old system.

Commissioner Ossenberg said the officeholders were called in to the meeting today to get their expressions on the matter, that a motion was made and seconded yesterday, that these two ways would be the two alternatives. He said the Commissioners would like for any of the officeholders or department heads that have anything to do with purchasing, if they would like or so desire, to express their views as to what they would want to do.

A suggestion was made yesterday, that all the monies in the county budgets could be put into one budget.

It was recommended by Mayor Lloyd that it either go into the County Commissioners budget or that of the County Council.

Since the County Council appropriates the money and the County Commissioners spend it, the suggestion was to put the money in the Commissioners budget.

Commissioner Ossenberg again asked if there was anyone that would like to express themselves on this particular point.

Commissioner Schaad explained to the officeholders that one of the big objections to consolidated purchasing, as before, was that the county just contracted with the city, to do its buying and the Council and many of the officeholders felt that they had no voice in the operation of the purchasing department but he thought, with a new plan, that it would work if a joint purchasing department was set up with the city and the county, to share the cost and it be controlled by a board, the members to be made up of city and county people, which would set policies, as far as the joint purchasing department is concerned.

Commissioner Schaad said that Mayor Lloyd had stated yesterday that he thought the county would have a voice in the matter and that he would go along with a board made up of city and county, providing that all the monies of all the officeholders were put into one budget such as the Commissioners and that the officeholders would agree to use it.

County Attorney Stephens was asked to give the officeholders the law as to what the County Commissioners power is, in setting up a purchasing department.

Mr. Stephens said that in the event that the county signs a new agreement with the city, that the statute that gives them the power to do this, contemplates the delegation of all of the former powers of the Commissioners to purchase supplies and to approve of the purchases to the joint board. In such an event, he thought it would be a presumption that all supplies would be purchased through this board and in any event that an officeholder would not want to purchase it through the board, he would take one of two chances, either that the Commissioners would not approve a purchase made outside of the department or either that the State Board of Accounts might not approve it. He thought it would be ridiculous to even consider joint purchasing unless all officeholders agree to participate in it. He said the trouble is that it isn't practical in many instances, due to different needs and problems that various officeholders have. He said if the joint purchasing department, if operated properly, can fill these needs, as well as any other, it would be the only solution.

He said that if the county enters into a new agreement, it should be only on the basis that all officeholders would use it and not buy on the open market. He explained that if the county goes to a joint purchasing department, the designated purchasing agent would advertise for bids along with the city and then the county wouldn't have to follow the old law on advertising annually for their yearly needs as they have in the past.

Commissioner Schaad said that he thought the county might get stuck with nothing so he authorized the County Auditor to advertise for bids and explained that if some plan is worked out on purchasing, these bids can be rejected.

County Attorney Stephens explained that Mayor Lloyd had said that it will take 60 days to get the purchasing department started again and there won't be that much time. He thought that if the county agreed to a new agreement, perhaps they could wait for a year.

Commissioner Schaad asked what would be wrong if the agreement was drawn up, to go along with purchasing, that we would legally be complying with the joint department and as far as the buying, it could be worked out in some fashion until the purchasing department is set up to handle it.

County Attorney Stephens said if an agreement were signed today, it would be a close race to be sure of having supplies for next year and they may have to go ahead and award contracts for next year. He also said there is a technicality involved, in that a joint agreement plan requires the approval, first of the County Council, then the approval of the County Commissioners.

Judge Lensing said that as far as he is concerned, the old contract with the city has not been rescinded or signed away and that was on the statement of Mr. Schaad at the last council meeting, that they had not sent the city any notification to terminate the contract and the city hadn't sent a termination notice. He said the County Council did not budget for this department and he thought that both parties would have to agree to rescind the contract. He also said that if the purchasing agent has a list of the supplies needed by the county from last year, why can't he use the same list now. He said an addendum or supplement can be added to the present contract and the Mayor has agreed that he would share control with the County Commissioners having 25% control and the city having 75% control because the county contributed 25% of the budget, also he suggested that we be required to transfer all the supply accounts for all the county offices into one account, but he didn't insist on it.

Judge Lensing said transfers can only be made by the county council in an official meeting. He also said that the Commissioners could add an addendum to the present contract and could go over there and have them provide supplies after the first of the year. He said that the County Council would give the matter serious consideration if the Commissioners came up with a united program.

Commissioner Ossenberg again asked the officeholders to express their opinions.

Mr. Harness, the Superintendent of the Pleasantview Rest Home, said, in essence, from what is being said, the Commissioners are not in favor of going back to the system of 1972 and he asked if the Commissioners are in favor of a joint city-County purchasing department with better representation from the county in regards to the purchasing department.

Commissioner Ossenberg said that he wouldn't say it is unanimous among the Commissioners expressions but that they feel as though, with more representation and having a voice in the matter, this is what is proposed. He said they are wanting to do this providing they have cooperation with the officeholders and the department heads, that they will utilize this department.

Mr. Harness said he thought that the cooperation would possibly be better than it was last year, with better understanding and cooperation from the departments. He said the county officeholders felt as though they were being pushed down, also they had to wait a long time for supplies and maybe this should not have been but with proper cooperation he thought the program would work. He said that the purchasing department gave him permission to buy foodstuffs, drugs and necessary supplies without writing a purchase order and having to make extra trips to town. He felt that this would also apply to the county garage and the Welfare Department.

Commissioner Ossenberg again asked if there was anyone who would like to express an opinion.

He then asked for a show of hands, of those who would like to retain the centralized purchasing department in total cooperation of which there were only a few.

Commissioner Willner asked if the Commissioners could give them an alternate plan that was discussed this morning and have a show of hands.

He explained the alternate plan which was, that the county would set up it's own purchasing department with the County Commissioners being the purchasing agent and the money for supplies and materials of the officeholders be placed in the Commissioners budget. He said that annual bids have been advertised for in lump bids but he understands that they can be broke down into individual line items next year and the products that bids aren't received on will be purchased by the individual officeholder at the best price and at the end of the three month period he would submit to the purchasing agent, the things he had purchased and the price he paid for them and it would be posted by the Commissioners for viewing. He said the Commissioners would then hire an extra secretary, which they could use anyway, at the salary of \$5,200 per year and they would let her do the necessary paper work and the posting and follow up on it. He thought this plan would work and said they would ask the officeholders to put their supply budget in a special line item and the Commissioners would sign the claims and they would be checked by the secretary.

Mr. Tilford thought it was about time we look at this thing through the eyes of the taxpayers and he didn't see any reason why they can't have a purchasing program between the city and the county and it seems that the only problem involved here is a voice in the governing of the purchasing. He thought they should take advantage of this opportunity and pull together in getting the job done.

County Attorney Swain said if another secretary was hired at \$5,200 they would be \$5,000 from the requested appropriation and less than \$5,000 away from what Judge Lensing said the council might pass and it seems to him that this is a method where they have absolutely no control and it would be impractical.

Mr. Kinney said that an officeholder might not have the expertise in serving as a purchasing agent and he thought the taxpayers money is being wasted right now, with the officeholders sitting here, when this is the Commissioners responsibility and they should decide on a plan and lay down tough ground rules and lets get back to work.

Mr. Niethammer also said this was the Commissioners job but he thought we should go back to the old policy of advertising for bids for the present and then take time to work out a good plan.

Mr. Lutz said he also thought this problem was the responsibility of the County Commissioners.

Commissioner Ossenbergh took his stand by saying that he does not want to go back to the old plan. He said it was his idea in thinking that the County Commissioners could be the purchasing agents and have one person to oversee it with another person to help.

He said that he is in favor of continuing with consolidated purchasing, providing that all officeholders and department heads use the consolidated purchasing department, otherwise there are going to be a lot of bills that won't get paid if materials aren't purchased through this department so he favors going back to consolidated purchasing.

Commissioner Willner said that he would have to see the contract, that it is the small things that he couldn't say he did or didn't agree with, that if he reads this contract and it is acceptable, he will agree to it and is in favor of pursuing it.

Commissioner Schaad said that the biggest objection of the consolidated purchasing that we now have is that the county has no voice in it and he suggested that the contract be re-written or changed in some manner so the county would have a voice in it and present it to the council for the funding.

Judge Lensing said that both parties could change or modify the present contract so the county could modify it by adding that they shall have a voice in the management according to their share of the expenses. He said he asked the Mayor if they couldn't share equally in the voice on it and he said it would be according to what the county contributes since the county's purchases aren't as great as the city's.

Commissioner Schaad wondered how the 75-25 was arrived at. He said that it seemed to him that there should be an audit at the end of the year to see how much money was spent by the city and the county to see if maybe the percentage should be changed.

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Commissioner Willner said that as he understands the city-county purchasing contract now, he wondered if the way it will be written up is that the city will appoint three non-paid members and the county will name two.

Commissioner Schaad said the consensus is that the city will appoint two board members and the county will name one.

Commissioner Willner said we would then have a voice in it but no control whatsoever and we are back in the same ball game we were in before.

Mr. Kinney said he is in the minority on the council but that they get things done.

Mr. Angermeier said he went along with the arrangement of purchasing up until the time the tax schedules were to be printed and was told that there was no way he could get them in the time he needed them. He said there was no cooperation there and that it is the responsibility of the assessors to get the work done and it is written up in the law of the State Board of Accounts to support their position and he said that when he needs schedules and records within thirty days he isn't going to let someone tell him that he is going to get them in sixty days and he thought the assessors will take a hard look at this because they are answerable to the taxpayers.

Judge Lensing asked Mr. Angermeier if we went back to the old system, if he felt that he would be obliged to purchase from the person who had the printing contract as awarded by the County Commissioners.

Mr. Angermeier said he had no trouble at all since Mr. Bohm from Smith & Butterfields came in and went over everything with him.

Judge Lensing said that isn't what he asked him. He said that he wanted to know if Mr. Angermeier would buy from the contract holder or if he felt free to buy from anyone.

Mr. Angermeier said he contracted in the same arrangement and called in representatives from three companies to see what they had and what the prices were. He said if he is responsible for his budget and answerable to the county council and the taxpayers, he certainly isn't going to delegate that authority to a purchasing agent and when the County Commissioners set this up on a bid basis, he had no trouble at all and his materials were delivered in a couple of days. He said that he would go along with whatever the County Commissioners decide to do, except for those items that he is personally responsible for and answerable to the state on. He said he feels that he will order these forms and the Commissioners can decide whether they want to pay for them or not.

Commissioner Ossenberg asked County Attorney Stephens how long it would take him to modify the present agreement with Mr. Cox.

Mr. Stephens said it would take two or three days but that a new contract will be written as the present one isn't practical.

Commissioner Ossenberg said that Commissioner Willner has expressed that he would like to see the contract before he made a definite commitment and suggested to pursue along these lines and he agrees with Commissioner Willner in that he would hope that the county would have a representative in that office, not only on the policy making but in the office, so in view of this he thought it is generally agreed that we will remain with consolidated purchasing as a new contract is being drawn up and then it is up to the County Council to fund it.

The meeting recessed at 10:05 a.m.

PRESENT

COUNTY COMMISSIONERS  
Thomas Ossenberg  
Robert Schaad  
Robert Willner

COUNTY AUDITOR  
Curt John

COUNTY ATTORNEYS  
Bill Stephens  
Tom Swain

REPORTERS  
S. Clark  
C. Leach

Secretary: Margie Meeks

*Thomas Ossenberg*  
*Robert Schaad*  
*Robert Willner*  
\_\_\_\_\_  
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
DECEMBER 10, 1973

The meeting of the County Commissioners was held on Monday, December 10, 1973, at 9:30 a.m. in the Commissioners hearing room, with President Ossenbergs presiding.

The minutes of the previous meeting of December 3rd. and the special meeting of December 4th. were approved as engrossed by the Auditor and the reading of both meetings dispensed with.

RE: NEW CONTRACT ON PURCHASING

The new contract on Inter-Local Governmental agreement of Vanderburgh County - City of Evansville, Chapter six, Joint Purchasing Department, was presented to the Commissioners.

Commissioner Schaad moved that this contract be received and filed and referred to the County Council. Commissioner Ossenbergs seconded the motion. So ordered.

Commissioner Ossenbergs said that since this contract was just presented to the Commissioners, he thought they should study it and have a recommendation next week. He also thought that the County Council should have a copy mailed to them so they can study it also, since it must be approved by them before the Commissioners can act on it.

Commissioner Schaad thought that the Commissioners should discuss the proposed agreement with the County Council so it can be worked out jointly, as a decision must be made by the last day of December.

RE: COUNTY-OWNED SURPLUS PROPERTY

There were no bids received on the County-owned surplus property today. The sale will continue.

RE: BIDS OPENED ON SHERIFF'S CARS

Two bids were received for seven vehicles needed by the Sheriff's Department. The bids are as follows:

- Kem Motors.....\$24,370.55 with trades
- Key Motors.....\$24,063.23 with trades

Commissioner Willner moved that these bids be referred to the Sheriff's Dept. for recommendation and action will be taken next week. Commissioner Schaad seconded the motion. So ordered.

RE: MONTHLY REPORTS

The monthly reports were submitted of the County Clerk, the County Treasurer, the Pleasantview Rest Home and the Vanderburgh County Highway Department, all for the month of November, 1973. The reports were received and ordered filed.

RE: EMPLOYMENT CHANGES .....APPOINTMENT

AREA PLAN COMMISSION

Steven E. Gschman 856 N. Helfrich Counter Tech. \$2.21 Per Hr. Eff: 12/10/73

RE: BURDETTE PARK BOARD MEMBER APPOINTED

Commissioner Schaad moved to re-appoint Mr. Don Stucki to the Burdette Park Board for a term of three years, effective December 31, 1973. Commissioner Ossenbergs seconded the motion.

Commissioner Schaad moved that the nominations be closed. Commissioner Ossenbergs seconded the motion.

The vote being in the affirmative by majority with Commissioner Willner abstaining. The motion passed.

RE: NOTICE OF SURVEY

Mr. Leo Weiss presented a letter to the Commissioners and stated that this is the letter that will be sent out to the property owners in the area of Dickhoff Rd.

notifying the residents as to where they will be making surveys to make a study on Eichoff Road, also in order that they can answer any questions through the office, that the residents may have.

Commissioner Schaad moved that the letter be approved for mailing to the residents of Eichoff Road. Commissioner Willner seconded the motion. So ordered.

RE: GYPSUM ANTITRUST SETTLEMENTS

The following letter was received by County Attorney Stephens from the office of the Attorney General's office:

Dear Mr. Stephens:

This is to acknowledge receipt of your letter of November 16, 1973, regarding the Gypsum Antitrust Settlements. The State of Indiana is to receive a lump sum distribution. Thereafter the precise amounts to be distributed will be determined. Vanderburgh County would stand to recover some portions of said funds if it had previously established that it had become involved with Gypsum Wall Board during the period with which this litigation is concerned, that is, from 1960 to date.

Please be advised there is no immediate action required on your part since the settlement distribution will be a lump sum from which, as I noted above, precise amounts will be distributed. If this office can be of further assistance, please feel free to contact us. Very Truly yours, Stephen Sherman, Dep. Att. Gen.

Mr. Stephens said that Mr. Crooks had requested this letter be written and wondered if he knew anymore about it.

Mr. Crooks said that he didn't and that he referred the same correspondence to the City Attorney and he received about the same answer. He said they will just have to wait and see what comes of it.

Commissioner Schaad moved that the letter be received and filed. Commissioner Willner seconded the motion. So ordered.

RE: COMPLAINT ON DRAINAGE

A letter was received from Mr. Anthony Faccone, as follows:

To The Vand. Co. Commissioners:

This is to inform you of a drainage problem that happens when Ward Road and Melody Hill Know Area has one inch of rainfall or more. The Water has been draining from the Eastern part of the Melody Know Area onto Ward Road from between the houses on the West side of Ward Road on the North of 5722 Ward Rd. The homes do not have drain pipes under the driveways or even an open ditch to let water come South to St. George Road to the storm sewer that is there for that purpose. This surface water comes down Ward Road in as much as four to five inches high, into my driveway thru my home and out the back door, hard to believe but ask Mr. Willner or Sam Biggerstaff. They were there one day as I was brooming the water through the house. They can verify as a developer of Anthony's Estate, I was asked to make ditches on the side of the road to take care of water when it rains. I feel that this condition that exists on the West side of the road needs an open ditch or covered pipe to take care of the water. One-half of the road up to 5722 Ward Road has been taken care of but from 5722 Ward Road, North, nothing has been done, but should be. I have talked to Mr. Hartman and Mr. Michael Ludwig of the Surveyors office who has advised me to state my complaint in writing to you, the County Commissioners. I'm sure where there is a will there will be a way to a solution. Thank You, A. Faccone. P.S. I know you have other complaints about water but I'm sure if you lived here you would want it corrected. I will be happy to come before you in person to plead with you for relief but the previous Commissioners promised they would do something but haven't. I hope I meet with better results with you fine gentlemen.

Commissioner Schaad asked Mr. Ludwig if there was something the Commissioners could do to help Mr. Faccone.

Mr. Ludwig said that some of the drives don't have drains under them and if this were done, it would help but not solve the problem.

Commissioner Willner said the thing to do would be to tell the people that the county is going to dig the ditch on a certain day and if they have the tile, the county will install it for them.

Commissioner Willner said that the County Road Inspector should work along with them.

Commissioner Schaad moved that this matter be referred to the County Surveyor for some specific plans and recommendation as to what should be done and to work from there with the County Road Inspector. Commissioner Willner seconded the motion. So ordered.

RE: CONDEMNATIONS

There were two condemnation suits filed against the county and presented to the Commissioners.

Commissioner Willner moved that these condemnations be referred to the County Attorney. Commissioner Schaad seconded the motion. So ordered.

RE: LETTER FROM CITY CONTROLLER

A letter was received from the Controllers office stating that the county owes money for the various departments. It was dated December 5, 1973.

Mr. Volpe said on November 27, 1973, when the State Board of Tax Commissioners was here, he told the Controller that all these bills would be paid in December except for the Health Department because he did not give the county credit for a payment of \$22,500 and he will pay the bill for the Health Department as soon as he is given the right bill.

Commissioner Schaad moved that this letter be received and filed. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was received from the Terminal Warehouse Co. for the rent for space for storage of voting machines per contract from December 1, 1973 to January 1, 1974. Invoice number 10636. The claim is in the amount of \$500.00.

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

A claim was received from Valley Wrecking Co. for the wrecking and removal of all debris from the old carpenter shop located on county owned land at Boehne Hospital in the amount of \$1,990.00 as per contract.

Mr. Hotz said that they did a beautiful job.

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

RE: UTILITY EASEMENT

Indiana Bell Telephone Co. had previously requested an easement for buried cable at Mill Road and St. Joseph Avenue and has now presented a duplicate of same for the Commissioners approval.

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

RE: CUTS IN

A cuts-in was requested by the Waterworks Dept. to cut into 6701 Petersburg Road to service the golf course club house.

A cuts-in was requested by the Waterworks Dept. to cut into 900 Barberry Lane to install plastic pipe waterline.

A cuts-in was requested by Indiana Bell Telephone Co. requesting to cut into Road Right-of-Way to direct bury a telephone cable.

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

RE: GRANT FROM L & N RAILROAD AND EVANSVILLE FOOD DISTRIBUTORS INC.

Grants of easements were presented to the Commissioners from the L & N Railroad Co. and the Evansville Food Distributors for the Right of Way on Bergdolt Road.

Commissioner Ossenbergs said this is for the widening of Bergdolt Road for the Evansville Industrial Foundation and it was granted free to the county and the bill for getting it for nothing was \$150.00 which goes to Lillian Carnaghi who was the Right of Way buyer.

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The claim was then presented from Lillian Carnaghi for acquiring the easement from the Evansville Food Distributors Inc. in the amount of \$150.00.

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

RE: PROBLEM ON PARCEL OF PROPERTY

County Attorney Swain said that a bridge was built near Mesker Park and there was a piece of property that the county couldn't agree with the owner on so a condemnation suit was filed and it was found that the original owner has sold it since then. He asked if the Right of Way buyer should be named to find the new owner to see if he would sell it to the county. The property consists of 1100 square feet.

Commissioner Schaad moved for County Attorney Swain to check to see who the original buyer was and to pursue it from there. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

A claim was received from Floyd I. Staub Inc. for work done on Clover Drive, Account #201-2260, in the amount of \$625.00

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

A claim was received from the County Highway Department for work done on the Surveyor's Dodge truck in the amount of \$28.56. This is to be taken from the Surveyor's budget and transferred to the County Garage.

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

RE: RESOLUTION ON ACCEPTANCE OF ROADS

WESTHAVEN HILLS SUBDIVISION

A request was received from John R. Neidig of Harmony Homes Inc., as follows:  
Dated November 16, 1973.

Gentlemen:

We hereby submit the following concrete streets with curb and storm sewer for your approval and request they be accepted and maintained by the county.

- Meadowlark Lane - Concrete street and curb from the intersection of Caren Drive and 150' east of this intersection on Meadowlark Lane.
- Magnolia Drive - Concrete street, curb, storm sewer and inlets from 700' west of the intersection of Westhaven Drive to and including the intersection of Caren Drive.
- Westhaven Drive - Concrete street and curb from the intersection of Caren Drive and 150' east of this intersection on Westhaven Drive.
- Caren Drive - Concrete street, curb, storm sewer and inlets from the intersection of Westhaven Drive north 1000' to and including the intersection of Meadowlark Lane.

The plans for the construction of the streets and storm sewers were approved by the Board of County Commissioners on October 30, 1972. Section C was recorded August 30, 1967.

Mr. Nussmeyer noted that storm sewers will not be accepted at this time by the county, due to the fact that at present there are areas that are still in development stage. He recommended that the above streets be accepted.

Commissioner Schaad moved on the recommendation of Mr. Nussmeyer, that these streets be accepted and maintained by the county. Commissioner Willner seconded the motion. So ordered.

VALLEY DOWNS SUBDIVISION

A request was received from Donald J. Blume of Guthrie-May & Co. Inc., as follows:  
Dated November 19, 1973

Gentlemen:

We hereby submit the following concrete streets with integral curbs for your approval and request that they be accepted and maintained by the county:

Crossbow Lane north from intersection of Deer Trail to the intersection of Oxmoor Road.  
 Saratoga Drive north from the intersection of Spring Valley Road to the intersection of Oxmoor Road.  
 Oxmoor Road east from the intersection of Crossbow Lane to the intersection of Saratoga Drive.

The plans for the construction of the streets were approved by the Board of County Commissioners on December 12, 1972. The plat was recorded on January 1, 1973. It was recommended that the developer should agree to keep drains free of mud during the development stage.

Commissioner Schaad moved on the recommendation of Mr. Biggerstaff, that these roads be accepted for county maintenance. Commissioner Willner seconded the motion. So ordered.

RE: BILL FROM SOUTHERN RAILROAD

A bill was presented to the Commissioners from the Southern Railroad for work done on the Burkhardt Road crossing in the amount of \$296.44.

The claim for this work was approved by the former Commissioners on December 13, 1971, but it was noted that the claim had to be returned for signatures and evidently was never paid.

Mr. Ludwig said that Deig Brothers had the contract for the job and they did their work according to the contract and the Southern Railway System may have, at a later date, done some work out there but he had no way of knowing or of verifying that they did anything and Deig Brothers has no way of knowing if the Railroad Co. did the work.

The original contract stated that the county would pay for it. Account #191-29 has now been cleared out.

Commissioner Willner said if the contract was let with the Railroad Co. to do the in-between tracks, it seemed to him that there would be money enough in that account to pay for it.

This matter was referred to the legal department for them to send further explanation in resolving this matter.

RE: ABSENTEE LIST

The absentee list of the County Highway Department Employees was presented to the Commissioners for the past week. Report received and ordered filed.

RE: OPENING OF BIDS

The following unit bids were received on materials and supplies for the year of 1974:

Uniforms for Co. Hwy. Dept.....F. W. Means Co.  
 Aluminum Pipe.....Bauer Bros, General Contractors & Allmetal Co.  
 Tires.....Reis Tire Co.  
 Batteries.....Hocker Brake Co.  
 Cold Mix & Bituminous Materials.....J. H. Rudolph & Co. Inc.  
 Stone & Gravel.....Mulzer Crushed Stone Co.  
 Sanitary Supplies.....Kor X All Co. Inc.

Commissioner Schaad moved that all these bids be taken under advisement and referred to the office holders for recommendation. Commissioner Willner seconded the motion. So ordered.

RE: QUARTERLY BIDS

There was only one bid on the groceries for Pleasantview Rest Home and the Hillcrest-Washington Home and this was from Federal Produce Company. There were no bids received for the Dairy and Bakery Supplies.

Commissioner Schaad moved that the bid be referred to Mr. Harness for recommendation. Commissioner Willner seconded the motion. So ordered.

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RE: LETTER FROM ALCOHOLIC HELP INC.

The following letter was received by the County Commissioners, from Leslie Reynolds, Administrator of Alcoholic Help Inc.:

Dear Mr. Ossenberg:

At the regular monthly meeting of the Board of Directors of Alcoholic Help, Inc. held December 6, 1973, at 4:00 p.m., the members of the Board voted unanimously to release to the County Commissioners the contract on the Boehne Building, located across the street from the Administration Building on North Boehne Camp Road.

This building has not been used for several years and is in deplorable condition. The Board of Directors of Alcoholic Help, Inc. are requesting the County Commissioners to dispose of the building due to its deteriorated condition.

With the County Commissioners permission, Alcoholic Help, Inc. would like to discontinue insurance coverage on this building December 31, 1973.

County Attorney Stephens said that they want to do this to keep from paying the insurance but it wasn't leased to them by the building, all of the buildings were in one lease and they can't release just one of the buildings but the Commissioners can accept it if they want to.

Mr. Hotz said he has an appointment on Wednesday, with a committee on the overall project who may be interested in leasing the building. He also said that he didn't know what problems they would run into if they should wreck the building, as far as the water and lights are concerned. He said he talked to Mr. Crooks and he will be available sometime the latter part of the week to go out there and survey the situation, as he doesn't think the county should bear the expense of the utilities.

Commissioner Schaad moved that this matter be taken under advisement until Mr. Hotz and Mr. Crooks and other parties involved survey it and come back with a recommendation. Commissioner Willner seconded the motion. So ordered.

RE: INVITATIONAL BID RECEIVED

An invitational bid was received from Key Motors for a pick-up truck needed by Mr. Hotz. The amount of the bid is \$2,656.33.

Mr. Hotz asked the Commissioners if it was alright to take invitational bids since the cost was under \$4,000 and that he could get more bids on the truck and it would save the cost of advertising.

County Attorney Stephens said it could be done without advertising and he suggested that Mr. Hotz get three invitational bids.

Commissioner Schaad moved that Mr. Hotz get two more invitational bids. Commissioner Willner seconded the motion. So ordered.

RE: MR. CROOKS

Mr. Crooks said that he plans to attend the state hearing tomorrow on the new building codes for the State of Indiana.

RE: MONTHLY REPORT

Mr. Crooks submitted his monthly report on the Building Commission permits that were issued during the month of November. Report received and ordered filed.

RE: PROPOSED ORDINANCE.....BUILDING CODES

Mr. Crooks again brought up the proposed ordinance for the updating of Building Codes #118-D. He said he didn't know what became of it and he would like to see some action taken on it, as the codes need to be updated.

County Attorney Stephens said that it had been taken under advisement.

Commissioner Schaad moved that the proposed ordinance be approved. Commissioner Willner seconded the motion. So ordered.

RE: DRAINAGE CONTROL

Commissioner Willner asked where they are on the Drainage Control.

Mr. Crooks said it is being held for the Corp of Engineers report, on it's status, as there is some discrepancy.

Mr. Pugh said he would like to have a conference between the Corp. of Engineers, the Department of Natural Resources, the state office and himself, so that he can present the Commissioners with an agency report. He said the agencies don't want to take the responsibility for setting the elevation, that they want the Commissioners to take the responsibility.

RE: PLAN FOR DAM

Mr. Pugh reported that there is a plan for a dam made out of straw bales, to lay around the hill. He said that Bud Bussing has a couple of complaints from the people in Evergreen Acres on the lake and they intend to check it out.

RE: SIGN INSTALLED ON DARMSTADT ROAD

A notification was presented by Mr. Judd on the installation of a city limit sign on Darmstadt Road, on the request of a Mr. Phillips of the Darmstadt Town Board.

Commissioner Ossenbergh told Mr. Judd that if he received any more requests from Darmstadt, to please contact the County Commissioners, since this money does come from the Commissioners budget. He said that he was under the impression that they were going to contract with the county.

Commissioner Willner said they cannot tax, due to Judge Miller's ruling last week, that they cannot collect tax until 1975, so the county will have to carry them until that time.

Since there was some question on this, the matter was continued until next Monday, to give the Commissioners time to do some research.

RE: MR. HARNESS

Mr. Harness submitted a request for the admission of Mr. George Wedding and Marie I. Miller to the Pleasantview Rest Home of which he recommended approval.

Commissioner Schaad moved that both applications be approved. Commissioner Willner seconded the motion. So ordered.

RE: EFFECTIVE DATE SET OF PROPOSED RATES

Mr. Harness said he had a meeting with the Department of Public Welfare last week, in regards to the proposed rates for residential care for 1974 and they explained to him that one of their federal guide lines states that they can't pay anymore in 1974 than they paid in 1973 and they recommended that if he appeared before the Commissioners and gets affirmative action to the effect that rates as established on July 23, 1973, be effective December 31, 1973, that they then would be able to pay it.

Commissioner Willner moved that the rate, as established on July 23, 1973, become effective on December 31, 1973. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST MADE TO STATE REPRESENTATIVE

County Attorney Stephens wrote a letter to the Honorable Robert Rickard, the Indiana State Representative, requesting a code concerning the trash problem in the county, whereby he asked that the county have a right to license to have some type of control and he would like the subsection to be amended, that all trucks in the county would have enclosed covered vehicles with leak-proof beds. He said that Representative Rickard will introduce this in the coming session.

RE: POOR RELIEF

Mr. Charles Clem.....Pigeon Township.....Mrs. Sallee, Investigator

Mr. Clem was on the agenda to appear before the Commissioners today to request money for food stamps but he failed to appear.

Mr. Olsen and the investigator of the Pigeon Township Trustee's office were both present.

The meeting recessed at 11:20 a.m.

PRESENT

COUNTY COMMISSIONERS

Thomas Ossenberg  
Robert Schaad  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEYS

William Stephens  
Thomas Swain

REPORTERS

S. Clark  
G. Clabes  
B. Thompson  
C. Leach  
A. Jackson

Secretary: Margie Meeks

John L. Ossenberg

Bob Swain

Robert J. Willner



Reporter, Chuck Leach, said that it seemed to him that when the county signed an agreement with Alcoholic Help Inc. there was a stipulation that the building was not to be used for a drug abuse center.

Commissioner Schaad said there was a study made before, on the feasibility of maybe saving part of the building and he thought it was scrapped because it would cost too much, that it might be cheaper to tear the building down and build a new one. He said the Commissioners want to work with Mr. Stark if it is possible at all.

Mr. Hotz said that some action will have to be taken since Alcoholic Help Inc. wants to cancel their insurance as of December 31, 1973. He said if the building is torn down, they can keep the tunnel in tact and if someone leased the building, maybe they could work something out with Alcoholic Help Inc. and share the utility costs.

Mr. Crooks then submitted a report that was made on the building.

Commissioner Ossenberg suggested that Mr. Stark talk with Alcoholic Help Inc. and that Mr. Swain can study the lease in the meantime and this can be resolved at the meeting on December 26 and then Alcoholic Help Inc. can cancel their insurance.

Mr. Stark said there would be little, if any, medical treatment given at this location, that they would be providing a change of environment in a live-in situation. He said he would need housing for about twenty girls and eventually would like housing for about twenty boys so they would probably need a minimum of fifty rooms.

Commissioner Schaad said they had no objection in using the building for a drug abuse center if they could work out the problems with the neighbors, with Alcoholic Help Inc. and can work out the heating problem, but he was afraid the renovation would be too expensive.

Mr. Reynolds of Alcoholic Help Inc. told Mr. Hotz that they were turning the building back to the Commissioners so they can tear it down but if it is turned back to them, it will be up to them as to what they want to do with it.

Commissioner Schaad moved that the request of Mr. Stark be taken under advisement and they can do some research to see if they really want the building.

Mr. Stark said they are making every effort to co-operate with all existing agencies.

Commissioner Schaad said that drug abuse is really something that needs help and the Commissioners certainly want to do all they can to help.

Commissioner Willner seconded the motion that was made by Commissioner Schaad. So ordered.

RE: CONTRACT AWARDED FOR SHERIFF'S CARS

Commissioner Ossenberg asked the County Attorney if the Commissioners could legally award the contract on the seven sheriff's cars. The County Attorney said that they couldn't, since the money is in the 1974 budget but he thought there was a way around it. He said that subject to Key Motors approval, the Commissioners can commit themselves to the award and sign the contract in January.

Commissioner Schaad moved that because of a price increase on cars as of December 26, 1973, to okay it, in principle, and permit Key Motors to order the seven sheriff's cars and the Commissioners will sign the contract after January 1, 1974. Commissioner Willner seconded the motion. So ordered. Key Motors will get a copy of these minutes.

RE: BIDS RECEIVED FOR CONSTRUCTION OF SEWER

There were three bids received for the construction of a sewer at Burdette Park. They are as follows:

|                     | Base Bid    | Alt. #1     |
|---------------------|-------------|-------------|
| Jebco.....          | \$26,906.45 | No Bid      |
| Deig Bros.....      | \$17,526.25 | Same Amount |
| P & H Constr. Co.   | \$20,342.50 | \$21,807.50 |
| Engineer's Estimate | \$18,410.00 |             |

Commissioner Schaad moved to take these bids under advisement and referred them to Mr. Weiss for him to extend the bids and report on them on Dec. 26, 1973. Commissioner Willner seconded the motion. So ordered.

RE: BIDS RECEIVED ON BRIDGES

There were three combined bids received for the Trapp Road Bridge #21 and Ruston Lane Bridge #107. They are as follows:

|                | #21         | #107        | Total       |
|----------------|-------------|-------------|-------------|
| G. H. Allen    | \$30,900.90 | \$8,260.00  | \$39,160.90 |
| Daig Bros.     | \$34,989.80 | \$8,690.00  | \$43,679.80 |
| Barnett Bros.  | \$30,507.10 | \$9,380.00  | \$39,887.10 |
| Engineers Est. | \$36,402.80 | \$10,410.00 | \$46,812.80 |

Commissioner Schaad moved that these bids be taken under advisement and referred to Mr. Nussmeyer. Commissioner Willner seconded the motion. So ordered.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids received today on the county-owned surplus property. The sale will continue.

Mr. Volpe said he will check with the County Assessor to see how soon all county-owned surplus property can be combined, also that the County Treasurer has not yet countersigned the deeds and when they are signed he will record them.

RE: VIOLATION OF HEALTH LAW

The Health Department submitted a copy of a notice that was sent to Joseph & Wavie Bethel, stating that they have received several complaints of trash being dumped at 923 Craig Ave. and that it will be necessary for this area to be closed to further dumping and that the present trash be cleaned up. A reinvestigation will be made in fifteen days to see that it is cleaned up. Letter received and ordered filed.

RE: LETTER FROM SPENCER CIRCUIT COURT

Re: The Board of County Commissioners of the County of Vanderburgh vs. Cecil & Dorothy Phillips Cause No. C-73-55.

County Attorney Swain said this is a condemnation on St. Joe, that is now set for trial by jury on the 18th day of February, 1974. He said there are two more cases and he intends to move to consolidate them so they can all be tried at once. He said he would like permission to employ local council, for at least picking the jury there, at \$150.00 per day.

Commissioner Schaad moved that this matter be referred to the County Attorney and that he be permitted to hire local council. Commissioner Ossenbergh seconded the motion. So ordered.

RE: TRAFFIC RESOLUTION

The Resolution amending the Master Traffic Control codes of Vanderburgh County, amendments #6 & #7, providing for the establishment of certain traffic control devices, has already been approved and is now being submitted to the Commissioners for their signatures.

RE: CLAIMS

A claim was presented from Browning - Ferris Industries for the billing on the dumpsters for November, 1973, in the amount of \$2,038.75.

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

A claim was presented from Engineer Associates Inc. for engineering services thru 11/28/73 for previous work on Eichoff Road alignment by Sam Biggerstaff, previous County Surveyor, in the amount of \$5,961.13.

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

A claim was presented from Robert F. Traylor Corp. for work completed between November 15 & December 15, 1973. Account #216-3764 and 203-3759.5, Burkhardt Road over Boesche Ditch in the amount of \$19,207.15.

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

A claim was presented from Feigel Construction Co. for construction on Old Petersburg Road, Account #506.3 --201-2260 in the amount of \$35,230.88.

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

RE: CUTS IN

Requests were received for cuts-in as follows:

Indiana Bell Telephone Co. requests permission to cut into Schissler Road to bury a telephone cable.

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

Indiana Bell Telephone Co. requests permission to cut into Lexington Avenue & Eleventh Avenue to bury a telephone wire.

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

Indiana Bell Telephone Co. requests permission to cut into Old Boonville Hwy. to replace a failing cable.

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

Indiana Bell Telephone Co. requests permission to cut into Dogwood Drive to bury a telephone cable.

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

Waterworks Dept. for service cut to install copper to provide service at 1906 Burkhardt Road.

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

RE: MR. WILLARD

Mr. Willard presented the absentee report of the County Highway employees for the past week.  
Report received and ordered filed.

Mr. Willard presented the following letter from Purdue University:

To: County Highway Supervisors, Clerks, Bookkeepers, Engineers and County Auditors

From: Jean E. Hittle, Herpic      Subject: Herpic Area Road Schools--  
Revised Annual Operational Report and Cost Record Procedure.

Dear County Hwy. Supervisors, etal:

A series of six area road schools are scheduled over the State during December for County Highway Supervisors, Clerks, Bookkeepers and others having a responsibility for the records, accounts, and reports of the County Highway Department. The purpose of these meetings is to review the newly revised County Highway Form No. 16-"Annual Operational Report", as well as the instructions on its preparation, both of which were recently issued by the State Board of Accounts.

In addidito, we also plan to briefly review the new schedule of procedures and forms for cost records and appropriation accounts, prescribed by the State Board of Accounts for the current calendar year. Each form will be reviewed in relation to the total record procedure, in order to provide an opportunity to clear up any questions you may have on the procedure to be followed.

We plan to have representatives from the State Board of Accounts attending this series of meetings. This will give you an added opportunity to clear up other questions you may have on administrative procedure.

It is essential that each county file an Annual Operational Report covering the current calendar year. Failure to file this report could result in the withholding of MVH funds. Therefore, we hope to have representation from each county

at this series of Area Road Schools, so that the Annual Operational Reports get completed properly and filed ahead of the February 15 deadline.

All County Highway Supervisors, Clerks and Bookkeepers should plan to attend the Area Road School covering your county ---or any of the other schools that may better suit your schedule.

He requested that several employees be allowed to go to this school at Jasper on December 19, 1973.

Commissioner Schaad moved that they be permitted to go with the county paying their expenses. Commissioner Willner seconded the motion. So ordered.

RE: INVITATIONAL BIDS

Mr. Hotz presented three invitational bids for a truck, as follows:

- Key Motors.....\$2,656.33.
- Cooke Chevrolet.....\$2,744.52
- Vandever Inc.....\$2,800.00

Mr. Hotz said that Cooke Chevrolet and Vandever will not honor these bid prices but that Key Ford will and their bid being the lowest, he recommended that it be accepted.

Commissioner Schaad moved that because of a price increase on December 26, 1973, to okay their bid, in principle, and permit Key Motors to order the truck and the Commissioners will sign the contract after January 1, 1974. Commissioner Willner seconded the motion. So ordered.

RE: MR. HARNESS

Mr. Harness submitted applications for the admittance of Fred Nellis and Kenneth Hones. He recommended the approval of both applications.

Commissioner Willner moved that the admittance of both be approved. Commissioner Schaad seconded the motion. So ordered.

RE: POOR RELIEF

Karen Trent...1223 Linwood....Pigeon Township...Needs rent money....Isn't working.

Karen Trent was on today's agenda, to be heard by the Commissioners but she failed to show up, however representatives of the Pigeon Trustee's office were present.

RE: MEETING DATE SET

The next meeting of the County Commissioners will be held on Wednesday, December 26th, 1973, at 7:00 p.m., since the City County building will be closed on Monday and Tuesday for Christmas.

RE: SEASONS GREETINGS EXTENDED

Commissioner Ossenberg extended a very very Merry Christmas to everyone.

The meeting recessed at 10:35 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u> | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEY</u> | <u>REPORTERS</u> |
|-----------------------------|-----------------------|------------------------|------------------|
| Thomas Ossenberg            | Lewis F. Volpe        | Thomas Swain           | B. Thompson      |
| Robert Schaad               |                       |                        | C. Leach         |
| Robert L. Willner           |                       |                        | S. Clark         |
|                             |                       |                        | A. Jackson       |

Secretary: Margie Meeks

*Thomas L. Ossenberg*  
 \_\_\_\_\_  
*Bob Schaad*  
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*Robert L. Willner*  
 \_\_\_\_\_  
 BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
DECEMBER 26, 1973

The meeting of the County Commissioners was held on Wednesday, December 26, 1973, at 7:00 p.m. in the Commissioners Hearing Room, with President Ossenbergs presiding.

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

RE: EMPLOYMENT CHANGES....RELEASES

PIGEON TOWNSHIP ASSESSOR

|                   |                 |       |             |               |
|-------------------|-----------------|-------|-------------|---------------|
| Helen Pipes       | 401 E. Iowa St. | Clerk | \$15.00 Day | Eff: 12/22/73 |
| June Hallenberger | 1409 Fountain   | Clerk | \$15.00 Day | Eff: 12/22/73 |

RE: BID OPENING

County Attorney Swain was instructed to proceed with the opening of the bids that were received for the printing supplies for 1974.

RE: BURDETTE PARK SEWER CONTRACT AWARDED

Mr. Leo Weiss of Engineering Associates appeared and explained that of the bids received on the sanitary sewer at Burdette Park, Deig Brothers Lumber & Construction Company was low with their bid being \$17,526.25. The other bids were from Jebco in the amount of \$26,906.45 and P & H Construction Co. in the amount of \$20,342.50. The Engineers estimate was \$18,410.00.

Mr. Weiss said that he has dealt with Deig Brothers before and felt that they were very capable and therefore recommended that they be awarded the contract.

Commissioner Schaad moved that the contract be awarded to Deig Brothers Lumber & Construction Co. Commissioner Ossenbergs seconded the motion. So ordered.

RE: EICHOFF ROAD

Commissioner Schaad asked Mr. Weiss how he was coming along with Eichoff Road.

Mr. Weiss said they have started the line and they have sent out some letters to the landowners. He said he has received calls from some of them who said they didn't like the original line and so far, he hasn't had anyone who was against them doing the survey work.

RE: RENEWAL OF COOPERATIVE AGREEMENT

A Renewal Agreement was received, between the Vanderburgh County Soil and Water Conservation District and the Board of County Commissioners of Vanderburgh County and the Soil Conservation Service, United States Department of Agriculture, relative to the Acceleration of land use planning treatment in Vanderburgh County, Indiana. The effective date of this renewal is January 1, 1974 and is in effect from this date, through December 31, 1974.

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

RE: BIDS RECEIVED ON PRINTING AND OFFICE SUPPLIES

There were two bids received for Blank Books, Blanks, Stationery and Printing. They were from Atlas Office Supplies and from Smith & Butterfield.

Commissioner Schaad moved that these bids be referred to the Auditors office for extension. Commissioner Willner seconded the motion. So ordered.

RE: CERTIFICATE OF INSURANCE

A certificate of Insurance was received from American States Insurance Co. to certify that a policy has insured the Larry Aiken Management for Theatrical performances at the Auditorium between the dates of 11/8/73 and 2/9/74, for the lease of the premises. This certificate was issued to the Board of Commissioners of Vanderburgh County.

Certificate of Insurance was received and ordered filed.

RE: CHECK RECEIVED

A check was received from the United States District Court, paid to the order of Boehne Tuberculosis Hospital in care of the County Commissioners, for settlement of the State of Indiana Antitrust Action, in the amount of \$611.98. The claims asserted were that defendants violated the antitrust laws in the sale of drugs. This check was referred to the Auditors Office so that it can be deposited in the proper account.

RE: BUILDING AT BOEHNE HOSPITAL

Mr. Hotz explained about the building at the old Boehne Hospital, in that Alcoholic Help Inc. wants the County Commissioners to take it back so they can cancel their insurance on it by December 31, 1973. He said that if the county takes the building back and tears it down, it won't interfere with the utilities.

Commissioner Ossenberg said that this is the same piece of property that is in question as to it's use for a drug center and it appears as though they will have to wait until County Attorney Stephens returns from his vacation before they make any decision on this, since he wrote the contract.

He said that he has had many calls from people who were going to come up to remonstrate tonight and he told them that this matter wouldn't come up tonight, that the only thing coming up tonight would be if the Commissioners wanted to take the building back or not. He said that it appears, as the contract is written, that there would not be a drug center at Boehne Hospital and the people out there are strongly against it.

Commissioner Willner asked if there were any strings attached to the lease.

County Attorney Swain said that if the county takes the building back, they can do what they want with it.

Commissioner Schaad said the building is in deplorable condition and on the Engineer's advice, it would be too costly to renovate the building and if the county doesn't take it back, it will continue to deteriorate.

Mr. Crooks said that the heating is part of the building, used by Alcoholic Help, that they will continue to use it and they do have some responsibility and would need to have some kind of Insurance.

Commissioner Ossenberg said it was doubtful that it is covered so he called the Agent of Record, at Monarch Insurance Co. and was told that they would like for Alcoholic Help Inc. to take their Insurance policy to Monarch, tomorrow, so he can see it and he will report his findings to the Commissioners. He said that under those conditions, the Commissioners can either vote on it, subject to the Insurance, if they want to take the building back or they can defer it.

This matter was deferred until January 2nd. 1974.

RE: CLAIMS

The following claims were received from Monarch Insurance Co:

For Public Official bond....Helen Kuebler...Chief Deputy Clerk...Circuit Court-\$88.00  
 For Public Official Bond....Richard Nussmeyer, Surveyor.....\$18.00  
 For Public Official Bond....Patricia Patton, Support Clerk...Circuit Court-\$88.00  
 For Public Official Bond....Dorothy Jean Schaefer...Bookkeeper, Circuit Court-\$88.00  
 For Public Official Bond....Shirley J. Cox, Clerk of Vand. Circuit Court - \$88.00  
 For Public Official Bond....Thelma Raley, Cashier of Vand. Circuit Court - \$88.00

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

A claim was received from the Evansville-Vanderburgh County Building Authority for Additional Rental for the first six months of 1974, due 12/31/73 in the amount of \$307,906.00.

A claim from The National City Bank of Evansville, (Trustee) for the fixed rental, for the first six months of 1974, that is due 12/31/73, in the amount of \$317,526.50. There was some question on these claims since there was no breakdown on the extra payment that was made.

Commissioner Willner moved that these claims be referred to the County Auditor for checking. Commissioner Schaad seconded the motion. So ordered.

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A claim was received from the Lettershop, Inc. for 50 Vand. County Bridge Survey Coding Books & Coding Books that were purchased by the County Surveyor in the amount of \$2,950.00.

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

RE: RE-ZONING PETITION

BUSSING CONSTRUCTION CORP. GREENCOVE INVESTMENTS INC. Petitioners.  
Premises affected are situated on the south side of Spring Valley Road S.W. of the corner formed by the intersection of Green River Road and Spring Valley Road. The requested change is from C-1-B and R-0 to R-3. The present existing land use is farming and the proposed land use is for apartments.

Commissioner Willner moved on First Reading that the Re-zoning Petition be referred to the Area Plan Commission. Commissioner Schaad seconded the motion. So ordered.

RE: CONTRACT AWARDED FOR CONSTRUCTION OF BRIDGES

There were three bids received last week for the bridges on Trapp Road - #21, and on Ruston Lane - #107. They were referred to the County Surveyors Office for study.

Mr. Ludwig said that of the three bids received from G. H. Allen, Deig Brothers, and Barnett Brothers, G. H. Allen Inc. was low with a bid of \$39,160.90. (Combined Bid) The Engineer's estimate was \$46,812.80. He said that the agreement should be signed and a copy of the contract be sent to G. H. Allen. The completion date for this project is June 15, 1974.

Commissioner Schaad moved that G. H. Allen be awarded the contract. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

Mr. Ludwig presented a claim from G. H. Allen Inc. for Account # 203-3755, 216-3763 New Green River Road, over Eagle Slough, for work completed between November 15 and December 15, 1973. The total due is \$1,047.78. He said that this project has been inspected and approved. He also submitted a report as to the use and cost of materials. Commissioner Willner moved that this claim be approved. Commissioner Schaad seconded the motion. So ordered.

Mr. Ludwig also submitted a Change Order for New Green River Road over Eagle Slough, for an additional \$115.98 which raises the original contract price from \$13,316.00 to \$13,431.98.

Commissioner Willner moved that the Change Order be approved. Commissioner Schaad seconded the motion. So ordered.

A claim was presented from Barnett Brothers Inc. for Account #203-3755 & 216-3763 for work done between November 9 & December 17, 1973 in the final amount of \$25,366.38 on the bridges of Weinbach Ave. & Old Green River Road. He also presented a construction record of the bridges #201 - Weinbach Ave. & # 202 - Old Green River Road. He explained that the original contract with Barnett Brothers Inc. was \$94,918.25, with an underrun of \$15,380.40 and an overrun of \$9,670.90 which makes the total an underrun of \$5,709.50, making the total project to be a total of \$89,208.75.

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

Mr. Ludwig then presented a change order for the Bridge #201 - Weinbach Ave. over Eagle Slough in the amount of \$3,285.00, making the total of the project to be \$98,203.25.

Commissioner Schaad moved that the change order be approved. Commissioner Willner seconded the motion. So ordered.

RE: BRIDGE AND ROAD CONTRACTS REPORT

Mr. Ludwig presented a list of the contracts of roads and bridges that have been let during this year and the total amount of money spent which was \$1,046,141.65. He said that this work was done during the last six months of this year and he thought they did a good job.

RE: CLAIM

A claim was presented from Mr. John Singer for mileage for road paving inspection, Account # 201-1213, County Road Travel Expense, in the amount of \$86.95.

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

RE: CUTS-IN

Indiana Bell Telephone Co. requests to cut into S. Boehne Camp Road to driveway at 728 S. Boehne Camp Road.

Commissioner Willner said that Boehne Camp Road was recently resurfaced and wondered if they couldn't drill it some way.

Mr. Ludwig said that this cut would be going into a private driveway.

Commissioner Willner moved that this cuts-in be approved. Commissioner Schaad seconded the motion. So ordered.

The Waterworks Department requests permission to cut into 1906 N. Burkhardt Road to install 130" 1" copper to provide service. This was turned in last week but hadn't been checked.

Commissioner Willner moved that this cuts-in be approved, providing that when the street is resurfaced, they will contact the Engineer for final approval. Commissioner Schaad seconded the motion. So ordered.

RE: PURCHASE ORDERS TO BE ENCUMBERED

Mr. Willard submitted a list of monies that he wants encumbered.

Commissioner Willner said that he talked with Mr. Volpe today and Mr. Volpe said that he would not have the final encumbrances ready until the first or second of January.

Commissioner Willner moved that this be referred to the County Auditor. Commissioner Schaad seconded the motion. So ordered.

RE: MONTHLY REPORT

Mr. Willard submitted the monthly report of the Vanderburgh County Highway Dept. for the month of December, 1973.

Report received and ordered filed.

RE: MR. CROOKS

Mr. Crooks said that his office has been asked to make a 13% decrease in gas consumption next year and this is based on the 1972 usage which was before the city and county Building Commission was consolidated, but he thought they will come out about even after they get their compact cars.

Mr. Crooks said that they have already passed the new permit fee schedules for the city and he hopes to present the schedule to the Commissioners for the county sometime in January.

RE: MR. HOTZ

Mr. Hotz said that he would like to request that anyone who has anything to store in the inactive file room in the basement, to please inform the Commissioners secretary who will contact him and he will show them where to store it.

Commissioner Schaad moved that this procedure be adopted. Commissioner Willner seconded the motion. So ordered.

RE: MR. HARNESS

Mr. Harness submitted an application for the admittance of Mr. Monte Wallace to the Pleasantview Rest Home. He recommended the approval of the application.

Commissioner Schaad moved that the admittance of Mr. Wallace be approved. Commissioner Willner seconded the motion. So ordered.

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Mr. Harness reported that the residents of the Pleasantview Rest had a most enjoyable Christmas, that they received many gifts from everyone and they were appreciated by the residents and the management of the home. He said that each resident received as many as seven wrapped gifts plus candy, fruit and other gifts. He said that they were also guests of Brother Van's Bible Center Church, located on Main Street, on Friday for a noon meal of turkey and ham with all the trimmings. He thought it would be appropriate for a thank you note to be sent to them. The Commissioner's secretary said that she would do so.

RE: PURCHASING

Mr. Harness asked if the Commissioners had heard as to what is going to be done about purchasing for the coming year. He said that he was interested in knowing because he has many services and commodities to purchase and he needs to know what to do by January 2nd.

Commissioner Ossenberg said that the Commissioners, under a covered letter, addressed to the County Council, by him, recommended by two of the three Commissioners, that they asked the Council to approve a contract setting up a consolidated city and county purchasing department, with the city having a 2-1 majority on a purchasing board and the county paying only 25 percent of the operating costs.

The County Council then made a counter offer to pay 50 percent of the costs and have a four-member board. Two members would be from the city and two from the county. This amendment received the support of Commissioner Willner, who said he wanted the county to have an equal voice in the operation of the department. The proposal then was returned to the Commissioners tonight, for consideration.

Commissioner Ossenberg said that after he learned of the council decision, he met with Mayor Lloyd who said that he was favorable to the plan but that he wanted to talk with attorney John Cox before making a final commitment.

Commissioner Ossenberg said that if the plan is given final approval and goes into operation in January, he would like to see the city put someone on the board who is knowledgeable in the purchasing field, and that he would like to see Commissioner Willner appointed to the board for the county and that he is considering Mr. Jim Dant, the purchasing agent for CreditThrift, as the second member of the board to represent the county.

He said that at the request of Mr. Aarstad, a survey was taken of the officeholders and that 17 were in favor of the consolidated purchasing, that 3 were opposed and that 3 didn't answer the survey.

Commissioner Schaad then moved that the Commissioners recommend that the county return to consolidated purchasing as so amended in the agreement by the County Council which was worked out by the County Attorney of Vanderburgh County. Commissioner Ossenberg seconded the motion. There being no discussion, the vote was taken with all Commissioners voting in the affirmative. The motion carried.

Mr. Harness was given approval of the Commissioners to buy his foodstuffs, etc. on the open market just as he has done in the past.

RE: MEETING SET

The first meeting of the year is set for Wednesday, January 2, 1974 at 9:30 a.m.

The meeting adjourned at 8:20 p.m.

PRESENT

COUNTY COMMISSIONERS

Thomas Ossenberg  
Robert Schaad  
Robert L. Willner

COUNTY AUDITOR

Curt John Deputy

COUNTY ATTORNEY

Thomas Swain

REPORTERS

D. Goodnow  
C. Leach

Secretary: Margie Meeks

*Thomas Ossenberg*  
*Robert Schaad*  
*Robert L. Willner*  
\_\_\_\_\_  
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
JANUARY 2, 1974

The meeting of the County Commissioners was held on Wednesday, January 2, 1974, at 9:30 a.m. in the Commissioners Hearing Room.

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

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

RE: ELECTION OF PRESIDENT

Mr. Ossenberg nominated Mr. Schaad as President of the County Commissioners for the year of 1974. Commissioner Schaad seconded the motion. So ordered, by consent.

RE: ELECTION OF VICE PRESIDENT

Mr. Schaad nominated Mr. Ossenberg as Vice President of the County Commissioners for the year of 1974. Commissioner Ossenberg seconded the motion. So ordered, by consent.

RE: REQUEST FOR A NEW CAR

Mr. Earl Cox appeared before the Commissioners and said that the County Council had approved \$3,500 for him to buy a car and that he has found one that meets all specifications. He was advised by the County Attorney's to get three invitational bids and bring them back to the Commissioners, next week.

RE: CORRECTION MADE

The minutes of December 10, 1973, reflect that Mr. Don Stucki was re-appointed to the Burdette Park Board for a term of three years, effective December 31, 1973, but the effective date is January 1, 1974.

Commissioner Ossenberg moved that the minutes so show the effective date to be January 1, 1974, for Mr. Stucki as a member of the Burdette Park Board. Commissioner Schaad seconded the motion. So ordered.

RE: DISCUSSION OF RENTS OWED TO THE CITY

Commissioner Schaad said that he has been asked by City Council to bring up the problem of rents that are owed by the County to the City.

Mr. Volpe said that the State Board of Accounts will verify that the county has paid \$22,500 on the Health Department, that has not been credited to our account and he isn't going to pay one penny until this money has been credited to our account, so if they want \$42,371.07 they can have it but as long as they bill the county for \$64,000, they aren't going to get a penny. He said that he told Mr. McCoy about this in November. He said that he would check on the Weights and Measures, since he was sure there was an error if this hasn't been paid. He also said that the county hasn't been billed by Civil Defense, as yet. Commissioner Schaad said that the Commissioners will check into the matter, this afternoon.

RE: COUNTY-OWNED SURPLUS PROPERTY

There were no bids on the County-owned surplus property today. The sale will continue.

Mr. Volpe said that he would check with the County Assessor as to how he is coming along with the appraisals, on more county-owned property that will soon be up for sale.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CLERK OF THE CIRCUIT COURT

|               |                 |                    |             |             |
|---------------|-----------------|--------------------|-------------|-------------|
| Rose Smith    | R#1 Eichoff Rd. | Juvenile Crt. Clk. | \$6,084 Yr. | Eff: 1/1/74 |
| Linda Jones   | R#2 Lyle Road   | Deputy Clerk       | \$5,136 Yr. | Eff: 1/1/74 |
| Virginia Zinn | 1303 Lodge      | Deputy Clerk       | \$5,136 Yr. | Eff: 1/1/74 |

RE: EMPLOYMENT CHANGES.....RELEASES

CLERK OF THE CIRCUIT COURT

|                  |                  |               |                |               |
|------------------|------------------|---------------|----------------|---------------|
| Edna M. Anderson | 1629 Division    | Deputy Clerk  | \$4,882.56 Yr. | Eff: 12/31/73 |
| Helen Reke       | 800 Ridgeway     | Juv. Cr. Clk. | \$5,775.00 Yr. | Eff: 12/31/73 |
| Rose Smith       | R.#1 Eichoff Rd. | Deputy Clerk  | \$4,882.56 Yr. | Eff: 12/31/73 |

RE: CHANGE ORDERS.....E.A.R.C.

Mr.Fosse presented four change orders for the Evansville Comprehensive Mental Retardation Center. One Change Order # E2 is for an additional \$190.08 for changing some outlets to safety grounding duplex outlets. Change Order #E3 is for an additional \$78.00 and this change is required because ductwork interferes with using recessed fixtures originally specified. Change Order #P2 is for an additional \$145.00 to change the insulation on the plumbing piping in the penthouse. Change Order # G2....There is no change in price but several changes were made. The total additional amount of these change orders is \$413.08.

Commissioner Willner moved that these change orders be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: PROGRESS REPORT SUBMITTED

Mr. Tom Jones submitted a progress report on the Evansville Comprehensive Mental Retardation Center, as well as approval from the State Board of Health for the furnishings at the Center. He said that he will prepare the bid package for the furnishings.  
Letter from the State Board of Health received and ordered filed.

RE: CLAIM FOR RENT

There were claims presented last week for fixed and additional rent and were referred to the County Auditor for checking and were found to be correct amounts. One claim was from the Building Authority for the first six months rent for 1974 in Additional Rental in the amount of \$307,906.00 The other was from the National City Bank for the first six months Fixed Rental in the amount of \$317,526.50.

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

RE: APPOINTMENTS FOR 1974-- --

COUNTY COMMISSIONERS:

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

EXECUTIVE ASSISTANT:

Marsha Smith

COUNTY ATTORNEYS:

Thomas M. Swain  
William D. Stephens

AUDITORIUM:

Doyle Dressback

COUNTY JAIL PHYSICIAN:

George F. Berry, M.D.

AREA PLAN COMMISSION:

Bob Willner

LAW LIBRARY:

Doris Gaiser

PLEASANTVIEW REST HOME:

Jack Harness

COUNTY BUILDING SUP'T.

Herman Hotz

COUNTY HIGHWAY SUP'T.

Jack Willard

VETERANS SERVICE OFFICER:

Clyde Oviatt

BURDETTE PARK BOARD:

Thomas Ossenberg  
Emily Combs Fowler

LICENSE EXAMINING BOARD:

Thomas Ossenberg

INSURANCE

Agent of record for Life Insurance:  
Gerald T. Dauble

Agent of record for Accident & Health In:  
Robert Barthel

All Other Insurance...Hahn & Becker, Torian & Monarch Insurance Agencies.

RE: HOLIDAYS FOR 1974

New Years Day .....Tuesday, January 1  
 Lincoln's Birthday.....Monday, February 11  
 Washington's Birthday.....Monday, February 18  
 Good Friday.....Friday, April 12  
 Election Day.....Tuesday, May 7  
 Memorial Day.....Monday, May 27  
 Independence Day.....Thursday, July 4  
 Labor Day.....Monday, September 2  
 Columbus Day.....Monday, October 14  
 Election Day.....Tuesday, November 5  
 Veteran's Day.....Monday, November 11  
 Thanksgiving Day.....Thursday, November 28  
 Christmas Day.....Wednesday, December 25

RE: EMPLOYEES FOR 1974

The County Employees for 1974 are as follows:

AUDITOR:

Lewis F. Volpe  
 Alice McBride  
 Peggy Powless  
 Willetta G. Freihaut  
 Dona Reherman  
 Margaret Meeks  
 Sylvia Williams  
 Janice Decker  
 Marian Ellsperman  
 Maisie Collins  
 Mildred Fuquay  
 Georgia Benson  
 Ruth K. Wilhite  
 Lily LeBlanc  
 Bette Carrigan  
 Zerline Wentzel  
 Martha Schenk  
 Ruth L. Calhoun  
 Martha Calkin  
 Doris Jean Wilkey  
 Helene Sprinkles  
 Estella Moss  
 Gloria Evans  
 Lucille Musgrave  
 Lucille Elliot  
 Dorothy Wilson  
 Curt John

AREA PLAN COMMISSION

Jack E. Hanes, III  
 Douglas Thomas  
 Patricia Allen  
 Dorothy C. Grubb

AREA TRANSPORTATION

E. Kenneth Marlin  
 Mary R. Brown  
 Duane Mann  
 Leonard Elpers

BURDETTE PARK

Louise Devoy  
 William Z. Utley  
 Sharon Owen

BOARD MEMBERS

Emilyann Fowler...1st. Dist.  
 Deryl Blackburn...3rd. Dist.  
 Don Stucki.....2nd. Dist.

TREASURER

Florence Bruck  
 Mary Schimmel  
 Erma D. Kingston  
 Carolyn Seib  
 Sylvia Reutter  
 Constance Laubscher  
 Jean Sills  
 Helen Middleton  
 Lucille Yestingsmeier  
 Suzanne Demsey  
 Virginia Parrish  
 Julia McGuire  
 Helen Krietemeyer  
 Harriett Higdon  
 Katharine Harker  
 Virginia Seybold  
 Elsie Fae Shirley  
 C. Glenn Meeker

CO-OP EXT. SERVICE

H. L. Whitham  
 Clare Kron  
 Betty Bumb  
 Eugene Morris  
 Janice Breiner  
 Allen Boger  
 Lilliam Staub

AUDITORIUM

Doyle K. Dressback  
 Charles Chrisman  
 Katherine Appuhn  
 Earl Schoenbachler  
 Donald Hofmann  
 Jessie Byers  
 Halene White  
 Henry Overby  
 Ruby Norris  
 PART TIME EMP.

Anita Glover  
 Wilbert Borum  
 Gertie Mickabee

PLEASANTVIEW REST HOME

Jack K. Harness  
 Helen Harness  
 Hoanne Buchanan  
 Lois E. Westfall  
 Robert F. Walter M.D.  
 Bonnie C. Goodge  
 Edwin Zenthoefer  
 Reuben Bell  
 Minnie L. Brackens  
 Joyce A. Evans  
 Edith P. Goins  
 Zadie M. Cobb  
 Willard C. Hughes  
 Sheryl Lunkenheimer  
 Tillie Mancini  
 Landis Mead  
 Sylvia Phelps  
 Betty Hiter  
 Fredia McKee  
 Road Harpenau  
 Vivian M. Guerin  
 Geneva Sweeney  
 Ellen Williams  
 Jenetta R. Brown.

RECORDER

Clyde "Buddy" Cole Jr.  
 Louis H. Grewe  
 Dora Lawhead  
 Betty Hermann  
 Aline Payne  
 Debbie Baumeister  
 Susie Sherwood  
 June Cosgrove

COUNTY VETERANS SERVICE

Clyde Oviatt  
 Norma Dickens  
 Loraine Rohner

COUNTY CORONER

H. T. Combs M.D.  
 Earl K. Cox  
 Mary F. Westfall

SUPERIOR COURT & JUVENILEJUDGES

Morris S. Merrell  
 Terry D. Dietsch  
 Morton W. Newman  
 Claude B. Lynn

PROBATE COMMISSIONER

James W. Angermeier

COURT REPORTERS

Ruthetta Graves  
 Jane Griffith  
 Gayle Spalding  
 Alice J. Hillenbrand  
 Karen Flittner

BAILIFFS

Raymond Unfried  
 Catherine Kueber  
 Bert Conway  
 Francis M. Grisham  
 Rosemary Norbury  
 Nina Horstketter  
 Sarah L. Cook  
 Edith W. Fox

PROBATION OFFICERS

Bart F. O'Connor  
 Elvera Riggs  
 Merle C. Melton  
 Brenda McDaniel  
 Roger D. Walker  
 Nancy Chreste  
 Carl A. Miller  
 Wayne Miller  
 Gregory W. Combs  
 Ronald R. Goebel

CHIEF CLERK

Mary Lee Hahn

CLERICAL ASSISTANTS

Clare Riordan  
 Georgia Williams  
 Martha E. Cron  
 Mildred W. Morgan  
 Gladys Lovell  
 Alice Dye  
 Kathryn Flittner

PAUPER INVESTIGATOR

Leland Powell

PUBLIC DEFENDER

Malcolm G. Montgomery

PUBLIC DEFENDER'S SECRETARY

Jo Ann Stevens

SHERIFF'S DEPARTMENT

Sheriff Jerry E. Riney  
 Chief Richard H. O'Risky  
 Lt. Charlie Gibbs  
 Lt. Warren Reynolds  
 Sgt. James Allen  
 Sgt. Soney Banks  
 Sgt. Gary Kassel  
 Sgt. John Lancaster  
 Sgt. Earl Russell  
 Sgt. Clifford Trainer Jr.  
 Sgt. Jimmie Tucker  
 Sgt. S. Lee West  
 Det. Thomas Brandsasse  
 Det. Michael Craddock  
 Det. William Droll  
 Det. Robert Etheridge  
 Det. James Fravel  
 Det. Stanley Garrett  
 Marlin Beck  
 Robert Beckham  
 Otis Bell  
 Richard Bennett  
 Wallace Bishop  
 Paul Bice  
 David Brandt  
 James Brinkman  
 Merrill Carr  
 Gary Castrup  
 Robert Coleman  
 Kenneth Collins  
 Clarence Cotton Jr.  
 John Crosser  
 Mary J. Davis  
 Michael Daws  
 Billy Denton  
 Michael Forshee  
 Carl Gardner  
 Stephen Griggs  
 Danny Hape  
 Ronald Hartmann  
 Terry Hayes  
 Donald Humston  
 Timothy Lennartz  
 David L. Ludwig  
 Robert L. Miller  
 Mark Mabrey  
 James Moers  
 James Neighbors  
 Ronald Newman  
 Gary O'Risky  
 Kenneth Patterson  
 Roy Perkins  
 William Pierce  
 Arella Ray  
 John Reutter Jr.  
 William E. Roberts  
 Lois Scruggs  
 Margaret Smith  
 Stephen Sparks  
 Steven Schnell  
 William Speicher  
 Philip Strange  
 Michael Sturgeon  
 Peter Swaim  
 Anne Therber  
 Robert Tribble  
 Joseph Winfield  
 William Young

DEPARTMENT OF PUBLIC WELFARE

Ahles, Mary Louise  
 Barnett, Gary C.  
 Barton, George Michael  
 Bates, Barton A.  
 Bauer, Evalyn H.  
 Baumgartner, Norman Wayne  
 Baxter, James E.  
 Beck, Isabel  
 Beeler, Mildred J.  
 Berger, Leslie A.  
 Bey, Jeannette E.  
 Biggerstaff, Aaron M.  
 Bosaw, Edwin  
 Branch, Leanne  
 Britt, Mary Jean  
 Britton, Nan E.  
 Buecher, Alma M.  
 Butler, Norman C.  
 Byer, George E.  
 Carlile, Janella L.  
 Carson, Susan E.  
 Chittenden, Veronica J.  
 Church, Jane A.  
 Cline, David K.  
 Cochran, Cheryl J.  
 Coe, Thomas N.  
 Collins, Faye A.  
 Compton, Donnie W.  
 Congleton, Lawrence L.  
 Conrad, Ruth A.  
 Cook, Helen M.  
 Cox, Virginia C.  
 Daniels, Mary L.  
 Dean, Wanna D.  
 Dick, Elizabeth M.  
 Dillingham, Betty L.  
 Donahue, Phyllis A.  
 Donohoo, Maruy  
 Ellert, Michael P.  
 Elvestrom, Denise A.  
 Flick, Gerald L.  
 Frakes, Irene M.  
 Fuchs, Rosella M.  
 Gillgam, Mary Ann  
 Glenn, Harry F.  
 Griffith, Louwenia B.  
 Gumberts, Sydney L.  
 Hahn, Armitta C.  
 Havens, Doris  
 Hay, Robert A.  
 Hendrix, Constance K.  
 Herrick, Peter W.  
 Higgason, Clifford E.  
 Hill, Jayne E.  
 Holladay, Guy D.  
 Holmes, George R.  
 Hudspeth, Mary L.  
 Hufnagle, Vernita L.  
 Hunsucker, Devin L.  
 Hyatt, Frances  
 Igleheart, William M.  
 Keeling, Janice F.  
 Kendall, Lynda S.  
 Koehler, Lionel L.  
 Korff, Wilma J.  
 Kough, R. Michael  
 Lang, Jo Ann K.  
 Latham, Margaret L.  
 Lindsey, Terry S.  
 Lipper, Barbara E.  
 Lovelace, Catherine M.  
 Lowe, Rubylee

Lynch, Elbert A.  
 McCool, Diane Sue  
 McGlone, Betty L.  
 McLemore, Margaret R.  
 Markham, Karen S.  
 Mayer, Ronnie K.  
 Metz, Ruth A.  
 Miller, Janet G.  
 Miller, Jennifer C.  
 Mueller, Gertrude  
 Nation, Carolyn C.  
 Nelson, Mary E.  
 Newman, Jean  
 Omstead, Patricia M.  
 Perkins, Wilhelmina M.  
 Pond, Pamela A.  
 Rager, Patricia A.  
 Reheman, Barbara J.  
 Reitz, Mary A.  
 Rhiver, Patricia A.  
 Ridley, Nancy C.  
 Rogers, Susan E.  
 Ross, Mildred C.  
 Saari, Virginia L.  
 Sanderson, Emily W.  
 Schatz, Hilda M.  
 Schmitt, Carol S.  
 Schmitt, Donald J.  
 Schnacke, Gertrude M.  
 Schnautz, Laura K.  
 Schroeder, John M.  
 Schroeder, Mary E.  
 Schuldt, Donald A.  
 Seitz, Paul A.  
 Sells, Dorothy L.  
 Sensmeier, Marina L.  
 Sergesketter, Thomas W.  
 Sisson, Frances L.  
 Skelton, Anna Mae  
 Small, Vicki M.  
 Smith, Bernitta R.  
 Sproatt, Patsy Ann  
 Staton, Frank L.  
 Strunk, Jessie Lee  
 Sutton, Elizabeth A.  
 Sutton, Patricia E.  
 Thacker, Antoinette M.  
 Thomas, Courtney L.  
 Thomas, Dorothy J.  
 Thornton, Gladys S.  
 Todd, Donna C.  
 Tucker, Trent C.  
 Tyree, Shirley A.  
 Van Hoy, Jean R.  
 Watson, Susan L.  
 Welch, Mary E.  
 Werner, Mary E.  
 White, Doris D.  
 Willett, Benjamin P.  
 Williams, Stacia L.  
 Wirth, Thomas G.  
 Wolf, Alberta M.  
 Work, R. Dale  
 Young, Robert E.

VOTERS REGISTRATION

Mabel Lurker  
 Joseph F. O'Day  
 Dorothy Block  
 Travis F. Rayburn  
 Jo Evelyn Gaffney  
 Annelia L. Tornatta

HILLCREST-WASHINGTON HOME

Denzil Reed  
 Bernice Roedel  
 Drusilla Spencer  
 Payl C. Bayer  
 Janet Beck  
 Wava Bee  
 Bersie Burgdorf  
 Thelma Byers  
 Mary E. Caldwell  
 Marie Davis  
 Iva Fowler  
 Rena Green  
 Elizabeth Meredith  
 Dorothy Reed  
 Lois Sanders  
 Mary Smith  
 Katherine Stewart  
 Catherine Stubblefield  
 Robert Thomas  
 Nettie Whitaker  
 Mary Alvis  
 Carrie Hanshaw  
 Mildred Smallwood  
 Jearldeen Whitledge  
 Thomas Bennett  
 Elizabeth Emerson  
 Irene Baldwin  
 Theresa Girouard

COUNTY ASSESSOR

James L. Angermeier  
 Mary L. Garrison  
 Thomas M. Lindsey  
 Zretta Hardin  
 Madge Bunker  
 Monica E. Mindrup  
 Dorothy E. Lietz

PIGEON TOWNSHIP ASSESSOR

Maxine F. Ginger  
 Jerome R. Zeller  
 Ethel M. Bryant  
 Virginia Landers  
 Roberta Burkhart

CENTER TOWNSHIP ASSESSOR

Alvin E. Stucki  
 Shirley E. Stucki  
 Betty Ann Bawel  
 Dorothy Dremstedt  
 Sherry Wheeler  
Part Time  
 Evelyn Meyer  
 Arvel Christmas

KNIGHT TOWNSHIP ASSESSOR

Emerson S. Reid  
 Marlene K. Fry  
 Robert L. Westenbarger  
 Lillian Tibbals  
 V. Maxine Knight

PERRY TOWNSHIP TRUSTEE

Norman "Red" Mosby  
 Betty J. Boyd  
 Betty J. Hempfling  
 Marcella Strange

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PIGEON TOWNSHIP TRUSTEECENTER TOWNSHIP TRUSTEE

Wilbur J. Schmitt  
 Viola Winiger  
 Mildred Derrington  
 Georgiann Schmitt  
 Victor Ahrens  
 Raymond Greubel  
 Richard G. Eykamp  
 Richard Tredway  
 Kathryn McLaughlin  
 Phyllis Ann Cooper  
 William R. Sensmeier

Robert M. Morrison  
 Paul W. Luster  
 Carl W. Zapp  
 Rosemary Carr  
 Mary T. Webb  
 Ole J. Olsen  
 Marcellus Stanfield  
 Raynond Wilm  
 Lester Wharton  
 Rachel J. Altheide  
 Robert E. Olsen  
 Ruth E. Anslinger  
 Myrtle Bowling

Cova Harrison  
 Christine Martin  
 Estel Ragsdale  
 Margaret Sallee  
 Charles Willett  
 Bettye Duggins  
 Marilyn Gies  
 Mary L. Hall  
 Modesta Harl  
 Esther S. Mackey  
 Mary Dee Williamson  
 Phyllis Vititoe

RE: DISCUSSION: BOEHNE HOSPITAL BUILDING

Commissioner Ossenberg explained that Alcoholic Help Inc. has asked the Commissioners to take back one of the buildings on the Boehne Hospital grounds and there was some question as to the insurance. He said he had asked Mr. Hotz to get Alcoholic Help Inc. and their Insurance Agent to review the insurance at Boehne Hospital with one of the Agents of Record for the County and that on December 27, 1973, Greene & Greene who represents Alcoholic Help Inc., met with one of the County's Agents and Mr. Finney was out there with the agent of Greene & Greene and he wrote a letter of comment on the insurance and a number of buildings on the Boehne Camp property are not insured and the name of the County Commissioners does not appear on any of the insurance policies and he feels that if something would happen out there, the county would just be left out.

Commissioner Ossenberg suggested that these leases be re-negotiated and that the title should show the County Commissioners, in order to protect Alcoholic Help Inc. and the County Commissioners.

County Attorney Stephens said that the lease shows title to Vanderburgh County and all they need to do is have the Insurance Co. to endorse it to show that the county is named as the additional insured, under the policy. He said that the building is covered by insurance until August of 1974.

Commissioner Ossenberg moved that the insurance policies of Alcoholic Help Inc. be endorsed to show that Vanderburgh County be listed as owner and for them to furnish the Commissioners with a copy of it. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg said that no action has been taken as yet on the matter of the building at Boehne being used as a Drug Center. He said that in Section 8 of the lease reads that it be expressly understood that the said facility shall not be used for a center for treatment of person or persons affected with the use or habit of narcotics or dangerous drugs.

Commissioner Schaad said that if this building is taken back by the county, the lease with Alcoholic Help Inc. would no longer be effective.

Commissioner Willner said as he understands it, the people that want to make use of this building do not intend to treat anyone, that it will be used as a halfway house.

Commissioner Schaad said that no action has been taken on it, as yet, as they want to further investigate it and personally, he thought this building to be in such deplorable condition, that it wasn't even worth fixing up.

RE: RE-ZONING PETITION WITHDRAWN

A letter was received from the Law Offices of Stone, Keck & Staser, requesting that the following re-zoning matter be withdrawn at this time.

Re-zoning Ordinance VC-73-2...Re-zoning Petition 73-55-PC...Laverne & Betty Spindler

Commissioner Ossenberg moved that this Re-zoning Petition be withdrawn. Commissioner Willner seconded the motion. So ordered.

RE: CUTS-IN

Applications for cuts-in were received from the following:

Indiana Bell Telephone requests permission to cut into Fischer Road.  
 Indiana Bell Telephone requests permission to cut into Kuebler Road.  
 Waterworks Department requests permission to cut into Folz Lane & Mesler Pk. Dr.

Commissioner Ossenberg moved that these cuts-in be approved. Commissioner Willner seconded the motion. So ordered.

RE: MR. WILLARD

Mr. Willard said that he is still working on the icy roads and that the Board of Works is going to Mead Johnson & Co. this morning to get a supply of salt so they should have plenty. He said they are working on the main roads first, then on the side roads, also that they won't do any special jobs unless they have been okayed by the County Commissioners.

RE: MR. PUGH

Mr. Pugh said that he is hard at work on the 100 year storm survey for the Building codes. He said he had the state office to check it out and he was arguing with them that the storm of 1961 was indeed a 100 year storm. He said he has proposed for a joint meeting to be set up for January 21st. in the Council Chambers, at 1:30 p.m. and he would like for the County Commissioners there with the Drafting Committee and the other agencies.

The meeting recessed at 10:20 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u>                            | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u>          | <u>REPORTERS</u>                                 |
|--|-----------------------|----------------------------------|--|
| Robert Schaad<br>Thomas Ossenberg<br>Robert L. Willner | Lewis F. Volpe        | William Stephens<br>Thomas Swain | C. Leach<br>B. Thompson<br>G. Clabes<br>S. Clark |

Secretary: Margie Meeks

*Bob Schaad*  
 \_\_\_\_\_  
*Thomas Ossenberg*  
 \_\_\_\_\_  
*Robert L. Willner*  
 \_\_\_\_\_  
 BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
JANUARY 7, 1974

The meeting of the County Commissioners was held on Monday, January 7, 1974, at 9:30 a.m. in the Commissioners Hearing Room, with President Robert Schaad presiding.

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

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids on the county-owned surplus property today. The sale will continue.

RE: DISCUSSION OF RENT

There was discussion of the rent that is owed to the city by the county and Mr. Mike McCoy said that he would submit a new bill to the Auditor in the amount of \$42,621.40 which is the correct amount.

RE: REQUEST OF COUNTY CLERK

The following letter of request was submitted to the County Commissioners from the Clerk of the Circuit Court:

Re: Purchase Procedure for Marriage License for Clerk of the Circuit Court.  
Dear Sirs:

I am hereby requesting your guidance and permission in purchasing Marriage Certificates for the County Clerks Office.  
My supply is down to 149 certificates and as it takes approximately ten (10) days to receive these after an order is placed, it is necessary that the order be placed now.  
As persons are required by law to purchase the license in the county in which they reside this will probably be a critical situation if the order is not placed at this time.  
Please advise as to the proper procedure I should follow in acquiring these licenses. Thank You. Most Sincerely, Shirley Jean Cox

Commissioner Ossenberg moved that the County Clerk be permitted to buy these certificates on the open market. Commissioner Willner seconded the motion. So ordered.

RE: SALT NEEDED BY THE COUNTY

Commissioner Willner said that the County Highway needs salt for the icy roads and he thought that Mr. Willard should be given the same courtesy in purchasing it.

Commissioner Ossenberg moved that Mr. Willard be permitted to go out on the open market and buy the salt needed by the County Highway Department. Commissioner Willner seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES .....APPOINTMENTS

CUMULATIVE BRIDGE FUND...COUNTY SURVEYOR

|                  |                  |                  |              |             |
|------------------|------------------|------------------|--------------|-------------|
| John L. Singer   | 2424 W. Illinois | Ass't. Inspector | \$7,000 Yr.  | Eff: 1/1/74 |
| Edward C. Martin | R.R.5 Box 240A   | Party Chief      | \$12,000 Yr. | Eff: 1/1/74 |

VOTERS REGISTRATION

|                       |                    |        |                 |             |
|-----------------------|--------------------|--------|-----------------|-------------|
| Viola Schmahlenberger | 1325 Fountain      | Typist | \$15.00 Day     | Eff: 1/7/74 |
| Linda Delano          | 1216 Emmett        | "      | "               | "           |
| Pamela S. Ritter      | 4707 Rolling Ridge | "      | "               | "           |
| Wandalce Cain         | 2601 Melrose       | "      | "               | "           |
| Amelia L. Tornatta    | 1411 Reiter Dr.    | Clerk  | \$242.65 Se.Mo. | 1/2/74      |

RE: EMPLOYMENT CHANGES.....RELEASESCOUNTY SURVEYOR

|                  |                  |                   |          |             |
|------------------|------------------|-------------------|----------|-------------|
| Edward C. Martin | R.R.5 Box 240A   | Drainage Engineer | \$11,550 | Eff: 1/1/74 |
| John L. Singer   | 2424 W. Illinois | Rodman            | \$6,080  | Eff: 1/1/74 |

HIGHWAY DEPARTMENT

|                  |            |                           |             |             |
|------------------|------------|---------------------------|-------------|-------------|
| Edward F. Sander | 412 N. Elm | Extra Help Night Watchman | \$3,125 Hr. | Eff: 1/2/74 |
|------------------|------------|---------------------------|-------------|-------------|

VOTERS REGISTRATION

|                  |                  |        |             |             |
|------------------|------------------|--------|-------------|-------------|
| Betty Omer       | 1052 Madison     | Typist | \$15.00 Day | Eff: 1/7/74 |
| Mabel E. Winkler | 7418 E. Mulberry |        | "           | "           |

RE: MONTHLY REPORT

The monthly report was submitted to the Commissioners for the Pleasantview Rest Home for the month of December, 1973.  
Report received and filed.

RE: REPORT FROM VETERANS SERVICE OFFICER

The monthly and yearly report for services rendered by the Veterans Service Office was submitted by Mr. Oviatt for the year of 1973.

Last year the office had a total of 6,341 office interviews and in 1973 there was a total of 8,534 interviews for an increase of 2,193.

The Veterans Administration spent a total of \$6,356,441.00 in Vanderburgh County the past fiscal year for an increase of \$689,479.00 over the previous year.

Broken down, these payments were made, Compensation and Pension...\$4,232,103.00..  
Educational Benefits: \$1,740,282.00....NSLI Insurance: \$384,056.00

This does not include burial benefits paid by the Veterans Administration, or payments that the Indiana Dept. of Veterans Affairs is making for the Indiana State Bonus for Vietnam Veterans.

Report received and ordered filed.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received from Greene & Greene Insurance Co. certifying that an insurance policy has been issued to Hadi Temple Association Inc., for lease of the Vanderburgh County Auditorium and Convention Center on January 5, 1974.  
Certificate received and ordered filed.

RE: CLAIM

A claim was received from The Terminal Warehouse Co. Inc. in the amount of \$500.00 in rental for space for storage of voting machines per contract from January 1, 1974 to February 1, 1974.

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

RE: CUTS-IN

The Indiana Bell Telephone Co. requests permission to cut into Jobs Lane, 2000' long, 6" wide, 24" deep.

Commissioner Ossenbergh moved that the cuts-in be approved. Commissioner Willner seconded the motion. So ordered.

RE: NOTICE FROM CORP. OF ENGINEERS

A notice was received from the Corp. of Engineers, concerning installations on Old River Road.

County Attorney Stephens said that this is a petition for an extension of time to make the improvements needed. This is in regard to Mr. Bruce of Evansville Terminal Co.

This notice was referred to County Attorney Bill Stephens.

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3.

MR. NUSSMEYER

Mr. Nussmeyer said that the So. Ind. Gas & Electric Co. has given the county a bill of \$1,108, concerning Mount Vernon Road, that they apparently have a private easement where they aren't on our Right of Way and they expect compensation. They are asking for an agreement of payment.

County Stephens said he feels that the county should pay for the moving of the utilities in such cases.

Mr. Nussmeyer said that they have a contract and that this is holding up the contract.

Commissioner Ossenberg moved that the county will pay reasonable expense of locating these facilities with the understanding that the County Engineer has the final say so. Commissioner Willner seconded the motion. So ordered.

RE: PROBLEM ON MIDDLE MT. VERNON ROAD

Mr. Nussmeyer said that there was previously had, \$59,644 in the account of Middle Mt. Vernon Road and that now there is only \$23,644 and he wondered what happened to the rest of the money in that account, since the full amount was in the account when the contract was let.

Mr. Volpe said that perhaps something was paid from the wrong account and he would check on it.

After checking, Mr. Volpe said an adjustment was made in this account, due to work that was done some time ago.

Mr. Nussmeyer said that he would get the funds together that are needed.

RE: CLAIM

A claim was received from Feigel Construction Co. for the project of Oak Grove Road, East of Green River Road, in the amount of \$7,913.12 to be paid from Revenue Sharing, 506-201-3746.

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

RE: BRIDGES

Mr. Nussmeyer said he has three bridges and that he would like to ask for transfer of funds to get them done. There are two on Old Mt. Vernon Road and one on Cypress-Dale and he was told that he will need to advertise for bids on these projects.

RE: MR. WILLARD ... PERMISSION TO ATTEND MEETING

Mr. Willard said that several of the men from the County Highway Department were to have attended the Area Road School in Jasper Indiana two weeks ago but due to the bad weather, the meeting is now set for tomorrow in Bedford Indiana.

Commissioner Ossenberg moved that the necessary people be allowed to attend this meeting. Commissioner Willner seconded the motion. So ordered.

RE: SALT NEEDED BY COUNTY HWY. DEPT.

Mr. Willard said he has run out of salt and they could get some by truck from Chicago and that there would be 22 ton per truck. He said they were going to let him know the cost of it. He also said that he uses 180 tons of salt per day.

Commissioner Schaad said this would mean that he would need about 9 truck loads per day and wondered if there weren't a better way to get it.

Mr. Willard said that he would call other people to get some prices.

RE: MR. HOTZ

Mr. Hotz said that Mr. Crooks had asked about two houses located on Kirsch and Green River Road and he wondered if they were on the surplus property list.

County Attorney Swain said these two houses were purchased for temporary Right-of-Way.

Mr. Crooks said he believed that someone was trying to tear one of them down. He said that the Chamber of Commerce wondered when they were going to be torn down because they are an eyesore.

County Attorney Stephens said that he should draw up specifications so that these houses can be torn down.

County Attorney Swain said he thought there was a deadline on tearing them down and he said that he would get with Mr. Nussmeyer and check the easements, also as to the deadline in getting them torn down and check to see if someone is illegally tearing one of the houses down.

RE: CARPETING NEEDED

Mr. Hotz said it would take about six weeks to get carpeting for the Hillcrest-Washington Home and that he and Mr. Reid have both checked the prices on it. Mr. Hotz was advised to get the bidders name so we can have them as a matter of record.

RE: INSURANCE ON BUILDING AT BOEHNE

Last week, Commissioner Ossenbergh had moved that the Insurance policies of Alcoholic Help Inc. be endorsed to show that Vanderburgh County be listed as owner and for them to furnish the County Commissioners with a copy of it.

County Attorney Stephens said that he had informed Alcoholic Help Inc. but that he hasn't heard anything on it as yet and he will call Mr. Reynolds and check on it.

RE: HELP ON THE WAY

Commissioner Schaad said he has spoken to the Building Authority and they are going to see if they can't come up with something so the people can be heard as there is a lot of mumbling going on and it is hard to get the true facts in order to get them into the minutes correctly. Yours truly would sure appreciate it.

RE: COUNCIL OF GOVERNMENTS

In discussion of C.O.G., Commissioner Schaad said the county has never been certified under the old agreement and it was suggested that they come up with a new agreement and try to re-organize and be certified so they can get federal funds and he said that this agreement was drawn up sometime ago but no action has been taken on it by the County Commissioners.

County Attorney Swain said the action they want taken is a resolution of the County Commissioners, withdrawing from Region 13A and the other from the Southwestern Indiana & Kentucky Council of Governments. He said if they withdraw from the old and they want us to enter into a new Article of Agreement, which sets up a new Region 13A covering Posey, Gibson, Warrick, Vanderburgh and Henderson County, Kentucky, that he has reviewed the Articles of Agreement and has no objections to the resolution of the County Commissioners withdrawal from the Southwestern Indiana & Kentucky Council of Governments.

Commissioner Schaad said if they are certified under the new agreement, they are eligible for funds under H.U.D. He said he understands that if everyone isn't agreeable, that if any three counties enter into such an agreement, they could still go ahead with it. He said it would be up to the new board to come up with the budget, that this was the trouble they had before.

Reporter, Chuck Leach, asked if the money that was approved by the County Council was for the old C.O.G. or the new C.O.G.

Mr. Volpe explained that this wasn't an appropriation, that it was actually a repeal because \$126,000 was appropriated in September and they have repealed it back to \$42,000, spread out approximately \$10,000 for the first quarter with everything else held in abeyance.

After further discussion, County Attorney Stephens said the new agreement would become effective upon the date of the organizational meet and the new council and not until then. He said they are going to try to get the rest of the counties to chip in on the funding and up until now, the only funding has been by Vanderburgh County.

Commissioner Willner moved that this matter be deferred until next week so he will have a chance to read it over.

Commissioner Schaad said that Warrick County is acting on it today and he would like action taken on it because Vanderburgh County has a lot more to gain than any other county.

Commissioner Schaad then read the Articles of Agreement.

Commissioner Ossenbergh explained that as he understands it, the breakdown in representation of the board as H.U.D. has indicated, is that after these particular counties go into this organization, in total representation, they pick their committees and they pick their budgets. He said that the representation, presently, would be that Posey County would have six members, Gibson County would have eleven members, Warrick County would have seven members, Vanderburgh County would have eight members and Henderson County, Kentucky, would have three members. H.U.D. also stated that Vanderburgh County, along with any two other county's would qualify. He said that Gibson County has voted to go into it but it was held up for funding and Henderson County, Kentucky, is to act on it tomorrow, also he had a letter from Pike County, expressing interest to enter into it.

Commissioner Willner then rescinded his previous motion by moving that the Articles of Agreement be adopted to create a Regional Council of Governments and he hoped that changes will be made where they need to be made. Commissioner Ossenbergh seconded the motion. So ordered.

Commissioner Ossenbergh moved that Vanderburgh County withdraw from C.O.G., subject to the new re-organization being set up. Commissioner Willner seconded the motion. So ordered.

RE: WASTE DISPOSAL

Commissioner Willner asked if Mr. Whitham had submitted a report for the trash detail.

Commissioner Schaad said he had talked with him and that Mr. Whitham would like to have some figures as to how much we are going to pay the land owners to have the dumpsters on their property.

Commissioner Willner said he thought they should include the chairman of the waste disposal committee, in with Mr. Whitham's duties.

Commissioner Schaad said that he would follow through with Mr. Whitham in getting this matter back on the track.

RE: EMPLOYEES FOR 1974...CON'T. FROM PREVIOUS MEETING

SUPT. OF COUNTY BUILDINGS

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

COUNTY HIGHWAY DEPARTMENT

Jack Willard  
Walter Dobroski  
Gilbert Harris  
Jerry Linzy  
Jack Siebeking  
Charles Russell  
Alice Lee  
Mary L. Burch  
Robert VanWinkle  
Clarence Rueger  
Robert White  
Bobby Cobb  
Velmont Claridge  
Harry Woods  
Jack Fettinger

Orbie R. Davis  
Cedric Rexing  
Glenn Jones  
Arthur Kibby  
Homer Ray  
Aubery L. Collins  
Victor Bryant  
James Bell  
George Cummings  
Carl Feldhaus  
Albert Gartner  
Tony Harvey  
Albert Knarian  
Urban Kahre  
Clifford Money

Harold Steckler  
Rueben Bailey  
Richard F. Donaldson  
Robert Duerson  
Donald Gartner  
Joseph Geiser  
Thomas Griffin  
William Hilliard  
Roger Kissel  
Mark D. Krueger  
Dennis U. Merideth  
Clarence Blue  
Allen Brigham  
James E. Caldwell

COUNTY HIGHWAY DEPARTMENT...CON'T.

Joseph Folz  
James H. Howell  
Clayton Jenkins

Sam Robinson  
Thomas Schmitz  
James H. Gorman

Fred Huber  
Homer Riddle

CLERK OF THE CIRCUIT COURT

Helen L. Kuebler  
Judith E. Edwards  
Sharon J. Boardman  
Barbara K. Bruner  
Florence V. Hess  
Nancy Lou Kleiman  
Rose Smith  
Dorothy J. Schaefer

Patricia A. Patton  
Dorothy L. Buente  
Lorraine M. Dean  
Joyce A. Fields  
Frances B. Gates  
Ellen I. Hancy  
Colleen Hilgeman  
Deborah Hunter

Linda P. Jones  
Geneice C. Newman  
Beatrice L. Phillips  
Jane A. Wilke  
Virginia Zinn  
Thelma Mae Raley  
Ruth L. Porter

DRAINAGE BOARD

Bob Schaad  
Thomas Ossenber  
Robert L. Willner  
Thomas Swain  
William Stephens

SURVEYOR

Richard G. Nussmeyer  
Kenneth M. Ludwig  
Daniel Kares  
Thomas Hamlin  
Curren E. Bridges  
Lloyd Rittenour  
Scott T. Althaus  
Gary Gullede  
Michael Shull  
Charles E. Davis  
Sherry L. Hoffman  
Richard Graham

ARMSTRONG ASSESSOR

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

PROSECUTOR

William J. Brune  
Terry Noffsinger  
Murray West  
Maurice O'Connor  
James Redwine  
David V. Miller  
Carl Heldt  
J. Douglas Knight  
Ronald Freson  
Jerry Atkinson  
Robert Lensing  
Dorathea MacGregor  
Francis Stofleth  
R. Stephen Barron  
Katherine Miller  
Christy Reiter  
Mary Laugel  
LaTosha Pitt  
Andrea Chandler

CUMULATIVE BRIDGE

Daniel G. Hartman  
David Gulliaum  
John L. Singer

SCOTT ASSESSOR

Louis B. Richardt  
Marguerite Richardt  
Leona Hudson  
Norma Miller  
Charles Van Hoy

UNION ASSESSOR

Robert Bernard  
Evelyn Bernard

The meeting recessed at 11:00 a.m.

PRESENTCOUNTY COMMISSIONERS

Robert Schaad  
Thomas Ossenber  
Robert Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEYS

William Stephens  
Thomas Swain

REPORTERS

B. Thompson  
D. Goodnow  
G. Clabes  
C. Leach  
A. Jackson

*Bob Schaad*

*Robert L. Willner*  
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
JANUARY 14, 1974

The meeting of the County Commissioners was held on Monday, January 14, 1974, at 9:30 a.m. in the Commissioners Hearing Room, with President Robert Schaad presiding.

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

RE: ACTION TAKEN ON BIDS RECEIVED FOR 1974

UNIFORMS.....One bid was received from F. W. Means & Co. Commissioner Schaad said that since the uniforms wouldn't cost over the allowed \$5,000, they could just purchase them from where they could get them for the best price.

Commissioner Willner moved that the bid on uniforms be rejected. Commissioner Schaad seconded the motion. So ordered.

TIRES & TUBES.....One bid was received from Reis Tire Sales Co. Commissioner Schaad said that the county purchased less than seventy tires and the cost was less than \$5,000, so here again, maybe it would be well to negotiate to get the best price they can, for this year.

Commissioner Willner moved that the bid on tires and tubes be rejected. Commissioner Schaad seconded the motion. So ordered.

COLD MIX PATCHING MATERIAL & BITUMINOUS MATERIAL.....One bid was received from J. H. Rudolph & Co. Inc.

CRUSHED STONE AND GRAVEL.....One bid was received from Mulzer Crushed Stone Co. Commissioner Schaad said that the county has received the same bid price on these items as the city.

Commissioner Willner moved that the bid of J. H. Rudolph & Co. Inc. be accepted for the Cold Mix Patching Material & Bituminous Material and that the bid of Mulzer Crushed Stone Co. be accepted for the Crushed Stone & Gravel. Commissioner Schaad seconded the motion. So ordered.

BATTERIES.....One bid was received from Hocker Power Brake Co. Commissioner Schaad said the county only received one bid and the city received four bids on batteries.

Commissioner Willner moved that the bid of Hocker Power Brake Co. be rejected. Commissioner Schaad seconded the motion. So ordered.

OFFICE SUPPLIES.....There were two bids on office supplies. One was from Atlas Office Supplies and the other was from Smith & Butterfield.

City Attorney, John Cox, said that Atlas totaled their bid but that Smith & Butterfield did not total their bid and in comparison, these bids are lower than the prices that have been obtained by the city so an effort can be made to purchase items at lowest possible cost. He therefore recommended that these bids be held under advisement. He said that no bids were requested for, by the city, that the city was hoping to take advantage of the low bids that were submitted to the county.

Commissioner Willner moved that the bids of Atlas & Smith & Butterfield be tabled for the time being. Commissioner Schaad seconded the motion. So ordered.

STEEL & ALUMINUM PIPE.....There were two bids on Steel & Aluminum Pipe and they were from Bauer Bros. General Contractors Inc. and Allmetal Manufacturing Co. Inc. Bauer Bros. for Aluminum Pipe and Allmetal for metal pipe. No bids on concrete pipe. Commissioner Willner moved that the bids of Bauer Bros. and Allmetal Inc. be accepted. Commissioner Schaad seconded the motion.

SANITARY SUPPLIES.....There was one bid on the Sanitary Supplies and this was from Kor-X-All Co. Inc.

Commissioner Schaad said that the city did not bid this item and it was of the opinion that this bid could be rejected, by the Joint Purchasing Department, to purchase these items informally.

Commissioner Willner moved that the bid of Kor-X-All be rejected. Commissioner Schaad seconded the motion. So ordered.

GROCERIES FOR PLEASANTVIEW REST HOME AND HILLCREST-WASHINGTON HOME..... There was one bid received for groceries and that was from Federal Produce Co. Inc.

Commissioner Willner moved that the bid of Federal Produce Co. Inc. be rejected. Commissioner Schaad seconded the motion. The food will be purchased on the open market.

PRINTING..... The county received no bid on printing. Commissioner Schaad said that the Joint Purchasing Department will determine the lowest and best prices for printing materials.

RE: SURPLUS COUNTY-OWNED PROPERTY

There were no bids received today on the surplus county-owned property. The sale will continue.

RE:EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY SURVEYOR

Edward Martin R.R.5 Box 240A Chief Inspector \$9,495.00 Eff: 1/1/74

SHERIFF

Terry Hayes 1309 Marshall Sergeant \$11,445.15 Eff: 1/1/74

COUNTY ASSESSOR

Meraloyd Stansberry 800 Olmstead Deputy Clerk \$4,800 Eff: 1/16/74

RE: MONTHLY REPORTS

The monthly report was submitted for the office of the Clerk of the Circuit Court for the month of December, 1973. Report received and ordered filed.

The monthly report was submitted from the County Treasurer for the month of December, 1973. Report received and ordered filed.

RE: APPOINTMENTS MADE TO JOINT PURCHASING BOARD

The Joint Purchasing Board will consist of four members, two from the city and two from the county.

Commissioner Willner moved that both he and Mr. Schaad be appointed to the Joint Purchasing Board to serve as the two county members. Commissioner Schaad seconded the motion. So ordered.

RE: LETTER FROM SOUTHERN RAILWAY

A letter was received from Southern Railway in regard to their agreement to allow the desire of improvement of Oak Grove Road. They have been advised by their Chief Engineer that the proposed improvement indicates that the new crossing will be located within the limits of Kight Lumber Company turnout and that their Chief Engineer wasn't willing to approve this relocation of the crossing under the circumstances. They wondered if it would be possible if the improvements could be made in such a manner as to avoid the switch and turnout serving Kight Lumber Company. The letter was signed by Mr. P. M. Tatem.

Mr. Nussmeyer suggested, in order to comply with their request, that he be permitted to go at right angles. He said he could see why they would object to any point in the moving parts of the switch but as far as the turnout is concerned, he couldn't see why they would object to that. He proposed they stay within the limits of the turnout and out of the way of the switch. This matter was referred to Mr. Nussmeyer for negotiation.

RE: COUNCIL OF GOVERNMENTS

A form was received to be filled out and returned to the Southwest Indiana & Kentucky Regional Council of Governments. Commissioner Schaad said that this form referred to new sewers and sewage treatment facilities in Darmstadt, Indiana.

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 Mr. Marlin explained that this is a normal request on what they call an A-95. He said the Town Board of Darmstadt wants to conduct a feasibility study and to get it underway, they must execute this form A-95.

Commissioner Willner moved that this form be approved for processing. Commissioner Schaad seconded the motion. So ordered.

Commissioner Willner asked if the Town of Darmstadt had applied for a person to serve on the Area Plan Commission.

Mr. Marlin said that they hadn't, as yet.

RE: REQUEST OF ACCEPTANCE FOR ANTHONY DRIVE

A letter was received from two new residents who built homes at 2501 and 2509 Anthony Drive, off Ward Road. They are requesting that Vanderburgh County accept and maintain Anthony Drive as a county road.

Commissioner Willner moved that this matter be referred to the County Engineer. Commissioner Schaad seconded the motion. So ordered.

RE: CUTS-IN

The Commissioners have an agreement with the Gas Company on cuts-in and they don't need to submit a permit.

The Southern Indiana Gas & Electric Co. submitted a letter requesting permission to cut into Lexington Road for Kauai Industrial Park, to place an underground facility. The notification number being 315-8032, Dated January 3, 1974.

Commissioner Willner moved that this cuts-in be referred to the County Engineer. Commissioner Schaad seconded the motion. So ordered.

RE: RE-ZONING PETITION WITHDRAWN

PETITIONER.....Bussing Construction Corp...Greencove Investments.  
 The requested change was from C-1B and R-0 to R-3 to build apartments.  
 No one was present on behalf of this petition but it was requested that it be withdrawn since the action of the Area Plan Commission was to amend the petition to a County Conditional Use Application.

Commissioner Willner moved that the withdrawal of this petition be approved. Commissioner Schaad seconded the motion. So ordered.

RE: INVITATIONAL BIDS RECEIVED

The following invitational bids were received on a car for the Deputy Coroner:  
 Cooke Chevrolet.....1974 Impala....\$4,397.90....No Trade  
 Vandever Inc. ....\$3,921.58.....No Trade  
 Lindsey Lincoln Mercury.....1973 Mercury Monterey...\$3,502.50...with trade in allowance on 1968 Chevrolet of \$1,733.44

Commissioner Willner said that he didn't like the idea of the two bidders not taking a trade in on this.

Commissioner Schaad said that this might be a good time to think about the county going to compact cars.

Commissioner Willner said that he would work with Earl Cox to see if they couldn't come up with something, taking everything into consideration. The bids were taken under advisement.

RE: AUTHORIZED TO ADVERTISE

Mr. Hofer presented a Notice to Bidders for the equipment and furnishings for the Evansville Comprehensive Mental Retardation Center located at 615 W. Virginia Street and requested that bids be requested through advertisement.

Commissioner Willner moved that the Auditor be authorized to advertise for bids. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIMS

A claim was presented from Browning-Ferris Industries of Indiana, Inc. for service of the dumpsters in the amount of \$2,038.75.  
 Commissioner Willner moved that this claim be approved. Commissioner Schaad seconded the motion. So ordered.

Commissioner Willner asked if there was any progress on the purchasing of the leases on the sites for the dumpsters.

Commissioner Schaad said that his understanding was that Herschel Whitham was going to do the negotiating and talk to the landowners but he has been on vacation so nothing has been done as yet. He said that there was some misunderstanding on this and he would get with Mr. Whitham and work it out.

A claim was submitted from Torian Insurance Agency for plate glass policy covering Auditorium & Convention Center in the amount of \$1,237.00.

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

A claim was received from Torian Insurance Agency for Blanket Bond Recorders Office for \$63.00 and for the County Treasurer - Faithful Performance Bond for \$469.00, the total amount of claim is \$532.00.

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

A claim was presented from Torian Agency in the amount of \$1,062.00 which included Bond for County Treasurer at \$625.00, the County Treasurer at \$375.00, the County Coroner at \$18.00, the Deputy Coroner at \$10.00, County Recorder at \$14.00, Assistant Recorder at \$10.00 and County Highway Supervisor at \$10.00.

There was a question on the two bonds for the County Treasurer and the County Attorney said that Mr. Tilford is also Treasurer for the city and the city should pay the one claim.

Mr. Volpe said that the largest claim for the County Treasurer's bond would be for the county and the lower one would be for the city.

Commissioner Willner moved that this claim be deferred until next week to give the Auditor time to check on it.

A claim was received from Clark, Statham, McCray & Gowdy in the amount of \$439.52. County Attorney Swain explained that this was the corporation that was hired by the county to defend them in the case where a woman lost her leg and it is pending in Princeton and thought the case was ready to be tried. He said that \$28.27 of the amount is for expenses.

Commissioner Willner moved that this claim be approved when the forms are in proper order. Commissioner Schaad seconded the motion. So ordered.

A claim was submitted from Ohio Valley Sound Inc. for a Channel Master Cassette and microphone in the amount of \$44.16.

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

A claim was submitted from Edward Vonderahe Plumbing Co. in the amount of \$20.00 for refund in difference between plumber license fee and plumber registration for the county.

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

RE: CONTRACT WITH THE TEAMSTERS UNION

An agreement between the Board of County Commissioners of Vanderburgh County and the Local Union No. 215 of the Teamsters Union was presented for the approval of the Commissioners for the employees at the County Highway Department, in a mutual and voluntary effort to promote and establish sound labor and Employer relations.

Mr. Whobrey said that the only difference between this contract and the old contract is the vacations and sick leave and this change corresponds with the city contract.

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

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RE: CUTS-IN

The following cuts-in were presented for the approval of the Commissioners:

Indiana Bell Telephone Co....request permission to cut into Green River Road and County Line Road, across County Line Road at the intersection with Millersburg, to bury a telephone cable.

Indiana Bell Telephone Co....request permission to cut into St. Joe Road, between #6 School Road and U. S. 460 and also between Old 460 and Marx Road on Koressel to place buried telephone cable.

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

RE: REQUEST FOR FUNDS

Mr. Nussmeyer submitted the following request to the County Auditor:

Dear Sir:

The County Surveyor requests the following funds:

From the Cumulative Bridge Fund; \$30,000 for Structures 122 and 123, Old Mt. Vernon Road. Also, \$15,000 for Structure 126, Cypress Dale, \$1,047.78 for Account No. 216-3763 and \$10,000 for Structure 148 - Upper Mt. Vernon Road.

Please transfer the Following Funds:

\$500.00 from Account No. 506-201-2260 to 506-201-3745.

\$7,500.00 from 506-201-2260 to Account No. 216-3743.

RE: MR. NUSSMEYER

Mr. Nussmeyer presented applications for distribution from the Local Road & Street Account. One for the purpose of Bridge Construction - Structure #148 Upper Mt. Vernon Road over Carpenter Creek in the amount of \$27,000 which is 90% of the cost, the other 10% will come from the Accumulative Bridge Account which will be \$3,000. Total cost will be \$30,000.00. R & S 2-74

The other application is for the purpose of Reconstruction of a Bridge that has badly deteriorated...Structure 126 over Bayou Creek, 2 miles East of Smith-Diamond Road on Cypress-Dale Road in the amount of \$45,000 which is 90% of the cost, with the other 10% coming from the Accumulative Bridge Account which will be \$5,000. The total cost of project being \$50,000.00. R & S 1-74

These applications were referred to the County Auditor for his signature, so they can be forwarded to state.

RE: CLAIM

Mr. Nussmeyer presented a claim from Robert F. Traylor Corp. for work completed between December 15 and January 15 of 1974 on Burkhardt Road over Boesche Ditch Account # 216-3764 & 203-3759 5, the amount due being \$771.88.

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

RE: HIGHWAY REPORT

Mr. Willard submitted a work and material summary report of the County Highway Department for the year of 1973.  
Report received and ordered filed.

RE: ABSENTEE REPORT

Mr. Willard presented the absentee report of the County Highway employees for the past week.  
Report received and filed.

RE: MR. WILLARD

Mr. Willard reported that he has contacted salt companies such as Cargill Salt Co., Morton Salt Co., Diamond Crystal Salt Co., Tardill Salt Co., Mulzer Bros. and the Mead Johnson Terminal and found that there won't be any salt available for three weeks.

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Commissioner Willner said that there is plenty of salt but that it is all contracted out to other governmental units and private concerns, as he understands it and the county can't get it because they didn't have a contract. He said that this is due to the Purchasing Department that didn't work last year and now that the county has two appointments to the purchasing department, he thought that this is one of the first things that needs to be taken care of and he suggested that the purchasing agent be asked to report each Monday morning, at the Commissioners meeting so that problems can be worked out.

Mr. Willard said that he has been using sand on the icy roads.

Commissioner Schaad said that he has had complaints on Orchard Road being in bad condition.

Mr. Willard said that he would put Orchard Road on his list.

Commissioner Schaad said that he has asked Mr. Marlin to check to see which roads and intersections should be salted first, and so on, and when salt is available, they will be taken care of in that order.

RE: GAS SHORTAGE

Commissioner Schaad said that the Energy Conservation Department has asked the county to come up with some figures, by month, as to what their requirements would be, taking into consideration, the 13% cut that they have been asked to take in gas usage.

Mr. Willard submitted such a report showing that the County Highway Department used 49,837.4 gallons last year and a 13% reduction would allow 44,103.8 gallons, or 5,733.6 less gallons than last year.

Commissioner Schaad said that this doesn't include the gas that the county gets from the city tanks that is primarily used by the Sheriff's Department. He also said that if there is an unusually heavy month of usage, the gas can be adjusted. He asked Mr. Willard to see that Mr. Martin of the Energy Conservation Department gets a copy of the report of gas usage.

Mr. Willard submitted a letter to the Commissioners that he received from Texaco Co. in regard to Diesel Fuel and he said that he didn't understand it. The Commissioners secretary said that she would check it out to see what it was about.

RE: MR. CROOKS...MONTHLY REPORT

Mr. Crooks submitted his report of the number of building permits that have been issued for the month of December. He said that he would submit his full report next week.

Report received and filed.

RE: TAX CODES REQUESTED

Commissioner Willner said that he would like to talk about the letter that was written to the city and county concerning Mr. Angermeier, requesting the tax codes on the building permits.

County Attorney Swain said that he understood that this problem has been solved.

Mr. Angermeier said he appeared before the Commissioners some three months ago, at the request of the Board of Review, at which time the Commissioners had said they would start a procedure immediately, as soon as the forms were available and that they would instruct Mr. Crooks to give him a copy of all permits and they haven't received these records yet. He explained some of the problems that he has, that would be easily solved if he had the code numbers.

Mr. Crooks said that copies of the permits were made last August and September, that the Township Assessors have picked up their copies and the County Assessor's copies are still in his office and have never been asked for. He also said that there is no provision for them to put the tax code numbers on them.

Mr. Angermeier said that his employee was informed that there were no copies available and if they are there, he will personally pick them up.

Commissioner Willner said that the property owners should know their tax code numbers and when applying for a permit, they should put their tax code numbers on the application.

Mr. Volpe suggested that the Building Commissioners office do nothing for the people unless the application has the tax code number on it and the Township Assessor's signature and this would solve the problem.

Mr. Angermeier said that Ray Becker would be glad to see about sponsoring an ordinance to this effect.

Commissioner Schaad said that he would talk to Mr. Becker.

This matter was held in abeyance until a later date.

RE: MR. OSSENBERG OUT OF TOWN

Commissioner Schaad said that Commissioner Ossenberg has gone to Indianapolis on legislation for the licensing power of the county, the primary reason being for the private trash haulers.

Commissioner Willner moved that the county pay his expenses for this trip. Commissioner Schaad seconded the motion. So ordered.

RE: MR. HOTZ

Mr. Hotz said that they had discussed the houses on Green River Road, previously, and that Mr. Crooks had informed him that the McCutchanville Fire Department was interested in burning them down at a later date.

No action was taken at the present time and will be acted upon when the Fire Department is ready and requests to burn them.

Mr. Hotz said they have put up shelves for storage in the basement but that they do need some fencing and the approximate cost will be \$290.00 and he has the money in his budget to purchase it.

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

RE: PURCHASE OF CARPET APPROVED

Mr. Hotz said the carpet had been discussed last week for the Hillcrest-Washington Home and said that this must be a certain type of industrial carpet. He submitted the following bids:

- South 41 Furniture...\$487.50...installed...for Hillcrest and library...65 Yards.
- Big G Furniture.....\$640.00...This doesn't meet specifications
- Lensing Wholesalers..65 yards...\$487.50 plus 97.50 for installation.

Mr. Hotz recommended that the low bid of South 41 Furniture Co. be accepted and said that he has the money for it.

Commissioner Willner moved that the contract be awarded to South 41 Furniture Co. Commissioner Schaad seconded the motion. So ordered.

RE: MR. WILLARD

Mr. Willard said that at the request of the County Commissioners, he will present a copy of his report of gas usage to the County Council.

RE: PURCHASING

Commissioner Schaad said that the two appointments for the city on the Board of Joint Purchasing are Mayor Lloyd and John Gaither. He said there was a stipulation that either of the above may designate an alternate to serve in his place in the event of his inability to attend a Board meeting.

Commissioner Schaad said that the Commissioners secretary would send the Mayor a letter to the effect that this would be agreeable with the county Board members and the same would apply if one of them were unable to attend the Board meetings.

The meeting recessed at 11:30 a.m.

PRESENT

COUNTY COMMISSIONERS  
 Robert Schaad  
 Robert Willner

COUNTY AUDITOR  
 Lewis F. Volpe

COUNTY ATTORNEYS  
 William Stephens  
 Thomas Swain

Secretary: Margie Meeks

  
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 BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
JANUARY 21, 1974

The meeting of the County Commissioners was held on Monday, January 21, 1974, at 9:30 a.m. in the Commissioners Hearing Room, with President Robert Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor with the following correction made:

Under the heading of Gas Shortage, Mr. Willard was asked to see that Mr. Marston of the Energy Conservation Department, receive a copy of the report of gas usage, and not Mr. Martin as stated in last week's minutes.

The reading of the minutes was dispensed with.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids on the county-owned surplus property today. The sale will continue.

RE: EMPLOYMENT CHANGES...APPOINTMENTS

VOTERS REGISTRATION

|                 |                  |        |          |         |              |
|-----------------|------------------|--------|----------|---------|--------------|
| Wandalee Cain   | 2601 Melrose Rd. | Deputy | \$216.66 | Se. Mo. | Eff: 1/16/74 |
| Virginia Massey | 1517 Greenfield  | Deputy | \$216.66 | Se. Mo. | Eff: 1/16/74 |

PLEASANTVIEW REST HOME

|                    |                 |      |                |              |
|--------------------|-----------------|------|----------------|--------------|
| Willetta Frederick | 4030 Stringtown | Cook | \$1.90 Per Hr. | Eff: 1/18/74 |
|--------------------|-----------------|------|----------------|--------------|

RE: EMPLOYMENT CHANGES...RELEASES

VOTERS REGISTRATION

|                       |                    |       |                 |              |
|-----------------------|--------------------|-------|-----------------|--------------|
| Wandalee Cain         | 2601 Melrose Rd.   | Clerk | \$15.00 Per Day | Eff: 1/15/74 |
| Elizabeth Omer        | 1052 Madison       | "     | " " "           | " "          |
| Viola Schmahlenberger | 1325 Fountain      | "     | " " "           | " "          |
| Linda Delano          | 1216 Emmett        | "     | " " "           | " "          |
| Pamela Ritter         | 4707 Rolling Ridge | "     | " " "           | " "          |
| Mabel Winkler         | 7418 Mulberry      | "     | " " "           | " "          |

PLEASANTVIEW REST HOME

|                |                 |      |                |              |
|----------------|-----------------|------|----------------|--------------|
| Ellen Williams | 700 Senate Ave. | Cook | \$1.70 Per Hr. | Eff: 1/15/74 |
|----------------|-----------------|------|----------------|--------------|

COUNTY HIGHWAY

|                  |                     |           |                |              |
|------------------|---------------------|-----------|----------------|--------------|
| Robert Duerson   | Box 39 St. Joe Ave. | Tk Driver | \$3.40 Hr.     | Eff: 1/18/74 |
| Carl Feldhaus    | 613 N. Bell Ave.    | H. E. O.  | \$3.718 Hr.    | Eff: 1/1/74  |
| Robert VanWinkle | 2811 Egmont         | Rod Man   | \$6,034.60 Yr. | Eff: 1/16/74 |

RE: REJECTED BIDS

Commissioner Schaad authorized the County Auditor to return all checks and bid bonds on rejected bids that were received on supplies for 1974. He said that they are still studying the bids that were received for Office Supplies.

RE: HAMILTON'S GOLF CLUB

State approved plans of Hamilton's Golf Course Club House were presented to the Commissioners and referred to Mr. Nussmeyer.

The following letter from Mr. Willard Shrode, addressed to County Attorney Stephens, was presented to the Commissioners: Re: Bob Hamilton Poor Farm Lease

Dear Mr. Stephens:

This is to confirm our previous conversations with reference to Bob Hamilton's new golf course on the Poor Farm property.

It develops that a small portion of the new golf course has been constructed by accident on the south tip end of the approximate one-half acre owned by Southern Indiana Gas and Electric Company, abutting the northeast edge of the Poor Farm property.

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This occurred by reason of an erroneous survey of the Poor Farm property furnished to us, which survey was prepared by Mr. Biggerstaff, as County Surveyor.

Southern Indiana Gas & Electric Co. has been very nice about it and has agreed to cooperate in every way possible. However, they are not willing to let either the County or Bob Hamilton acquire title to the property by adverse possession over a ten year period.

It may be that at some future date a swap of property can be arranged between the County Commissioners and Southern Indiana Gas & Electric Co. for a new substation. There is less than a quarter of an acre involved in the matter and the shape of the property coming to a point does not lend suitability to any practical purpose.

The purpose of this letter is to advise the County Commissioners of the situation, so that this matter can be worked out by the cooperation of all the parties before some urgent emergency or crisis arises.

This letter was referred to Mr. Nussmeyer so that he can work something out.

RE: PROGRESS REPORT ON EICHOFF ROAD

Mr. Leo Weiss said that he has been to Louisville and talked with the representatives of the L & N Railroad Co. and that they are satisfied with the preliminary plans but that they want a few things added to the contract. He said that they are going to concentrate on Phase One of the project and will know something in February or March as to what parcels will be needed but he will try to hurry it up as much as possible.

RE: CLAIMS

A claim from Torian Insurance Agency, in the amount of \$1,062.00, is being held since it includes two bonds for the County Treasurer and Mr. Volpe thought that the city is responsible for \$375.00 of it. The Commissioners will probably act on this claim next week.

A claim was received from Sheriff Riney in the amount of \$5,235.80 for the meals of the prisoners, that were served from December 15, 1973 to January 14, 1974.

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

RE: TRASH ON ROADS DISCUSSED

Commissioner Willner said that since the snow and ice has subsided, the roads are littered with trash and he wondered if the county couldn't get into some kind of a clean-up program.

Commissioner Schaad said that Mr. Whitham has been out of town, on vacation, and he hasn't heard from him as yet. Mr. Whitham is to report on possible locations available for the dumpsters.

Mr. Willard said that all his men are presently working on the holes in the roads that was caused by the bad weather.

Commissioner Schaad said that maybe Jack could break a crew loose so that they can clean the trash off the major county roads.

Mr. Willard said that he would see what he could do.

RE: DISCUSSION OF LICENSING POWERS

Commissioner Ossenberg went to Indianapolis, last week, on the legislation for the licensing power of the county in regard to issuance of licenses to private trash haulers. He said that House Bill 1361 came out with unanimous recommendation of approval and is now going to the floor and will probably be heard tomorrow and will possibly be amended to read Vanderburgh and Warrick County or any other county that should like to join and there is a good possibility that if this amendment is not passed, that it will still be for the entire state of Indiana. He said that the Association of Indiana Counties Sheriff's were there and reported that it was a good bill and thought that the massage parlors should be controlled and that trash collection was a problem in their county.

Commissioner Ossenberg said that it looks like the Commissioners will have the power to license in Vanderburgh County and the process will probably take from a week to ten days and then after a second and third reading, it will go to the senate.

*Jake*

Commissioner Ossenberg said that if the Commissioners gain the licensing powers, he isn't encouraging the massage parlors and he guarantees that if the Commissioners get the right to license them, they will never get a license from him.

RE: CUTS-IN

The following applications for cuts-in were presented for the Commissioners approval:

Waterworks Department requests permission to cut into 5201 Middle Mt. Vernon Road to install water line.

Waterworks Department requests permission to cut into 5103 Darmstadt Road to install 2,360" 12" Valves and Fittings.

Indiana Bell Telephone Co. requests permission to cut into Kuebler Road to bury a telephone cable.

Commissioner Willner moved that the cuts in be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: PROGRESS REPORT...OLD STATE ROAD

The following letter was received by the Commissioners from Mr. Nussmeyer, in regard to Old State Road, Overpass over L & N Railroad:

Gentlemen:

The County has had problems acquiring the Right-of-Way for this Project. Out of Thirteen Parcels, only Six have been acquired; the remaining Right-of-Way the county will have to condemn.

The Court Hearing on this matter is slated for February 11, 1974. Hopefully, this situation can be cleared up before April 1, 1974; so that we may let this project in April in order to have it completed by December 1, 1974.

The Project has been designed and the Funds are available. The remaining problem is acquiring the needed Right-Of-Way.

County Attorney Swain said that the Court Hearing has been delayed and nothing can be done until after the hearing.

RE: REQUEST FOR FUNDS

The following request to the County Auditor, from Mr. Nussmeyer, was presented to the Commissioners to be placed on February's Council Call:

Dear Sir:

The County Surveyor requests the following funds from the Cumulative Bridge Fund:

\$10,000.00 for Structure 22 over Barr Creek, 1 mile South of New Harmony Road on Buente Road

\$10,000.00 for Structure 104 over a branch of Bluegrass Creek, 1.1 mile East of New Green River Road on Boonville-New Harmony Road.

This request was referred to Mr. Volpe in order that it be placed in February's Council Call.

RE: APPLICATION FOR R & S FUNDS

Mr. Nussmeyer presented an application for distribution from the Local Road & Street Account in the amount of \$81,000.00 for the construction of two bridges, Structure 122... .6 miles and Structure 123... 0.2 Miles, East of County Line Road on Old Mt. Vernon Highway over East and West forks of Sanders Creek. This is for project No. 3-74, the balance of \$9,000.00 to be paid from the Cumulative Bridge Fund.

RE: FINAL REPORTS

Mr. Nussmeyer submitted the final reports on the following bridges:

Project 201 and 202...R & S 7, Weinbach Avenue and Old Green River Road over Eagle Slough.

| FINAL COST:  | Matching Funds | R & S Funds | Total        |
|--------------|----------------|-------------|--------------|
| Engineering  | \$892.08       | \$8,028.75  | \$8,920.87   |
| Right of Way | \$195.00       | \$1,755.00  | \$1,950.00   |
| Construction | \$8,920.95     | \$80,287.87 | \$89,208.75  |
| TOTAL        | \$10,007.95    | \$90,071.65 | \$100,079.62 |

DATE CONSTRUCTION STARTED...July 9, 1973      DATE OF FINAL ACCEPTANCE...Dec. 26, 1973

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Project 203...R & S 7, New Green Road over Eagle Slough.  
 DATE CONSTRUCTION STARTED...November 11, 1973      DATE OF FINAL ACCEPTANCE..Nov. 15, 1973

| FINAL COST   | <u>Matching Funds</u> | <u>R &amp; S Funds</u> | <u>Total</u> |
|--------------|-----------------------|------------------------|--------------|
| Engineering  | \$ 134.31             | \$ 1,208.79            | \$ 1,343.10  |
| Right Of Way | 0                     | 0                      | 0            |
| Construction | \$1,343.10            | \$12,208.90            | \$13,431.00  |
| TOTAL        | \$1,477.41            | \$13,296.69            | \$14,774.10  |

Reports received and ordered filed.

RE: PROJECT ON N. KENTUCKY AVENUE

Commissioner Ossenberg said that he has a petition on North Kentucky Avenue and that this will be a City-County project on the old bridge off Pfeiffer Road. Mr. Nussmeyer said he gave the plans to Mr. Dunville, as he would like their final decision on it so they can get started on it. He said the bridge is low and narrow, also that there is a crook in it and he would like to straighten it out. He said he needs the committment of the city on their participation.

Commissioner Schaad said he realized this needed to be done but that he thought they should get the old ones finished first.

Commissioner Ossenberg said they should initiate some action so that Mr. Nussmeyer can work on the cross sections so they will be ready to start on it.

Commissioner Ossenberg moved that the Commissioners give Mr. Nussmeyer the power to proceed with preparations for the bridge and that this will be a joint venture between the city and the county. Commissioner Willner seconded the motion. So ordered.

RE: NEW VOTING MACHINES

Commissioner Schaad said that on February 4, 1974, Mr. McGinness, a representative from Indianapolis, will be here at 9:30 a.m. to show the Commissioners the new voting machines.

RE: UNIFORMS FOR THE COUNTY HIGHWAY EMPLOYEES

Mr. Willard asked what he should do about uniforms for the employees of the County Highway Garage, since some of the men have uniforms and some don't have.

Commissioner Schaad told him that it had been agreed that since the cost of them was less than the allowed \$5,000, they would negotiate and purchase the uniforms at the best price available through Joint Purchasing.

Commissioner Willner said he thought that payment should be held up on the uniforms until all of the garage employees obtain them.

Commissioner Schaad said that the Commissioners had agreed to pay for the uniforms and they must pay for those already received.

Commissioner Willner said he didn't think they should be paid for until the project is completed, which should be done right away. He thought that the employees that have their uniforms, should pay for for them.

Commissioner Ossenberg said that when this is worked out, he thought the county would have to reimburse the employees who paid for their uniforms because the agreement in the contract stated that the county would pay for the uniforms as of January 1, 1974.

Commissioner Schaad said that this would entail more work and it would be less of a problem for a claim to be submitted, to pay what is owed now and then, again when the rest of the uniforms are obtained.

Mr. Willard is to get with Mr. Cravens to work this out and to submit a claim for the uniforms that have already been purchased.

RE: MR. JUDD

Mr. Judd said that he didn't have any office help last week and was unable to have his report prepared. He said that he will submit his Traffic Report next week.

RE: LETTER FROM SHERIFF RINEY

Sheriff Riney wrote the following letter in regard to the high water barricades:

To All Road Personnel:

As you know, we are attempting to cut our gasoline usage and so is the County Highway Department.

Supt. Jack Willard has asked, and I think it is a reasonable request, that when barricades are knocked down and are not damaged beyond sitting them back in place, that we replace these barricades because each time his department is called out it is extra gas mileage and in most cases overtime hours.

Let's work with Mr. Willard as much as possible and at any time we can. If the barricades are damaged beyond replacing them, this is another case and most certainly the County Highway Department will have to be notified.

Replace the barricades if possible and do not call out the County Highway officials.

RE: CLAIMS

Mr. Crooks presented two claims for refunds, as follows:

A claim for the refund of the difference between registration fee for a Master Plumber's at \$5.00 and license fee of \$25.00 which is \$20.00 from Mr. Kenneth Wattam.

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

A claim for the refund of the difference between \$25.00 license and the \$5.00 registration fee for 1973 Plumbers master which is \$20.00 from Mr. Henry C. McConnell.

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

RE: TAX CODES

Mr. Crooks is checking into the matter of tax codes with the city and after talking to Mr. Becker, he will report back to the Commissioners. When this is done, the Commissioners will take action on it since they want to keep it a uniform policy.

RE: MR. HOTZ

Mr. Hotz said that his department doesn't have enough gas allotment and he suggested that one of his men drive his personal car on mileage. He thought this would solve his problem.

Commissioner Willner said that he thought there was a way to get extra gas for county-owned vehicles if it was needed.

Another question that came up was as to if a person were covered by county insurance if he was driving his own car.

County Attorney Stephens said he didn't think it would.

Commissioner Willner suggested that the Board of Works be sent a letter, telling them that a new vehicle has been added and they need additional gasoline in this department. This would amount to an additional 30 gallon per month.

Commissioner Schaad explained that the city tanks were allotted the same number of gallons of gas as were used last year, less 13% and if this department got more than they were allotted, someone else would be short their allocation.

Commissioner Schaad said that all those concerned with this problem would get together, to see if this problem can't be resolved.

RE: MR. HARNESS

Mr. Harness said that at last years meeting of the County Home and Administrators, also Assistant Administrators, he was elected President for 1974 and since that time he was visted by the Executive Director of the Indiana Association for the Homes for the Aged and he has asked Mr. Harness to join the Association and he explained the advantages of belonging to it.

He said that there is a meeting in Indianapolis Indiana on January 29, 1974,

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and as President elect of the County Home Association, would like the permission of the Commissioners to attend this meeting and be allowed one nights lodging, also food and mileage for the trip.

Commissioner Ossenbergh moved that Mr. Harness be allowed to take the trip to Indianapolis on January 29th. with one nights lodging, food and mileage for the trip to be paid by the county. Commissioner Willner seconded the motion. So ordered.

As far as Mr. Harness being allowed initiation fee to join the Indiana Association for the Homes for the Aged, Mr. Volpe said that he thought an employee could only belong to one organization and he wasn't certain if an organization of this type would be allowed so he suggested that Mr. Harness ask Mr. Hudson about it.

RE: POOR RELIEF

MRS. EDNA HAMRICK # 6 School Road German Township Trustee..Cletus Bittner  
Mrs. Jeanette Phillips, Investigator appeared on behalf of the Trustee:

Mrs. Hamrick wanted the trustee to pay \$25 to \$40 per month for her medicine. Her husband is employed at the Anderson Box Company but isn't able to work at the present time because of an injury. Mrs. Hamrick does not work and claims to have been in a car wreck last October which further complicated her health problem. She said the insurance company has not made a settlement, that it is still being investigated.

Mrs. Phillips said that the Trustee's office hasn't heard from this woman for quite awhile, but would be here this morning, even though she hasn't filled out an application at this time and due to the fact that she couldn't be reached by either the Trustee or the Commissioners office.

Mr. Hamrick has applied for workmans compensation. Their rent is \$60.00 per month. They have one son who is married. She said that she has been ill for four years. Mrs. Phillips said that she talked with one of the doctors and he said that they can't find anything wrong with Mrs. Hamrick, except that she keeps complaining of pain and that Mr. Hamrick was hurt on January 16th, 1974. She said that they were eligible for food stamps, thereby would have the food money to pay on her medicine, but that she would first have to fill out an application for food stamps.

Mrs. Phillips said that Mr. Hamrick had been making \$160.00 per week and has made no payments on what they owe.

Mrs. Hamrick said that she was told not to, until they received the results from the Insurance Co.

Commissioner Willner said that he thought these people should apply for welfare since they have had difficulty in medical bills for quite awhile.

Commissioner Schaad advised Mr. & Mrs. Hamrick to go to the Welfare Department and apply for food stamps and if this doesn't work out, for them to go to the Trustee's office and after these courses have been pursued and no results obtained, they have the right to come back to the Commissioners.

The meeting recessed at 11:00 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u>                             | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u>          | <u>REPORTERS</u>  |
|---|-----------------------|----------------------------------|---|
| Robert Schaad<br>Thomas Ossenbergh<br>Robert L. Willner | Lewis F. Volpe        | William Stephens<br>Thomas Swain | S. Clark<br>J. Kessner<br>G. Clabes<br>C. Leach<br>A. Jackson |

Secretary: Margie Meeks

*Bob Schaad*  
\_\_\_\_\_  
*John Ossenbergh*  
\_\_\_\_\_  
*Robert L. Willner*  
\_\_\_\_\_  
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
JANUARY 28, 1974

The meeting of the County Commissioners was held on Monday, January 28, 1974, at 9:30 a.m. in the Commissioners Hearing Room, with President Robert Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor with one correction being made under the heading of Licensing Powers on Page 2. Commissioner Ossenberg stated that House Bill 1361 will possibly be amended to read Vanderburgh County and Lake County, instead of Warrick County, as was stated.

The reading of the minutes was dispensed with.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids on the county-owned surplus property today. The sale will continue.

RE: HAMILTON'S GOLF COURSE

Commissioner Schaad asked Mr. Ludwig if anything has been done as yet on Hamilton's Golf Course since a small portion of the new golf course has been constructed on approximately one-half acre belonging to the Southern Indiana Gas & Electric Co.

Mr. Ludwig said they are negotiating with the Gas Co. on this matter.

RE: DISCUSSION OF BILL ON LICENSING POWERS

Commissioner Schaad asked Commissioner Ossenberg how the Bill on Licensing is coming along.

Commissioner Ossenberg said that the bill has been passed out of the house on third reading by 83 to 5, majority, and now, it will go to the senate and the sponsors in the senate are Senator Phil Hayes of Vanderburgh County and Senator Ralph Potesta of Lake County.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

PLEASANTVIEW REST HOME

Eva M. Grover      1324 Judson St.      Cook      \$1.90 Per Hr.      Eff: 1/24/74

PIGEON TOWNSHIP ASSESSOR

Helen Pipes      401 E. Iowa St.      Deputy      \$15.00 Per. Hr.      Eff: 1/23/74

RE: EMPLOYMENT CHANGES.....RELEASED

PLEASANTVIEW REST HOME

Willetta E. Frederick      4030 Strington      Cook      \$1.90 Per Hr.      Eff: 1/20/74

RE: INVITATIONAL BIDS FOR CORONERS CAR

There were four bids received and listed in the minutes of January 14, 1974 and other invitational bids received are as follows:

VANDEVEER INC.

- 1974 Dodge Dart...four door sedan....less trade in.....\$3,169.71
  - 1974 Dodge Dart...four door sedan...with options....less trade in....\$3,523.56
  - 1974 Dodge Coronet V-8..318... less trade in.....\$3,400
  - 1974 Coronet..8 cyl. 2 dr. Station Wagon....less Trade in....\$3,839.50
  - 1974 Dodge Coronet...8 cyl. 4 dr. Station Wagon....less Trade in...\$3,528.50
- These prices include the cost of State Inspection.

KEM MOTORS

- 1974 Plymouth Valiant 4 dr. sedan...less trade in.....\$3,299.25
- 1974 Plymouth Satellite 4 dr. sedan....Lews Trade In.....\$3,422.63
- 1974 Plymouth Fury I, 4 dr. sedan....less Trade In.....\$3,517.63

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| KEY MOTORS CORP.                 | Price      | Air Conditioner | Heavy Duty Battery | Tinted Glass |
|----------------------------------|------------|-----------------|--------------------|--------------|
| 1974 Ford Maverick...4 dr. Sedan | \$2,525.86 | \$325.56        | \$11.06            | \$45.88      |
| 1974 Ford Torino...4 dr. Sedan   | \$2,666.63 | 326.06          | 12.52              | (Front 19.00 |
| 1974 Ford Custom 500 4 Dr. Sedan | \$2,888.18 | 332.32          | 12.52              | (Front 19.00 |

No one was present from the Coroners office so this matter will be taken up at another time.

RE: APPRAISER APPOINTED

Commissioner Schaad said the County Attorneys have informed the Commissioners that they need to appoint an appraiser on the St. Joe Road property on the condemnation suit.

Commissioner Ossenberg moved that Mr. Mac Brown be appointed as appraiser for the St. Joe Condemnation suit. Commissioner Willner seconded the motion. So ordered.

RE: CERTIFICATES OF INSURANCE

Certificates of Insurance were submitted on J. H. Rudolph Co. & Feigel Construction Co.

Certificates received and ordered filed.

RE: LETTER FROM CITY OF EVANSVILLE

A letter from the Chief Housing Authority was received by the Commissioners, in reference to a house at 660 S. Governor Street, as follows:

Dear Sir and/or Madam:

It has come to my attention that the building or buildings located on, and commonly known as, the property described above has become dangerous, insecure, and unsafe for human habitation and the safety of the public is endangered.

It is the recommendation of this office that the building or buildings be razed and removed.

A list of the defects found in this property are on file at my office in Room 310 City-County Administration Building.

If you so desire, an appointment can be made to review this case, in the field or at our office, by calling me at 426-5462.

Failure to take out a wrecking permit (which may be obtained in the Building Commissioners Office, Room 310, City-County Building) to raze the building or buildings, or to contact this office within ten (10) days of receipt of this letter may result in an order being issued condemning the building or buildings and directing you to demolish and remove same at once.

Signed by Harold H. Taylor, Chief Housing Inspector.

This matter was referred to Mr. Hotz.

RE: CLAIMS

A claim was again submitted from Torian Insurance Agency. It had previously been referred to the County Auditor for checking, since two of the bonds were for the County Treasurer. It was found that one bond for \$375.00 was for the City Treasurer, so will be paid by the City. The other bonds were for the County Treasurer in the amount of \$625.00; County Coroner in the amount of \$18.00; Deputy Coroner in the amount of \$10.00; County Recorder in the amount of \$14.00; Assistant County Recorder in the amount of \$10.00 and the County Highway Supervisor in the amount of \$10.00, making the total amount of the claim to be \$687.00.

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

A claim was received from Torian Insurance Agency on Continental Policy #FDP I 20 46 82 covering a sprinkler leakage on building and contents at Auditorium and contents of Civic Center in the amount of \$860.00.

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

A claim was received from Torian Agency for Hartford Bond #4122993 - \$10,000, Faithful Performance Bond for Area Plan Commission, etal, in the amount of \$131.00.

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

A Claim was presented from Torian Agency for Continental Policy #BND 1788149 - Burglary Coverage for Clerk of Vanderburgh County in the amount of \$281.00.

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

A claim was presented for a refund of the difference between the 1973 license fee and the registration fee for Master Plumber, from Richard Young, in the amount of \$20.00.

Commissioner Ossenberg moved that the refund be approved. Commissioner Willner seconded the motion. So ordered.

A claim was presented for a refund on the difference between the cost of a Master Plumbers license for 1973 and the plumbing registration fee, from Jack R. Davis, in the amount of \$20.00.

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

A claim for refund was received from Marion A. Parker for refund of difference between the \$5.00 registration fee for plumber Masters and the \$25.00 license fee paid in the amount of \$20.00.

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

A claim for a refund was received from Palmer Gentry for the difference between the cost of Master Plumbers license for 1973 and the plumbing registration fee, in the amount of \$20.00.

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

A claim for a refund was received from Tom Lutz for a refund of the difference between the cost of a Master Plumbers license for 1973 and the plumbing registration fee in the amount of \$20.00.

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

Two claims were received by the Commissioners. One was from Shannie Wilson, % Lukens & Sons for reimbursement of expenses to San Diego, California, in the amount of \$182.77 and the other claim from the Haynie Travel Service for the round trip fare to San Diego for Shannie Wilson in the amount of \$332.52.

Commissioner Willner said that he thought the Commissioners need to talk about these claims and that Mr. Lukens is present so that he can explain them. He said that he didn't believe that anyone should travel without permission from a body and that all of the county officeholders usually ask the Commissioners for permission to travel, he also had a question on the first class air fare or the per diem, per day. He said that he read a statement in the newspaper where Mr. Lukens had made the statement that Area Plan Commission is funded by both units of government and he believed this to be in error since it is strictly funded by the county.

Mr. Lukens said that it was an error. He also said that he wasn't aware of having to come before the Commissioners for approval of traveling if the money has been appropriated and is available. He said that Shannie Wilson went to San Diego to attend a land planning and regulation of a development seminar, the purpose being to get enough information concerning all methods of re-writing the zoning codes, thereby saving the county money and he thought the trip was well spent, also that the lady didn't charge anything for her time. He said that the Commissioners should make a decision as to what they want to reimburse and he will pay the rest of it. He said that the purpose of this trip seemed to be lost in the shuffle somewhere.

Commissioner Willner said the Commissioners should be the judge of who is to go on these trips. He also said that he understood that two other people went with her.

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Mr. Lukens confirmed this and said they paid for their stay.

Mr. Volpe said the lady had a double room and the county allows for a single room, also that the claim included presents that were purchased in the hotel shops and these were what she paid for, and there were other things listed on the claim as well.

Commissioner Willner said that it also stated in the newspaper article, that Mr. Willner and Mr. Volpe were playing cheap political tricks and he wanted it well understood, that he didn't break this story and as far as he knew, Mr. Volpe didn't either. He said that he only questioned the claim after checking it as they try to do with all claims.

Mr. Volpe referred to the Commissioners minutes of April 24, 1972, where he had said that he was very much perturbed because one county employee was spending an awful amount of money on trips. He was speaking of Mr. Ed Roehm. He said that at that time he had talked with Cap Hudson who said that this county should have a policy that a person cannot exceed a certain amount of money in a day. He said that in those minutes, he mentioned that the Commissioners went on a trip to California and accusations were made because they took their wives along and they weren't charged by mileage. He said this went to the State Board of Accounts and the Commissioners had to pay some of it back as well as the employees and Mr. Roehm said if that was it, he wouldn't play ball and County Attorney Swain had said that he wouldn't either and that he just wouldn't go to Indianapolis any more, since the state decided that they would only pay for a single room. Mr. Volpe said he thought then and he thinks now, that there has to be a top limit put on all expenses, meals, etc. also that the county should adopt the rules as the federal employees abide by, in that they are only allowed the lowest fare on a plane.

Commissioner Schaad said he was unaware of the information in the minutes of April 24, 1972, but that the matter should have been pursued long before now, to establish policy.

Commissioner Willner said it was more or less an understanding through the county officeholders, that they would seek the permission of the Commissioners before they did any traveling and he thought there was a \$20.00 per day, per diem, set at that time.

Mr. Lukens said that Mr. Marlin, apparently wasn't aware of this because he didn't say anything about it.

Commissioner Ossenbergs said that while he was out of town, two weeks ago, the Commissioners agreed to pay his expenses for the trip and it has been set up pretty much like this, but he can appreciate Mr. Luken's not knowing about it and he thought the Commissioners should take action to set up some sort of policy, however, he is reluctant to go along with the \$20.00 per day, as this won't cover expenses.

Commissioner Schaad said that if any of the county officeholders who are directly responsible to the Commissioners and want to go on a trip, they always come before the Commissioners for approval but he thought that with Area Plan and Burdette Park, it is a little different because they operate under a Board or a Commission and the individual employees of Burdette Park don't come to the Commissioners for everything they want and Louise DeVoy is responsible to her board and he thought that since the Area Plan operates under a Commission, if anyone there wants to take a trip, they should have authorization of the Area Plan Commission and if the approval of it was in their minutes and the money was in their budget, he didn't think the Commissioners could criticize it and they would then act on it. He said that he understood that Area Plan only has \$1,000 in their account and will soon be depleted, which means that they will have to go before the County Council because the men in Area Plan are on mileage.

Commissioner Willner said this claim needs to be trimmed before being approved. He moved that those who have governing bodies, wishing to travel, to first contact the County Commissioners or their own board for permission to go, then when their bill comes in, it should be examined and approved by the same body, then turned over to the Auditor for payment after payment has been signed by the Commissioners and that the Commissioners recommend that other county officeholders that travel, should follow the same policy. Commissioner Ossenbergs seconded the motion. So ordered.

The Commissioners recommended that this claim be referred back to Mr. Lukens so that he can go before his board and get their approval, then sign it and re-submit it, as there are some items that need to be taken off.

RE: BID OPENING

Bids for the furnishing and equipment for the Evansville Comprehensive Mental Retardation Center located at 615 W. Virginia Street were submitted by the following:

Smith & Butterfield  
Brown & Hubert Inc.  
Guthrie's

Lee Co. Inc. of Terre Haute, Ind.  
Miller Equipment Co. of Indianapolis, Ind.

These bids were referred to the architects for examination and recommendation.

RE: MR. PUGH

Mr. Pugh presented draft copies of the Four Rivers Resource Conservation Development Project Plan and he said that he hoped that the Commissioners would read it and sign their approval next week.  
Project Plan received and ordered filed.

RE: CUTS IN

The Waterworks Co. submitted an application for permission to cut into R.R.# 13, Box 414, Hogue Road. This cuts-in was delayed last week to give the engineer time to check with the Waterworks Co. as to where the cut would be.

Commissioner Willner moved that the cuts-in be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: MR. LUDWIG

Mr. Ludwig submitted the following letter that was sent to Mr. Tatem, Superintendent of the Southern Railroad System, from Mr. Nussmeyer, in regard to Oak Grove Road across the Southern Railroad:

Dear Sir:

Mr. Thomas Ossenberg, past President of the Board of County Commissioners, has referred your letter of January 7, 1974, to me.

We are submitting a proposed new alignment which I believe will be out of the working parts of the Kight Lumber Company turn out.

I can readily see your Engineer's objection to our originally proposed alignments, but I am hoping he will approve our new proposals.

The only other alternative we have is to go to the West, approximately 150 feet which puts a distinct jog in our roadway alignments.

I should like to bring out at this time that the Steven's Lumber Company customers would be inclined to use this access Road, thereby eliminating their private crossing, whereas they would not be inclined to use one 150 feet West.

Mr. Ludwig said that he hasn't heard from them yet, as to whether they approve of this proposal or not.

Copy of this letter is noted as being received and filed.

RE: ACCEPTED ROADS....1973

Mr. Ludwig submitted a list of accepted roads in 1973, by Vanderburgh County for maintenance, as follows:

VALLEY DOWNS SUBDIVISION

1. Crossbow Lane North from the intersection of Deer Trail to the intersection of Oxmoor Road....2 mile, 50' R/W.
2. Saratoga Drive North from the intersection of Spring Valley Road to the intersection of Saratoga Drive... .04 of a mile, 50' R/W.
3. Saratoga Drive from existing intersection of Keenland Court North to the intersection of Spring Valley Road... .8 miles, 50' R/W.
4. Oxmoor Road East from the intersection of Crossbow Lane to the intersection of Saratoga Drive.... .04 of a mile, 50' R/W.
5. Spring Valley Road from 124' East of the intersection of Oxmoor Road and Spring Valley Road to the intersection of Spring Valley Road and Saratoga Drive.. .2 miles 50' R/W.

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6. Hunters Trace from the intersection of Saratoga Drive West to the end of the Cul De Sac.... .1 of a mile, 50' R/W.
7. Crossbow Lane from the intersection of Hunters Trace North to Deer Trail Drive... .2 miles, 50' R/W.
8. Deer Trail from the intersection of Crossbow Lane East to the intersection of Saratoga Drive .. .1 mile, 50' R/W.

LUTTERBACH SUBDIVISION

9. Crestmont Drive 879' .2 miles, 50' R/W.
10. Lemay Drive 1386' .3 mile, 50' R/W.
11. Agathon Drive 400' .08 miles, 50' R/W.

WEST HAVEN HILLS SUBDIVISION

12. Meadowlark Lane from the intersection of Caren Drive and 150' East of this intersection on Meadowlark Lane.... .02 of a mile, 50' R/W.
13. Magnolia Drive 700' West of the intersection of Westhaven Drive to and including the intersection of Caren Drive.... 0.13 miles, 50' R/W.
14. Westhaven Drive Intersection of Caren Drive 150' East of this intersection on Westhaven Drive.... .02 miles, 50' R/W.
15. Caren Drive Intersection of Westhaven Drive North 1000' to and including the intersection of Meadowlark Lane.... 0.18 miles, 50' R/W.

List of these accepted roads are noted as being received and filed.

RE: ANNUAL REPORT

Mr. Judd, the Traffic Director, submitted the annual report of materials used by Traffic Engineering for the city and the county.  
Report received and ordered filed.

RE: TAX CODES

Mr. Crooks has been checking into the matter of tax codes with the city.  
Mr. Ray Broerman appeared for Mr. Crooks today, since Mr. Crooks is out of town.  
He said that if the people were required to get code numbers before getting permits, they just wouldn't get permits and as far as permits for houses were concerned, they could require the code numbers but they preferred to wait to see what the city wanted to do so there will be a uniform policy.

RE: MR. WILLARD....ABSENTEE REPORT

Mr. Willard submitted the absentee report of the employees of the County Highway Department for the past week.  
Report received and ordered filed.

RE: TRASH CLEAN-UP

Mr. Willard presented a list on trash detail in the cleaning up of trash and debris on county roads and Right of Ways on Tuesday, January 22nd thru Thursday, January 24, 1974. There were three trucks assigned and 25 1/2 loads collected and dumped  
The name of the 29 roads where trash was collected are as follows:

|                            |                       |                   |
|----------------------------|-----------------------|-------------------|
| Baseline Road              | Inglefield Road       | Old 460           |
| Boehne Camp Road           | Koressel Road         | Orchard Road      |
| Boonville-New Harmony Road | Koring Road           | Owensville Road   |
| Browning Road              | Lincoln Avenue        | Pollack Avenue    |
| Campbell Road              | Martin Road           | Red Bank Road     |
| Darmstadt Road             | Marx Road             | Schenck Road      |
| Diefenbach Road            | Middle Mt. Vernon Rd. | Stacer Road       |
| Frontage Road              | Mt. Pleasant Road     | St. Joseph Avenue |
| Green River Road           | Old Princeton Road    | Wortman Road      |
| Hoing Road                 | Old State Road        |                   |

Commissioner Willner said that the roads look 100% better and he complimented Mr. Willard for the work that was done, also the prompt response he received when he called Mr. Willard on Sunday, about a tree that was across the road and within the hour, was taken care of.

RE: STREET NEEDS REPAIRS MADE

Commissioner Schaad said he was on outer St. Joe Avenue and just South of the old L & N wooden bridge, there were some bad holes. Mr. Willard said that he would take care of it.

Commissioner Willner said this road would probably have been black topped, if it hadn't been for the bad weather.

RE: PENN CENTRAL RAILROAD

Commissioner Schaad asked if anything further had developed on the Penn Central Railroad.

Commissioner Willner said that he would contact the Penn Central Railroad Co. to see what he could find out.

RE: RADIO REPAIRS

Mr. Willard said that they don't have a contract on the repairing of their radio's and he wondered if they couldn't take them back to the man that had previously done the work since they aren't satisfied with the present repair work.

The Commissioners agreed that this decision is up to Mr. Willard, as to where he can get the best service.

RE: MR. SWAIN

County Attorney Swain said there were two cases against the county and both cases have been settled. He said the County, Hoosier Methodist and the Sheriff are out on a covenant not to sue and the case continues against the State of Indiana.

Commissioner Willner asked why the Sheriff was involved since it happened on a state road.

County Attorney Swain said that the Sheriff's Deputies that were directing traffic, weren't in the position to do so but they took over the job so were responsible.

RE: DISCUSSION ON COUNTY BOARD OF FINANCE

Commissioner Schaad had asked County Attorney Swain to research the Board of Finance, since they had a meeting last year.

Mr. Swain said that the County Board of Finance is made up of the Treasurer, the School Board, the Board of County Commissioners, the Mayor and the Controller of the City of Evansville.

Mr. Volpe said the County Board of Finance meets in the odd numbered years to establish percentages and in the even numbered years, they can meet if they want to, in order to elect a new president but since he doesn't do anything for two years, why do it. He also said they are all a member of it if they agree that they are a member of it but if they decide not to participate, then they go their own way. He said that there is a meeting in January and February of each odd numbered year on percentages, at which time they all agree to disagree, therefore they go their own way, which is a crazy law and this is what they did last year.

RE: EICHOFF ROAD

Commissioner Schaad said this project has been hanging for seven years and that he was depending on Mr. Leo Weiss to take the heat in order to get it done.

Mr. Weiss said he would like for the Commissioners to figure out who was going to do the abstracting and who was going to make out the deeds.

Commissioner Schaad told Mr. Weiss to get the parcels needed and the Commissioners will get the rest of it done.

RE: DISCUSSION ON CORONER'S CAR

Mr. Al Felty of Key Motors, asked about the bids received on a car for the Coroner. Commissioner Schaad said there are four bids that were taken under advisement for the car and unless there is someone here from the Coroners office to discuss his needs, he don't see how the Commissioners can act on it. He said that the Commissioners secretary called the Coroners office to tell them to have someone at the meeting from that office and was told that no one would be there.

RE: ENGINEERING AGREEMENT

An Engineering Agreement between the Board of County Commissioners and Engineer Associates was presented for the construction of Eichoff Road, from Broadway and Schutte Roads north to the junction of U. S. Highway 460 and St. Joseph Roads, including all drainage, highway, railroad structures and appurtenances.

Commissioner Ossenberg moved that this agreement be approved. Commissioner Willner seconded the motion. So ordered.

The meeting adjourned at 10:40 a.m.

PRESENT

COUNTY COMMISSIONERS

Robert Schaad  
Thomas Ossenberg  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEYS

William Stephens  
Thomas Swain

REPORTERS

G. Clabes  
C. Leach  
S. Clark  
B. Thompson

Secretary: Margie Meeks

*Bob Schaad*

*Tom Ossenberg*

*Robert L. Willner*

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
FEBRUARY 4, 1974

The meeting of the County Commissioners was held on Monday, February 4, 1974, at 9:35 a.m. in the Commissioners Hearing Room, with President Schaad presiding.

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

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

RE: CAR FOR THE CORONER'S OFFICE

Mr. Earl Cox was present on behalf of the Coroner's office, to explain the problem encountered in the purchase of a car.

Commissioner Schaad explained that there was a purchase order given to Cooke-Chevrolet Co. on a car for the Coroner, in the amount of \$3,500.00 and there were invitational bids taken on a car by the County Commissioners which were never acted upon by them.

Mr. Cox said that he made a run out in the east side and while coming down Division Street, the car conked out on him and he just pulled into Cooke-Chevrolet for a bid on a new car and told them what he wanted. He then told Dr. Combs what he had done and Dr. Combs told him if this was the car he wanted, to go ahead and get it. In the meantime, he drove Dr. Comb's car. He then explained why he needs air conditioning. He also said he is on call 24 hours a day, seven days a week.

Commissioner Ossenberg said that John Cooke was in the audience and he wanted Mr. Cooke's company resolved of all blame in this matter and that Mr. Cooke had called and said he would pull out of the deal, rather than to give his company a bad name. He said that he realized that Mr. Cox needed an automobile but he thought the Commissioners should go on record that even though this one case has come up, that no other department within the county is going to take it upon themselves to go trade county automobiles when the cars are under the control of the County Commissioners. He said he thought that a simple explanation, last Monday, would have sufficed in getting the job done.

Commissioner Willner said he took the liberty of checking other counties and he found that in every county he checked with, that the Coroner drives his own car and the county pays them mileage, therefore they can buy the car they want and since the car usually is driven about 10,000 miles per year, it would cost the county approximately \$1,000 per year and this would be an alternative.

Commissioner Schaad said that this would be something to consider in the future, but at the present time, the Coroner has \$3,500 in his budget for a car.

Mr. Volpe stated, as he had sometime ago, that since the County Commissioners own the cars, the titles should be in the name of the County Commissioners, since they have the stewardship over all county property and he thought the Commissioners should instruct the dealers to have the title to read, Board of Vanderburgh County Commissioners.

Commissioner Ossenberg said they would have to read this way for insurance purposes, if for no other reason, as there would be some question as to the insurance coverage on the vehicles.

The bids were then discussed, as well as the time it would take for delivery of them. The only other bid on a car that was ready for delivery besides the one from Cooke Chevrolet, was a Ford Custon 500 for \$3,327.56, with trade, from Key Motors. These two cars are equipped about the same and they also have air conditioning. The difference between the two cars is \$172.44.

Commissioner Schaad said that the lights are already installed on the Chevrolet and that Mr. Cooke should be paid for the work that was done and by the time this was done, the cost would be about the same.

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Commissioner Ossenberg again emphasized, strongly, that in the future, if this happens again, someone is going to be sitting without an automobile or owning an automobile, if bids aren't taken and awarded properly.

Commissioner Ossenberg then moved that the Coroner's office be given permission to purchase the automobile from Cooke Chevrolet co.

Mr. Cooke said he has the purchase order and he suggested that in the future, when a car was traded in, to submit the title on the trade-in with the purchase order on the new car and then they will know the purchase has been approved.

Commissioner Ossenberg said he wanted the Purchasing Department to realize the situation and that Mr. Burek of the Purchasing Department admits that he made a mistake.

Commissioner Willner seconded the motion and said that he hoped the situation would never arise again and he is sorry for Key Motors since they submitted the low bid and he will see that this doesn't happen again.

Mr. Volpe said that he would write a letter to Mr. Beesley, explaining the situation so as to get a round the \$4,000 limitation on the gross and he will put it in our file and then when they audit us, it will be there.

Commissioner Schaad said that this has been a bad situation since the beginning and that the Commissioners apologize for what has happened, which was due to a lack of communication and errors being made along the way, because they don't like to treat the bidders or suppliers this way.

Mr. Volpe was authorized to release the title on the old car to Mr. Cooke.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids on the county-owned surplus property today. The sale will continue.

RE: EMPLOYMENT CHANGES..... APPOINTMENTS.....CLERKS OFFICE

Jacqueline Head                      614 S. Red Bank                      Deputy                      \$214.00 Se. Mo.                      Eff: 2/1/74

The above change is due to a two month leave of absence being granted to Colleen Hilgeman - 2/1/74 to 4/1/74

COUNTY TREASURERS OFFICE

|                |                    |                       |                  |             |
|----------------|--------------------|-----------------------|------------------|-------------|
| Elsie Shirley  | 2716 N. Evans Ave. | Registrar<br>of Taxes | \$326.18 Se. Mo. | Eff: 2/1/74 |
| Peggy Atherton | 2618 Vogel Road    | Posting Clerk         | \$216.27 Se. Mo. | Eff: 2/1/74 |

The above changes are due to Erma Dean Kingston being granted a 2 month leave of absence.

RE: EMPLOYMENT CHANGES.....RELEASED

RECORDERS OFFICE

Deborah Baumeister                      340 Norma Dr.                      Deed Deputy                      \$5,056.62 Yr.                      Eff: 2/1/74

Commissioner Willner asked if the policy of a leave of absence is within the policy of the Board of County Commissioners, or if it is up to the officeholder, as a leave of absence sure messes up one's office. He thought there should at least be an explanation.

There was also a question of whether two employees were hired to replace the one that is taking a leave of absence.

In checking, Mr. Volpe found that Elsie Shirley is moving up from Posting Clerk to Registrar of Taxes and she should have been listed as having been released as Posting Clerk, and a new posting clerk was hired. There is no change in money. It was also found that Erma Dean Kingston was being granted a 2 months leave to take special schooling. This was in the office of the Treasurer, and in the Clerk's office, it was found that Colleen Hilgeman was granted a leave of absence because she has acute arthritis and needs treatment.

Commissioner Ossenberg asked if the people who are asking for a leave of absence shouldn't be released.

The explanation on this was that they would lose their insurance and this way, they can pay it themselves and still be covered.

Commissioner Ossenbergh moved that anytime there is a request for a leave of absence, that an explanation be given the County Commissioners, in order for them to have some understanding of the reason and that all officeholders be notified of this. Commissioner Willner seconded the motion. So ordered.

Mr. Volpe thought an explanation to be urgent because of retirement and various insurance policies, so that if there are claims in the future, the records will show exactly what happened. He said he would send the notice to all officeholders.

RE: BIDS RECEIVED ON UNIFORMS

Four invitational bids were received for the uniforms of the County Highway Garage employees, as follows:

Mechanics Laundry & Supply Co.  
F. W. Means & Co.

Charles Todd Inc.  
National Linen Service

Commissioner Willner moved that the bids be taken under advisement and referred to Mr. Willard for study and for him to get with the Purchasing Agent, in order to make a recommendation to the Commissioners. Commissioner Ossenbergh seconded the motion. So ordered.

RE: AWARDING OF CONTRACTS...E.A.R.C.

Bids were received last week for the furnishing and equipment for the Evansville Comprehensive Mental Retardation Center and have been under study by the architects and have been extended as follows:

Group

100 Office Furniture - 35 desks, 15 tables, 7 credenzas, 2 bookcases  
200 Childrens Classrooms - 56 tables, 68 chairs  
300 Utility Items - 18 tables, 40 stools, 2 work desks  
400 File Cabinets - 17  
500 Decorative Items - 6 planters, 6 sand urns, 6 stools  
600 Accessory Tables - 32  
700 Stack Chairs and Accessories - 211 plain chairs - 93 upholstered  
800 Office and Lounge Seating - 35 chairs, 3 couches  
900 Shop equipment - 1 belt sander, 1 drill press, 1 band saw

|       | <u>Architects</u> | <u>Lee Co.</u>     | <u>P. L. Miller</u> | <u>Guthries</u>      | <u>Smith &amp;</u> | <u>Brown &amp;</u> |
|-------|-------------------|--------------------|---------------------|----------------------|--------------------|--------------------|
|       | <u>Estimate</u>   | <u>Terre Haute</u> | <u>Indianapolis</u> | <u>Office Equip.</u> | <u>Butterfield</u> | <u>Hubert</u>      |
| 100   | \$12,165          | \$10,794.25        | \$10,250            | \$10,210.80          | \$10,386.91        | -                  |
| 200   | 6,460             | 2,542.10*          | 5,736               | 6,463.92             | 6,625.32           | -                  |
| 300   | 4,570             | 2,734.60*          | 3,940               | 3,266.14             | 3,339.04           | -                  |
| 400   | 5,200             | 2,230.95*          | 3,878               | 3,571.90             | 3,819.45           | -                  |
| 500   | 900               | No Bid             | No Bid              | No Bid               | 1,261.14           | -                  |
| 600   | 2,240             | 1,876.80           | 2,400               | 1,785.60             | 2,452.48           | -                  |
| 700   | 15,152            | No Bid             | 14,261              | 14,550.60            | 8,642.07           | -                  |
| 800   | 5,355             | No Bid             | No Bid              | 4,934.66             | 4,362.71           | -                  |
| 900   | 710               | No Bid             | No Bid              | No Bid               | No Bid             | \$1,063.87         |
| Total | \$52,752          |                    |                     |                      |                    |                    |

Low Bids that are underlined are a total of \$39,900.23

\*--Bid did not meet specifications.

Commissioner Ossenbergh moved, upon the recommendation of the architect, that the low bids be approved. Commissioner Willner seconded the motion. So ordered.

RE: NOTICE OF CLAIM AGAINST CITY AND COUNTY

A copy of a letter from the law offices of Bates, Ewers & Davis was presented to the Commissioners, that was also sent to the Mayor, the City Attorney and to Sheriff Riney, in regard to Mr. Paul Edward Smith, as follows:

Gentlemen:

Please accept this letter as statutory notice that Becky York and Neal Smith, children of Paul Edward Smith, and the personal representatives of the Estate of Paul Edward Smith, will make a claim against the City of Evansville and the County of Vanderburgh, State of Indiana, for negligence in causing the death of Paul Edward Smith on or about January 12, 1974, by arresting Paul Edward Smith and placing him in the confinement of the Vanderburgh County Jail and allowing him to remain there in an unconscious condition without any medical attention or assistance.

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Claim will be made against the County of Vanderburgh and City of Evansville, State of Indiana, for wrongful death, loss of services, and funeral bills as a result of the aforesaid negligence.

Very respectfully, Bates, Ewers & Davis  
Signed by Donald R. Ewers

County Attorney Swain sent Mr. Ray Becker of the Becker & Hahn Insurance Co. the following letter, in regard to Paul Edward Smith:

Dear Sir:

Enclosed please find a copy of a notice of claim of Paul Edward Smith, sent to the Board of County Commissioners by Donald R. Ewers of the law firm of Bates, Ewers and Davis, who apparently represent Mr. Smith.

Please forward to the insurance carrier for whatever investigation the carrier deems necessary. Yours very truly, Trockman, Flynn, Swain & Tyler

RE: TRAVEL POLICY

The County Commissioners submitted the following policy for any one wishing to travel at county expense, since there had been some problems in this matter:

TO ALL COUNTY OFFICEHOLDERS AND COUNTY BOARDS:

On January 28, 1974, the BOARD OF COUNTY COMMISSIONERS ADOPTED A POLICY ON TRAVEL THAT IS AS FOLLOWS:

1. Anyone wishing to travel, at county expense, must first have the approval of the County Commissioners or their own board.
2. Anyone traveling by air at county expense will be reimbursed at coach rates.
3. Anyone staying overnight at county expense will be reimbursed at single room rate.
4. The traveler's claim should be examined and approved by the same body and the Board of County Commissioners before being turned over to the Auditor for payment.

WE STRONGLY URGE YOUR COOPERATION IMPLEMENTING THIS POLICY. THANK YOU

SIGNED BY THE BOARD OF COUNTY COMMISSIONERS

Commissioner Willner moved that this policy be approved. Commissioner Ossenberrg seconded the motion. So ordered.

A copy of this policy on travel will be sent to each officeholder and to every board under the jurisdiction of the County Commissioners.

Mr. Volpe asked if there should be a guideline, setting a tentative maximum limiting the amount on expenses of the travelers.

Commissioner Willner said that this was discussed and with inflation, such as it is, they decided that it would be hard to set a policy at this time and they decided that claims will be acted on individually.

RE: TRAVELING EXPENSES APPROVED

Commissioner Schaad said that County Attorney Stephens is in Indianapolis today, on the bill that is before the senate, on licensing powers of the county and he asked that the expenses of Mr. Stephens be paid by the county.

Commissioner Willner moved that the expenses of County Attorney Stephens incurred by this trip, be paid by the county. Commissioner Ossenberrg seconded the motion. So ordered.

RE: REQUEST TO ATTEND MEETING

The following letter from the State Election Board to all County Election Boards and all Clerks of Circuit Courts, was presented to the Commissioners:

NOTICE OF MEETING

The instructional meeting for all county election boards has been scheduled for February 13, 1974, at 1:00 p.m. in the Mural Room of the ISTA Center, 150 West Market Street, Indianapolis, Indiana. IC 1971, 3-2-1-2, provides that county election board members attending shall receive a per diem of \$20.00 plus 8¢ per mile for the distance necessarily traveled.

We encourage you to forward your questions to this office in advance so that we might have an opportunity to research same before the meeting. Otherwise, paper will be available at the meeting upon which you may write your questions. In order to prevent distractions, oral questions from the floor will not be permitted.

Many of you may have questions you would rather discuss privately with the Board. Therefore, we will be available in the Mural Room between 10:00 a.m. and 11:30 a.m. to discuss any individual problems you may have.

#### PUBLIC HEARING

The Board will be conducting a public hearing at 9:00 a.m. on February 13, 1974, in the same room as above, on a proposed regulation concerning electronic voting. A copy is enclosed for your consideration and you are welcome to attend if you so desire.

The County Clerk submitted the following letter on the Instructional meeting for County Election Boards called by the State Election Board:

Dear Sirs:

Please find attached a copy of the letter notifying us of this meeting.

This is to advise your board of our desire to attend this meeting and respectfully request that your permission be granted for our attendance.

At this time, both myself and Mr. Ted Ziemer, Jr. do plan on attending.

The Democrat member of the board, who still remains to be appointed as there has yet to be received nomination by the County Chairman, may also wish to attend. I will so advise your office.

Thank you, Sincerely, Shirley Jean Cox.

Commissioner Willner moved that Mrs. Cox and Mr. Ziemer be permitted to go to this meeting and that Mr. O'Day and a member that he appoints also be permitted to go if they so desire. Commissioner Ossenberg seconded the motion. So ordered.

The expenses for this trip are mandatory, by law, and is to be paid from the General Fund.

#### RE: REQUEST TO ATTEND MEETING

County Attorney Swain requested permission to travel to Indianapolis on February 9th, to attend an organizational meeting of the Indiana Association of County Attorney's.

Commissioner Ossenberg moved that permission be granted. Commissioner Willner seconded the motion. So ordered.

#### RE: LETTER FROM CHIEF HOUSING INSPECTOR

The following letter was received by the Commissioners from Harold H. Taylor, the Chief Housing Inspector, on property at 804 E. Sycamore Street, which is in Ballard's Addition, Lots 24 Blk. 2:

Dear Sir and/or Madam:

It has come to my attention that the building or buildings located on, and commonly known as the property described above has become dangerous, insecure, and unsafe for human habitation and the safety of the public is endangered.

It is the recommendation of this office that the building or buildings be razed and removed.

A list of the defects found in this property are on file at my office in Room 310, City-County Administration Building.

If you so desire, an appointment can be made to review this case, in the field or at our office, by calling me at 426-5462.

Failure to take out a wrecking permit (which may be obtained in the City Building Commissioners Office, Room 310, City-County Building) to raze the building or buildings, or to contact this office within ten (10) days of receipt of this letter may result in an order being issued condemning the building or buildings and directing you to demolish and remove same at once.

This matter was referred to Mr. Herman Hotz.

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RE: CLAIMS

A claim was presented from Joe Bannister for the refund of the difference between the cost of Master Plumbing License for 1973 and the Plumbing Registration fee in the amount of \$20.00.

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

A claim was presented from Edward Klueg for a refund of the difference between the cost of Master Plumbing License for 1973 and the Plumbing Registration Fee in the amount of \$20.00

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

A claim was presented from Condict & Fosse, Architects for partial billing, as per contract, regarding the furnishings and equipment for the Evansville Comprehensive Mental Retardation Center, in the amount of \$2,680.00.

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

A claim was presented from Key Motors Corp. for a new 1974 Ford F100 133 Style-side Pickup Truck for the Superintendent of County Buildings in the amount of \$2,658.83, as per contract.

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

There were claims from Brinks Inc....Mr. Volpe said they were asking for an increase of so much a stop that they are adding to the contract. The stop charge is something new.

Commissioner Ossenberg moved that this matter be deferred until the County Attorney can read the contract to see if it has an escalation clause in it. Commissioner Willner seconded the motion. So ordered.

A claim was received from Valley Wrecking Co. for tearing down and removing the smoke stack, boiler room and the court House Annex in the amount of \$15,900 which was the contract price, \$10,000 of which is being paid by the Conrad Baker Foundation.

Mr. Hotz said this project has been completed and inspected.

County Attorney instructed Mr. Hotz to get an affidavit, under oath, from Earl Scales, to the effect that he has paid all charges relating to this project.

Commissioner moved that this claim be held up until they are sure that all of the bills have been paid. Commissioner Schaad seconded the motion. So ordered.

The following claims were received for work in relation to the Evansville Comprehensive Mental Retardation Center:

From Goedde Plumbing & Heating Inc.....Cert. for Payment #5, Application #.9 in the amount of \$2,274.93.

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

From Kuebler Heating and Air Conditioning for Certificate for Payment #5, Application #6, in the amount of \$25,411.37.

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

From Key Construction Co. for Certificate for Payment #5, Application #6, in the amount of \$108,095.77.

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

From Swanson-Nunn Electric Co. for Certificate for Payment #5, Application #5, in the amount of \$24,287.15.

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

RE: MEETING DATE SET

It was noted that due to Lincoln's birthday, the next meeting of the County Commissioners will be held on Tuesday, February 12, 1974, and the following week, the meeting will be held on Tuesday, February 19, 1974, due to Washington's birthday. They will be held at 9:30 a.m. in the Commissioners Hearing Room.

RE: PERMISSION TO TRAVEL

County Attorney Swain will be excused from the Meeting on February 19, 1974, since he has a trial set for that date. He asked the permission of the Commissioners that he be permitted to travel to Rockport for this trial.

Commissioner Willner moved that permission be granted to Mr. Swain. Commissioner Ossenberg seconded the motion. So ordered.

RE: DEMONSTRATION OF NEW VOTING MACHINES

Commissioner Schaad noted that if anyone is interested, there will be a demonstration of the new voting machines, this afternoon, at 1:30 p.m. in room 301.

RE: ST. JOE AVENUE BRIDGE

Commissioner Willner was asked, last week, to check on the St. Joe bridge. He said that he and Mr. Willard contacted Penn Central Railroad Co. and he talked to Mr. Ziegler and was informed that the reason this particular track is not abandoned as yet, is because the Railroad Co. is in the process of putting all their abandoned tracks in the same category, that they are going to run them together and the company has not yet decided which tracks they want to abandon but they are sure that this one is at the top of the list. They said the time table would be four or five months and that the county could have any amount of Right-of-Way, on either side of the road that they want and the only stipulation they might have would be drainage.

Commissioner Willner said that he didn't think it necessary to send them a letter at this time, since Mr. Ziegler said that when it was read, he would personally call Mr. Willard at the county garage, who in turn, will inform the County Attorney's.

RE: CUTS-IN

The following requests for cuts-in were submitted:

Indiana Bell Telephone Co. requests permission to cut into Duesner Road and Seminary Road to place buried telephone wire. F-853-74

Indiana Bell Telephone Co. requests permission to cut into Hillview Drive to place buried telephone wire. F-2160-74.

Commissioner Willner moved that these cuts-in be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIMS

A claim was presented from G. H. Allen Inc., Acct. # 506-3-203-3953, for work completed between November 30, 1973 and February 4, 1974, on the bridge on Lenn-Becker over Eagle Slough in the amount of \$7,906.03.

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

A claim was presented from Hanson Testing & Engineering Co. for soil borings on the Lenn-Becker bridge over Eagle Slough in the amount of \$450.00. Final payment.

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

A claim was received from G. H. Allen Inc., Account # 506-3-203-3952, for work completed between January 9, 1974 and February 4, 1974, on Trapp Road Bridge #21, in the amount of \$5,320.00.

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Commissioner Willner moved that the claim of G. H. Allen in the amount of \$5,320.00 be approved. Commissioner Ossenberg seconded the motion. So ordered.

A claim was presented from Curren E. Bridges on account of appropriation for 106-213, Traveling expenses....Gas Mileage, used personal car while county car was being repaired....262 miles X .08 = \$20.96 which is the amount of the claim.

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

A claim was received from Deig Brothers Inc., Account No. 203-3767 & 216-3767, on the bridge on Allen's Lane over Locust Creek, for work completed between November 26, 1973 and February 4, 1974. The amount that is due is \$7,494.91.

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

RE: ROAD IN NEED OF REPAIR

Mr. Nussmeyer said that North Green River Road, North of Heckel Road, is in bad need of repair. He said that it is in pretty bad shape and that nothing has been on that road for at least fifteen years.

Commissioner Ossenberg said that the traffic count on North Green River Road is heavy and the road needs patched and widened, also that the shoulders are bad. He said that the road is Eighteen feet wide and needs to be Twenty-two or Twenty-four feet wide.

Commissioner Willner moved that Mr. Nussmeyer pursue the possibility of R & S funds for this project. Commissioner Ossenberg seconded the motion. So ordered.

Mr. Volpe said that there is a bill before the legislature to extend the 90-10 of the R & S Funds for another year and then it is supposed to go back to 75-25. He thought that the Commissioners would like to contact one of the legislators in the next day or two, to tell them that we would like the 90-10. Commissioner Schaad suggested that all legislators be contacted on this matter, recommending that the 90-10 be extended for another year.

Commissioner Willner moved that a letter go out to all the legislators, from the County Commissioners, requesting the continuation of the 90-10 for another year. Commissioner Ossenberg seconded the motion. So ordered.

RE: JOBES LANE

Commissioner Schaad said that sometime ago he had a call from a Mr. Adcock on Jobes Lane, who said that he and Mr. Jobe built Jobes Lane and it was thought to be a county road but apparently it was never dedicated. The East side of Jobes Lane is in the City and the West side of the road is county but the records don't reflect that it was ever accepted as a county road.

Mr. Willard said that he can do no more work on it until the matter is settled.

Mr. Clabes asked if there had been any gas tax collected on the road, by the county, since, if they have, the road would automatically be accepted.

Mr. Willard checked by phone and was told that no gas tax has been collected on this road. He said that he will talk to the city and to the property owners as to the Right of Way and will report back to the Commissioners next week.

RE: DRAINAGE PROBLEM

Commissioner Schaad said that there is a subdivision at State Road 57 and Boonville-New Harmony Road and that tile has been installed here but that they are still having a drainage problem.

Mr. Willard said that the culverts need to be replaced and the ditches need cleaned out.

Commissioner Willner said that he was informed by the attorney that the state has plans to come through there to re-route the highway because of the airport and if this is true, anything done here would be wasted.

It was decided that the county replace the culverts and clean out the ditches on both sides and in the meantime they will talk to the state about their plans.

RE: MR. WILLARD

Mr. Willard presented a folder to the Commissioners, showing models of salt spreaders that are available. He said that he is going to get six army trucks.

Commissioner Willner said that he went out to the garage and saw the snow plow mounted on one of the army trucks and that it is going to be a beautiful job and to make it complete, he has to have a way to spread the salt.

Commissioner Willner moved that Mr. Willard get together with the Purchasing Agent in preparing specifications so that bids can be taken on a salt spreader.

RE: MR. JUDD

Mr. Judd requested that Mr. Willard furnish him with a list of roads that the county will be repairing and resurfacing so that he can stay away from them until they are finished, at which time he can stripe them.

RE: HOUSE BILL 1361...Licensing Powers

Commissioner Ossenberg said that he just received a letter from the Senate Protem President, concerning House Bill 1361. He stated that the bill is currently under consideration by the Senate Committee on Governmental Affairs and that the Commissioners could be assured that the proposal will get much deliberation before it comes up for a vote. The bill was amended to Vanderburgh and Lake county.

Commissioner Ossenberg said this hearing was this morning and he received a call from Phil Hayes who said there could possibly be an amendment to come in today, in front of this hearing and now it has the blessing of Mr. Shirl Evans, who is the Executive Director of the Indiana Association of County Government whereby he has talked to Senator Hayes and he would like to see every county in the State of Indiana to have the power to license., also that he likes the bill and is pushing it.

Commissioner Ossenberg said he also wrote a letter to the democratic minority leader, who assured his full cooperation. He said he was unable to attend the hearing, himself, because of back trouble so County Attorney Stephens went with Bob Rickard and he is looking for a good report. He emphasized that they would try to get a committee vote there today, because if they don't, this bill appears to be dead since there are only six more working days in the session.

The meeting recessed at 11:15 a.m.

PRESENT

COUNTY COMMISSIONERS

Bob Schaad  
Thomas Ossenberg  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEY

Tom Swain

REPORTERS

B. Thompson  
G. Clabes  
C. Leach

Secretary: Margie Meeks

Bob Schaad

Robert L. Willner  
BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
FEBRUARY 12, 1974

The meeting of the County Commissioners was held on Tuesday, February 12, 1974, at 9:30 a.m. in the Commissioners Hearing Room, with President Schaad presiding.

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

President Schaad said that Commissioner Ossenbergs would be unable to attend the meeting today.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids on the county-owned surplus property today. The sale will continue.

Mr. Volpe said that he has talked with Harold Taylor, who said that he is planning on talking to the Commissioners on some of this surplus property.

RE: CONTRACT AWARDED ON UNIFORMS

The following invitational bids were received last week and have been under study for recommendation, for uniform pants, shirts and jackets for the employees of the County Highway Department of which there are 39 men:

- F.W. Means & Co.....\$117.00 per man
- Mechanics Laundry & Supply Co.....\$157.50 per man
- National Linen Service of Owensboro.....\$133.50 per man
- Charles Todd Inc. of Owensboro.....\$129.22 per man

Upon the recommendation of Mr. Willard and the Purchasing Agent, Commissioner Willner moved that the contract be awarded to F.W. Means & Co. Commissioner Schaad seconded the motion. So ordered.

Commissioner Schaad said there had been a few complaints on the service of F.W. Means & Co. in the past and he asked that they do what they could to keep the men at the county garage happy.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CO-OP EXTENSION SERVICE

- Margaret Weber 415 Peerless Secretary \$206.16 Se. Mo. Eff: 1/21/74
- Rosalie Mesker R.R.2 City 4-H Pt. Time Ass't. \$3.50 Hr. Eff: 1/31/74
- Sandra Mesker 2266 E. Illinois 4-H Pt. Time Ass't. \$3.50 Hr. Eff: 1/9/74

PLEASANTVIEW REST HOME

- Ruth Bauman 830 E. Mill Rd. Aide \$1.90 Per Hr. Eff: 2/6/74
- Dorothy Rumade 904 W. Oregon Cook \$1.90 Per Hr. Eff: 2/10/74

COUNTY HIGHWAY DEPARTMENT

- Mullin Monroe 1103 S. Werner Pt. Time Watchman \$3.297 Hr. Eff: 1/31/74

RE: EMPLOYMENT CHANGES.....RELEASES

CO-OP EXTENSION SERVICE

- Margaret Weber 415 Peerless Rd. Secretary \$15.00 Day Eff: 1/18/74

PLEASANTVIEW REST HOME

- Joyce Evans 700 Senate Ave. Aide \$1.70 Per Hr. Eff: 2/3/74
- Jenetta Brown 700 Senate Ave. Cook \$1.70 Per Hr. Eff: 1/30/74

COUNTY HIGHWAY DEPARTMENT

- Aubrey Collins N. St. Joe Ave. Pt. Time Watchman \$3.297 Hr. Eff: 1/20/74
- Clifford Money 2430 Harriet St. Equipment Operator \$3.718 Hr. Eff: 2/4/74

Commissioner Schaad requested that the Employment Changes be typed in the future, as they are much easier to read.

RE: MONTHLY REPORTS

The monthly report of the Clerk of the Circuit Court was submitted for the month of January.  
Report received and ordered filed.

The monthly report from the Office of the Traffic Director was submitted for the month of January, on materials used by the Traffic Engineering Department.  
Report received and ordered filed.

The monthly report of the Pleasantview Rest Home was submitted for the month of January.  
Report received and ordered filed.

The monthly report of the County Treasurer was submitted for the month of January.  
Report received and ordered filed.

RE: SANITARY SEWER PLANS PRESENTED

Dennis Stallings presented plans and specifications for a sewer for McCutchanville. He said that he has studied the plans and specifications for repavement and for the installation of new culverts and that if anything is disturbed, it will be replaced. The sewer will run along U.S. 41 North, near Hillsdale Road.

Commissioner Willner moved that the plans and specifications be approved and he asked the County Engineer to periodically check it and give the Commissioners a report on the progress. Commissioner Schaad seconded the motion. So ordered.

RE: STOP SIGN REQUESTED

Commissioner Willner said that in St. Joe Indiana, there is a large 4-way stop where the roads run into a town square and the general traffic pattern is a mess. He said that there is a school, church, tavern and a gas station on various corners and there have been bad accidents at this intersection. He requested that the Area Plan Commission make a study of this area, in detail, and report their findings back to the Commissioners.  
The roads involved are St. Joe Road, St. Wendell Road and No. 3 School Road.

Commissioner Schaad said that the Area Plan Director resigned and thought this matter should first be referred to the Traffic Department for recommendation.

Commissioner Willner then moved that this matter be referred to Mr. Bill Judd of the Traffic Department. Commissioner Schaad seconded the motion. So ordered.

RE: FOUR RIVERS PROJECT

The Four Rivers Resource Conservation and Development Project was presented to the Commissioners for their approval.

Commissioner Schaad said that this was a beautiful piece of work and very thoroughly done and that Mr. Pugh and his group should be commended for doing such an outstanding job.

Commissioner Willner moved that the Four Rivers Draft be approved, as submitted. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST TO TRAVEL

The following letter was received by the Commissioners from Mr. Alvin Stucki, the Center Township Assessor;

Gentlemen:

In accordance with your ruling on travel expense. I am requesting that you pay me per diem of \$20.00 for each day of attendance, and 10¢ per mile to and from Indianapolis, Indiana, to attend the annual Assessor's Conference, to be held on February 19, 20 and 21.

He enclosed a memorandum from the State Board of Tax Commissioners, on information pertaining to the Annual Assessor's Conference.

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

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RE: MILEAGE ALLOWANCE

Commissioner Schaad said that in the past, the Commissioners had allowed 8¢ per mile for travel when a county employee needed to travel on official county business and they have discussed the possibility of raising it to 10¢ per mile.

Commissioner Willner moved that the county mileage travel rate be increased to 10¢ per mile. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST PERMISSION TO USE COUNTY LOTS

The following letter was received from the Oakdale-Sweetser Neighborhood Planning Council, Inc.:

Dear Gentlemen:

As a spokesman for the Oakdale Sweetser Neighborhood Planning Council, Inc. I would like to request your permission for the use of several vacant lots in the Oakdale area. These lots would be utilized as gardens this year by residents and youth groups. Allan Boyer of the County Extension Service has pledged his cooperation for this project. Gardeners will be required to sign O.K. waiver of all claims to protect the county and the Planning Council in the event of an emergency. The lots we are considering as possible garden sites are as follows:

| <u>LOT #</u> | <u>LOCATION</u>         |
|--------------|-------------------------|
| 22-77-22     | 1900 Block of S. Garvin |
| 22-77-23     | 1900 Block of S. Garvin |
| 22-77-4      | 1906 S. Elliott St.     |
| 22-71-31     | 1811 S. Governor        |
| 22-70-32     | 1900 Block of Judson    |

I am looking forward to a positive reply in the near future. I personally feel that allowing people to utilize this dormant land is a means of allowing someone to help himself. Sincerely, Steve Culley, Director.

Commissioner Willner said that they should make sure that none of these lots have been sold and that they definitely belong to the county although he is in complete agreement with their request.

Commissioner Schaad said that if they plant a garden and a lot is sold, they will have to understand that they can't be reimbursed for any damages.

County Attorney Stephens said that they should show proof that they have liability insurance.

It was decided that Mr. Culley be requested to attend next week's meeting, that the Commissioner's will consider the request and in the meantime, the lots can be checked for ownership by the Auditor.

RE: CLAIMS

A claim was presented from Engineers Associates, Inc. for the Engineering on Eichoff Road. Account 203-3770 in the amount of \$7,814.73 and Account 216-3741 in the amount of \$23,444.79. The total amount of the claim is \$31,259.52.

Mr. Weiss said that the planning for this project is 100% complete, as is the survey on Phase #1 and #3, also that he will get the parcels that are needed by the middle of next month.

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

A claim was presented from Torian Agency Inc. for insurance for the Highway Dept. Continental Workmen's Compensation policy # WC 2 08 75 28 in the amount of \$6,891.00.

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

A claim was presented from Torian Agency Inc. for insurance for the Welfare Dept. Continental Workmen's Compensation policy # WC 2 08 75 28 in the amount of \$4,187.00.

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

A claim was presented from Torian Agency Inc. for insurance for Hillcrest-Washington Home. Continental Workmen's Compensation policy # WC 2 08 75 28 in the amount of \$710.00.

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

A claim was presented from Torian Agency Inc. for insurance...General Fund. Continental Workmen's Compensation policy # WC 2 08 75 28 in the amount of \$6,973.00.

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

A claim was presented from Clyde's Plumbing for account 130-552, a refund of the difference between the cost of Master Plumbing License for 1973 and the plumbing registration fee in the amount of \$20.00.

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

A claim was presented from Valley Wrecking Co. for wrecking and removal of the Court House Annex, Smokestack and Boiler Room in the amount of \$15,900.00.

This claim was held up last week, pending an affidavit, under oath from Mr. Scales, to the effect that he has paid all charges relating to this project.

Along with the claim, he now presented the following affidavit:

Gentlemen:

This is to certify that Valley Wrecking Company has paid for all materials and labor, including but not limiting to equipment rental, social security, federal, state and local taxes arising out of a certain contract between the Board of County Commissioners of Vanderburgh County, Indiana and Valley Wrecking Company for the demolition of the Court House Annex, boiler room and smoke stack located at the corner of Fourth and Vine Streets in Evansville, Indiana.

This certificate of full payment is a representation to the Board of County Commissioners of such fact, and is given as an inducement to the Board of County Commissioners of Vanderburgh County, Indiana, to pay Valley Wrecking Company the balance of the contract price due to Valley Wrecking Company. Signed, Earl Scales....

I hereby affirm under the penalties of perjury that the above and foregoing is true in substance and in fact. Signed, Earl Scales .

Commissioner Willner moved that the claim from Valley Wrecking Co. be approved for payment. Commissioner Schaad seconded the motion. So ordered.

A claim was presented by Mr. Ludwig, from Feigel Construction Co. for paving Oak Grove Road, East of Green River Road...Account # 506.3-201-3746 in the amount of \$4,087.85.

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

A claim was presented by Mr. Ludwig, from Feigel Construction Co. for paving Mt. Pleasant Road...Account # 506.3-201-2260 in the amount of \$14,793.99 which includes a 5% retention.

It was noted that 10% retention fee had been held out, that they are giving back to Feigel and that there will be a 5% retention from now on.

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

RE: CUTS IN

The Waterworks Dept. requests permission to cut into Happe Road to install Pipe Valves and Fittings to provide water service.

Commissioner Willner moved that this cuts-in be approved. Commissioner Schaad seconded the motion. So ordered.

RE: REQUEST FROM COUNTY SURVEYOR

The following letter to the County Auditor, from the County Surveyor, was presented to the Commissioners:

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Re: Regarding Account No. 201-3743

Dear Sir:

The County Surveyor hereby requests that \$50,000.00 of the \$56,000.00 listed in this Account be placed on a separate card entitled "Green River Road and Heckle Road to Hwy. 57" - Account No. 201-3743.1.

This letter was referred to the County Auditor.

RE: MR. LUDWIG

Mr. Ludwig said that he gets a few requests for cuts-in from people who want curb cuts and they only have a verbal agreement in repairing any damages that occur, and he thought that a form was needed for this.

The County Attorney suggested that the Engineer's office just give their approval on it and that all damages be paid by the contractor.

Commissioner Willner moved that the curb cuts form be approved, as submitted. Commissioner Schaad seconded the motion. So ordered.

Mr. Ludwig said that Mr. Roy Day of the So. Indiana Gas & Electric Co. is looking into county-owned lots to see if they can use one of them to take the place of the one they own, that part of the Hamilton Golf Course was built on.

RE: MR. WILLARD....ABSENTEE REPORT

Mr. Willard presented absentee lists of the county highway employees for the past two weeks.

Report received and ordered filed.

RE: MONTHLY REPORT

Mr. Judd presented his monthly report of materials used by the Traffic Engineering Department for the month of January.

Report received and filed.

RE: INSURANCE

County Attorney presented a corrected certificate from Greene and Green Insurance Co. showing the Board of County Commissioners as additional insured on the policy of Alcoholic Help Inc.

Certificate filed in the Commissioners records.

RE: ENERGY CRISIS

Commissioner Schaad said there have been some new developments on the gasoline allocations and he has notified the various officeholders in order for all of them to be present at 10:30 a.m.

Mr. Jeff Marston, the Energy Co-ordinator, explained a set of events in that, last Monday, they received a letter from Standard Oil, the current supplier of gasoline, saying that the new federal regulations required that they drop us in terms of supplying us with gasoline, but the regulations also require that our 1972 supplier, Texaco, pick us up and it required that they pick us up for the same amount of gasoline and when Texaco came in, they said they would pick us up but will only be able to supply 80% of the gasoline that we are now getting, the cut of which is on top of the 13% cut that we have already taken. He said that on Friday afternoon, they got an informal commitment from Standard Oil Co., that they will pick up most of the difference between what we need and what Texaco will give us, also that we will have to sign some sort of contract to this effect, but it will have a bail-out clause, to where if something happens, Standard will have to bail out.

He said that he and the Purchasing Agent are in the process of submitting an application to the Federal Energy office, to certify our current needs and once this is in and approved, Standard Oil will then be able to supply us with the difference between what we are allowed and what Texaco will give us.

He said they are starting another planning process in the city, as a contingency and the departments are going to submit plans for three different possibilities, one being a 10% cut on top of the present cut. Another is a 20% cut and the third is, what would happen if an emergency arises, where we would have to go down to a 50% consumption of gasoline for a couple of weeks and various decisions have to be made as to what can be done.

He said that if the city and county get cut, they will share in the reductions and then, can try to make it up on the open market if they so desire.

Commissioner Schaad said that all the officeholders were called together this morning to let them know what the situation is, so they can made plans to curtail further, if necessary.

Mr. Marston said the allocation system is based on a monthly allocation and the officeholders will get a percentage of the allocation, by month, so in the summer, they will get a little more gas because of seasonal usage, however, this isn't a twelve month deal, so if a further reduction is needed, it would be made and there is a possibility of running out before the end of a particular month. He said that is why they are going to the monitoring system, so they can determine how much gas is being used every two weeks, so the departments can keep current with their budgeted allocation.

Mr. Willard asked if they were going to have to cut some of the services that the public has been getting and maybe have to lay off some men.

Commissioner Schaad said it may come to this and we may have to limit the services. He said that the Commissioners would do everything they could, as far as trying to consolidate and put more men on a truck to get a job done instead of running around, as there has been a lot of gas wasted in the past.

Sheriff Riney said he has cut his patrol and only went over his allotment by 7% in January and he doesn't see how the Sheriff's Department can give good service in the county, by cutting down anymore than they have.

Mr. Marston said he is giving this information to tell the officeholders how uncertain the future looks, since they will be getting month to month allocations from Texaco, who will only tell them a couple of days, in advance, exactly how much gasoline they are going to get and Standard could come in at anytime and say that they will no longer be able to furnish additional gasoline, they would then just have to try to buy what they need on the open market. He said he would keep the Commissioners informed of any new developments.

Those attending the Energy Crisis meeting were as follows:

- Sheriff's Department.....Sheriff Riney
- Superintendent of County Buildings.....Herman Hotz
- Surveyor's office.....Mike Ludwig
- County Highway Department.....Jack Willard
- Coroner's office.....Earl Cox

The Circuit Court was not represented.

The meeting recessed at 10:55 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u>        | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u>          | <u>REPORTERS</u>                   |
|------------------------------------|-----------------------|----------------------------------|------------------------------------|
| Robert Schaad<br>Robert L. Willner | Lewis F. Volpe        | William Stephens<br>Thomas Swain | C. Leach<br>J. Kessner<br>S. Clark |

Secretary: Margie Meeks

*Bob Schaad*  
 \_\_\_\_\_  
*Chas L. Osmer*  
 \_\_\_\_\_  
*Robert L. Willner*  
 \_\_\_\_\_  
 BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
FEBRUARY 19, 1974

The meeting of the County Commissioners was held on Tuesday, February 19, 1974, at 9:30 a.m. in the Commissioners Hearing Room, with President Robert Schaad presiding.

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

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids on the county-owned surplus property today. The sale will continue.

RE: EMPLOYMENT CHANGES ... APPOINTMENTS

CENTER TOWNSHIP ASSESSORS OFFICE

|                 |                    |                 |             |              |
|-----------------|--------------------|-----------------|-------------|--------------|
| Carolyn Wittman | R#4 Meier Road     | Pt. Time Deputy | \$15.00 Day | Eff: 2/14/74 |
| Evelyn Meyer    | 1515 Laubscher Rd. | Pt. Time Deputy | \$15.00 Day | Eff: 2/14/74 |

RE: COMPLAINT ON N. GROVE STREET

Brooxie Francis of 2613 N. Grove Street appeared on behalf of the residents and said that the trucks of Staub Contracting Co. and of Crowe Brothers Wrecking Co. have torn up N. Grove Street and it is in bad need of repair, also that the dust has caused a lot of problems.

Commissioner Schaad had a call from Lillian Shelton, who was also present, on the same problem.

Mrs. Shelton said that the street needs to be resurfaced, that it isn't wide enough for all these trucks and that the dust is just terrible.

Mr. Willard said that the road is almost impassable.

Commissioner Willner said that this came up before the Area Plan meeting, last Wednesday night and that Mr. Crowe has submitted a petition to rezone the property that he is now using as a lumber yard and it was decided at the meeting, to see if he was operating legally and if there was anything that could be done about it. He said, at that time, that he would try to get the road repaired, once the rezoning was straightened out and that the attorney for Area Plan is supposed to check into it.

Commissioner Ossenberg wondered if the law of covering the trucks would apply here.

Commissioner Schaad said that it looked like they would be liable and would have to clean the dirt off the road.

Commissioner Ossenberg said that he thought if this law didn't apply to them, that the law would certainly say that they should wash the road down which would alleviate some of the problems. He thought the proper thing to do would be to see what their timetable is, that Staub is going to be in there, and then map the plans of the county, accordingly, to go in and fix the road.

The Commissioners asked Mr. Willard to contact Mr. Staub and Mr. Crowe to see what their intentions are and what they intend to do.

RE: CERTIFICATE OF INSURANCE

A corrected Certificate of Insurance was presented to the Commissioners, from Greene & Greene Agency, Inc. adding the Board of Commissioners as additional insured on the policy of Alcoholic Help Inc. Certificate received and ordered filed.

RE: VEHICLE REGISTRATIONS

The registrations for the Coroner's car and for the truck of the Superintendent of County Buildings was received by the County Commissioners. The registrations were referred to the Auditor's office.

RE: REQUEST TO PURCHASE BUS

A letter was received from the University Heights Baptist Church of Middle Mt. Vernon Road, stating that it was brought to their attention that the Boehne Camp bus is no longer in service and one of the men in the church suggested contact be made with the Commissioners, concerning this bus. They said that they would be interested in buying it if it was for sale.

Commissioner Ossenberg wondered if any other governmental agency would have any use for it. He said this should be explored and if no one can use the bus, he thought they should declare it as surplus property and advertise for bids.

Mr. Hotz said that he also has an old station wagon to get rid of.

Mr. Nussmeyer said that the Surveyor's office could use the station wagon but that there is a question of getting gasoline for it. He said that he would work on it.

Commissioner Schaad said they would check with the Board of Works and other offices to see if they have need of a bus. This matter will be taken up again next week.

RE: CUTS IN

Indiana Bell Telephone Co. requests permission to cut into Outer St. Joe Ave. F-866-74, to bury telephone cable.

Commissioner Willner moved that this cuts in be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIM

A claim was submitted from George Ryan Co. Inc. on the Lincoln & Fuquay Storm Sewer Project in the amount of \$34,860.25 as partial payment.

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

RE: LETTER FROM SOUTHERN RAILWAY SYSTEM

The following letter was received by Mr. Nussmeyer, from Mr. P. M. Tatem, the Superintendent of the Southern Railway System:

Dear Mr. Nussmeyer:

Your print which I received on January 24, 1974, outlining a new alignment for crossing at Oak Grove Road and Southern Railroad was forwarded to our Chief Engineer's Office for his consideration.

As you probably know, under the best conditions, it is difficult to maintain the track within the limits of a turnout and the paving of a roadway over a turnout further restricts our ability to provide proper track maintenance. Would there be any possible way to again propose a new location of Oak Grove Road which would be completely out of the limits of the Kight Lumber Company turnout and still serve the County's needs in improving Oak Grove Road grade crossing?

I would appreciate your advice.

Mr. Nussmeyer will write to them and tell them that this possibility has been researched and that there is no other way, that they should take their time and go ahead and do it now.

RE: PLANS SUBMITTED

Mr. Elmo Dockery submitted pre-plans on a subdivision for the Commissioners to review them. He said he would come back next week for approval of them.

RE: RADIO'S NEEDED

Mr. Willard said that he would like to replace two radio's in the trucks of the County Highway Department, as the old ones are worn out. He submitted two invitational bids, one from Mobile Radio Co. in the amount of \$2,430.00 and the other from Johnson Communication System in the amount of \$2,372.00. This purchase would be for a service, so is excluded from the Purchasing Department.

Commissioner Willner moved that Mr. Willard be permitted to purchase the radio that he thinks is the best for the purpose, since there is only \$100 difference. Commissioner Ossenberg seconded the motion. So ordered.

525  
RE: MR. WILLARD

Mr. Willard said that he received a report from the Sheriff's office, on damages to Schutte Road that was done by some diesel equipment.

Commissioner Schaad said that Bucyrus Erie's Insurance will take care of this and that Mr. Willard will have to get with them to see how this will be taken care of.

RE: MONTHLY REPORT

Mr. Willard submitted the Work & Materials Summary of the County Highway Dept. for the month of January, 1974.  
 Report received and ordered filed.

RE: MR. JUDD

Mr. Judd said that they are still investigating on the St. Wendell - St. Joe Road and that Mr. Lockmueller will have some information on it soon.

Commissioner Schaad said that a gentleman from the church out there contacted him and said that they want to build some sidewalks out there and since they don't know where the Right-of-Way is, said that they would be glad to work with the county on this project. He will probably be getting in touch with Mr. Judd or Mr. Nussmeyer.

Commissioner Willner said that he had a call on a stop sign being down at Old State Road and Baseline Road.

Mr. Judd said that he would check on it.

RE: MR. HOTZ

Mr. Hotz submitted a check for \$200.00 from Schroeders Express Co. for damages to the overhead door at the County Garage. He said that this check goes into the Repair of County Buildings.

Mr. Hotz said that a claim was approved, last week, in the amount of \$15,900 for the wrecking and removal of the Court House Annex, the smokestack and boiler room and a check was received from the Conrad Baker Foundation for \$10,000 to be put toward this and he was informed by the Auditor's office that this money was put into the County General Fund and consequently the \$10,000 was taken from the account of the Repairs to County Buildings. He wondered why this was done. He said that now he will have to go before the Council to get this money back.

Curt John, the Deputy Auditor, said that it would just be a matter of going to the County Council and explaining to them that the money was given to the account of Repairs to County Buildings and have it transferred to that account. He said that he would see that it is taken care of on the March Council Call.

RE: REQUEST PERMISSION TO USE COUNTY LOTS

A letter was sent from Mr. Culley of the Oakdale Neighborhood Planning Council, last week, asking permission to use several vacant lots in the Oakdale area for gardening.

Mr. Culley will be requested to attend next week's meeting in order for the Commissioners to consider this request.

The meeting recessed at 10:20 a.m.

PRESENT

COUNTY COMMISSIONERS  
 Robert Schaad

COUNTY AUDITOR  
 Curt John-Deputy

COUNTY ATTORNEY  
 Thomas Swain

REPORTERS  
 C. Leach  
 S. Clark  
 G. Clabes

Secretary: Margie Meeks

*Bob Schaad*  
 \_\_\_\_\_  
*Tom Ossenberg*  
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*Robert Willner*  
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 BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING

FEBRUARY 25, 1974

The meeting of the County Commissioners was held on Monday, February 25, 1974, at 9:30 a.m. in the Commissioners Hearing Room, with President Robert Schaad presiding.

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

RE: SURPLUS PROPERTY

Since there were no bidders of the surplus property, President Schaad said to let the record show the sale will continue.

RE EMPLOYMENT CHANGES

APPOINTMENTS:

Vanderburgh County Election Board

|               |                   |             |            |         |
|---------------|-------------------|-------------|------------|---------|
| Susan K. Kirk | 8302 Spry Rd.     | Supervisory | \$2.50 Hr. | 2/19/74 |
| Rozy J. Gates | 7227 E. Blackford | Clerical    | 2.00 Hr.   | 2/19/74 |
| Brenda Carney | 4307 Riverside    | Clerical    | 2.00 Hr.   | 2/19/74 |

Vanderburgh County Highway Department

|                  |                   |                 |           |         |
|------------------|-------------------|-----------------|-----------|---------|
| Edward C. Martin | R.R. #5 Box 240 A | Asst. Hwy. Eng. | 12,000.00 | 2/21/74 |
|------------------|-------------------|-----------------|-----------|---------|

RELEASES

Cumulative Bridge Fund

|                  |                   |                 |          |         |
|------------------|-------------------|-----------------|----------|---------|
| Edward C. Martin | R.R. #5 Box 240 A | Chief Inspector | 9,495.00 | 2/20/74 |
|------------------|-------------------|-----------------|----------|---------|

RE OAKDALE SWEETSER PROJECT

Mr. Schaad said they had received a letter from Steve Culley concerning the Oakdale-Sweetsers project. It seems there are several lots out there that they want to use. William Bell and Dorothy Scott spoke on behalf of Mr. Culley. Mr. Bell said he was the resident agent for that area. Mrs. Scott said they were interested in using these lots for vegetable gardens. She said they would clean the lots and remove all trash and see that the lots are supervised, she said they are especially interested in two lots in the 1900 block of S. Garvin because they are adjacent to the Youth Center. She said the gardens will be made by grade school and high school age children. She said they had a very successful trash pick-up in November.

She said they have had good response from private property owners. Some have agreed to let them use their lots.

She said they have a waiver of claims that each one will sign. She said Mr. Torgenson of the park department has arranged for tractors, etc. Commissioner Ossenbergs asked who would carry the liability on these lots in the event someone would get hurt, since it is County owned property. President Schaad said the thing they wanted to be sure about is that the County is not liable.

Mrs Scott said they wanted to use the lots subject to sale of the lots, that is, if the lots were sold they would just lose the gardens.

County Attorney William Stephens said they were already insured, so they should call their agent and they shouldn't have any problem getting this covered. He said if they had any problems they should call him.

President Schaad said they should get with Mr Stephens and then come back after they work out the details.

Commissioner Willner moved that they go ahead and approve it subject to the paper work with the County Attorney. Commissioner Ossenbergs seconded the motion. So ordered.

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RE: SYMPATHY EXTENDED

President Schaad said at this time he and the other Commissioners would like to express their deepest sympathy to Margie Meeks and her family on the death of her son, who was killed in an automobile accident over the week-end.

RE: ELMO DOCKERY

Mr. Dockery said he had plans for Section D part of Middle Mt. Vernon Rd.  $\frac{1}{2}$  mile past White school. He said these streets will be matching streets in Sec. A, the same size, same grade and same arrangement for drainage. Commissioner Ossenber moved they approve it and Commissioner Willner seconded. So ordered.

RE: BURDETTE PARK

Mr. Leo Weiss brought plans for improvements at Burdette Park. He said they wanted to turn part of it into a camping area. Part into two ball diamonds and concessions. He said for the camping area the costs would be around \$127,000.00 and the ball diamonds would cost around \$46,000.00. He said in the future they would like to move the camping area and replace it with a nine hole golf course and club house.

Commissioner Ossenber said he thought this was a good idea because there are many campers in the area and with the energy crises like it is they can't go off very far for camping.

Mr. Weiss said this was brought up before the County Council last week and the Council told them to bring it to the Commissioners for approval. He said this figure also includes sewer and water.

Commissioner Ossenber moved they accept this plan and go back before the County Council for Revenue Sharing money. Commissioner Willner seconded the motion. So ordered.

RE: SHOW LICENSE

President Schaad said it had come to their attention from the Auditor's office that Carrolls Twin Cinema Theater at Town Center had not paid their license fees for 1972, 1973 or 1974 in the amount of \$30.00.

Mr. John said notices had been sent but they have not replied.

After checking the law, County attorney Thomas Swain said this was a state license and the county just collected it for the state. He said they would take care of it. Commissioner Ossenber moved they refer it to the County Attorney and Commissioner Willner seconded the motion. So ordered.

RE: ST. JOE CONDEMNATION SUITS

President Schaad said there were three tracts of land to be appraised. He said the total cost will be \$10,900.00. He said it was \$700.00 for each 2,000ft. County attorney said he would look at their appraisals and report back next week.

RE: LETTER FROM HEALTH DEPARTMENT

The following letter was sent to the Commissioners:

Dear Sir:

This letter is in reference to our correspondence of December 13, 1973 directed to you, regarding a condition existing on your property located at 923 Craig.

In that letter we requested your cooperation in eliminating this condition. The details of this condition are listed below:

This department has received several complaints regarding what is apparently a recent practice of dumping and/or allowing the dumping of trash and debris on your property listed above. It will be necessary for this area to be closed to all further dumping of any type. In addition, in correcting the present unsanitary and/or objectionable condition, it will be necessary either to remove all

such material to the city landfill operation, or for the area to be compacted by a bulldozer, and covered with a minimum of twenty-four (24) inches of earth or clean fill, to remove the possibility of this area becoming an insect or rodent harbor.

This action, by the Health Department, is authorized by the Indiana public Health Laws, Chapter 355, Acts of 1963; Section 30, which reads as follows:

"Open dumps are hereby declared to be nuisances hazardous to human health, and as such are not suitable means of refuse disposal. Except as herein provided, on or after January 1, 1969, disposal of garbage, rubbish and refuse on lands in this state shall be made only through use of sanitary landfills or by means of incineration, composting, garbage grinding or other acceptable methods approved by the state board. No person, firm, association, corporation, city, town, political subdivision of the state, or unit of government shall establish, operate or maintain open dumps, whether or not the service is performed for compensation or gratis, on or after January 1, 1969; provided, however, that the state board may upon written application authorize for a limited period the continued operation and maintenance on or after January 1, 1969, of any existing open dump."

A reinvestigation was made on February 15, 1974 by a representative of this Department. At that time it was revealed that this condition still has not been corrected. Therefore, you leave this Department no alternative other than to order you to eliminate this condition within fifteen (15) days from the date of this letter. You are hereby so ordered.

We would appreciate your immediate cooperation in eliminating this condition within fifteen (15) days, as ordered. By so doing, you will make it unnecessary for this Department to forward this case to the Prosecuting Attorney Office for their consideration and such action as they may deem proper.

Should there be any questions regarding this matter, please contact this office.

The Letter was signed by the Supervisor, General Sanitation and the Director of Sanitation Division.

President Schaad said to show the letter received and filed.

RE PROSECUTING ATTORNEY

The following letter was received from Mr William Brune, Prosecutor of Vanderburgh County:

Gentlemen:

This letter is to advise that pursuant to your latest request for prior approval before taking out of town trips, a deputy prosecutor from our office will be traveling into Vincennes, Indiana, on Thursday, February 21, for the purpose of a pre-trial hearing on the case of State -vs- Millican, Cause No. 74-CR-1.

If such out of town travel is not approved for this case, criminal charges against the Defendant will have to be dismissed. If this trip is not authorized by you, please notify me immediately.

The letter was signed by Terry Noffsinger, Chief Deputy.

Commissioner Ossenber moved they approve the trip, Commissioner Willner seconded the motion. So ordered. Mr Ossenber also made as part of his motion that from now on they receive notice of these out of town trips as this letter was not received until the 22nd day of February.

Gene Clabes of the Courier asked about the woman who went to California. Mr. Willner said he had talked to Mr Lukens and he said that he had been so busy that he would bring it up again next month.

5.27 4  
RE LETTER FROM E. J. SPAHN

The following letter was received by the County Commissioners:

Dear County Commissioners,

As a group of taxpayers, we are petitioning to the County for the up-keep of our road. Five homes are on this road, and land-owners. We feel if the county does not keep up our road we are receiving nothing for our tax dollars.

This road we are petitioning is  $\frac{1}{4}$  mile west of highway 65 on Boonville New Harmony Rd, turn left next to Margrets Beauty Shop. The road is approximately one mile.

Please acknowledge as soon as possible.

Mr. Schaad said 15 people had signed this petition, and also they did not put the name of the road on the petition.

Commissioner Ossenberg moved they refer it to the Surveyor's office and then refer to Area Plan to come up with a name. Commissioner Willner seconded the motion, so ordered.

At this time President Schaad talked on the County Roads, he said there were so many roads that don't come up to County specifications. He said the County is fixing these roads and then finding out that they have not been accepted by the County. He said they would just have to take them as they come up.

Gene Clabes asked about Gasoline Tax, and Bill Stephens said the State pays Gasoline tax only on roads the County Maintains. Tom Ossenberg said they should give a blanket policy to every builder. Mr Willard said on Mt Pleasant Road they had a right of way for 20 feet, but when the road was done they had done 50 feet. County Attorney William Stephens said they should get the right-of-way and then accept the road.

RE CLAIMS

The following claims were presented to the Commissioners for Approval:

A claim for Terminal Warehouse for storage of voting machines in the amount or \$500.00. Commissioner Ossenberg moved it be approved, seconded by Commissioner Willner, so ordered.

A claim for Browning Ferris Industries in the amount of \$2,038.75. Commissioner Ossenberg moved it be approved, seconded by Commissioner Willner, so ordered.

A claim for Brinks, Inc. in the amount of \$269.35. It seems the rates have gone up and Mr. Stephens said if they don't agree with them they could give them 30 days notice. Commissioner Ossenberg moved they approve the claim and Mr Willner seconded. So ordered.

RE LETTER COUNCIL OF GOVERNMENTS

The letter reads as follows:

County Commissioners:

This is to inform you of the action taken by the board of Trustees of the South-west Indiana and Kentucky Council of Governments concerning the employment of E. Kenneth Marlin.

Since he is no longer employed with COG, the Commissioners should decide whether to pay him only through the duration of accumulative vacation or to grant him some further termination pay.

Commissioner Ossenberg moved they pay him through February 28, 1974. Commissioner Willner seconded the motion. So ordered.

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RE: SURVEYOR'S OFFICE

Mr. Ludwig presented the following cut-ins for the commissioners to approve.

Indiana Bell request permission to cut into Adler Road to bury telephone wire service.

Waterworks request permission to cut into Felstead Rd and Reisser Dr. to put in 8" water line to provide water service.

Commissioner Ossenberg moved the cut-ins be approved, seconded by Commissioner Willner, so ordered.

Mr Ludwig also presented the following claims for approval:

Vandever Dodge in the amount of \$14.50 for repairs.

Evansville Blue Printing in the amount of \$146.58.

G. H. Allen in the amount of \$10,882.00 for Ruston Lane Bridge #107.

G.H. Allen in the amount of \$25,049.88 for Trapp Bridge #21.

Deig Brothers in the amount of \$3,562.50 for Allens Lane over Locust Creek.

G.H. Allen in the amount of \$2,439.92 for Lenn Becker over Eagle Slough. Mr Ludwig said this was a final payment.

Commissioner Ossenberg moved that the above claims be approved, seconded by Commissioner Willner. So ordered.

RE JACK WILLARD

Mr Willard first presented his letter of resignation effective March 4, 1974.

Commissioner Ossenberg moved they take the letter of resignation under advisement.

Mr Willard also said he needed salt but when he went to purchasing they told him Mr Cravens was snowed in in Indianapolis and if the Commissioners would OK it they would make out a purchase order, also the same with crack filler.

President Schaad said for Mr Willard to turn in a purchase order and if there are any questions to call him.

Mr Willard presented a letter to the commissioners concerning uniforms and the letter reads as follows:

Attention: Mr Bob Schaad, President

Dear Sir:

As you are aware, we have been awarded the contract for rental uniforms service for the County Highway employees.

The bid called for a price per employee per week with exceptions for vacations.

I met with Ms. Alice Lee on Wednesday of this week and recommended that we discount the vacation allowance within our weekly charge for services, rather than have both your office and ours trying to keep track of each individual's vacation schedules. Ms. Lee agreed that my recommendation would offer some relief in bookkeeping chores, and reduce the chances for error.

I am writing this letter to you for approval to bill for our services in that manner. Here's how it works:

Our accepted bid was \$3.00 per week per employee. According to Ms. Lee, each employee receives a maximum of two (2) weeks vacation, which means we would discount the charge for each employee \$6.00 during the term of the contract. The contract runs from March 1 to December 28th (43 weekly service dates). We propose to discount fourteen (14¢) cents weekly for vacation allowance which will adequately cover the \$6.00. (43 weeks times (X) 14¢ + \$6.02).

Therefore, with your approval, we will be billing for uniform rental services at the rate of \$2.86 per week per employee (instead of \$3.00) which will automatically include our discount for vacation allowance.

Thank you for allowing us to make both our bookkeeping chores a little easier.

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The letter was signed by B. Paul Montgomery, Sales Manager, Means Service.

Commissioner Willner moved this be approved and was seconded by Commissioner Ossenberg, so ordered.

RE: BELL TELEPHONE CO.

Mr Willard said he received a bill from the Telephone Co. concerning the ditch they cleaned out on Long Acres on Oak Hill Rd. He said the telephone company said a telephone cable was cut in the ditch, Mr Willard said the Highway Dept. did not cut this cable. He said Staub Inc. constructed the ditch and they said they did not cut the cable either. Mike Ludwig said this was not a legal drain, but the Telephone Co. did not put the cable deep enough, only about two (2) foot under the ground, and he does not feel the County should pay this. President Schaad said they would refer tis to the County Attorney.

RE: ROBERT WILLNER

Mr. Willner said that since Mr Willard and Mr Whobrey were there he had a question to ask of them. He said on the work sheet they have got a Thomas Schmitz and a Robert White who worked on a holiday and are off. He said now on this trash detail when we have a three day weekend the trash builds up and they have some complaints. So he is asking Mr Willard if they couldn't work out where 2 men were off another day inst4ad of that Holiday and keep those places clean. Mr Whobrey said if they plan ahead they could do this. Mr Willard said they have agreed to work on Monday and take off the next Friday.

RE: BILL JUDD:

President Schaad asked Mr Judd How things were going at St. Wendel and Mr Judd said he was out htere the other day and inspected it and on that intersection he believes there may ba a need for some kind of Mediah out there.

RE HERMAN HOTZ

Mr Hotz said theye are 4 parcels of land out on Green River Rd. that should be declared surplus. He said he didn't believe anyone would bid on either of the four houses. The opinion of Mr Hotz, Mr Crooks and the Commissioners is that the houses be burned down.

Mr Hotz asked if in the event they couldn't burn the houses and have a wrecking firm to tear them down, could they use invitational bids and not advertise.

The County Attorney said to get three (3) invitational bids. Commissioner moved that they approved it in case they can't burn the buildings. Commissioner Ossenberg seconded the motion. So ordered.

Mr Hotz also said he went before the County Council last week about Emergency Lightning at Hillcrest and Washington Homes. He said they had an inspection by the State fire marshall and he said at the informal meeting they discussed it and there are other things that are going to come up that have to be done to meet the Federal Standards the State has adopted. He said they have received no report from the State which should be in anytime. He said they requested money for the installation of Emergency Lighting system, but the Council seems to feel they had rather wait and see first just what has to be done and do it all at one time. He said they also have to have 25 guage metal an all inside doors but they could take care of that out of their maintenance budget. He said they also have to change the glass in the windows.

Mr. Crooks said he would recommend they go to the manufacture and have them make up the specs. President Schaad said they would get all the information together and go before the County Council again next month.

The subject of the Colisium and the Court House came up and Mr Hotz asked it the people who had them leased don't make repairs that meet the new Federal Standards, would the County have to. County Attorney Stephens said the leases say that they will meet all Federal Standards.

President Schaad said he had a letter from Bob Hamilton concerning a house that should be on sewer, Mr Hamilton feels the County should pay the tap-in fee. Mr Stephens said he remembers they got one free tap in but he remembers nothing about a tap-in fee fee for this house. Mr Hamilton said they plan to use the house for an office even after the club house is built. Mr Stephens said he would look at the lease and contact Mr. Hamiltons Attorney.

RE JACK HARNES

Mr Harness presented a new agreement for Appointment of the County Home. He said this agreement is for 4 years beginning March 1, 1974 to February 28, 1978. He said he talked this over with the County Attorney and he prepared this contract He said he would like to have this contract executed so he could have it filed in the County Clerks office. Mr Harness said this contract is written so as to let the County out in the event the home is sold or closed.

Commissioner Willner moved they accept the contract, seconded by commissioner Ossenberg. So ordered.

Meeting recessed at 11:16 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u>                         | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEY</u>           | <u>REPORTERS</u>                  |
|---|-----------------------|----------------------------------|-----------------------------------|
| Robert Schaad<br>Thomas Ossenberg<br>Robert Willner | Curt John, Dep.       | William Stephens<br>Thomas Swain | C. Leach<br>S. Clark<br>G. Clabes |

Secretary: Margie Meeks  
Minutes prepared by Janice Decker

*Bob Schaad*  
\_\_\_\_\_  
*Thomas L. Ossenberg*  
\_\_\_\_\_  
*Robert L. Willner*  
\_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
MARCH 4, 1974

The meeting of the County Commissioners was held on Monday, March 4, 1974, at 9:30 a.m., in the Commissioners Hearing Room.

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

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

RE: COUNTY OWNED SURPLUS PROPERTY

There was no bids on the County-owned surplus property today. The sale will continue.

RE: JIM ANGERMEIER...NEW APPRAISALS READY OF SURPLUS PROPERTY

Commissioner Schaad had a list of property that Mr. Angermeier gave to him to add to the present surplus properties. This list had his appraisals on it.

Mr. Volpe said these have never been advertised, so we will have to do so. These are properties that we took over in December.

Commissioner Willner moved we advertise all of these except for the property owned by Mr. Hooe at 715 S.E. Third, Code # 20-86-18. Commissioner Ossenbergh seconded the motion. So ordered.

At this time Mr. James Hooe explained the problem he has with this piece of property. He is purchasing this property, on contract, and he was not aware that Mary Sharp had passed away.

Mr. Volpe said the tax bills kept going to her. The amount of \$970.00 is now due on the property, previous to this year.

Commissioner Willner moved that if it is legal, we give Mr. James Hooe a quit-claim deed for the amount of the back taxes. Commissioner Ossenbergh seconded the motion. So ordered.

RE: EMPLOYMENT CHANGES....APPOINTMENTS

COUNTY AUDITOR

|                   |                       |            |                               |
|-------------------|-----------------------|------------|-------------------------------|
| Mable Winkler...  | 7418 E. Mulberry..... | Clerk..... | \$15.00 per day...Eff:2-27-74 |
| Edna Castrup....  | 426 Richardt Ave..... | Clerk..... | \$15.00 per day...Eff:2-27-74 |
| Agnes Lichtenfeld | 637 S. Fares Ave..... | Clerk..... | \$15.00 per day...Eff:2-27-74 |
| Beverly Nance...  | 643 Adams.....        | Clerk..... | \$15.00 per day...Eff:2-27-74 |

RE: OVER 65 EXEMPTION

At this time Mr. Volpe asked the news media if they would please let the people know that we are now filing Over 65 Exemptions on the main floor of the Civic Center.

RE: EUGENE JOHNSON...QUIT CLAIM DEED

Mr. Johnson said this is concerning improvements only on property at Columbia and Fares.

Mr. Volpe said too often in the past we've had the land and improvements separated and we've lost an awful lot of money from people just walking away from the improvements, so we are going to try and put the improvements back on the land in all cases. He said on this list Mr. Angermeier turned in he believes it is defined as improvements only, if it is so.

Mr. Johnson said he doesn't think he has it that way but the deed states this. He said what we've done he thinks is illegal, as we've come back and added

not only the tax sale but the subsequent taxes and another penalty. In this particular situation you came up with an Auditor's Assessment which covered everything back.

Mr. Volpe said if this quit claim goes through we will void this Auditor's Assessment. He said this is an undefined section of the law that we don't know what to do with. Its been going on for so long and we would like for the state to give us a definite ruling, but they just won't do it.

Mr. Johnson said this is county owned and it will have to be advertised. There is no quit claim, as the county has the deed.

Mr. Swain said then what you want is for us to remove it from the sale and he said no he just wants that Auditor's Assessment off because it looks like a lien against that real estate whereas before it was only against the improvements.

Mr. Volpe asked then did the commissioners want him to remove the Auditor's Assessments and they said yes.

Mr. Johnson said it seems to him the best thing to do would be to go ahead and advertise this property of Mr. Hooe's also.

Mr. Volpe said it doesn't matter, just let him know what to do as Mr. Hooe does have a problem.

Commissioner Schaad said since Mr. Swain wasn't in the room at the time that Commissioner Willner made the motion on Mr. Hooe's property, they would like legal advise on it. He said the motion was made that we approve a quit-claim deed to Mr. Hooe on the amount of taxes due. Mr. Hooe is the purchaser on a conditional sales contract. The real owner never told him that there was taxes due, so it is now up for sale.

Mr. Swain said even though Mr. Hooe was never notified it doesn't make any difference, as the taxes are due, and that is between the buyer and the seller, and has nothing to do with the county. We're not interested if the buyer or the seller is supposed to pay the taxes, all we are interested in is the tax money. Whose responsibility it was to pay the taxes is not our problem.

Commissioner Ossenberg said yes, but had Mr. Hooe known this he would have paid the taxes.

Mr. Swain said yes, he is sure he would have, but we don't need to get into the middle of that. But we have a perfect right to sell it when the taxes aren't paid.

Commissioner Ossenberg said actually Mr. Hooe probably would be better off if we would go ahead and advertise this and let him come in and bid on it, and he could probably get it for less money.

At this time Commissioner Willner withdrew his former motion and Commissioner withdrew his second.

Mr. Volpe wondered if there is anyway we can declare the sale void.

Mr. Swain said possibly, if he never received proper notice.

Mr. Volpe said proper notice was sent, but the real owner received it and Mr. Hooe was never advised of it.

Mr. Swain said after the meeting he would come down and search the records.

Commissioner Willner moved that we defer this for one week and refer it to Mr. Swain to check out then report back to the Commissioners. Commissioner Ossenberg seconded the motion. So ordered.

RE: MR. STAUB...CONCERNING NORTH GROVE STREET

Commissioner Schaad this is where we had all of the problems a couple of weeks ago where the residents on N. Grove Street complained that trucks of Staub Contracting Co. and of Crowe Brothers Wrecking Co. have torn up North Grove Street.

Mr. Tony Miller was present to represent Staub and stated they are purchasing the dirt from Mr. Crowe, who owns property out there. He said they are using dump trucks with legal licenses and legal weights.

Mr. Crowe said his parents have owned this ground out there for about seven years. He said he does want the commissioners that their trucks aren't the only trucks that are using this road. He said he can go back twenty three years on this road knowing it hasn't been paved from then. If he can keep the people happy as far as going out there twice a year and putting in say ten ton of asphalt, he would be happy to do so. He would be glad to do his part and take some of the blame, but not all of it. There are some people out there that want to see the road repaved, but there is no way he can do this.

Commissioner Ossenberg said this is only part of it, he thinks with all of this dirt being hauled the dust is just terrible, and they are complaining about this also.

Mr. Miller said this is the only access to the dirt and they have had a large project going with fifteen trucks hauling dirt, but this won't likely happen again.

Commissioner Schaad said he realizes that the people would like to see this Street repaved, but with the heavy truck traffic on it would it even hold. He said we have had this dust problem with other roads and what they did was the person responsible for hauling the dirt would water the road or street down.

Mr. Miller said they did do this when it was real dry and dusty, this last fall. They have also stopped their drivers and told them to slow down while on Grove Street because it really isn't very long. He has even told the people out there to report a driver that is going to fast.

Mr. Willard said they have done a lot of patch up work out there but they have not repaved it because there just simply is no base out there and it would not hold. The road is not really wide enough for two trucks to pass on.

Commissioner Schaad asked approximately how many people live on this street and Mr. Willard said about twenty families. Mr. Schaad said then do you think we would be justified in going out there and widening this and paving it correctly, with the proper base.

Mr. Swain said if we close this street to repave it then we would have to establish an alternate route, and we couldn't do that on this street.

Commissioner Willner said the question was on the proper zoning and if you do have the proper zoning then it is up to us to repair the road but we need to straighten out the zoning first.

Mr. Crowe said they are continuing to work on that. They were told when they bought this property that anything on the road is industrial.

Commissioner Schaad said its true the zoning needs to be worked out, but that won't solve the dirt problem they are having out there. He asked Mr. Willard about the condition of the road now, does it need cleaning up and Jack said no.

Commissioner Ossenberg said he thinks they are going to be coming before the Environmental Protection Agency where they are going to make these people cover their trucks loaded with this dirt.

Mr. Miller said they don't lose much from the trucks but its the dust picked up from the wheels.

Mr. Willard said if we are going to go in there and resurface that road then we need to let a contract on it.

Commissioner Schaad asked how wide the road is and Mr. Willard said about twenty feet, not very wide.

Commissioner Ossenberg moved that the North Grove Street project be referred to the County Surveyor's office and that they come back to us with a report on it. Commissioner Willner seconded the motion. So ordered.

RE: LETTER....BROWNING-FERRIS INDUSTRIES

Commissioner Schaad read the following letter from Browning-Ferris.

TO: COUNTY COMMISSIONER'S OFFICE  
SUBJECT: LANDFILL PRICE INCREASE, EFFECTIVE FEBRUARY 26, 1974.

Dear Sirs:

Due to many factors which affect the operation of a Sanitary Landfill, it is necessary that we increase our Disposal Rates as follows.

Present Rate.....\$1.55 per ton  
New Rate.....2.50 per ton

The new rate will become effective February 26, 1974.

Very truly yours,  
Rod Van Zee, Manager

Commissioner Schaad said he thinks this is a very healthy increase, but he doesn't know anything we can do about it, if we are going to dump out there, he guesses we'll have to pay their rates, since we don't have a contract with them.

Letter was referred to County Attorney Tom Swain to investigate and report back to us. Mr. Swain said instead of referring this to him why not ask Mr. Van Zee to appear before them and explain this to us.

Commissioner Ossenberg moved that we contact Mr. Van Zee and ask him to appear before the County Commissioners with a total explanation of this rate increase. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO TRAVEL....MARY BROWN...COG

Commissioner Schaad read the following letter from Mary Brown:

Dear Sirs:

Please consider this letter as a request to travel to Indianapolis, Indiana March 6th and return on the 7th.

I will be visiting the Area HUD Office to get their opinion on the grant application being prepared by the Council Of Governments.

Sincerely, Mary Reno Brown  
Administrative Planner

Commissioner Ossenberg moved that she be allowed to travel and that the County pay the expenses. Commissioner Schaad seconded the motion. So ordered.

RE: LETTER...BUYER FOR S. 41 BRIDGE

The Commissioners received the following letter from the law office of Trockman, Flynn, Swain and Tyler:

Dear Marsha:

Would you please place on the agenda for next Monday, March 4, 1974, or in the alternative ask the County Commissioners to discuss with me, the sale of the bridge on U.S. Highway 41 South of the levee which the Indiana State Highway Commission has tried to abandon and return to Vanderburgh County, Indiana?

We have two (2) prospective purchasers who are interested in making some use of the property.

Dick Nussmeyer also knows about the proposed use and can be part of the discussion.

Yours very truly,  
Thomas M. Swain

Commissioner Schaad asked these two persons present to please come forward and identify themselves. They were Mr. Charles Riley, 1701 Henning Ave. and Mr. Ralph Stapleton, 1670 Broadmoor Ave.

Mr. Nussmeier said a couple of weeks ago he was in touch with a gentleman from the state highway department and the state wants to give us this bridge, because they have no use for it. So if these two men want to buy this bridge it might be a solution because we have no need for it either, and it would cost us to tear it down and haul it off.

Mr. Riley said they checked with Corps of Engineer's. One of the first things they checked was to see if the Corps of Engineer was going to dredge a ditch in that area and they informed him that they did not plan on doing anything in that area in the near future.

Mr. Riley said they want to use this old bridge for a storage place. He said he was under the impression that the Corp of Engineer was going to build a bridge out there in this area and he thought maybe they could dig a trench down to the other bridge.

They are going to complete the road up to this bridge they are interested in buying.

Commissioner Schaad said he doesn't think we could just sell this out right to them, without taking bids on it, after declaring it surplus.

Mr. Riley said he thinks this is the only way the state could return the property to someone, other than the county, or the original land owner, but they cannot return it to heirs.

Mr. Nussmeier said he would think the county would want a bond, so if anything happened, because if it goes back on the tax roll that wouldn't be any good and also we'd be caught with the bridge on our hands.

Commissioner Schaad asked if the land under the bridge is good farm land and they said no it is not good land.

Commissioner Willner said he is not too concerned about the selling of it, as he would just soon give it to them, but he would like to get it off the tax roll.

Commissioner Osseberg said he thinks we should seek legal advice on this before taking any action, because there is a question of the legal heirs taking title to it.

Commissioner Willner moved that we refer this matter to our County Attorney for legal opinion, from him and also from the State.

Commissioner Osseberg asked Mr. Riley about how big this bridge is and he said approximately 15,000 ft.

Commissioner Willner said if all goes well and they can purchase this bridge do they intend to bridge the gap that has been knocked out, or what.

Mr. Riley said they will fill it with solid fill and then blacktop over that. He said there will be a dock at one end of the storage place for trucks to unload.

Commissioner Osseberg seconded Commissioner Willner's motion. So ordered.

RE: CLAIMS

The following claim was received from Condict and Fosse, Architects for Architect's fee as shown on the attached statement. Evansville Comprehensive Mental Retardation Center. in the amount of \$707.00.

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

RE : CUTS-IN

Applications for cuts-in were received from the following:

Waterworks Department requests permission to cut into Nurrenbern Road.  
Indiana Bell Telephone requests permission to cut into St. Joe Road.

Commissioner Willner moved that these cuts-in be approved. Commissioner Ossenbergh seconded the motion. So ordered.

RE: MR. NUSSMEIER

Mr. Nussmeier presented the following letter from the Southern Railway System to the Commissioners.

Gentlemen:

Please refer to your letter dated December 13, 1974 concerning Southern Railway Bill K00016 in the amount of \$1,114.49 and asking for an explanation of the billing procedure.

The referred to bill was made in accordance with rules set out in PPM-30-3 and in accordance with agreement dated February 8, 1971. The charges were for actual work performed and was \$8.51 under the estimate of \$1,123.00.

Very truly yours,  
R.A. Kelso, Chief Engineer

Attached was a bill stating the following:

For costs incurred by Southern Railway Company for account of the Board of Commissioners of Vanderburgh County, Indiana, in connection with widening and improving Burkhardt Road, 1,314 ft. West of Milepost 5-EB, Evansville, Ind.

Date First work performed: February 1971  
Date final work completed: October 30, 1973

Agreement Dated: February 8, 1971

Records supporting charges in this billing are in the office of the Assistant Vice President, Room 701, Southern Railway Building, 95 Spring Street, S.W. Atlanta, Georgia 30303.

Mr. Nussmeier said he checked with Sam Biggerstaff and there was some sort of agreement with the R.R. but he can't find it.

Commissioner Ossenbergh said he doesn't mind paying this, because it is no doubt due, but the questions is, where it it coming from.

Mr. Nussmeier is going to check into this matter further and report back his findings.

RE: CLAIM

Mr. Nussmeier presented the following claims for payment:

|  |           |
|--|-----------|
| FEIGEL CONSTRUCTION CORPORATION...Koring Road Estimate No.2... | \$3676.61 |
| Plus 10% Retention.....  | \$3049.57 |
| TOTAL  | \$6726.18 |

This is a final bill.

Commissioner Ossenbergh moved that the above claim be approved.

Commissioner Willner seconded the motion. So ordered.

ROBERT F. TRAYLOR CORP....Burkhardt Road over Boesche Ditch. For work completed between January 15th. and March 5th. 1974....Amount Due..\$9,511.39

Commissioner Ossenberg moved the above claim be approved. Commissioner Willner seconded the motion. So ordered.

RICHARD G. NUSSMEYER...Trip to Indianapolis from Evansville and the return for a conference with Kenneth Hart of Road and Streets North of Green River Road and Heckle Road North of Highway 57.....In the amount of \$49.05

Commissioner Ossenberg moved that the above claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: PETITION OF ACCEPT COUNTY ROAD

Mr. Nussmeyer said a couple of weeks ago they had a petition to the county for the up-keep of a road out by Booneville-New Harmony Road. This street didn't have a name. He said he would recommend that we do not accept it.

Commissioner Schaad said this road is not up to county specification, and if we accept this one there will be many others come before us. Commissioner Willner moved that we write a letter to each of the people on the petition and tell them if the road is brought up to county specifications we will accept it, and also that we send them each a copy of the specifications.

Commissioner Ossenberg seconded the motion. So ordered.

RE: PERMISSION TO TRAVEL

Mr. Nussmeyer said he would like for two of his men to have permission to travel to Purdue University to go to road school. These men are Danny Hartman and David Gulliaum.

Commissioner Willner moved that these two men be granted permission to go to this school. Commissioner Ossenberg seconded the motion. So ordered.

RE: JACK WILLARD

Mr. Willard presented the Commissioners with a list of roads to be resurfaced.

Commissioner Schaad asked him if this was taken from the list prepared by the Area Plan Commission and in order of priority with the worse ones first and Jack said yes.

Commissioner Schaad said the Commissioners would look this list over and see what they can do and then get the money.

RE: PROBLEM....GAS FOR HERMAN HOTZ

Commissioner Schaad said we are having a problem as far as Herman Hotz is concerned on the gasoline consumption. He is way over on the gas that he has been pumping from the city tanks. In 1972 he did get gas out at the county garage, then there was the problem that the state board of account saying you can't give trucks that aren't working on the highway, that gasoline from out there. He thinks what was happening though, was the money that Herman was paying back to the county, Mr. Volpe was putting back into the County General Fund, which of course wouldn't be correct. We understand now that if that money was put back into Highway County Garage Funds then there would be nothing wrong with it, because the money would go right back to be used on the county roads.

Mr. Willard said based on the amount of gas they got in 1972, they are now getting 80% of that.

Commissioner Schaad said that Mr. Hotz got 328 gallons of gas in 1972, so 80% of that would be the amount he could get now, and then when the claim comes through on this we must be sure that it goes to the Highway Fund, instead of the County General Fund, that way there wouldn't be any problems.

Commissioner Willner moved that the Commissioners approve the amount of 262 gallons of gasoline for Herman Hotz for the year 1974 from the County Highway Garage. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIM...KEY MOTORS CORP.

Mr. Willard said we finally got the titles for the two new trucks out at the Highway Garage. The claim was as follows:

KEY MOTORS CORP....Two 1974 Ford F706 Cab and Chassis with 10' Dump Body per bid of 11-13-73....In the amount of \$13,481.82.

Commissioner Ossenber moved that it be approved and was seconded by Commissioner Willner. So ordered.  
Commissioner Schaad said let the record show that the titles will be turned over to the Auditor's office.

RE: SALT NEEDED BY COUNTY HIGHWAY

Mr. Willard said that Mr. Cravens called him about some salt he ordered and when he found out how much it would be he backed down. It would be \$14.20 per ton, and we have been paying \$9.50. The city has a contract where they are paying \$10.20 per ton. Mr. Cravens said the county can't get in under this bid. Mr. Willard said he would like to suggest that we try to get by without buying any more salt this year.

Commissioner Ossenber asked Mr. Willard if he has tried every avenue that he can think of and he said yes.

Mr. Willard said if they do have a freak problem he can always get sand for less than \$2.00.

Commissioner Willner said he doesn't know but what the sand doesn't do a better job anyway. So he would go on record saying that we don't order any more salt this year. The other two Commissioners agreed with this.

RE: CUT ON ST. JOE AVENUE

Commissioner Willner wondered if any one has checked in on that cut that was made on St. Joe Avenue to get it repaired and Jack said he called Vonderahe Plumbing and told them they needed to blacktop it and he said they would but he doesn't know when.

Commissioner Willner said he would suggest that Jack call them back and tell them to do it within the next week or else you will do it and then bill them. Mr. Willard said he would do this.

RE: DUMPSTERS

Commissioner Willner said with the wind blowing like it has been he has been swamped with calls from people complaining about stuff blowing from them.

Mr. Willard said he talked to Mr. Parker the other day about putting fences up and blacktopping the spaces and he was under the impression that Mr. Parker was to get back to him on this.

Commissioner Schaad said he too talked to Mr. Parker about this and he was under the impression that Jack is to get back to him. He said this is going to be a chain link fence, seven feet high, and we are going to put a pipe in the ground that will be a little bit larger than the iron post. He said at each site Jack should check with the people on them to see just exactly where they want them, so that no mistakes will be made on that, and also how many dumpsters on each site.  
He said that the Perry Township Fire Department said they wanted theirs taken away, but they have since had a meeting and they said under the new offer we have that they might be interested in having them again. They are going to have a meeting to consider this and will let us know what they decide.

RE: NEED OF A NEW BELT FOR BELT LOADER

Mr. Willard said he needs a new belt for the belt loader. He was instructed to go to Mr. Cravens to purchase this.

Mr. Willard asked permission of the Commissioners to travel to Indianapolis to purchase some tarpaulins from the Army Surplus.

Commissioner Willner moved that Mr. Willard be permitted to travel to Indianapolis, at the County's expense. Commissioner Ossenberg seconded the motion. So ordered.

RE: MR. JUDD

Commissioner Schaad asked Mr. Judd about the signs being down out at Old State and Baseline Roads. Mr. Judd said he went out there and the stop signs were not down.

Commissioner Willner said that he went out there and the sign is standing there but its just stuck in the ground.

Mr. Judd said he would again check this out, and see that it is repaired.

RE: HERMAN HOTZ

Mr. Hotz said speaking of the four houses on Green River Road, he talked to Mr. Hanson, one of the original owners, and he indicated that in the purchasing agreement they would be given either 30 or 60 days before these buildings were torn down to give him time to get anything out of there that he needed. So he would like for the County Attorney to check this out and send them a letter giving them sufficient notice of either 30 or 60 days.

Mr. Swain said they already have had their 30 days, infact they've already had their 60 days.

Commissioner Willner said what he thinks Herman means is this man wants official notice.

Commissioner Schaad told Herman to call the gentleman that handled the purchasing on this and he said he would do this.

Mr. Hotz said there is also a gas regulator stationed there and he went back and looked at it and his impression is that the two houses north can be burned without taking a chance, but he would like for Mr. Willner to stop by and look at them and give us his opinion on it. Mr. Willner said he would be happy to go by and look it over.

Commissioner Schaad said we certainly wouldn't want to take any chances, so we might have to take bids and have them torn down.

RE: CAR GIVEN TO DICK NUSSMEYER

Mr. Nussmeyer said that Mr. Hotz wants to give him a car and he certainly would like to have it if he can get some gas for it.

Commissioner Willner asked him if he has any money in his gasoline account and Dick said yes, but they will need it all.

Mr. John said they can transfer it from another account into their gasoline account without any problems as long as he would get a letter in to him on it.

RE: ST. JOE CONDEMNATION

Commissioner Schaad asked Mr. Swain about this St. Joe condemnation, and wondered if he has checked into it yet and he said no not yet, but that he would and report back.

The meeting recessed at 11:05 a.m.

PRESENT:

COUNTY COMMISSIONERS

Robert Schaad  
Thomas Ossenberg  
Robert Willner

COUNTY AUDITOR

Lewis F. Volpe  
Curt John (Dep)

COUNTY ATTORNEYS

Thomas Swain

REPORTERS

S. Clark  
C. Leach  
G. Clabes  
J. Kisner  
B. Gladish

Bob Schaad  
Tom Ossenberg  
Robert A. Willner  
 BOARD OF COUNTY COMMISSIONERS

SECRETARY: M. MEEKS  
Minutes prepared by Janice Decker

COUNTY COMMISSIONERS MEETING  
MARCH 11, 1974

The meeting of the County Commissioners was held on Monday, March 11, 1974, at 9:30 a.m. in the Commissioners Hearing Room.

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

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids on the County-owned surplus property today. The sale will continue.

Commissioner Willner asked if the new property had been advertised and President Schaad said yes, he said Mr Volpe had held out that piece of property belonging to Mr. Hooe. President Schaad said it was the agreement of the three Commissioners that Mr. Hooe had no idea what was going on.

President Schaad said if they advertise it he could buy it for just paying the taxes, but how would they know there would be no other bidders on it.

Commissioner Willner moved that they advertise it, but, they accept no other bids except Mr. Hooes'. The motion was seconded by Commissioner Ossenber, so ordered.

RE: POOR RELIEF

Mr. Olsen was there and spoke about Mr. Edward Green. Mr. Olsen said after speaking to Mr. Gene Whitehead, Mr. Green's employeer, this dissolves the objection they had before, the objection they had was not being able to get a wage record on Mr. Green.

President Schaad said when he first came to see them, he didn't understand that he had to be turned down by the Trustee before the Commissioners could help him.

Mr. Olsen said that now they have a wage record, he is going to be considered.

Mr. Turpin, from the Legal Aid Society, spoke at this time. He said this problem came to him last week and he feels that a total lack of standards are in the Trustee's office, especially the procedures standards that are granted in the constitution and had he not called Southern Indiana Gas & Electric Co. and the Water Department they would have turned off Mr. Green's utilities last week.

Mr. Turpin said he had a form that can be filled out if the Trustee turns a person down and then can appeal to the County Commissioners.

President Schaad asked Mr. Turpin if he would leave a copy of the form with him.

Mr. Olsen said he felt if one Trustee used these forms, than the other Trustees' should be instructed to use them too.

County Attorney William Stephens said they couldn't make them use the form, but he would sure recommend that they use it.

Mr. Turpin said his point is this: Doesn't the Commissioners have the right to set standards where there is a lack of standards and he thinks they have the right to require them to use these forms because there are not any standards.

County Attorney Tom Swain asked Mr. Turpin where this is at and Mr. Turpin said it is in the Burns Statute.

County Attorney Swain asked Mr. Turpin to call him as to where this is in the Statute.

Mr. Olsen said they have another poor relief by the name of Mr. George Quarrels. He said Mr. Quarrels draws unemployment of \$44.00 per week and the claim will run out in sixteen (16) weeks.

Mr. Olsen said they paid his utilities in January and February. Since Mr. Quarels was not there it was referred back to the Trustee.

RE: EMPLOYEE CHANGES

APPOINTMENTS:

COUNTY GARAGE

|                |                   |       |           |         |
|----------------|-------------------|-------|-----------|---------|
| Bobby Cobb     | 719 Garfield Ave. | Labor | 3.297 Hr. | 2/17/74 |
| Thomas Schmitz | 801 S.E. Second   | Trash | 3.297 Hr. | 2/17/74 |

KNIGHT TOWNSHIP ASSESSOR

|             |                   |           |           |         |
|-------------|-------------------|-----------|-----------|---------|
| Donna Dugan | 1301 N. Roosevelt | P.T. Dep. | 15.00 day | 3/4/74. |
|-------------|-------------------|-----------|-----------|---------|

RECORDERS OFFICE

|                     |                 |           |         |         |
|---------------------|-----------------|-----------|---------|---------|
| Carolyn Ann Carlile | 4606 Omer Place | Deed Dep. | 4850.00 | 3/4/74/ |
|---------------------|-----------------|-----------|---------|---------|

RELEASES

COUNTY GARAGE

|                |                   |       |           |         |
|----------------|-------------------|-------|-----------|---------|
| Bobby Cobb     | 719 Garfield Ave. | Trash | 3.297Hr.  | 2/17/74 |
| Thomas Schmitz | 801 S.E. Second   | Labor | 3.297 Hr. | 2/17/74 |

COUNTY SURVEYOR

|               |             |        |         |         |
|---------------|-------------|--------|---------|---------|
| Scott Althaus | 202 Hampton | Rodman | 5720.00 | 3/15/74 |
|---------------|-------------|--------|---------|---------|

RE: BROWNING-FERRIS INDUSTRIES

The following letter was received by the County Commissioners:

Mr. Thomas Ossenberg, President  
Mr. Robert Schaad  
Mr. Robert Willner

County Commissioners of  
Vanderburgh County  
City-County Building  
Evansville, Indiana

Gentlemen:

On February 25, 1974, a letter was sent to you concerning an increase of a dumping charge for the County at the landfill site operated by Browning-Ferris Industries. This letter stated that the price previously charged to the County for dumping at the landfill site was \$1.55 per ton and that effective February 26, 1974, the charge would be \$2.05 per ton. I hope that you will accept my apology for the confusion caused by my sending this letter to you. This letter was sent to you in error. The rate of \$2.05 per ton is the normal charge made for dumping at the landfill. The County has always paid the normal dumping charge for materials disposed of at the landfill.

This letter was sent in error when I was erroneously advised that the County had been billed at a special reduced rate which had been charged to the City under the City Refuse Collection Contract. After the letter was sent, I discovered that the County had always been billed and had been paying the normal rate. I should have checked this before sending the letter and causing the resulting confusion. I hope you will accept my apology. If you have any other questions or wish to discuss this matter personally, please advise and I will be happy to discuss this with you further.

.Very Truly yours

545  
 President Schaad said to let the record show that the letter was received and filed.

RE: JOE O'DAY

The following letter was received by the Commissioners:

County Commissioners  
 Room 303 Administration Bldg.  
 Civic Center Complex  
 Evansville, Indiana 47708

RE: USE OF VOTING MACHINE

I am requesting the use of a voting machine for the Democrat County convention to be held on Saturday, March 16, 1974, at Democrat Headquarters, 1201 W. Columbia Street.

Thank you,  
 Joseph F. O'Day, Chairman  
 Vanderburgh County Democrat  
 Central Committee.

Commissioner Ossenberg said the policy in the past has been that they granted their request with the understanding that they sign a contract to pay for freight and also show proof when they return in case of damage.

Commissioner Ossenberg moved that they grant their request, seconded by Commissioner Willner. So ordered

RE: DOYLE DRESSBACK

The following letter from Mr. Dressback was received by the Commissioners:

Memo to: County Commissioners

Re; Proposed Travel for 1974

Pursuant to your recent directive the following will constitute my travel for the year as known now.

I.A.A.M. District Meeting-This meeting held April 7, 8, & 9 at Kitchener, Ontario. I am on two committees and an scheduled to give a report.

I.A.A.M. Nationa Convention- This meeting held July 21-27 at San Antonio, Texas. My committee work at district level will be carried over to the national.

Barring unforeseen contingencies it is anticipated ample funds exist for these trips.

Sincerely,  
 Doyle Dressback

Commissioner Ossenberg moved that Mr. Dressback's request be approved and the County pay the expenses. Second by President Schaad.

Commissioner Willner asked why a manager of the auditorium be requested to travel out of the Country for any purpose. President Schaad said Mr. Dressback could not determine where these meetings will be held.

Commissioner Ossenberg said when he was in the City and Mr. Schiff was out at the stadium, he was the official member of the City Council of that particular Board. He said this was an International Organization and it was approved by the Board and the City Council to permit Mr. Schiff to travel to British Columbia, as these meetings are held in the United States and out of the United States. He said this was two (2) years ago, last year it was held in the United States.

RE: DALE WORK

The following letter was sent to the County Commissioners:

To: County Commissioners

From: R.D. Work Director

We have just received Accounting DPW Bullentin No. 136 (revised) dated March 1, 1974 from the State Department of Public Welfare. This Bulletin cites changes in the method of payment of travel expenses to employees of the County Department of Public Welfare. These changes were brought about by the provisions of Public Law No. 45 and Public Law No. 154, Acts of 1974.

This necessitates a revision in the method of issuing travel warrants to Welfare Department employees. We would appreciate your co-operation in allowing us to cause these checks to be issued around the middle of each month rather than on the first Monday. (Our preliminary research with the Auditor's Office indicates this change would create no problems whatsoever for that office.)

President Schaad asked Curt John if there would be any problem with this and Curt said no, there would be no problem.

RE: HEALTH DEPARTMENT

The following letter was received by the County Commissioners:

Mr. Ed Herrmann  
735 Hesmer Road  
Evansville, Indiana

Dear Sir:

This Department has received several complaints regarding what is apparently a recent practice of dumping and/or allowing the dumping of trash and debris on your property located at the END OF HERMANN ROAD

It will be necessary for this area to be closed to all further dumping of any type. In addition, in correcting the present unsanitary and/or objectionable condition, it will be necessary either to remove all such material to the city landfill operation, or for the area to be compacted by a bulldozer, and covered with a minimum of twenty-four (24) inches of earth or clean fill, to remove the possibility of this area becoming an insect or rodent harbor.

This action, by the Health Department, is authorized by the Indiana Public Health Laws, Chapter 355, Acts of 1963, Section 30, which reads as follows:

"Open dumps are hereby declared to be nuisance hazardous to human health, and as such are not suitable means of refuse disposal. Except as herein provided, on or after January 1, 1969, disposal of garbage, rubbish and refuse on lands in this state shall be made only through use of sanitary landfills or by means of incineration, composting, garbage grinding or other acceptable methods approved by the state board. No person, firm, association, corporation, City Town, political subdivision of the state, or unit of government shall establish, operate or maintain open dumps, whether or not the service is performed for compensation or gratis, on or after January 1, 1969; provided, however, that the state board may upon written application authorize for a limited period the continued operation and maintenance or or after January 1, 1969, or any existing open dump."

A reinvestigation will be made in approximately fifteen (15) days to determine if this condition has been corrected. If you feel that we may be of assistance to you in correcting this condition, please contact us.

Yours very truly,  
Sam Elder,

President Schaad said to let the record show that the letter was received and filed.

RE: JUSTICE OF PEACE

President Schaad said according to the law of the population as to how many J.P.s the County can have.

President Schaad said according to a new census that Pigeon Township, that now has two (2) J.P.s and according to the new census they are entitled to just one.

In Knight Township, according to the new census, they can have two (2). Even though Knight Township can have two (2) the Commissioners feel that one is enough. Commissioner Ossenbergh moved that the number of J.P.s in Knight Township and Pigeon Township be set in at one (1). The motion was seconded by Commissioner Willner. So ordered.

Commissioner Willner asked if the J.P.s would be put on the ballot for one (1) year terms and the County Attorney said if the statute is valid, they will serve one (1) year terms, but if the law is questioned, they will have to have a special election. Mr Stephens said he did not believe it will come to that, because they may abolish it at the end of the one (1) year term.

RE: CLAIMS

A claim for Browning-Ferris Industries in the amount of \$2,038.75 was presented to the commissioners for approval. Commissioner Ossenbergh moved the above claim be approved, seconded by Commissioner Willner. So ordered.

A claim for Torian Agency Inc. in the amount of \$18.00 for the bond of Jack Harness. Commissioner Ossenbergh moved it be approved, seconded by Commissioner Willner. So ordered.

At this time Mr. Dale Work of the Welfare Department came in and the Commissioners ask him about the letter he sent to them.

Mr. Work said they now have to keep an accurate record of the milage for the case-workers instead of planning ahead for the month as they used to do.

President Schaad asked if this was to be for the first month as they were led to believe and Mr Work said no, this is the way it will be every month.

The Commissioners were in agreement that this request be denied.

RE: CLAIMS

A claim to Terminal Warehouse in the amount of \$500.00 for rent of storage of voting machines per contract from March 1, 1974 to April 1, 1974.

Commissioner Willner seconded the motion made by Commissioner Ossenbergh that the claim be approved. So ordered.

A claim to Elmer Umback in the amount of \$20.00 for Refund the difference between the cost of Master Plumbing License for 1973 and the Plumbing Registration Fee. Commissioner Ossenbergh moved the claim be approved. Seconded by Commissioner Willner. So ordered.

Another claim for the same refund for William Kuhlenschmitt for \$20.00 was moved by Commissioner Ossenbergh and seconded by President Schaad.

A claim in the amount of \$5.00 for Melvin C. Werner charged for new License-Journeyman Electrician was presented to the commissioners for approval. Commissioner Schaad seconded the motion made by Commissioner Ossenbergh.

At this time President Schaad said they had a few things hanging from last week: He said they had referred to County Attorney Swain for legal advise on Bridge on Highway 41 South. He said these men wanted to buy the bridge and they were waiting on word from Mr Swain.

Mr Swain said he is still pursuing this and what they want is the right-of-way grant.

President Schaad said also on the St. Joe Condemnation . Tom Swain said he has been trying to track down the appraisers, as there are four (4) of them. He said he would keep checking and report back.

RE: DON WELLS OF THE VOLUNTEER ACTION CENTER

Mr. Wells said last year they requested \$12,000.00 form the County Council and when it went to the State it was rejected on the basis that in Indiana this is not constitutional for a non-governmental agent to receive R & S Funds.

Mr Wells said this law has been changed. Mr Wells passed to the Commissioners a copy of this new law. He said he went to the informal meeting of the County Council on Wednesday and ask them what procedure he should take in order to request this consideration again. He said they referred him to the County Attorney and in the mean time his attorney had written a letter to Mr Stephens for a legal opinion.

He said his reason for coming to the Commissioners today was to explain to the Commissioners just what this law does. He said the governor signed this bill on February 18, 1974.

Mr Wells said they didn't know what procedure to follow, if they have to come to the Commissioners first and request a legal contract or go before the County Council and appropriate the money first. He said the \$12,000.00 would be used in the General Fund which is half of their budget, He said their budget is \$27,000.00.

Mr Wells went on to say this is for salaries, rent and other general office supplies and operating expenses. He said they had been funded \$12,300.00 by the Lilly Foundation. He said the Lilly Foundation funded them with the idea that the County Council was going to appropriate \$12,080.00, but when it went to Indianapolis it was rejected. He said they have been working on half their budget.

County Attorney Swain said they were still \$1,000.00 short and where were they going to get it, Mr Wells said this is another thing, they have been in existance for two (2) years on grants from outside this community. He said last year they raised \$3,000.00 in contributions. But this would be a one-time request.

County Attorney asked where this office was and Mr Wells said it was in the old Court Bldg. and they had two (2) employees, himself and one (1) secretary.

Mr Wells said the services they provide are placing volunteers for all agency's in Vanderburgh County. He said they also provide free transportation to the poor and handicapped.

Commissioner Ossenberg asked if they owned any vehicles and he said no, this was all voluntary.

Mr Wells said this would be for the rest of the year, at which time he intends to approach the United Fund.

County Attorney asked the salaries being paid and Mr Wells said the salary of the Director was \$9,500.00 and the salary of the secretary is \$5,080.00.

President Schaad said this was declared illegal last year and he was wondering why it was back on the agenda.

Mr Wells said they were merging with the Youth Service Bureau Crisis Line.

County Attorney asked if the County Council granted this money, would it hinder them in any way in getting funded by the United Fund.

Mr Wells said if they approach the Council for a one time deal he doesn't fell this will hinder them.

County Attorney Stephens said they would have to see the County Council first and get the money and then they can sign a contract.

Curt John suggested they have something to present to the County Council showing they are in favor of it.

County Attorney Stephens said for Mr Wells to present some sort of budget to the County Council and if they appropriate the money then he can come back before the Commissioners with a proposed contract.

RE: DICK NUSSMEYER

Mr Nussmeyer said they had two (2) bridges amounting to about \$100,000.00. He said if they get separate contracts, they will be hard to control the work. Mr Nussmeyer said they were already funded on the priority sheets.

President Schaad said it was just a matter of approving plans and advertising.

Commissioner Willner moved they approve the plans and advertise, Commissioner Ossenberg seconded the motion, so ordered.

Mr. Nussmeyer said they finally found the folder on Southern Railroad. He ask Curt John if the funds were encumbered for Burkhardt Rd. and Curt John said he would check on it. Mr Nussmeyer said they received this claim last year but it had been lost and now they have found it. He said they paid one bill on this. He said they have sent them a letter and they submitted this bill.

County Attorney Stephens said to pay this and then get a letter saying this is the final payment. This claim is in the amount of \$1114.49, Dick said they paid \$296.44 in November of 1971 but he doesn't know if this \$1114.49 is the total bill or if they deducted the \$296.44 from the final bill.

Mr John is going to check this out and report back.

Mr Ludwig said they would probably have to appropriate new money for this.

President Schaad said to let the record show that Mr John is going to check this out and see if the money can be transferred and report back next week. Mr John said for Mr Nussmeyer to come down to the office and they will see what they can find.

RE: CLAIMS

Mr Nussmeyer said they overlooked a claim for J.H. Rudolph Co. last year in the amount of \$7032.06. He said 5 % was withheld until the job was completed. Commissioner Ossenberg moved the claim be approved, seconded by Commissioner Willner, so ordered.

Mr Nussmeyer presented another claim for Fiegel Construction Co. in the amount of \$2394.47. This claim also had a change order. Commissioner moved the claim be approved, Commissioner Willner seconded the motion. So ordered.

A claim for George Ryan in the amount of \$14,970.59 was also presented by Mr Nussmeyer. Commissioner Ossenberg said they were out there yesterday and after the hard rain there was no water standing. Commissioner Ossenberg moved the claim be approved, seconded by Commissioner Willner. So ordered.

A claim for John Singer in the amount of \$77.38 for milage was moved for approval by Commissioner Ossenberg and seconded by Commissioner Willner, so ordered.

A claim for mileage for Mr Nussmeyer was presented for approval in the amount of \$33.80. Commissioner moved it be approved and was seconded by President Schaad.

Mr Nussmeyer said he would like to bring to the attention of the Commissioner that Mr Leo Weiss of the Engineer Associates had five (5) or six (6) plans for the water works and with the approval of the Commissioners he will go over and meet with Mr Stahlings and report back next week. Commissioner Ossenberg said he would approve and Commissioner Willner seconded. So ordered.

RE: MARTIN'S LANE

Commissioner Ossenberg said they were out there the day before this meeting and this is a bad situation. He said after that hard rain the whole area was flooded.

Commissioner Ossenberg said the Board of Health was brought in on this and there is debris all over the place blocking the drain. He said the Board has ordered them to clean it up but there is a hassle out there between two (2) contractors, one is Joe Edwards and the other is Jacobs.

Commissioner Ossenberg said it is not only a health hazard but a safety hazard as well. He said there is nothing to show a dead end street and if anyone going that way that is not familiar with that street would drive right off the street and in the land. He said while it is private property, they have not lived up to their promises with the Board of Health.

Commissioner Ossenberg said he talked with Mr Sam Elder that very morning and he said he was going back out there. Commissioner Ossenberg said he would like a clarification from the County Attorney's is it required of them to put in a dead end street sign.

County Attorney Stephens said he doubted it they would be required to do this.

Commissioner Ossenberg said the county had not accepted this road.

County Attorney Stephens said if the county has not accepted this road, then the contractors would be responsible if anyone got hurt out there.

Commissioner Ossenberg said there is no blocking what so ever and they might as well have a dump out there.

County Attorney Stephens said this new Building Ordinance will take care of situations like this. The area plan commission is supposed to see that the developer builds the streets as the plans are. He said he would suggest the property owners complain to the contractors, but if the County Commissioners want to put up a dead end sign at the County's expense, than to go ahead.

President Schaad suggested that all of these jobs be inspected.

Commissioner Willner moved that the County erect a dead end street sign on Martin's Lane, also as part of that motion that no other permits be granted until the contractors contact them and straighten up the un-sanitary condition of that property. The motion was seconded by Commissioner Ossenberg. So ordered.

President asked Mr Nussmeyer about N. Grove Street and Mr Nussmeyer said he would check on it and report back concerning widening or Improveing it, or whatever it needs.

At this time County Attorney Stephens said concerning the cut cable of the Telephone Company. Mr Stephens said he wrote a letter to the Telephone Company. The bill was for \$161.00. He said he got a letter back from the Telephone Company and they want any information concerning the contract as to whether the Commissioners let Mr. Staub do the work and what form. He said this info would assist them in placing the responsibility for the damage.

Mr. Stephens asked Mr Nussmeyer if he had a copy of this contract and Mr Ludwig said this was a verbal contract and was in the minutes of the County Commissioners.

Mr. John suggested on this Burkhart Road deal, to subtract the \$296.44 from the \$1114.49 and send them a copy of it. Commissioner Willner moved that this be done and President Schaad seconded the motion.

RE: JACK WILLARD - COUNTY LINE ROAD

Mr Willard said about five (5) or six (6) months ago, Mr Gerald Farney converted a ditch through his field right out into the road and now they have no road there.

He said now when they rebuild the road, the rain just washes it away. Commissioner Willner said permission was given for this ditch by the past commissioners, so it was at least two (2) years ago. President Schaad said they would try to find out.

County Attorney Stephens said he guessed they would have to file suit against Mr.

Farney. Commissioner Willner said he feels whatever action they take on it they should back it up.

President Schaad said to let the record show that they are referring this back to the County Attorney and to put it on the agenda for next week.

Mr. Willard gave a letter to the Commissioners from a Mr Robert Whitehouse, the letter was regarding summer time employees, and addressed to the County Garage, City Garage, State Garage, Park Department, and the Recreation Department.

The letter said in order to plan for summer employment they need an accurate list of number of jobs each Department will have available. Please call at 426-5581 by Wednesday, March 13th, to give this information. They would also like a list of employees who worked last summer and if they would want them back again this summer.

County Attorney Swain said this was City business,

President Schaad said to let the record show that this is referred to the County Attorney.

Mr Willard also presented a Work and Material Summary and a list of absentees to the Commissioners.

President Schaad said on fixing roads, they should use the priority list on which roads should be done first, he said the Gasoline Money at the County Garage is in the neighborhood of \$460,000.00 at the end of February.

President Schaad feels what they should do is look at this list, at least as far as contractual and refer them to Mr Nussmeyer or Mr Ludwig so they can prepare specs so they can ask for bids. He said to do this on the roads that will not be done by Mr Willard.

Mr Willard said these contractors go out and grade the shoulders of the roads and cut them back and then lay the black top down and go off and leave them and not grade the shoulders back. He said the water now runs right down the side of the pavement.

Mr Nussmeyer said they put this in the bids but they did not get very good results.

Mr Hotz said on Petersburg Road they cut the shoulder to wide.

President Schaad said they should do fewer roads and do them right so they don't have this drainage problem.

Commissioner Willner said when they let these bids they should put it in the contract that they do the shoulder and the drainage as well.

Mr Nussmeyer said they could put the shoulder work in the contract but not the ditch work.

Commissioner Willner said that for all roads done this year they should be inspected to see that the work is done right.

President Schaad said that for all roads to be done they should put in the contract all work to be done, including the shoulders.

RE: HERMAN HOTZ

Mr Hotz spoke on the replacement and repair of the water storage tank at Pleasant-view Rest Home. He said they had received only one bid. Commissioner Willner moved that they get at least one more bid. Seconded by Commissioner Ossenbergh, so ordered.

President Schaad said there was to be a transfer of a station wagon from the Supt. of County Buildings to the Surveyors office.

RE: HOUSES ON GREEN RIVER ROAD

Mr Hotz said he received a bid of \$2500.00 for the burning of these houses. He said the McCutchanville Volunteer Fire Department have offered to burn the houses for nothing.

Commissioner Willner moved that the McCutchanville Volunteer Fire Department be permitted to burn these houses. Seconded by Commissioner Ossenber, so ordered. Commissioner Willner said he thought Mr Hotz should be there.

Mr Hotz said Mr Keith Lochmueller went through the inactive storage area and he was wondering if Mr Lochmueller had this right.

President Schaad said even though Mr lochmueller worked for the City, he has always been cooperative with the Commissioners and President Schaad doesn't see anything wrong with it.

County Attorney said these were public records and anyone can look at them at proper times.

RE: MR JUDD

Mr Judd said his monthly report had been sent in before he had a chance to look at it. He said the posts he had been using had gone up and the correction would be made next week.

RE: CARROLL'S TWIN CINEMA THEATER

County Attorney Stephens said he sent the following letter to Carroll's Twin Cinema Theater.

Carrolls Twin Cinema  
Town Center  
Evansville, Indiana

RE: 1972 - 1973 - 1974 Show License Fees

Gentlemen:

The Vanderburgh County Commissioners have requested me to advise you that the office of the Auditor of Vanderburgh County show that you have failed to pay your State Show License for the years 1972, 1973 and 1974 in the sum of \$30,00. I understand that you have heretofore have been notified by the County Auditor of this delinquency. A copy of his letter to you dated Januaty 10, 1974 is enclosed.

Would you kindly remit payment on this account as soon as possible.

Very truly yours,

William D. Stephens  
Vanderburgh County Attorney

Mr Stephens said he had received no reply on the letter and he would recommend the Auditors Office notify the State that they had not replied.

Commissioner Willner moved that the Auditor's Office notify the State and seconded by President Schaad. So ordered.

THE MEETING RECESSED AT 11:52 a.m.

PRESENT:

COUNTY COMMISSIONERS

Robert Schaad  
Thomas Ossenberg  
Robert Willner

COUNTY AUDITOR

Curt John Dep.

COUNTY ATTORNEYS

William Stephens  
Thomas Swain

REPORTERS

C. Leach  
G. Clab  
S. Clark  
B. Gladish

Bob Schaad

Thomas Ossenberg

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

Secretary: M. Meeks  
Minutes prepared by Jean Wilkey

COUNTY COMMISSIONERS MEETING  
MARCH 18, 1974

The meeting of the County Commissioners was held on Monday, March 18, 1974, at 9:30 a.m. in the Commissioners Hearing Room.

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

RE: COUNTY OWNED SURPOUS PROPERTY

Mrs. Irene Jones of 635 Olive Street came to bid on some property which is tax code 24-30-5. After checking that property, it was discovered that it was already sold to Evansville Ins. and Financial Service on 8/20/73. President Schaad said to let the record show that the sale will continue.

RE: EMPLOYMENT CHANGES...APPOINTMENTS

VANDERBURGH COUNTY ELECTION BOARD

|                  |                  |                                     |             |
|------------------|------------------|-------------------------------------|-------------|
| Edward L. Knight | 1113 E.Riverside | Head Mec.Voting Machine..\$2.50 hr. | EFF:3-18-74 |
| Perry Neal       | 510 Baker        | Head Mec.Voting Machine..\$2.50 hr. | EFF:3-18-74 |

COUNTY TREASURER'S OFFICE

|  |          |              |             |
|--|----------|--------------|-------------|
| Anita June Sawyer..5404 Cunningham..Clerk-Posting... | \$216.27 | Semi-monthly | EFF:3-18-74 |
| Marjorie Keeney...2013 Ridgeway...Clerk-Posting..... | \$216.27 | Semi-monthly | EFF:3-18-74 |

RE: EMPLOYMENT CHANGES.....RELEASES

COUNTY TREASURER'S OFFICE

|   |          |              |             |
|---|----------|--------------|-------------|
| Virginia Parrish....3313 N.12th.Ave.....Clerk-Posting.... | \$216.27 | Semi-monthly | EFF:3-15-74 |
| Helen Krietemeyer...R.R.5 Box 61....Clerk-Posting....     | \$216.27 | Semi-monthly | EFF:3-15-74 |

RE: MONTHLY REPORT...COUNTY TREASURER'S OFFICE

The monthly report from the County Treasurer's office for the month ending February 28, 1974 was received and ordered filed.

RE: APPOINTMENT...ALCOHOLIC BEVERAGE COMMISSION BOARD

President Schaad said they have an appointment to make to the Alcoholic Beverage Commission Board and he would move that they re-appoint Mr. Bill Ossenberg, father of Tom Ossenberg to this. Commissioner Willner seconded the motion. So ordered.

RE: LEO WEISS....EICHOFF ROAD

Mr. Weiss presented to the Commissioners, twelve of fifteen descriptions for right-of-way for Eichoff Road. He said he had contacted Evansville Titles and they are ready to run abstracts on these. These descriptions were turned over to attorney Bill Stephens .

Mr. Weiss said there would be fifteen descriptions in all, plus some easements from S.I.G & E.Co. and also from the L & N R.R.. He said in the future if he should receive anything, should he just turn it over to the attorney instead of bringing it to the Commissioners and Commissioner Schaad said yes.

Commissioner Willner asked Mr. Weiss if he got together with Mr.Edward Muehler and he said yes, he did contact him and what he wanted was he has a couple of nice size seed trees in there and he would like to save them and he told him that they would save them for him.

RE: LEASE ON COLISEUM

The following letter was received by the commissioners from the Council of Veterans Organizations concerning the lease of the coliseum.

555

March 1, 1974

Board of County Commissioners  
Vanderburgh County  
Evansville, Indiana

GENTLEMEN:

Notice is hereby given by the Veterans Council of Vanderburgh County, Indiana of exercise of option of renewal and extension of Lease, dated April 8, 1971, as provided in Item Nineteen of said lease, under the same terms and conditions thereof, for an additional term of Three (3) years, from April 8, 1974 and ending on April 8, 1977, of the premises commonly known as the Coliseum, located at Fourth and Court Streets, Evansville, Vanderburgh County, Indiana.

THE VETERANS' COUNCIL OF  
VANDERBURGH COUNTY, INDIANA

ROBERT L. HERRMANN  
COMMANDER

Commissioner Willner moved the request be granted, seconded by Commissioner Ossenberg. After some discussion about insurance, Commissioner Willner amended his motion to say that the County continue paying the insurance on the Colisuem. Seconded by Commissioner Ossenberg. So ordered.

RE: FEES FOR ELECTION BOARD

The following letter was received by the Commissioners from Shirley Cox, County Clerk:

Board of County Commissioners  
City County Building, Room 305  
Evansville, Indiana

Gentlemen:

We hereby request that your Board make proper record and ruling regarding the payment of Election Pricinct Boards in the one-hundred and seventy-seven (177) pricincts for the Primary Election to be held May 7, 1974 as follows:

|                       |         |
|-----------------------|---------|
| Inspectors.....       | \$40.00 |
| Judges.....           | 15.00   |
| Clerks.....           | 15.00   |
| Asst. Clerks.....     | 15.00   |
| Sheriffs.....         | 15.00   |
| Polling Places.....   | 30.00   |
| Meals (per meal)..... | 2.00    |

Sincerely,

Shirley Jean Cox,  
Secretary, Vanderburgh  
County Election Board.

RE: SARATOGA DRIVE

The following letter was received by the Commissioners from Mr Dennis Parrish:

To Whom it May Concern,

I am greatly concerned with the speed at which some cars travel down Saratoga Drive during the day and early evening when children are out and tend to play in their own front yards. I have noticed a great deal of traffic coming from the north end of Saratoga heading south. I would appreciate it if something could be done to slow traffic down in this residential area. I feel that a posted speed limit of not over 20 mph and signs informing all traffic of children at play should be posted.

Sincerely, a concerned homeowner  
Dennis R. Parrish  
2414 Saratoga Drive

President Schaad said he has another letter which reads as follows:

Mr & Mrs Brian D. Hopkins  
2408 Saratoga Drive  
Evansville, Indiana 47711

Board of County Commissioners  
305 Administration Building  
Evansville, Indiana 47708

Dear Gentlemen:

As concerned parents and homeowners in the Keeneland Court subdivision, the attached question addressed to "Hotline" in Sunday, March 10, 1974, Evansville Courier and Press reflects our concern for two (2) reasons.

The first is danger of severe bodily harm or death to our children resulting from blantant disregard for cautious driving displayed by users of the Keeneland Court roads. Our repeated attempts to discourage these careless drivers through shouts to slow down has brought only obscene gestures and increased speeds. It is our belief that both homeowners in the Valley Downs Subdivision located behind Keeneland Court and construction workers, employed by Guthrie May, share the balme. As stated in the Hotline question, speed simit signs would be a step in the right direction.

The second area is one about which you as an elected County Commissioner should be concerned. It is the lack of action after over one (1) year of repeated attempts on the part of Keeneland Court residents to get this problem under control through normal channels (i.e. The Board of County Commissioners). In an age of public distrust of elected officials, your lack of action is disheartening. We believe that speed limit signs are the first step. But without enforcement of these limits through significantly increased Sheriff patrols, the signs would be ineffective. Your response through planned action as a result of this problem being again brought to light is anxiously awaited.

Sincerely,  
Mr & Mrs Brian D. Hopkins

President Schaad said they still have another letter which reads as follows:

BOARD OF COUNTY COMMISSIONERS:

I live in Keeneland Court, a small residential area out in the County. We have no speed limit signs on our street, which is Saratoga Drive, and cars and big, heavy construction trucks go speeding down our street to get to another subdivision, Valley Downs, in back of us. We have a lot of small children in this area and it is becoming very dangerous for them. Also the big trucks are tearing up our streets. Last September, I talked to five different County offices and one of the County Commissioners in hopes of getting a speed limit sign and also of getting the street repaired. So far, nothing has been done. Last week I wrote Hot Line and they called your office and they said that I should write to your office concerning these problems. Could you please see that something is done to remedy this situation.

Mrs. James Miller  
2220 Saratoga Drive

Commissioner Ossenberg said he would like to respond to this, he said Don Katterhenry brought this to his attention last year. At that time their request was to have signs "Slow, Children at play" and Mr Judd put the signs out there. He said the signs are still there. He said Mr Katterhenry came in later and said he appreciated the signs put out there and now he wanted speed signs. So the signs were put out there last year as they requested. But as the matter of the three letters, he makes a motion that they refer this to Area Plan and they come back with a report. Commissioner Willner asked if this should be referred to the traffic department instead of Area Plan

Commissioner Ossenberg said Area Plan is the one who set the speed limits in the County. County Attorney Stephens said they discussed this and decided the best way was to send them to Mr Judd. Commissioner Ossenberg then moved they refer these to Mr Judd, seconded by Commissioner Willner. So ordered.

RE: VOTING MACHINES ON ELECTION DAY

The following letter was presented to the Commissioners by Shirley Cox:

Board of County Commissioners  
City County Building, Room 305  
Evansville, Indiana

Gentlemen:

We hereby request that you extend an invitation to the various transportation companies of our city of Evansville to bid on hauling the following:

- 1 Voting machine
- 1 Fifty-foot rope
- 3 Iron Stakes
- 1 Ballot box
- 1 Box I.D. Cards

for each of the One-hundred and seventy-seven (177) precincts in Vanderburgh County, Evansville, Indiana.

There will be two (2) machines needed in the following precincts: 1-18, 1-2, 1-25, 2-5, and C-9.

This hauling is to be started on Saturday, May 4, 1974, and to be completed not later than 6:00 p.m., Monday, May 6, 1974.

Sincerely,  
Shirley Jean Cox, Secretary  
Vanderburgh County Election Board

Tom Shetler said they had always advertised, but he doesn't know why. He said he checked with the State Board of Accounts and they can advertise for joint bids.

He said the costs this year would be approximately \$45.00 per machine in the City and \$50.00 outside the City. He said this is both pick-up and delivery of the machine.

County Attorney Stephens said to advertise and put in the specs that joint bids will be considered. Also they will need a performance bond.

Another letter from Mrs Cox was received by the County Commissioners, the letter reads as follows:

Board of County Commissioners  
City County Building, Room 305  
Evansville, Indiana

Gentlemen:

We hereby request that your Board hand over to the Vanderburgh County Election Board all voting machines and keys to voting machines at your earliest convenience. Mechanics are scheduled to begin checking and preparing machines for use in the Primary Election to be held on May 7, 1974, on March 18, 1974.

Sincerely,  
Shirley Jean Cox, Secretary  
Vanderburgh County Election Board

President Schaad said they would have to notify Mr Volpe to turn the keys over to the Election Board. Commissioner Ossenberg so moved, seconded by Commissioner Willner, so ordered.

RE: BUSSING CONSTRUCTION AND REALTY CO. (LETTER)

President Schaad said they received the following letters from Mr. W.C. Bussing, Jr.

County Commissioners  
Vanderburgh County  
Civic Center  
Evansville, Indiana

Gentlemen:

I am enclosing copies of my letters dated July 30, 1968, and May 23, 1973, requesting street acceptance in Evergreen Acres and Old State Estates. I feel these letters are self explanatory, and that I am due a decision after this length of time.

I am also enclosing a copy of a letter dated May 23, 1973, requesting street acceptance on Holly Hill Drive, Berry Drive, and Holly Court. As of this date I have not received a decision.

At this time I am requesting that additional streets in Evergreen Acres be officially accepted by Vanderburgh County. Prior to construction of the following streets, the plans were approved by the County Engineer and the County Engineer's office was informed before the start of construction. The streets were built according to plans and specs, the curbs are back filled and cracks tarred.

**Section "K" Evergreen Acres:**

Commencing at Holly Hill Drive and extending in a south-westerly direction approximately 1000 ft. on Berry Drive.

**Section "L" Evergreen Acres:**

Commencing at the intersection of Holly Hill Drive and Holly Court, and extending approximately 450 ft. in a northwesterly direction of Holly Hill Drive.

Commencing at the intersection of Larch Lane and Red Bud Lane and extending in a westerly direction approximately 900 ft. on Red Bud Lane to the intersection of Holly Hill Drive.

Sincerely,  
W.C. Bussing, Jr.

County Commissioner,  
Vanderburgh County  
Court House  
Evansville, Indiana  
July 30, 1968

Dear Sir:

The following streets are being submitted for County Acceptance.

EVERGREEN ACRES

Larch Lane from Pine Place north to Mt Pleasant Road, approximately 1500 feet

Holly Hill Drive from Larch Lane northwest approximately 900 feet.

Berry Lane from Holly Hill Drive north to Larch Lane approximately 500 feet.

OLD STATE ESTATES

Heather Place from Pine Place north approximately 500 feet.

Pine Creek Drive from Heather Place East and South to Old State Road, approximately 1400 feet.

Sincerely,  
W.C. Bussing, Jr.

May 23, 1973

County Commissioners  
Vanderburgh County  
Civic Center  
Evansville, Indiana

Gentlemen:

I am requesting that the following streets be officially accepted by Vanderburgh County:

EVERGREEN ACRES

Larch Lane from Pine Place north to Mt. Pleasant road, approximately 1500 feet

Holly Hill Drive from Larch Lane northwest, approximately 900 feet

Berry Lane from Holly Hill Drive north to Larch Lane, approximately 500 feet.

OLD STATE ESTATES

Heather Place from Pine Place north, approximately 500 feet.

Pine Creek Drive from Heather Place east and south to Old State Road, approximately 1400 feet.

On July 30, 1968, I submitted by letter the above streets; a copy of the July 30, 1968 is attached. Your official records show the receipt of the letter, but official acceptance can not be found.

Since my request in 1968 for acceptance, Vanderburgh County has been maintaining the streets.

Sincerely,  
W.C. Bussing, Jr.

May 23, 1973

County Commissioners  
Vanderburgh County  
Civic Center  
Evansville, Indiana

Gentlemen:

I am requesting that the following streets be officially accepted by Vanderburgh County. The streets are located in Section J, Evergreen Acres.

Hollow Hill Drive from Berry Drive northwesterly, approximately 600 feet.

Holly Court from Holly Hill Drive, approximately 1000 feet, in a "U" shape design, terminating on Holly Hill Drive.

Sincerely,  
W.C. Bussing, Jr.

Commissioner Willner moved they refer these to the County Engineer for his recommendation. Mr Nussmeyer said they could find nothing on any of these streets being accepted.

Commissioner Ossenbergsaid Mr Bussing said back in 1968, the Commissioners accepted parts of these roads and Commissioner Ossenbergsaid they went through the minutes, but were unable to find anything.

President Schaad said to clear it up, they should consider them all as new requests, Commissioner Willner so moved, seconded by Commissioner Ossenbergsaid, so ordered.

RE: HEALTH DEPARTMENT

The following is a copy of a letter sent by the Health Department:

Dorothy M. Jeffreys  
4318 Claremont  
Evansville, Indiana 47712

Dear Mrs. Jeffreys:

This department has received several complaints regarding what is apparently a recent practice of dumping and/or allowing the dumping of trash and debris on your property located at REAR OF 4326 CLAREMONT

It will be necessary for this area to be closed to all further dumping of any type. In addition, in correcting the present unsanitary and/or objectionable condition, it will be necessary either to remove all such material to the city landfill operation, or for the area to be compacted by a bulldozer, and covered with a minimum of twenty-four (24) inches of earth or clean fill, to remove the possibility of this area becoming an insect or rodent harbor.

This action, by the Health Department, is authorized by the Indiana Public Health laws, Chapter 355, Acts of 1963, Section 30, which reads as follows:

"Open dumps are hereby declared to be nuisances hazardous to human health, and as such are not suitable means of refuse disposal. Except as herein provided, on or after January 1, 1969, disposal of garbage, rubbish and refuse on lands in this state shall be made only through use of sanitary landfills or by means of incineration, composting, garbage grinding or other acceptable methods approved by the state board. No person, firm, association, corporation, city, town, political subdivision of the state, or unit of government shall establish, operate or maintain open dumps, whether or not the service is performed for compensation or gratis, on or after January 1, 1969; provided, however, that the state board may upon written application authorize for a limited period the continued operation and maintenance on or after January 1, 1969, or any existing open dump."

A reinvestigation will be made in approximately fifteen (15) days to determine if this condition has been corrected. If you feel that we may be of assistance to you in correcting this condition, please contact us.

Very truly yours,  
Sam Elder, Director,  
Sanitation Division.

President Schaad said to let the record show the letter received and filed.

RE: MARTINS LANE

The following letter dated March 15, 1974, was received from the Building Commissioner concerning Martins Lane.

To: County Commissioners

From: Jesse C. Crooks, P.E.

Subject: Drainage and Trash on Martins Lane

Investigation of the trash complaint on Martins Lane sent in by S.G. Clifford against a contractor shows, as usual, dual responsibility. We find these things:

1. There is now one (1) house under construction which is at 7301 Sycamore.
2. There is a lot of trash dumped into the road and apparently this is done by the neighborhood.
3. It appears the contractors (Housebuilders) are doing about half the damage.

It has been set up by our department to withhold further permits until the roads are accepted or released by the commissioners.

Jesse Crooks

President Schaad asked Mr Crooks if the contractors had been notified about this and are they going to do anything about cleaning it up.

Mr Crooks said the contractors have been notified.

Commissioner Willner said first they must make a decision, are the contractors causing this and if they are, put a stop order on all building until it is cleaned up.

Mr Crooks said the contractors are only half responsible, the neighbors are as much to blame as the contractors.

Commissioner Ossenberg said he didn't object to the County Highway Department cleaning up the County Roads, but, the big mess is on private property. He said he has been in contact with Sam Elder and they have been warned repeatedly by the Health Department to clean it up, but the requests have been ignored.

President Schaad asked if this is the street where they agreed to put up a "dead end street" sign last week and Commissioner Ossenberg said yes.

County Attorney Swain said this is a hassel between two (2) contractors.

Commissioner Willner said if this street has not been dedicated or accepted by the County, then they have no jurisdiction whatsoever.

County Attorney Swain said it had been dedicated but not accepted.

Mr Crooks said he thought the contractors would clean it up, but that is just half of the problem.

President Schaad said they were going to refer this to Mr Swain to work it out with Mr Crooks.

RE: UNFINISHED BUSINESS

President Schaad said he feels they need something in the agenda regarding unfinished business, he said some times they have something in the minutes and they don't bring them up at the next meeting and they are forgotten. He feels this is what has happened in the past.

President Schaad said the first thing is: County Attorney Stephens was to check with the Trustees regarding the form.

Mr. Stephens said as he remembers it, they requested all Trustees to use this form but he wasn't supposed to contact them. He said he and Mr Swain looked over the form and it was an easy form to fill out and they didn't see any reason why the Trustees couldn't use them. He said they all agreed that they could not make the Trustees use it, but they could recommend it.

President Schaad said he would like for Mr Stephens to write to all the Trustees recommending they use these forms.

Mr. Jim Rode, of the Legal Aid said he talked to Mr Morrison and he said he would not use the form no matter what the Commissioners said unless told to by the State Board of Accounts.

President Schaad said to let the record show that Mr Stephens is going to write to the Trustees in behalf of the Commissioners, urging them to use these forms.

President Schaad said another thing, regarding Dale Work's request last week, the way the minutes read is that unless they kept reading down the minutes it would appear his request was granted. He said in the future he feels it would be best if everything pertaining to a certain subject was kept together in the minutes.

President Schaad said another thing on unfinished business is the Bridge on Highway 41 South, he said these men wanted to buy the bridge and they have been waiting on word from Mr Swain and they are still waiting. Mr Swain asked Mr Nussmeyer if he had received anything from the State Highway Commission, and Mr Nussmeyer said he had received nothing.

Mr Ludwig said they were supposed to received a copy of the right of way.

President Schaad said another thing pertaining to Mr Swain is the St. Joe condemnation suits. Mr Swain said he found the appraisers and the appraisals on the land was \$500.00.

He said he wasn't sure what the court appraisals were.

President Schaad said he felt they needed all the information, so they would have it again next week.

President Schaad asked Mr John if they straightened out the Burkhart Road Deal and Curt said yes, it would be on the next Council Call.

President Schaad said he remembers that they agreed to pay this, but the problem was they didn't know where the money was coming from. Mr John said they were transferring from the contractual account.

President Schaad said the last thing on unfinished business was this Mr. Farney, who dug the ditch and is flooding the road. Mr Swain said he is still persuing this.

RE: DICK NUSSMEYER

The following letter from Mr Ed Martin concerning North Grove Street was received by the Commissioners:

Board of County Commissioners  
Vanderburgh County  
Evansville, Indiana

Re: Grove Street Complaint

Gentlemen:

The County Engineering Department checked this street on March 13, 1974 and found it badly deteriorated in condition.

The only answer, is to make this a major project in repairing this road.

Most of the homes in this area have no pipe under their drives, water stands everywhere, so it would be a waste of time and money to Blacktop this road without taking care of the water problems which are tremendous. Most of the people in this area could not afford to but the pipe necessary to help eliminate part of the existing water problems.

In checking our files, we cannot find that Grove Street is an accepted County Road even though the County Garage has maintained this road in the past.

In summation, I hereby request that the County Commissioners decide exactly what you would like to do in regard to this street. Possibly, Chip and Seal or a major project which includes base course, Surfacing and Drainage.

Our Department will do whatever is necessary.

Respectfully Submitted  
Edward C. Martin, Asst. County  
Highway Engineer

Mr Nussmeyer said this road has been maintained by the County for thirty (30) or forty (40) years.

President Schaad said they couldn't find where this is a County accepted road.

Mr. Nussmeyer said this road has a sixty (60) foot right-of-way. It has no curves or sidewalks.

President Schaad said this is another street like Jobes Lane, the County maintains them even though they have not been accepted by the County.

County Attorney Willam Stephens said he feels they should accept these roads before they repair them.

Commissioner Willner moved they accept North Grove Street for maintenance and Commissioner Schaad asked if they wanted to do something about Jobes Lane while they are at it and Commissioner Willner said if Jobes Lane had a sixty foot right-of-way he would make it a part of his motion, but Mr Nussmeyer said he thinks only fifteen (15) feet belong to the County.

Mr. Martin said on Jobes Lane, the developer put in curbs and gutters assuming they would receive right-of-way.

Mr Nussmeyer said this is a private Lane and he feels they should co-ordinate this with the City.

Commissioner Willner moved the County Engineer get with the City Engineer and see if they can get the right-of-way. The motion was seconded by President Schaad, so ordered.

Mr. Nussmeyer said on the Green River Road Project, he met with Mr. Weiss and talked to Mr. Stahlings. He said they only have a thirty (30) foot right-of-way.

Mr. Weiss said it would have to go to the Water Board.

Commissioner Ossenberg moved they contact Charlie Miller and try to get some leniency here. Seconded by Commissioner Willner. So ordered.

RE: CUT-INS

The following cut-in was presented to the Commissioners for approval: Indiana Bell Telephone Co. for permission to cut into Bayou Creek Road to replace buried telephone wire.

Commissioner Ossenberg moved it be approved with Commissioner Willner seconded, so ordered.

Mr. Nussmeyer showed the Commissioners a plan on Burgdolt Road, He said this is two (2) jobs. He said it was funded by R&S funds.

Mr. Nussmeyer said they would like to get one (1) contract on both jobs.

President Schaad asked Mr. John if they had enough local funds to match R&S funds and Mr. John said yes, they have been transferring out of contractual account.

Mr. Nussmeyer said if the Commissioners wanted to sign the plans, they would be ready to go about April 8th.

Commissioner Willner moved the plans be approved, seconded by Commissioner Ossenberg, so ordered.

RE: CLAIMS

A claim for Romines Marathon Station for oil filter and hub in the amount of \$12.65 was presented to the Commissioners for approval. Commissioner Willner moved the claim be approved, seconded by Commissioner Ossenberg, so ordered.

There were two (2) claims revised from last week for Mr. Nussmeyer for Traveling expenses from January 10, 1974 to February 12, 1974 and from February 20, 1974 to March 3, 1974. The first in the amount of \$22.64 and the second \$10.18.

Mr. Nussmeyer said the next two (2) claims are also revised from last week for John Singer, these are for traveling expenses for January 28, 1974 to February 14, 1974.

and the second is for \$25.56. Commissioner Ossenberg moved the above claims be approved, seconded by Commissioner Willner, so ordered.

RE: JACK WILLARD

Mr. Willard said all he had was an absentee list.

President Schaad said while Mr. Willard was here he wanted to ask him about three (3) different projects: The first is on Red Bank Road-Church.

The second is on Upper Mount Vernon Road, President Schaad said the people out there were wanting to know where they could buy tile. Mr. Willard said they didn't call him, so President Schaad said they must have called someone else.

The third was on Miller Road, President Schaad said this was on ditching and Mr. Willard said this was already done.

Mr. Willard said he had a question for the Commissioners, and the question is, when they clean or dig a ditch and the pipe is rusted and worn out, who buys the pipe, the property owner or the County.

Commissioner Willner said if the County is cleaning the ditch then the County is responsible, but, if the pipe just caves in then the property owner is responsible.

Commissioner Willner asked Mr. Willard how Mr. Krueger, the man injured was getting along and Mr. Willard said he was still in the hospital but was getting better.

President Schaad said Marcia Smith was making copies of the lists of gradings they are going to do this year and he told Mr. Martin that he would see that he got a copy.

RE: JESSE CROOKS

Mr. Crooks presented three (3) claims for Refunds for difference between cost of Master Plumbing License for 1973 and the Plumbing Registration Fee's. These claims are for Virgil Benton, Hiram Troutman and William Barnett. These claims are for \$20.00 each for a total of \$60.00.

Commissioner Ossenberg moved they be approved, seconded by Commissioner Willner, so ordered.

Mr. Crooks presented his monthly report for February, 1974, President Schaad said to let the record show this report received and filed.

Mr. Crooks showed the Commissioners where he had received the application for filing a claim suit against the Gypsum Company.

Mr. Crooks said this was a class action claim and it was for over priced Gypsum for the years 1966 and 1967. Mr. Crooks said this was for the City and County.

Commissioner Ossenberg said let the minutes show this received and filed, Mr Crooks said he had to fill this out and Commissioner Ossenberg said he knew this, but just for the matter of the minutes he wants it shown received and filed.

RE: MR JUDD

Mr. Judd presented his corrected monthly report. President Schaad said let the record show it received and filed.

RE: HERMAN HOTZ

Mr. Hotz presented three (3) bids on the Water Tank at Pleasnatview Rest Home, the bids are as follows:

|                                      |           |
|--------------------------------------|-----------|
| Evansville Wet Heat & Piping Co..... | \$2725.00 |
| Sandleben Plumbing & Heating.....    | 3029.00   |
| Goedde Plumbing & Heating.....       | 3076.00   |

Commissioner Ossenberg moved they accept the bid of Evansville Wet Heat & Piping Co. in the amount of \$2725.00, and also as a part of his motion is that a preformance bond be included. Seconded by Commissioner Willner. So ordered.

Mr. Hotz said on the burning of the houses on Green River Road, they were waiting for Southern Indiana Gas & Electric Company to remove the power lines.

RE: JAMES ANGERMEIER

Mr. Angermeier said whenever his line is busy (426-5273) it rings back to his outside office (426-5267). He said what he wants to do is switch it to ring on his Chief Deputies Phone (426-5272). He said this involves no new phones.

Commissioner Ossenberg moved it be approved and seconded by Commissioner Willner. So ordered.

RE: TORIAN AGENCY

County Attorney Swain said they got a letter from the Torian Agency on the Fire extended coverage at the Coliseum. He said it is \$982,000.00. He said the cost of the insurance is \$2148.00.

Mr. Swain asked the Commissioners if they would consider the possibility that insofar as the coliseum is concerned, since they lease it out for profit, that the County get so much of the gross or reduce the amount of insurance .

President Schaad said he feels they should reduce the amount of Fire extended Ins. Commissioner Willner Agreed with President Schaad.

Commissioner Ossenberg suggested they request Mr. Torian to come in and explain it.

Commissioner Ossenberg asked if they have an appraised value on the Coliseum and Mr. Stephens said it was on file somewhere.

Commissioner Willner moved that Mr. Torian be requested to bring a complete report in writing of all County Property. The motion was seconded by Commissioner Ossenberg. So ordered.

Mr. Hotz asked if the coverage included the contents inside the building and Mrs. Smith said the contents are insured for \$37,000.00.

RE: POOR RELIEF Judith Ricketts

The Complaint reads as follows:

Mrs. Ricketts is separated from her husband. He has not paid support. She has filed a complaint in the Prosecutors Office. Has five children (14, 12, 8, 6, & 16 Mos.).

She works at National of Evansville (furniture). Has take-home pay is approximately \$85.00 per week.

She has applied for ADC and has been given food stamps and money for utilities.

She is three months behind in rent which is \$65.00 per mo. plus utilities.

Is asking that rent be paid by the Trustee. Trustee says she should budget her money better before he pays any more of her bills.

Pigeon Twp. Trustee Bob Morrison.

Mr. Turpin of the Legal Aid said she had been turned down by the Trustee.

President Schaad said a letter from the Trustee's office said her landlord had every intention of eviction, Mr. Morrison paid one months rent to keep them from being put out in the street.

Mr. Turpin said she is working and had tried to track down her husband. He said she has applied for ADC but it may be two months before she gets it. Mr. Turpin said she pays \$25.00 per week for a baby sitter.

Mr. Turpin said her husband was ordered to pay her \$40.00 per week support, but he is no where to be found, she can get food stamps for \$39.50, but she didn't have the money to buy them with.

Commissioner Willner asked if she had any family and she said her mother is 61 and lives in Henderson, but is in no position to help her.

President Schaad said he had called the Trustee and he said he would pay the rent for her for one month.

Mr. Turpin said her rent is \$65.00 per month plus utilities and her husband is supposed to pay these, but they can't find him.

President Schaad asked if they were just asking that they pay her rent up to date and Mr. Turpin said yes, he said she was 3 1/2 months behind in her rent and Mr. Morrison agreed to pay one months rent.

Commissioner Willner asked how much her utilities were and she said about \$55.00 per month total.

Mrs. Ricketts said by missing so much work trying to get this taken care of, she doesn't have enough money to buy food stamps.

Mrs. Ricketts said she bought a space heater on credit and she is supposed to pay \$10.00 per week on it, but all she had been able to pay is \$5.00 per week.

President Schaad said Mr. Morrison has been called three times to come up here if they have anything to say on this.

Commissioner Ossenberg said in view of the fact the Trustee does not seem to want to come up here and say anything, he is going to move that they pay her rent to date. The motion was seconded by Commissioner Willner. So ordered.

The meeting recessed at 11:30 a.m.

PRESENT

County Commissioners

Robert Schaad  
Tom Ossenberg  
Robert Willner

County Auditor

Curt John (dep)

County Attorneys

Thomas Swain  
William Stephens

Reporters

B. Thompson  
G. Clabes  
A. Jackson

Bob Schaad  
Tom Ossenberg  
Robert Willner  
 BOARD OF COUNTY COMMISSIONERS

567

COUNTY COMMISSIONERS MEETING  
MARCH 25, 1974

The meeting of the County Commissioners was held on Monday, March 25, 1974 at 9:30 a.m. in the Commissioners Hearing Room, with President Schaad presiding.

The minutes of the previous meeting were approved with corrections made as follows:

On page ten in the minutes of the previous meeting, Commissioner Willner moved that North Grove Street be accepted for maintenance and that Jobes Lane be accepted for maintenance if it has a sixty foot right-of-way but the minutes failed to show a second to the motion. Commissioner Ossenberg did, in fact, second this motion. Mr. Martin is to get with the city engineer to see what can be worked out on Jobes Lane.

Also on page eleven in the minutes of the previous meeting, it read that Marsha Smith was making a copy of the lists of gradings they are going to do this year, but it should have read that the Commissioners Secretary was making a copy of the priority list of roads that needs to be done.

The reading of the previous meeting's minutes was dispensed with.

RE: BID OPENING

The County Attorney's were requested to proceed with the opening of the bids that were received on bridges #122, #123 and #126, while the meeting progresses.

RE: COUNTY OWNED SURPLUS PROPERTY

There were no bids today on the county-owned surplus property. The sale will continue.

Commissioner Schaad said that last week, a Mrs. Irene Jones of 635 Olive Street, came to bid on a parcel of property, code 24-30-5, which is located at 631 Olive Street and this parcel was supposedly sold to Evansville Insurance & Financial Service but when they were contacted, they said they didn't know anything about it.

Mr. Volpe said that he would check on it with Mr. Goff and let the Commissioners know the status of this parcel so they can let Mrs. Jones know if the parcel is sold or not.

RE: EMPLOYMENT CHANGES ... APPOINTMENTS

VOTERS REGISTRATION OFFICE

|                  |               |       |                 |              |
|------------------|---------------|-------|-----------------|--------------|
| Edna M. Anderson | 1629 Division | Clerk | \$15.00 per day | Eff: 3/12-74 |
| Elizabeth Omer   | 1052 Madison  | Clerk | \$15.00 per day | Eff: 3/12/74 |

KNIGHT TOWNSHIP ASSESSORS OFFICE

|                  |                  |        |             |              |
|------------------|------------------|--------|-------------|--------------|
| Grace Wohlhueter | 1806 Conlin Ave. | Deputy | \$4,700 Yr. | Eff: 3/20/74 |
|------------------|------------------|--------|-------------|--------------|

CO OPERATIVE EXTENSION SERVICE

|                |                |          |                |              |
|----------------|----------------|----------|----------------|--------------|
| Joyce Smith    | 711 Radio Ave. | Pt. Time | \$3.50 Hr. Mo. | Eff: 1/25/74 |
| Rebecca Turner | R. 2 Chandler  | Pt. Time | \$1.60 Hr. Mo. | Eff: 2/14/74 |

VANDEBURGH AUDITORIUM

|            |                 |             |            |              |
|------------|-----------------|-------------|------------|--------------|
| Lewis Cook | 11 E. Blackford | Maintenance | \$2.00 Hr. | Eff: 3/25/74 |
|------------|-----------------|-------------|------------|--------------|

RE: EMPLOYMENT CHANGES ... RELEASED

Knight Township Assessors office

|                  |                  |          |                 |              |
|------------------|------------------|----------|-----------------|--------------|
| Grace Wohlhueter | 1806 Conlin Ave. | Pt. Time | \$15.00 per day | Eff: 3/20/74 |
|------------------|------------------|----------|-----------------|--------------|

RE: RESOLUTION ... C.E.T.A.

A resolution was presented to the Commissioners, designating the City of Evansville as the prime sponsor for a Multi-Jurisdictional program under the Comprehensive Employment & Training Act of 1973.

The following letter to Commissioner Schaad was enclosed:

Dear Commissioner Schaad:

Please find enclosed the "legal-arrangement" document promised by Mayor Russell G. Lloyd's letter of March 12, 1974.

As you probably recall that letter explained in some detail the CETA legislation, its intent, some of its requirements, its applicability and usefulness to your area, and our rather immediate U. S. DEPARTMENT OF LABOR deadline to finalize our legal agreements.

I would like to reiterate the Mayor's position (as stated in his letter) that should you have any questions or concerns on your part about the letter of March 12, on Prime-Sponsorship, on CETA, or on the enclosed legal agreement proposal - please contact me at the following number (812) 426-5537. Should you find it more convenient to call in the evenings, I may be reached at home at the following number (812) 477-1953.

Our citizenry, as I imagine are yours, are anxious to proceed as quickly as possible with this organization process. Should you not require any personal meetings with us prior to deciding your position, we nonetheless will need to work out a meeting time subsequent to our final submission to DOL of the enclosed legal agreements.

I wish to apologize for the short turn-around times. However, with your timely assistance and support, we are attempting to continue to comply with the DOL guidelines.

Please advise us should you desire additional information or amplification of any of the information we've outlined. While looking forward to meeting and working with you soon, I remain, Sincerely, C. Thomas Akin

Executive Director/ Mayor's Secretariat

Enclosed was the following:

RESOLUTION OF THE COUNTY COMMISSIONERS OF VANDERBURGH COUNTY, INDIANA, DESIGNATING THE CITY OF EVANSVILLE AS THE PRIME SPONSOR FOR A MULTI JURISDICTIONAL PROGRAM UNDER THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973

WHEREAS, the City of Evansville, Indiana, has expressed its willingness to be the prime sponsor of a multi-jurisdictional program under the comprehensive employment and training act of 1973 for comprehensive manpower services; and

WHEREAS, the City of Evansville, Indiana, is an independently eligible prime sponsor under the regulations promulgated pursuant to Title I of the comprehensive employment and training act of 1973; and

WHEREAS, under the comprehensive employment and training act of 1973, this County has the authority to enter into a multi-jurisdictional program with the City of Evansville, Indiana;

NOW, THEREFORE, the County Commissioners of this County hereby designate the City of Evansville as the prime sponsor for a multi-jurisdictional program under the comprehensive employment and training act of 1973 in the following Counties in Southern Indiana:

- |            |             |                 |
|------------|-------------|-----------------|
| (a) Dubois | (d) Pike    | (g) Vanderburgh |
| (b) Gibson | (e) Posey   | (h) Warrick     |
| (c) Perry  | (f) Spencer |                 |

Mr. Akin appeared before the Commissioners and explained the program and said that it would give greater flexibility to the elected officials and that it is the first special Revenue Sharing bill passed by the Federal Government. He said that the Mayor has asked that the County Commissioners submit names of persons who might be interested in serving on the Board.

Commissioner Willner questioned that if the city didn't wish to be the prime sponsor, would the county in which there are over 100,000 population, be the prime sponsor.

Mr. Akin said yes, this would be so if the jurisdiction of Evansville chose not to be the prime sponsor.

Commissioner Ossenbergh moved that the resolution be adopted. Commissioner Willner seconded the motion. So ordered.

RE: CHECK RECEIVED

Commissioner Schaad said that sometime ago, the Commissioners had a call from a Mr. Cayer, of the U.S. Environmental Protection Agency, in regard to a reimbursement that the county was entitled to, through a sewage project and all they would need to do would be to apply for it, so a wire was sent to do this and a

check has been received in the amount of \$13,800, as partial funding. He said this is apparently the first of their obligation, as the full amount will be \$46,330. This is a Federal Sewage Grant, #C 180154. The check was referred to the County Auditor for deposit in the General Fund.

Mr. Volpe said that this appears to be on the improvements to take care of the sewage. He said a sewer was built at the old Boehne Hospital sometime ago and then Boehne was abandoned and a bond issue was sold at that time.

RE: LETTER FROM BRINKS

Letters were received from Brinks, dated March 14<sup>th</sup>, 1974, stating that on February 11, 1974, new and higher labor rates, fringe benefits, and revisions in working conditions became effective for the employces of their Evansville branch. They are attempting to minimize these increased costs by improvements in their operations, however, these improvements cannot adequately offset their rapidly increasing expenses. They therefore find it necessary to adjust their prices effective April 15, 1974.

The charges for the Treasurers office will go from \$179.75 to \$198.60 per month. The charges for the Clerks office will go from \$62.00 to \$68.50 per month.

Commissioner Ossenberg moved that the raise in cost be approved. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FROM MR. DRESSBACK

The following memo was presented to the Commissioners on the Symposium of Professional Auditorium Managers; from Mr. Dressback:

A short time ago a memo was submitted wherein my travel relative to the Auditorium Managers Association was outlined. I would now like to substitute the attached advanced schooling in my field for the District Meeting I was previously scheduled to attend in Kitchener, Ontario, as funds do not exist for both trips.

The attached is the ultimate in schooling in my field and the knowledge garnered here would be of benefit to the proper administration of this building. The cost of the schooling would be less than the trip to aforementioned District Meeting. Arrangements have been made for a fellow member to present the paper I was scheduled to present at Kitchener.

Also attached is a clipping showing what Springfield, Illinois, a town much smaller than Evansville, is paying their Manager at the outset.

Sincerely, D. K. Dressback

Mr. Dressback's request was approved to attend the IAAM Symposium of Professional Auditorium Managers.

RE: RELEASE OF CLAIM

A release of a property damage claim was presented to the Commissioners for damage done to the county road right-of-way, in front of 1220 Schutte Road by a crane that was being pulled by a truck belonging to Freddie's Wrecker Service in the amount of \$200.00 which releases Bucyrus Erie Company, the owner of the crane and Kenneth W. Baugh, the driver. The repair work has been done by the county garage.

Commissioner Ossenberg moved that the release of the claim be approved and signed. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIMS

A claim was received from Welborn Hospital in the amount of \$1,346.01 from Neurosurgical Associates Inc. for \$1,100.00 and from Neurosurgical Associates Inc. for \$185.00.

These claims are in regard to Mr. Paul Smith who was in the county jail and was transferred to Welborn Hospital, where he died..

County Attorney Swain said that he would like some time on this and he questioned as to if these claims were paid, if the county would be admitting negligence. He said that his theory would be now, that the county not admit negligence because it must be paid by reason of it being in the Sheriff's Department.

Commissioner Willner moved that this matter be referred to County Attorney Swain for advice. Commissioner Ossenberg seconded the motion. So ordered.

RE: RESUME SUBMITTED

A resume was received from a gentleman who is interested in the position of Executive Director of the Vanderburgh County Planning Commission and asks that he be considered for this position.

Commissioner Ossenberg moved that this resume be referred to the Area Plan Commission. Commissioner Schaad seconded the motion. So ordered.

RE: CLAIM

A claim was received from the Sheriff's Department for the meals of the prisoners that were served meals from February 15, 1974, to March 14, 1974, in the amount of \$5,239.40.

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

RE: BIDS RECEIVED ON BRIDGES

The following bids were received for bridge structures #122 and #123, over Sanders Creek and #126 over Bayou Creek:

|  |                          |              |
|--|--------------------------|--------------|
| Deig Brothers Lumber & Construction Co. Inc..... | City.....                | \$112,858.10 |
| Robert F. Traylor Corporation.....               | Newburgh, Indiana.....   | \$131,139.05 |
| Barnett Brothers Inc.....                        | Henderson, Kentucky..... | \$104,336.94 |
| G. H. Allen Inc.....                             | Vincennes, Indiana.....  | \$103,738.24 |
| Engineers Estimate.....                          |                          | \$109,143.26 |

Commissioner Ossenberg moved that the bids be taken under advisement and referred to the County Engineer and that the contract will be awarded next week. Commissioner Willner seconded the motion. So ordered.

RE: MOVING THE VOTING MACHINES

A request was received last week from the Vanderburgh County Election Board, for an invitation to the various transportation companies to bid on the hauling of the voting machines to and from the polling places for the Primary Election, to be held on May 7, 1974.

Commissioner Schaad asked if this has been advertised as yet.

Mr. Volpe said this is usually advertised late in the month because there is no one company in town that is big enough to do the job, so they all get together and parcel it out. He said this wouldn't even have to be advertised but he started it several years ago, so as to make record of what is being done, since joint bids will be considered.

These bids will be advertised on April 18th and 25th, 1974 and the bids will be opened on April 29th, 1974.

RE: UNFINISHED BUSINESS

re:...Poor Relief

Commissioner Schaad said that he has asked County Attorney Stephens to write to the Trustees, requesting that they use certain forms on their applicants. Mr. Stephens said that he will do it this week.

re: .. Martins Lane

The problem of drainage and trash on Martins Lane had previously been discussed and it was said that the contractors and the neighbors were responsible for the condition out there.

This problem was referred to County Attorney Swain and Mr. Crooks and they are still going to work it out.

re: .. St. Joe Condemnation Suit

Commissioner Schaad said that Mr. Swain will check on the parcels involved in the St. Joe condemnation suits and try to get them settled.

re: .. Mr. Farney .. Problem of Flooding

Commissioner Schaad asked Mr. Swain if he has found out anything about the problem where Mr. Farney dug a ditch and is flooding the road.

Mr. Swain said he hasn't done anything on it, as yet.

County Attorney Stephens said he recalled that the Commissioners were going to have Mr. Farney to appear before the Commissioners.

Commissioner Willner said that this problem has been open for about three years now and that Mr. Farney has been asked several times to appear before the Commissioners but he has never done so.

Commissioner Schaad asked County Attorney Stephens if this should be pursued without Mr. Farney.

Mr. Stephens said they might as well, since Mr. Farney won't appear.

re: ... Insurance

Commissioner Schaad said that Mr. Torian was going to appear before the Commissioners on the county's Insurance since the Commissioners thought they might be carrying too much Insurance on the Coliseum and they did sign a contract to lease it to the veterans and the county is paying for the Insurance.

Commissioner Ossenbergh said that Mr. Torian couldn't make it today and this matter will be pursued at another time.

re: ... Eichhoff Road

Mr. Weiss asked who was going to set the stakes on the sidelines, on the Eichhoff Road project.

Commissioner Schaad said that he talked to Darrell Veach who said there is no problem and he suggested that Mr. Weiss talk to Mr. Veach. He said that if there was a problem to let him know.

re: ... Request for Acceptance of Streets

Letters were received, last week, from W. C. Bussing Jr., concerning acceptance of the streets in Evergreen Acres and in Old State Estates.

Commissioner Schaad said that nothing could be found of any previous request, so a motion was made and seconded, at that time, that they be considered as new requests.

County Attorney Stephens requested that Mr. Ludwick take a look at these roads and submit a recommendation to the Commissioners.

re: ... Bridge on Highway 41 South

Commissioner Schaad asked Mr. Ludwick if he knew whether Mr. Mussmeyer had a chance to get together with the state on the Highway 41 South bridge that was abandoned, since someone wanted to buy it for storage.

Mr. Ludwick said that he thought Mr. Nussmeyer was still waiting for the state to send down a right-of-way description and the state said that it reverts back to the county and not to the property owners.

Mr. Martin said they want to verify this in Indianapolis and as soon as they do, the county will be notified.

re: ... Route 662

Mr. Martin said that on Newburgh Road, Route 662, to the Warrick County line, there is a question of whether the county is going to take it over or not. He said they discussed this matter with the District Engineer and was told that the county should inform the state that the county will take it over and the state will draw up the necessary papers. Mr. Martin said that he would take care of writing to the state.

re: ... Red Bank Road

Commissioner Schaad said there is still the problem on Red Bank Road for the Church.

Mr. Martin said the plans on this project has been completed and he presented the proposal to the Commissioners.

Commissioner Schaad said the utility Company did move one pole out there but that was all. He said there seemed to be some misunderstanding, that the church gave the county ten feet of right-of-way and they were under the impression that the county was going to widen the road further than that. He said he thought the county garage had planned to do this and it depends on how busy they are but he thought they have been on this long enough and that something should be done. He said they need to talk to Mr. Willard to see if he can do it.

re: ... Peacock Lane

Mr. Martin said that this project has been standing for 3 years and nothing has ever been done and now he has it to where the county only needs to lay one more pipe to a garage and there won't be anymore drainage problems there.

re: ... Upper Mt. Vernon Road

Mr. Martin also presented a proposal of the plans for Upper Mt. Vernon Road, which has been a problem for years. They are going to put in some larger tile and then an open ditch, the rest of the way and if the present tile is in good condition, it will be at a cost to the county to replace the tile but if it is broken, they will have to replace it themselves.

re: ... Condemnation Suit

Commissioner Willner said that he would like for the County Attorney to bring the Commissioners up to date on the condemnation suit of the Old State Railroad Bridge.

County Attorney Swain said the trial date was vacated and has never been reset.

re: ... Priority Road Lists

There was a discussion of the priority road list. There were two lists and there was a discrepancy between the two lists so this problem needs to be worked out. Commissioner Schaad suggested that the Commissioners get together with Mr. Willard and Mr. Lochmueller before anything is done.

re: ... Green River Road

Commissioner Willner asked if the shoulders on Green River Road are going to be done with the county crew or if it is going to be let out on contract.

Mr. Martin said that since the water line is going down the west side of Green River Road, he thought they were trying to get some right-of-way and Mr. Nussmeyer was holding this up until he finds what is going to be done.

RE: CUTS IN

The following applications for cuts-in were submitted for approval:

The Indiana Bell Telephone Co. requests permission to cut into Lynn Road.  
#F-600-74

The Indiana Bell Telephone Co. requests permission to cut into Moffitt Lane and Heddon Road. #F-1354-74

The Waterworks Dept. requests permission to cut into Walnut Road, Radio Ave. and Park Road in Hillsdale Subdivision to install water lines. Shoulder cut.

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

RE: MR. LUDWICK ....R & S FUNDS

Mr. Ludwick presented applications for R & S funds on project #104, over branch of Bluegrass Creek, the project to cost \$50,000. They are requesting \$40,000 and \$10,000 will be paid from the Accumulative Bridge fund. The other application is for R & S funds on project #125, Smith Diamond Road Bridge, the project to cost \$120,000. They are requesting \$108,000 and \$12,000 will be paid from the Accumulative Bridge Fund.

These applications were signed by the Commissioners so that Mr. Ludwick can forward them on.

RE: CLAIM....REFUND

Mr. Crooks presented a claim from Thomas Johnson for a refund of the difference between the cost of a Masters Plumbing license for 1973 and the Plumbing Registration fee in the amount of \$20.00.

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

RE: MR. CROOKS

Mr. Crooks said that he has had a request to move a log house from the West side of Evansville to the North side of Evansville. He said that he would first travel the route and talk to Mr. Willard. The house is to be moved during the third week in April. This matter will be taken up again next week.

RE: MR. JUDD

Mr. Judd said that the drawings are almost completed on St. Joe - St. Wendell Road.

He also said that his department thinks it will probably be best to make one speed limit for all of the streets in Valley Downs Subdivision.

County Attorney Stephens said if this is what is recommended, it will be carried out.

Mr. Judd said that he will submit his recommendation next week.

RE: MR. HOTZ

Mr. Hotz said that in the burning of the houses, a burning permit must be obtained and he asked whose name it should be in.

County Attorney Stephens said the permit should be obtained under the name of the county.

Mr. Hotz then asked, that since the McCutchanville Fire Department is going to do the burning, he wondered about the insurance coverage.

County Attorney Stephens told Mr. Hotz to call Torian Insurance Agency and ask them if they will cover it.

Commissioner Willner said that the McCutchanville Fire Department surely carries this insurance.

Mr. Stephens said this should be checked on to see that they have ample coverage, in case of an injury or if the fire gets out of hand.

Mr. Hotz said that he has talked to Mr. Crooks and they thought it would be necessary to close Green River Road, North on Heckel Road and on the South below Hirsch Road, for at least three or four hours and that it should be put in the newspaper the day before and the Sheriff should be notified.

Commissioner Willner wondered if they couldn't get a Civilian Defense policeman out there and have one lane traffic. The moving of this house will be done next Sunday or the Sunday after that, depending on the Gas & Electric Co., who will have some lines to take down.

Mr. Hotz said that if the county's insurance doesn't cover this, couldn't there be a special writer to cover it.

Commissioner Ossenbergh moved that in the event that this isn't covered by insurance, that a temporary policy be taken out to cover it. Commissioner Willner seconded the motion. So ordered.

RE: RECORDING SYSTEM

Commissioner Willner asked Mr. Hotz if the microphones for the Commissioners Hearing Room are ready to be installed.

Mr. Hotz said that the speakers aren't here yet and that is what they are waiting on.

Commissioner Schaad said the speakers have been shipped and are in route. He said that he would check on them.

RE: POOR RELIEF

JOHN W. HAMRICK.....#5 School Road.....German Township....Cletus Bittner, Trustee  
Jeanette Phillips, Investigator.

Mr. Hamrick is asking for four months to be paid at \$60.00 per month. He is not working but he is drawing \$63.00 per week workman's compensation. He is married but has no children. His wife does not work.

The trustee has helped them and they are getting food stamps. There seems to be a misunderstanding with how the rent must be paid. The trustee attempted to pay the rent but was refused by the landlord.

Mr. Rode, the Legal Aid attorney, said that apparently the landlord refuses to accept less than the full amount due.

Mr. Hamrick said that he was hurt on January 15, 1974, and just had the cast removed from his right hand, this morning. He had worked at the Anderson Box Company.

Commissioner Willner asked Mr. Hamrick if there would be an insurance claim filed against his accident.

Mr. Hamrick said it won't be filed until they know how his hand will heal.

Mr. Rode said that Mr. Hamrick & his landlord had an understanding whereby, if the landlord decides to sell the house, Mr. Hamrick can buy it and what rent he has paid will be applied to the purchase price but there is no contract. He lives in a six room house and has his own water. His phone bill runs from \$16.00 to \$25.00 per month and his utility bills for gas and electric usually run from \$20.00 to \$25.00 per month. He has a private line telephone. He said that the reason that the one bill was so high was because he called his aunt to see if she could help him but he hasn't heard from her since. He also said that his wife isn't well and that she needs medicine and is on a special diet.

Mrs. Phillips said that the reason they didn't pay the rent for January was because that Mr. Hamrick drew a check for \$194.00 on January 18 and on January 25, he drew a \$112.69 check and in February, she sent a voucher to the landlord, also a voucher for March and he wrote back and said that the Hamrick's are behind in their rent as of November 29, 1973 and he was contemplating eviction. The vouchers weren't sent back.

Mrs. Phillips said that she talked to Anderson Box Company and they said that Mr. Hamrick receives an hourly pay check plus an incentive pay check and also that workman's Compensation is picking up his medical bills. She said that Mr. Hamrick received \$416.00 the first three weeks of January.

Mrs. Phillips said that the Hamrick's receive stamps and they shouldn't really pay any of his rent because there are older people in German Township who live on Social Security and really need help. She also said that the doctor told her that Mrs. Hamrick has some gall bladder trouble but this is the only special diet that he knew of. They have been getting food stamps for some time.

Commissioner Willner moved that the trustee continue to give the Hamrick's food stamps and he would ask Mr. Hamrick to reduce the phone bill by going to an eight party line and if Mr. Hamrick wants the trustee to help him, then he must help himself. He suggested that Mr. Hamrick continue to correspond with the landlord and see if he won't hold up on the back rent until the insurance is settled so he can pick up the balance of the rent himself and if the vouchers are signed and sent back for February and March, that the trustee pay the two months rent. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Ossenberg said that a policy should be established right now, that if anyone hasn't been heard or turned down by the trustee, the Commissioner's should refuse to hear them but if the form has been filled out and they are denied by the trustee, they have a right to come before the Commissioners for appeal.

County Attorney Stephens said this form is something new that is called "due process" and the decision came from Federal Court, that the people are entitled to have a statement, in writing, as to why they were denied relief.

RE: CLAIM APPROVED.

Mrs. Phillips, the investigator from German Township, said that in the assessing office, she had appropriated \$75.00 to have her plat book rebound and the first of the year, this was done and the cost was \$70.50 but that it was ordered before purchasing so the Commissioners signed the claim in order that the bill can be paid.

The meeting adjourned at 11:25 a.m.

PRESENT

COUNTY COMMISSIONERS

Robert Schaad  
Thomas Ossenberg  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEYS

William Stephens  
Thomas Swain

REPORTERS

B. Thompson  
G. Clabes S. Clark

Secretary: Margie Meeks

*Bob Schaad*  
*Tom Ossenberg*  
*Robert L. Willner*  
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
APRIL 1, 1974

The meeting of the County Commissioners was held on Monday, April 1, 1974, at 9:30 a.m. in the Commissioners Hearing Room.

Sheriff's Deputy, Terry Hayes, opened the meeting, this being the first meeting of the month.

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

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

Mr. Volpe said that a Mr. Jerry Meece called him and said that he has contacted the Pigeon Township Assessor's office and that there is something about the property at 800 Independence Avenue, code # 33-65-15, which is on the surplus property list that he thought he owned but the records don't show that he had any interest in it.

Mr. Kornblum, the Pigeon Township Assessor, said that he has been trying to track down this parcel of property and it is apparently owned by Mr. Meece but hasn't been recorded. He said this happened at the time of the acquisition of this property, by the state highway, that there were two or three transactions and they apparently weren't picked up and when part of the lot was sold and a deed evidently wasn't recorded to Mr. Meece on the land that wasn't sold. He said he would appreciate it if the Commissioners would omit this parcel from the tax sale.

The people that are interested in this parcel are Jeanette Stewart of 914 E. Blackford Ave. Phone No. 425-8279 and Wilbur W. Cravens of 2819 N. Heidelberg Ave. Phone No. 422-5450.

Commissioner Willner said that he would personally follow through on it and will contact them.

Commissioner Willner moved that this matter be continued until next week. Commissioner Ossenbergh seconded the motion. So ordered.

Commissioner Schaad said there was also controversy on the property at 631 Olive Street, as to whether it had been purchased by Evansville Insurance & Financial Service as the record showed and another person was interested in this parcel. The lady that was interested in it said that she called them and they said that they didn't own it but she had talked to the wrong party.

Commissioner Schaad said that this problem has been resolved and Bob Goff has verified that the parcel at 631 Olive Street is owned by Evansville Insurance & Financial Service and that they purchased it in August of 1973.

The following parcels were bid on today and County Attorney Stephens said that he would make up the deeds on the property that is sold and would call the buyers when the deeds are ready and that they can pay for the property in the Auditors office when they pick up their deeds:

22-77-4...1912 S. Elliott St...Kronenbergers Addition...Pigeon Township...  
A bid was received from Chester E. & Patricia Ann Darrett of 1914 S. Elliott St. Phone No. 422-8506. The bid was in the amount of \$100.00 which is the appraised value.

Commissioner Willner moved that the bid of \$100.00 be accepted. Commissioner Ossenbergh seconded the motion. So ordered.

27-62-11...1025 Second Avenue...Wiltshire...L. 13 Blk. 1...Pigeon Township...  
A bid was received from Wilbur W. & Mary C. Cravens of 2819 N. Heidelberg Ave. Phone No. 422-5450. The bid was in the amount of \$4,250.00 which is the appraised value.

Commissioner Willner moved that the bid of \$4,250.00 be accepted. Commissioner Ossenbergh seconded the motion. So ordered.

34-164-20...401 Dale Avenue...Avondale, L. 49 & 50 Blk. A...City Center...  
Bids were received from Mr. Cravens and from Mr. Dallas Hughes. The high bid was received from Mr. Dallas Hughes in the amount of \$325.00.

The appraised value of this property is \$250.00.  
Mr. Hughes address is 401 W. Buena Vista Road and his phone number is 423-0343.  
Commissioner Ossenberg moved that the property at 401 Dale Avenue be sold to Mr. Dallas Hughes at the price of \$325.00. Commissioner Willner seconded the motion. So ordered.

33-4-12...800 N. Fares Ave...Hopkins Tract.  
A bid was received from Harold D. & Ruth E. Marks of 1643 S. Kentucky Ave...  
Phone No. 422-4134. The bid was in the amount of \$661.42 which is the appraised value. Mr. Toby Shaw said these were improvements that the county owns because of back taxes but they don't own the real estate and he made the bid on behalf of Mr. Marks who owns the deed.

Mr. Volpe said that the improvements and the fee can be separated in Indiana. He said that he and the County Assessor looked into this and they are starting a program to try to get these things consolidated so that someone is liable for the taxes. He said that they will do this until someone sues so they can get a declaratory judgment on how it should be handled.

Commissioner Willner moved that the bid of \$661.42 be accepted from Mr. Marks for these improvements. Commissioner Ossenberg seconded the motion. So ordered.

34-90-1...Petersburgh Road...Appraised value...\$100.00.  
Mr. Wilbur Cravens of 2819 N. Heidelbach Avenue...Phone No. 422-5450...said that he was interested but that he couldn't find any information on this parcel. Mr. Volpe said that he can show it to Mr. Cravens on the map in the Auditors office or in the County Assessors office.  
Mr. Cravens said that he would check on it.

24-30-2...625 Olive Street...Walnut St. Addition...12 1/2 Ft. L. 12 & 6 1/4 Ft. L. 13...Appraised Value...\$340.00.  
Mr. Bob Goff bid \$25.00 for this parcel.  
Commissioner Schaad said he thought the Commissioners would rather get these parcels back on the tax roles and this is the reason they are trying to sell the property.

Commissioner Willner said he is not sure that he does not want to take \$25.00 for this parcel but that he would like the privilege of looking at it. Commissioner Willner then moved that this matter be taken under advisement until next week. Commissioner Ossenberg seconded the motion. So ordered. County Attorney Stephens said that he will contact Mr. Goff.

14-41-15...1907 S. Fares Avenue...Park Place L. 17 Blk. 6...Appraised Value is \$600.00.  
Mr. Harold Baker of R.R.1, Chandler...Phone No. 925-7128, bid \$100.00 for this parcel.  
Commissioner Ossenberg said he would like to take a look at it.

Commissioner Ossenberg moved that this matter be deferred until next week. Commissioner Willner seconded the motion. So ordered.  
Mr. Baker will be notified.

There were no more bids so the sale of the county-owned surplus property will remain open and continued next week.

RE: TAX RATES DELAYED

Mr. Volpe said that the final tax rate came through on March 28th, and they were six weeks late, that his machine operators are working two shifts and on weekends. He said it will be very close as to whether he will be able to make the April 25th. deadline. He said the state had problems getting it out, that the legislature made the law very complicated and added things to it so he is going to do his best to get them out by the deadline. He said if they didn't meet the deadline, the taxpayers would have to be given an extension of time as the law states they must be given 15 days to pay their taxes.

RE: INSURANCE

Commissioner Ossenberg said that Commissioner Willner had asked, last week, that the Commissioners be brought up to date on the Insurance carried by the county. He said that he would like for Mr. Paul Torian and Mr. Jerry Finney, our Insurance Agents, to submit a list on the Insurance, building by building and the Commissioners will take it under advisement so they can study it. The Commissioners would also like a recommendation on coverage of the Coliseum and on the Old Bohne Building.  
This matter will be taken up again next week.

RE: ZONING DISCUSSED

Commissioner Schaad said that there had previously been a discussion of what could be built in the county and it was said that if it was an acre lot, there wouldn't have to be any rezoning to build houses on it. He said the Commissioners thought perhaps they weren't interpreting it as it was intended to be and this was the reason for wanting this clarified.

Mr. Mitchell, from Area Plan, said that the reason they interpreted it the way that they did was because the zoning of Agriculture listed one-family dwellings, one family per lot and it also lists a minimum of a 60 foot of a building on 6000 square feet.

Commissioner Willner asked how he got a lot out of Agricultural Zoning, since Agricultural Zoning is in acreage.

Mr. Mitchell said the situation is, how do you get a lot out of R-1 Zoning that is 5 acres. He said the county code specifies single family dwellings in both instances.

County Attorney Swain said that what the Commissioners are objecting to is that a subdivision can be developed without an R-1 classification.

Mr. Mitchell said that he would then suggest that the Commissioners change the county code.

Commissioner Willner said that he signed the county zoning code and his interpretation was that if you had a farm of several acres, you were permitted to build one single family dwelling but if more than one was to be built, they would need to come before an elected body.

Mr. Mitchell said that the law states that once the subdivision ordinance has been passed, the exclusive control of the subdivisions is in the Commission. He recommended that if the Commissioners wanted to prevent this, that they change the wording under their agricultural classification since there is no distinction between A & R-1.

Commissioner Willner said he needed to know, that if they did change it, would the zoning that is already on the board, as being passed at Area Plan, then come under the Grandfather Clause.

Mr. Mitchell said he thought it would.

County Attorney Swain said if this is true, there is no point in amending it because every agriculture has a right to R-1.

Mr. Mitchell asked if Commissioner Willner was worried about the control in the subdivision ordinance.

Commissioner Willner said yes, that he was.

Mr. Mitchell said that he would then say that he would have to look to the subdivision control ordinance and put certain restrictions on it so they will know that the restrictions are met.

Commissioner Schaad said they are interested in protecting the people who are building houses and he thought that when they apply for a permit to build and if the soil type isn't proper, it can be caught there.

County Attorney Swain said he wasn't sure the Grandfather Clause would apply because the Grandfather Clause apparently applies only to pre-existing non-conforming use.

Commissioner Ossenbergh moved that this matter be referred to the Area Plan Commission for recommendation with the approval of the County Attorney's. Commissioner Willner seconded the motion. So ordered.

RE: FEDEPAL MONIES DISCUSSED

Commissioner Schaad said that he appreciated Jesse Dunville and Keith Lochmueller being here today. He said that he invited them to attend the meeting because they had been to Indianapolis to find out about some of the projects in Vanderburgh County that are still hanging fire as far as federal monies are concerned and they are here to make their report.

Mr. Lochmueller said they found the county has an application in for St. Joe

Avenue, funds dating back to 1962. He said the money is there if the county is willing to go through the long task of getting it, that it will take pressure and pushing to free any of the Federal Aid secondary funds for Vanderburgh County. He said that when the Commissioners check, they may be told that no money is available and they will have to push for it, that there is money but that it is being spent on state projects. He said a lot of local communities are now applying pressure for funds and the lack of applications previous to now was because everyone thought they were frozen.

Mr. Dunville said that the state is apparently going to relax some of its restrictions as they said that money will be available as of July 1st.

Mr. Lochmueller said that Green River Road is also eligible under the Federal program for assistance, also that \$5,000 in engineering is still there.

Commissioner Schaad asked Mr. Nussmeyer how far along they were on the plans of Mill Road.

Mr. Nussmeyer said it is in the preliminary stages.

Mr. Dunville said that about 2/3 of the red tape in land acquisition is eliminated if the county owns the land.

Commissioner Schaad said that something needs to be done as there are still three parcels hanging fire on Outer St. Joe on condemnation suits. County Attorney Swain said that he will have the appraisals next week.

Commissioner Willner moved to instruct the County Engineer to get together with the city and follow through on the land acquisitions and plans and federal monies for St. Joe Avenue and for Green River Road. Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Schaad asked Mr. Nussmeyer if Leo Weiss ever gave him a complete set of plans for Eichoff Road.

Mr. Nussmeyer said that Mr. Weiss doesn't have them, that he just presented the Right-of-Way and route plans but not the construction plans.

Commissioner Willner said that the first phase of Eichoff Road has been funded.

Commissioner Schaad said as far as he knew, Eichoff Road was funded from Hwy. 62 to Korressel Road and it will go to new 460.

The Commissioners agreed to let this one go for now as they thought it more important to try to get money for St. Joe Ave. & Green River Road.

RE: COST PROPOSAL FOR RECREATION PLAN

Mr. Lamoine Torgerson of the City Park Department, said that the city has a master plan for a recreation program in the city and that it needs updating. He said they finally had a federal grant where they get 50% funding and they want to include the county and is presenting the proposal so they can have a comprehensive master plan for all of Vanderburgh County. He said they originally had intended to fund the local share through their own department but he appeared before the City Council Finance Committee and they instructed him to ask the Commissioners if they would pay the county's share and come up with half of what it is going to cost the county which is \$3,000.00. He said the federal money is here so he sent the proposal and it will be a detailed plan but there needs to be a complete plan to include the rest of the county. He thought it very wise to do this now.

Commissioner Schaad asked Mr. Torgerson if there had ever been a study made of the recreational needs in the county.

Mr. Torgerson said no, that one was started through the Area Plan Commission a couple of years ago but it never got off the ground.

Commissioner Schaad said they would need to go before the County Council to see if they are in favor of this program and if they are willing to allow the \$3,000.00.

Commissioner Willner said he wouldn't mind the \$3,000 if he thought that the county was ready to do something within the next ten years, as far as recreation in the county is concerned, however, the townships and private clubs have seemed to take over the county, outside the city. He named numerous clubs and organizations that are functioning outside the city and said that it is pretty well covered and he seriously doubted that the county would get its money worth.

Mr. Torgerson agreed that there were many clubs and organizations but said that when people move in various areas, they wonder why there is no park and this is the reason for the master plan being needed.

Commissioner Schaad said that since they have the opportunity and already have \$3,000 in federal money and it is just a matter of a \$3,000 expenditure on the county's part, he thought they might be remissive if they didn't take advantage of it for a later date and he personally thought it would be well worth the \$3,000.

Commissioner Ossenberg said that in view of what Mr. Torgerson has presented, he would suggest that the Commissioners approve the expenditure of the \$3,000, providing that the County Council grants it and that Mr. Torgerson be there to explain it, however the County Council has been a little reluctant to appropriate money for Burdette Park, which has been coming from Revenue Sharing money and he seriously doubted that it would go through.

Commissioner Ossenberg moved that the Commissioners ask the County Council for \$3,000 for the master plan for recreation. Commissioner Willner seconded the motion. So ordered.

Commissioner Schaad asked Mr. Torgerson if he would meet with the County Council for an informal meeting in the Commissioners office on the third of April at 7 P.M. to discuss the proposal with them.

RE: CONTRACT AWARDED ... BRIDGES

The following are the bids that were received last week for bridge structures #122 and #123 over Sanders Creek and #126 over Bayor Creek and were taken under advisement, the contracts to be awarded today:

|  |                          |              |
|--|--------------------------|--------------|
| Deig Brothers Lumber & Construction Co. Inc..... | City.....                | \$112,858.10 |
| Robert F. Traylor Corporation.....               | Newburgh, Indiana.....   | \$131,139.05 |
| Barnett Brothers Inc.....                        | Henderson, Kentucky..... | \$104,336.94 |
| G. H. Allen Inc.....                             | Vincennes, Indiana.....  | \$103,738.24 |
| Engineers Estimate .....                         |                          | \$109,143.26 |

Commissioner Ossenberg moved on the recommendation of the County Engineer, that the contract be awarded to G. H. Allen Inc. of Vincennes, Indiana, the low bid of \$103,738.24. Commissioner Willner seconded the motion. So ordered. A signed copy of the agreement will be mailed to G. H. Allen Inc.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CLERK OF THE CIRCUIT COURT

Bertha A. Greubel      3017 Ridgetop Dr.      Cashier      \$224.00 Bi. Mo. Eff:4/1/74

VOTERS REGISTRATION OFFICE

|                        |                  |        |             |              |
|------------------------|------------------|--------|-------------|--------------|
| Viola Schmahlenberger  | 1325 Fountain    | Clerk  | \$15.00 day | Eff: 3/28/74 |
| Helen L. Spencer       | 1600 Schutte     | Clerk  | \$15.00 day | Eff: 3/28/74 |
| Edith G. Johnson       | 917 N. Kelsey    | Clerk  | \$15.00 day | Eff: 3/28/74 |
| Frances M. Schwartz    | 5307 Winding Way | Clerk  | \$15.00 day | Eff: 3/28/74 |
| Carolyn H. Holderbaugh | 2413 Pollack     | Typist | \$15.00 day | Eff: 4/1/74  |

PIGEON TOWNSHIP ASSESSOR

June Hallenberger      1409 Fountain      Ex. Deputy      \$15.00 day      Eff: 4/1/74

RE: EMPLOYMENT CHANGES.....RELEASES

CLERK OF THE CIRCUIT COURT

Thelma M. Raley      9001 Petersburg      Cashier      \$224.00 Bi Mo      Eff: 4/1/74

VOTERS REGISTRATION OFFICE

|                       |                  |        |             |              |
|-----------------------|------------------|--------|-------------|--------------|
| Norma J. Pittman      | 1115 Mary        | Clerk  | \$15.00 day | Eff: 3/28/74 |
| Florence Lietz        | 615 S.E. 3rd.    | Clerk  | \$15.00 day | Eff: 3/28/74 |
| Dianne Chapman        | 2153 Sweetser    | Clerk  | \$15.00 day | Eff: 3/28/74 |
| Lucille L. Becking    | 706 1/2 Court    | Clerk  | \$15.00 day | Eff: 3/28/74 |
| Viola Schmahlenberger | 1325 Fountain    | Typist | \$15.00 day | Eff: 3/29/74 |
| Helen Spencer         | 1600 Schutte Rd. | Typist | \$15.00 day | Eff: 3/29/74 |

RE: REQUEST FOR EXTENDED LEAVE OF ABSENCE

The following request was received from the Clerk of the Circuit Court:

Re: Extended Leave of Absence for Colleen Hilgeman, Deputy Clerk

Dear Sirs:

I would like to submit for your consideration and approval an extension of time on the leave of absence formerly granted to Colleen Hilgeman from April 1, 1974 thru June 9, 1974.

She is to undergo orthopedic surgery on April 9, 1974 which will require six to eight weeks in which to recuperate. She has proven to be a good employee and in the event she is unable to return on June 10th, I would hope the Commissioners would look with favor upon an amended date for her to return.

Thank you, Sincerely, Shirley Jean Cox

Commissioner Ossenberg moved that this request be approved. Commissioner Willner seconded the motion. So ordered.

Mr. Volpe said he would like for the Commissioners to add any instructions they have on hospitalization, retirement and life insurance.

Commissioner Willner moved that the county pay an employee's Insurance, salary and P.E.R.F. for the first thirty days and after that they are on their own. Commissioner Ossenberg seconded the motion. So ordered.

RE: REQUEST FOR TELEPHONE

The following request was received from the Prosecutors office:

Gentlemen:

Our office is initiating a diversionary program with regard to drug abuse and as such we will have another employee here. It will be necessary for him to have a telephone.

For this reason, this letter is to request that you authorize the installation of an additional phone in this office. Sincerely, William J. Brune

Commissioner Ossenberg moved that the request of the Prosecutor be approved. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST OF CHANGE IN TELEPHONES

Mr. Whitham of the Area Extension office requested approval of changing his telephones. He had a study made and the Telephone Co. sent him the following recommendation:

Dear Mr. Whitham:

As you requested, I have completed a review of your telephone system.

In order for your two answering locations to answer multiple calls simultaneously and with more efficiency and less confusion, I recommend the following changes:

- 1) Equip the two answering locations with multi-button telephone sets capable of answering all stations in your telephone system.
- 2) Add extension of station 5243 for 3rd secretary.
- 3) Remove station numbers 5258, 5314 and 5382, 5414, 5385 that are used only a few months each year.

The net monthly decrease would be \$7.50 and the one time installation charge would be \$58.00.

If you have any questions concerning this matter, or if I may be of further assistance, please call me on 422-9362.

Very truly yours, Mrs. Garnet Peerman, Service Consultant

Commissioner Willner moved that the request of Mr. Whitham be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: DUMPSTERS REMOVAL APPROVED

The following letter of request was received from the Perry Township Volunteer Fire Department:

Gentlemen:

In behalf of the Perry Township Fire Department, I wish to thank you for sending Mr. Schaad and Mr. Parker to our Business Meeting on March 11, 1974. Our members were very receptive to the ideas expressed at this meeting concerning the dump containers located on our property. We have always felt that we were assisting in a much needed service to the community, however, another factor has entered into our minds. It seems that our neighbors are not sharing our enthusiasm.

After making a visit to the three nearest neighbors, we find that the presence of the dumpsters provide an unpleasant odor, unsightly appearance, a harbor for rats and other rodents, and a traffic nuisance of people dumping at all hours of the day and night.

We were aware of some of these problems, but we were not aware of the strong feelings of the other parties concerned. These feelings, however, must be reflected in our decision concerning the future of the dumpsters at our location.

I, regretfully, must inform you that our previous decision to have the dumpsters removed still exists. I am sure that the Commissioners will act with the appropriate urgency on this matter.

Again, the Perry Township Fire Department is sympathetic and understanding to the needs of the County and of the necessity of such a program. We wish you success in your endeavors and hope that a satisfactory solution to the County trash program will present itself.

As mentioned in earlier correspondence, we have found the County Commissioners were willing to accept suggestions and were more than willing to work with us in the past few years. I hope that the ability to cooperate with one another will not perish. Respectfully yours, Thomas Anderson

Commissioner Schaad said that he and Mr. Parker asked them that they reconsider because the county was willing to put up a chain link fence and blacktop it and see if it couldn't be done in a more satisfactory manner but the neighbors still want the dumpsters removed.

Mr. Willard said that he will notify the men in regard to having the dumpsters removed.

RE: WEST SIDE CHRISTIAN CHURCH

A letter was received by the Commissioners from Ed Johnson as follows:

Re: West Side Christian Church on Upper Mt. Vernon Road.

Gentlemen:

Last summer the church dedicated a ten (10) foot strip for the purpose of widening Red Bank Road and Upper Mt. Vernon Road. We realize that the inclement weather of winter precludes much roadway construction, however with the coming of spring the church would like to improve it's own grounds and we therefore ask if you could expedite the widening of such roads.

Your consideration will be much appreciated.

Very truly yours, Edwin W. Johnson Att.

County Attorney Swain said that the county has never accepted this 10 foot strip, that they sent it to him and he sent it back to have it redone and it still wasn't right. He said he will contact Mr. Johnson and get it taken care of.

Commissioner Schaad said he thought there was something out there that the county garage was going to do. This was also the opinion of Commissioner Willner.

Mr. Willard said that he and Mr. Nussmeyer had discussed it and he wasn't sure but thought they agreed to cut the bank down at the time, but the minister asked about Jim Mueller cutting it down with a bulldozer. He said he only agreed to clean the ditch to the north and lay culverts under his driveway and put a bigger radius on the culverts.

Mr. Nussmeyer said he requested that the poles be removed out there but they have only moved one of them.

Commissioner Schaad suggested that Mr. Nussmeyer follow up on this. He said that someone needs to go back and talk to the minister.

Mr. Nussmeyer said he was out there a few weeks ago and talked to him as to what needs to be done.

Commissioner Schaad said it is just a matter of getting the Right-of-Way straightened out, getting the poles moved and making plans so Mr. Willard can go ahead with it.

RE: TELEPHONE CABLE DAMAGE

A copy of a letter to Mr. Hottle of the Indiana Telephone Co. from the Duncan & Duncan who represents Western Casualty & Surety Co. was sent to County Attorney Stephens as follows:

Re: Telephone Cable Damage - Wathen Road, Evansville Indiana-Oct.9, 1973  
Bill No: 10292 - \$161.21      Our Insured: Floyd I. Staub Inc.

Dear Mr. Hottle:

Our firm represents Western Casualty & Surety Company, the insurer of Floyd Staub, Inc.

We have investigated an incident in which our insured, Floyd Staub, Inc., accidentally severed one of your unmarked telephone cables at 2900 Long Acre Drive, Evansville, Indiana. On October 9, 1973, Floyd Staub, Inc., was verbally hired by the Vanderburgh County Highway Department to clean out open drainage ditches behind Long Acre Drive, near Wathen Road, Evansville, Indiana. While this shallow excavation work was being done, your cable was severed.

We have concluded that our insured is not responsible for this incident, for they were not informed of your cable by the County Highway Department. Furthermore, our investigation revealed that your cable was installed much too shallow under this drainage ditch.

We suggest that you look to the Vanderburgh County Highway Department for payment of your damages, which total an amount of \$161.21.

Thank you, Yours very Truly      Dan McCaffry

County Attorney Stephens said they say it's not their fault and he has told them that it isn't the fault of the county, so let the Telephone Company do what they want to do on it.

Letter received and filed.

RE: ACKNOWLEDGEMENT FROM INSURANCE CARRIER

County Attorney Stephens received a copy of the following letter of acknowledgement that was written to Mr. Dennis Druckamiller of the Underwriters Adjusting Company, from the Torian Agency Inc., the county's Insurance carrier:

Re: Commissioners of Vanderburgh County - Claim No. 272 3B 0820  
Paul E. Smith, Deceased

Dear Denny:

I am enclosing bill from Welborn Hospital in the amount of \$1,346.01, bills from Neurosurgical Associates, Inc. in the amounts of \$185.00 and \$1100.00, a letter from William D. Stephens, Vanderburgh County Attorney, on the above captioned case.

It appears the County is expecting a lawsuit on this case and suggest you get in touch with Mr. Stephens regarding this matter.

Yours very truly, Dotty Whitlow, Torian Insurance Agency

This is an acknowledgement of a letter from County Attorney Stephens on the claim of Paul Smith.

County Attorney Stephens said he turned the bills over to the Insurance Company and he is going to let them decide if there is any liability on their part or not. Letter received and filed.

RE: POOR RELIEF FORMS

County Attorney Stephens has notified all the township trustees with the following information:  
Gentlemen:

The Vanderburgh County Commissioners have requested me to write you concerning a recurrent problem in poor relief appeals. As you know, many of the applicants for poor relief who have been allegedly denied assistance have now turned to Legal Aid for assistance and representation at the hearings before the Commissioners. It has been pointed out to us, and quite properly, that the applicant is entitled to a statement in writing as to the cause for his denial of the requested assistance which document constitutes the basis for his appeal.

Accordingly, I am enclosing a form of notice of appeal which we would request you complete in accordance with the instructions, have the applicant for assistance sign the same, and give the applicant the bottom half of the request in order that he might present the same to the County Commissioners office so that his appeal may be properly docketed. As in the past, we will see that your office is notified when an appeal has been forwarded to the Commissioners office, in order that your representative may be present to inform the Commissioners the

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case for the denial of requested assistance.

It is the belief of the Commissioners that if the enclosed form is employed that many of the problems that we have been having concerning whether of not an appeal has actually been instituted will be resolved. The form is not difficult to complete and need not be overly specific.

Your cooperation is requested. Very truly yours, William D. Stephens  
Copy of notification received and filed.

RE: CLAIM

A claim was received from the City of Evansville on the County's share of expenditures through December 1973 for 14% of the Traffic Department in the amount of \$6,474.28.

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

A claim was received from the City of Evansville on the County's share of expenditures through December of 1973 for 21.5% of the Health Department in the amount of \$18,597.96.

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

A claim was received from the City of Evansville on the County's share of expenditures through December of 1973 for 40% of Building Commission in the amount of \$12,959.01.

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

A claim was received from the City of Evansville on the County's share of expenditures through December of 1973 for 25% of Purchasing Department in the amount of \$2,466.75.

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

A claim was received from the City of Evansville on the County's share of expenditures through December of 1973 for 42% of Weights & Measures in the amount of \$1,655.67.

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

RE: CHECK RECEIVED

A check was received from Bucyrus Erie Insurance Department in the amount of \$200.00 in payment for damages from a piece of equipment going off the road and the Highway Garage repaired the damaged road. The check was referred to the County Auditor for deposit into the Highway Account. County Attorney Swain will mail the release.

RE: BUENA VISTA ROAD BRIDGE

Mr. Nussmeyer said that the city has asked the county to take over the project on Buena Vista Road Bridge. He said about a year ago they agreed to do it and now they are asking the county to do it. He said that there is a small bridge out there and he imagined that a culvert could be used and he asked if they should pursue it.

Commissioner Schaad said he guessed the bridge was still the county's responsibility.

Commissioner Willner said the city had an appropriation and everything made for this project.

Commissioner Ossenberg said that the county had appropriated for it but eliminated it at budget time since the city was going to do it.

Commissioner Willner asked if it wouldn't be the responsibility of the city if a culvert was installed and the county's responsibility if it is a structure. County Attorney Swain said this was right.

Commissioner Willner said that if they find that a culvert will do the job instead of a bridge, they will just give it back to the city.  
Mr. Nussmeyer will pursue this matter.

RE: BRIDGE ON HIGHWAY 41 SOUTH

A letter was received from the state on the bridge on Highway 41 South that they want to give the county.

The letter stated that it was that portion of Old U.S. 41 to be abandoned, South of the City limits of Evansville is 2,236 feet more or less in length and 250 feet in width containing 12,833 acres, more or less.

County Attorney Swain said they need to see the Right of Way grant.

County Attorney Stephens said if the state abandons the bridge, they abandon it to the county.

RE: CLAIMS

A claim was received from Robert Traylor Corp. for Account No. 216-3764-203-3759-5, Burkhardt Road over Boesche Ditch, for work completed between March 5 and April 1, 1974, in the amount of \$5,167.86.

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

A claim was received from Feigel Construction Co. Inc. for Account No. 506-3-201-3746, Oak Grove Road East of Green River Road for work completed between March 8th and April 1st, 1974 in the amount of \$570.01.

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

A claim was received from G. H. Allen Inc. for Account No. 506 3-203-3952, Trapp Road Bridge #21, for work completed between February 25th and April 1, 1974, in the amount of \$1,455.01.

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

RE: PROPOSAL FOR SEEDING

Mr. Nussmeyer received a proposal from Colonial Garden Center for seeding on Fuquay Road. He said the seeding wasn't included in the contract and he thought the proposal of \$300.00 to be reasonable.

Commissioner Ossenberg moved that the proposal be accepted on the condition that County Council transfers the money. Commissioner Willner seconded the motion. So ordered.

RE: CUTS IN

The following applications for cuts in were received:

Indiana Bell Telephone Co. requests to cut into Mosquito Road on the West side of the berm.

Indiana Bell Telephone Co. requests to cut into Red Bank Road, approximately one mile South of Lower Mt. Vernon Road to push pits to push under road.

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

RE: MR. NUSSMEYER

Mr. Nussmeyer said he talked to Dennis Stallings just before the meeting and he said that Jerry Lamb just got back and they are in agreement that they will go 50-50 for additional Right of Way on North Green River Road from Heckel Road to Highway 57. He said the project is now in preliminary stages.

RE: OLD BUSINESS

re: Request for Acceptance of Streets

Mr. Bussing had requested that Evergreen Acres and Old State <sup>ESTATE'S</sup> Road be accepted by the county for maintenance.

Mr. Ludwig is working on this project and when he is finished, will give a recommendation to the Commissioners.

re: Route 662

Mr. Martin had said that there is a question of whether the county is going to take over Newburgh Road, Route 662, to the Warrick County line. He said that he has written the state and informed them that the county will take it over. The state will then draw up the necessary papers.

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re: Peacock Lane

Only one more pipe needs to be layed to complete the work on Peacock Lane. Mr. Willard said that he would take care of it.

re: Old State Road Bridge

Commissioner Willner said that the L & N is now starting to switch trains over that crossing and it's being held up for as much as a half-hour and if we are going to get this done this year, which the people were promised last year, we had better get busy.

County Attorney Swain said that attorney Gary Gerling talked to him about settling this. Mr. Swain told him that it was allright with him if he could get the County Commissioners to go along with it. He said he has written the Commissioners a letter to that effect but has heard nothing from it. He said this was set once and the principle witness couldn't be there.

re: Request to move house

The following letter that was sent to the Safety Board by Mr. Crooks was presented to the Commissioners:

Request has been made to move a log room from a site in Posey County to the R. O. Clutter property on Volkman Road. This request has come from Elmer Buchta, Inc., movers.

This log cabin is 18' x 32', one story, 16 1/2' high owned by a Mr. Waller. Mr. Jim Kabrick, Buchta Moving Engineer, has indicated the move would be the third week in April, 1974.

Mr. Paul May has checked the route recommended as follows: Enter Vanderburgh County on Broadway Avenue, Broadway Avenue to St. Joseph Avenue, north on St. Joe to Schenk Road, East on Schenk to Darmstadt Road, north on Darmstadt Road to Boonville-New Harmony Road, East on Boonville-New Harmony Road to Old State Road, then north on Old State to Volkman Road.

Mr. Jack Willard, County Highway Superintendent, is being advised of this move by copy of this letter.

Request that approval be granted.

Mr. Crooks said that they have to obtain a permit to travel the county roads.

Commissioner Willner moved that this request be approved, subject to posting a bond and having sufficient Insurance. Commissioner Ossenberg seconded the motion. So ordered.

RE: REPORT....MR. WILLARD

Mr. Willard gave a report of monies in his various accounts. He said the Highway got \$100,041.13 in March in Revenue Sharing money.

Mr. Volpe said that February, March and April are always the three biggest months and then the amount of money will be less.

Mr. Willard said that there was an accident on St. Joe Avenue at the bridge and he had to put up barracades. He said he was told that the county would be given the Right of Way needed at this location.

Mr. Willard presented a list of absentees of the employees of the County Highway Department for the past two weeks. Report received and filed.

Mr. Willard said that the county can have two trucks that are in Minnesota by going after them. He said he has a suggestion, in that, a man from Civil Defense and another man will go to pick up the truck for \$2.00 per hour plus expenses. He said he has \$5,000 in his account for traveling expenses.

Commissioner Ossenberg asked about liability insurance and said it had better be checked out.

Commissioner Willner moved that Mr. Ducane and Mr. Krohn be permitted to travel with Mr. Cannon, to Minnesota to pick the army trucks. Commissioner Ossenberg seconded the motion. So ordered.

Mr. Stephens told Mr. Willard not to forget to call Torian Insurance Agency, to check on the insurance in case something should happen while moving these trucks.

RE: VOTING PLACES

Commissioner Schaad said there seems to be some controversy concerning the voting places. He said that Mr. Anderson wants to get paid if the voting places are in some of the public buildings.

Commissionerberg asked Mr. Volpe if there wasn't a Burns Statute that protects us if we go into any public building.

Mr. Volpe said yes, and that the public buildings owned by the city must be used if the County Commissioners want to use them.

County Attorney Swain said not to worry about it, as there is a meeting today and if it isn't resolved then, he will come back to the Commissioners.

RE: CLAIM...REFUND

Mr. Crooks presented a claim from Mr. Wilburn E. Muensterman for a refund of the difference between the cost of Master Plumbing License for 1973 and the Plumbing Registration Fee in the amount of \$20.00.

Commissioner Willner moved that the refund be approved. Commissioner Ossenbergs seconded the motion. So ordered.

A claim was received from Me. Kay Electric Co. for a refund on Permit #3633 that was issued for work at 9100 Newburgh Road and this location is not in Vanderburgh County. The amount of refund requested is \$8.00.

Commissioner Ossenbergs moved that the refund be approved. Commissioner Willner seconded the motion. So ordered.

RE: ORDINANCE

Commissioner Schaad gave an Ordinance to Mr. Crooks on fees, lights, etc. of the county and said that they are trying to get them to agree with the costs of the City and he asked that Mr. Crooks take a look at them.

Mr. Crooks said that if it is agreeable with the Commissioners, he would like to implement the Ordinance and made effective on April 15, since he has contacted the contractors that the city would be ready on that date. No action was taken at this time.

RE: OLD BUSINESS...CON'T.re: Martins Lane

Commissioner Schaad asked Mr. Crooks what had been done on the problem of drainage and trash on Martins Lane.

Mr. Crooks submitted the following letter that he received from Joe Freeman, the Building Inspector:

Contacted: Mr. Joseph Edwards  
Doris and Edwards, Contractor  
March 29, 1974 - 1:30 P.M.

He and I walked his area and he showed me 14 - 14' sections of water pipe on his property, that belongs to the city or county, which makes it impossible for him to clean the 16' N. E. of Martins Lane and Walnut Street.

He also said that the sewer "that was referred to as a sanitary sewer" drains only a street drain system of approximately 400' running north - Martins Lane and Walnut.

He also said as for paving his 16' - West side of Walnut when he started his next dwellings he would finish the street then dedicate it to the County.

He also said he would place all of his materials (not junk) on the corner lot away from any buildings and/or houses near by. He also said that the section beyond his 16' of said Martins Lane on N. Walnut St. side, had to be finished by Ot Jacobs which belongs to him and directly to the East of Samuel Clifford drive of 1/2 street.

The situation will be corrected as soon as the development of said areas are ready.

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Mr. Crooks said that he is trying to locate Mr. Edwards, also that he has located Mr. Jacobs who said that he would do anything they asked.

Mr. Freeman said that Mr. Edwards is in Madisonville Kentucky, building a home. He also said that Mr. Jacobs is cleaning up his area and that he will cooperate on the sewer and the streets but that the work of Mr. Edwards must come first.

Commissioner Ossenberg said that he was out on Martins Lane with Mr. Nussmeyer and that he, for one, wouldn't accept the street.

Mr. Freeman said that the water pipe has been laying there for at least two years.

Commissioner Ossenberg said that Mr. Edwards has been telling Sam Clifford that this work will be started every other month.

Mr. Freeman said that there seemed to be a friction between the two in regard to where the houses are placed.

Commissioner Ossenberg said that he knows what the contractor has told the people that he sold the houses to and he thinks it will take those people to initiate a civil law suit and they say that this is what they are going to do.

re: St. Wendell - St. Joe

Mr. Judd presented a proposal for the intersection of St. Wendell and St. Joe Road.

He also said that they want to put sidewalks and curbs in at St. Joe and they want to use an area of it for parking, also that they want to put in a driveway. He said that one of his staff talked to the people at the church and that they have done a survey out there. He said there was a very large intersection and there had been several accidents there so they want an island and reflectors on the corners with traffic signs installed.

Commissioner Schaad said the only thing the county will have to put in is the island and the reflectors.

Commissioner Willner moved that it be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: MR. JUDD

Mr. Judd said they have had three intersections that are half city and half county and the Safety Board has already approved the signs of the city. The locations are at Elm and Igleheart with Igleheart being given preferential, Elm and Franklin Street with Franklin Street being given preferential and Woods Avenue and Franklin Street with Franklin Street being given preferential.

Commissioner Willner moved on the recommendation of Mr. Judd, the Traffic Director, that the signs be approved for the county side. Commissioner Ossenberg seconded the motion. So ordered.

Mr. Judd said that due to sickness in his department, he didn't get a chance to take care of Saratoga Drive where the people want something done to slow traffic.

Commissioner Willner said that he would like for Mr. Judd to take a look at Old State Road and Highway 41 South sometime, that striping was done there at one time but that he is still getting complaints on it.

Mr. Judd said he will look at it and he thinks that there is a lot of loose gravel in the intersection and it is hard to keep it down.

The meeting recessed at 11:55 a.m.

PRESENT

COUNTY COMMISSIONERS

Robert Schaad  
Thomas Ossenberg  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEY

William Stephens  
Thomas Swain

REPORTERS

R. Lyles S. Clark  
G. Clabes D. Berry  
D. Goodnow D. Graves

Secretary: Margie Meeks

*Robert Schaad*  
*Thomas Ossenberg*  
*Robert L. Willner*  
\_\_\_\_\_  
BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
APRIL 8, 1974

The meeting of the County Commissioners was held on Monday, April 8, 1974, at 9:30 a.m. in the Commissioners Hearing Room with President Schaad presiding.

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

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

19-24-8...1515 Cole Avenue...Carpenter Tract..Pt. L. 2....City Perry....  
This Parcel was bid on last week by Oliver D. & Mary F. Harper in the amount of \$830.00 which was the appraised value. Commissioner Ossenberg had moved that this bid be accepted and Commissioner Willner seconded the motion. So ordered.  
The deed is now ready and Mr. Harper can pay the Auditor when he picks up the deed.

County Attorney Stephens has prepared deeds on the county-owned surplus property that was sold last week. The purchasers of these parcels will be notified and they can pick up their deeds and pay for the parcels in the Auditors office.

The deed on the parcel that Mr. Cravens purchased has already been picked up and the parcel has been paid for.

20-86-18...715 S.E. Third....Upper Enlargement...Cowans Sub. S.E. 1/2 L.22..Fig. Twp.  
Mr. James Hooe bid \$1,000 for this parcel. The appraisal value is \$974.00.

Commissioner Willner moved that the \$1,000 be accepted and that the parcel be sold to Mr. Hooe. Commissioner Ossenberg seconded the motion. So ordered.

33-65-15...800 Independence Ave....Pigeon Township...  
This property is apparently owned by Mr. Jerry Meece and the Pigeon Township Assessor is checking on it.  
Mr. Wilbur Cravens, who is interested in this parcel, asked about it. He was told to check with Mr. Kornblum to see what he has found out.

14-41-15...1907 S. Fares Ave...Park Place L.17...Blk. 6...Appraised value is \$600.00.  
Mr. Harold Baker of R.R.1 Chandler, Ind....Phone No. 925-7128...bid \$100.00 for this parcel last week and this matter was deferred until this week.

Commissioner Ossenberg said that he and Commissioner Willner went out to look at this parcel and he was ready to accept the bid.

Commissioner Ossenberg then moved that this parcel be sold to Mr. Harold Baker for \$100.00. Commissioner Willner seconded the motion. So ordered.  
The deed is to read Harold & Phyllis Baker.

24-30-2...625 Olive Street...Walnut St. Addition...12 1/2 Ft. L. 12 & 6 1/4 Ft. L.13....Appraised value is \$340.00...  
Mr. Bob Goff bid \$25.00 for this parcel last week but the matter was deferred until this week so that Commissioner Willner could take a look at it.

Commissioner Willner now moved that the Parcel at 625 Olive Street be sold to Mr. Goff for \$25.00. Commissioner Ossenberg seconded the motion. So ordered.

County Attorney Stephens said that he would contact Mr. Goff, since he isn't present today. He also said that he would prepare deeds on the property that was sold today and the purchasers can pay for their parcels next Monday in the Auditors office when they pick up their deed.

There being no more bids, the bidding will remain open and the sale will continue next week.

County Attorney Swain said that the county has made \$7,266.42, so far, on the surplus property that has been sold.

RE: PERMISSION TO TRAVEL

Mr. Randy Shepherd said that Mr. Bowen, the Director of H.U.D. has requested that two persons go to Indianapolis on Thursday, April 11, 1974, to go to the H.U.D. Office on business. He requested the approval of the Commissioners.

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Commissioner Ossenberg moved that the trip for two persons be approved and that the county pay the bill. Commissioner Willner seconded the motion. So ordered.

RE: E.A.R.C.

Commissioner Schaad said that a letter was received from the Evansville Association for Retarded Children, signed by Mr. Nicholson and apparently they want authorization to move into the new building, pending a formal lease agreement.

County Attorney Swain said that he has written Mr. Nicholson three times and that he told them that all the bonds are in the name of the Evansville Association for Retarded Children and the owner is Vanderburgh County. He said that he didn't wish to make anything out of it, that he just told him that and that he understood why Mr. Nicholson wasn't very happy but that he didn't like for one person to write him a letter and then have another person call him. He suggested that the Attorney for E.A.R.C. draw up the lease.

Commissioner Schaad read the following letter that was received from Mr. Nicholson:

Dear Mr. Schaad:

Mr. Swanson from the Indiana State Board of Health, visited and inspected the Vanderburgh Development and Training Center on April 2nd. and Mr. Swanson stated that a legal opinion from the County Attorney, as to whether the contract between the owner and each contractor are in compliance with the project specifications is needed by the state before any further funds will be forwarded. They also request of the Board of County Commissioners, the authorization to move into the new center, pending a formal lease agreement. The action meets with Mr. Swanson's approval.

Our Insurance carrier is prepared to provide the necessary coverage upon moving in.

County Attorney Swain said to hold this matter off for a week and he would present all the correspondence that he has.

Commissioner Schaad said they wanted to move in this week, so it can't be held off until next week. He suggested that the County Attorney contact Mr. Wes Bowers, the attorney for E.A.R.C., to see if he can come in this afternoon, since the Commissioners will be in, to take whatever action that is necessary.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

VOTERS REGISTRATION

|               |                  |       |             |             |
|---------------|------------------|-------|-------------|-------------|
| Rosetta Floyd | 317 Madison Ave. | Clerk | \$15.00 day | Eff: 4/2/74 |
|---------------|------------------|-------|-------------|-------------|

COUNTY ELECTION BOARD

|                      |                   |          |            |             |
|----------------------|-------------------|----------|------------|-------------|
| Helen B. Franke      | 646 Plaza Dr.     | Clerical | \$2.00 Hr. | Eff: 4/1/74 |
| James N. Money       | 1503 W. Louisiana | Mechanic | \$2.00 Hr. | Eff: 4/1/74 |
| Fred C. Reeder       | R.R.4 Box 263     | Mechanic | \$2.00 Hr. | Eff: 4/1/74 |
| Aubrey D. Hall       | R.R.4 Kuebler Rd. | Mechanic | \$2.00 Hr. | Eff: 4/1/74 |
| Jess McKinley        | 1406 N. Harlan    | Mechanic | \$2.00 Hr. | Eff: 4/1/74 |
| Earl F. Goodwin      | 811 N. Governor   | Mechanic | \$2.00 Hr. | Eff: 4/1/74 |
| Agnes Stinnett       | 1155 S. Vann Ave. | Clerical | \$2.00 Hr. | Eff: 4/8/74 |
| John H. Marshall Sr. | 3374 W. Mich.     | Mechanic | \$2.00 Hr. | Eff: 4/1/74 |
| Oscar S. McGee Jr.   | 575 S. Garvin     | Mechanic | \$2.00 Hr. | Eff: 4/1/74 |
| John W. Emmens       | 2800 Rode Rd.     | Mechanic | \$2.00 Hr. | Eff: 4/1/74 |
| William T. Withers   | 2163 Vogel Rd.    | Mechanic | \$2.00 Hr. | Eff: 4/1/74 |

VANDERBURGH COUNTY SURVEYOR

|             |             |        |                |              |
|-------------|-------------|--------|----------------|--------------|
| Brian Davis | 2323 E. Gum | Rodman | \$5,720.00 Yr. | Eff: 4/15/74 |
|-------------|-------------|--------|----------------|--------------|

BURDETTE PARK...(As of First of the Year)

|                       |                     |              |             |              |
|-----------------------|---------------------|--------------|-------------|--------------|
| James L. Bengert      | 1300 S. Roosevelt   | Extra        | \$1.70 Hr.  | Eff: 1/17/74 |
| Constance A. Willman  | 3205 S. Frederick   | Extra        | \$1.50 Hr.  | Eff: 1/19/74 |
| Donald T. Stucki      | 1301 Laubscher      | Board Member | \$25.00 Mo. | Eff: 1/1/74  |
| Emilyann Fowler       | 918 Lombard Ave.    | Board Member | \$25.00 Mo. | Eff: 1/1/74  |
| Deryl Blackburn       | 3327 Cave Ave.      | Board Member | \$25.00 Mo. | Eff: 1/1/74  |
| Willard N. Henry      | 1311 McDowell Rd.   | Extra        | \$2.25 Hr.  | Eff: 2/4/74  |
| Brent Ellard          | 1219 Emmett         | Extra        | \$1.60 Hr.  | Eff: 2/23/74 |
| Gary L. Burgdorf      | 1314 Reiter Dr.     | Extra        | \$1.60 Hr.  | Eff: 3/9/74  |
| Robert H. Hertzberger | 629 S. Red Bank Rd. | Asst. Mgr.   | \$6,330 Yr. | Eff: 3/19/74 |

BURDETTE PARK APPOINTMENTS...CON'T.

|                     |                     |       |            |              |
|---------------------|---------------------|-------|------------|--------------|
| Michael R. Norman   | 1210 Crossgate      | Extra | \$1.50 Hr. | Eff: 4/1/74  |
| Kenneth R. Belanges | 3814 Claremont      | Extra | \$1.60 Hr. | Eff: 3/21/74 |
| Omer L. Brown       | 851 Oak Hill Rd.    | Extra | \$1.80 Hr. | Eff: 3/21/74 |
| Michael H. Head     | 614 S. Red Bank Rd. | Extra | \$1.50 Hr. | Eff: 3/31/74 |
| Michael A. Ginger   | 1419 Hillside Terr. | Extra | \$1.60 Hr. | Eff: 3/30/74 |

RE: EMPLOYMENT CHANGES.....RELEASESVANDEBURGH COUNTY SURVEYOR

Richard K. Graham                    1150 Hillsdale Rd.    Instrumentman \$7,089.60    Eff: 4/1/74

VANDEBURGH CO. HIGHWAY DEPT.

|               |                 |                       |                                |
|---------------|-----------------|-----------------------|--------------------------------|
| Alice Lee     | 5111 Nolan Ave. | Bkkpr. & Payroll Clk. | Eff: 4/1/74 to 5/8/74 (L.O.A.) |
| Clarence Blue | 520 Olive St.   | Laborer               | \$3,297 Hr.    Eff: 4/3/74     |
| Rex Reisinger | R.7 Box 357     | Truck Driver          | \$3.40 Hr.    Eff: 4/5/74      |

BURDETTE PARK

|                 |                  |               |                            |
|-----------------|------------------|---------------|----------------------------|
| Deryl Blackburn | 3327 Cave Ave.   | Board Member  | \$25.00 Mo.    Eff: 1/1/74 |
| Sharon Owen     | 2339 E. Franklin | Sec'y.-Bkkpr. | \$4,636 Yr.    Eff: 4/6/74 |

RE: APPOINTMENT MADE

Commissioner Schaad said he thought they were very fortunate to have Bob Hertzberger as the Assistant Manager of Burdette Park. He read as follows:

The County Commissioners are pleased to confirm the appointment of Robert Hertzberger as Manager of Burdette Park. Mr. Hertzberger was recommended by the Burdette Park Board, which is charged with this responsibility.

Commissioner Schaad said he received an application from Bob several weeks ago and he referred it to the Burdette Park Board for consideration. He continued the letter:

Bob Hertzberger is 44 years old, married and a life long Evansville resident. He attended both Georgia Tech and the University of Evansville. We feel that Mr. Hertzberger is especially well qualified for this new role, having recently completed 20 years with the Evansville Police Department. His assignment for the past 15 years was basic co-ordinator with the school safety division, acting both as the liason and public relations officer with the Evansville-Vanderburgh School Corporation. Mr. Hertzberger has been active in all phases of civitan work and in 1970, at a special world-wide gathering in Hawaii, was one of the five individuals who was awarded the Civitan International Honor Key for outstanding work with you. Locally, Bob coaches the junior league football and is now completing his term as president of the Tekoppel P.T.A.

Commissioner Schaad then introduced Mr. Hertzberger and congratulated him on his appointment. He wished Bob good luck and said that he knew he would do a good job.

Commissioner Willner said he had nothing to say about Mr. Hertzberger's appointment but he does have something to say about the way in which it was done. He asked, in regard to the statement of confirming the appointment, as to who made the appointment. Secondly, it was stated that this appointment was recommended by the Burdette Park Board and he would like to know if this was in a full meeting. Thirdly, he is very disappointed with the intimidation that was done Louise Devoy. He said that this is the second time that this has happened. He said that according to his information, there was a couple who moved in at Burdette Park last year, for a couple of weeks and then they just left, for some reason or other. He said he thought this needed clarified and to find out just what is going on.

Commissioner Ossenbergs said he represents the County Commissioners on the County Council but wasn't in attendance at this particular meeting, however, it is in the record and a matter of minutes that the Board did vote to hire Mr. Hertzberger in an open meeting, by majority. He said that Louise Devoy submitted her resignation last Monday but the Board did not accept that resignation, merely because there is some contention that she has six weeks vacation and there is some legality there and as to if she is entitled to the six weeks. He said the Board feels as though she is entitled to it.

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Commissioner Schaad said that Burdette Park is under the County Commissioners budget but when there is a Board, that Board operates that Department.

Commissioner Willner then asked if it was correct then, that the County Commissioners have nothing to say about the hiring or firing of the manager of Burdette Park.

Commissioner Schaad said this is the way he understands it and that the Burdette Park Board does the hiring and the firing. This was also the opinion of the County Attorney.

Commissioner Willner said that it was his impression that the County Council gives the County Commissioners the money to run Burdette Park, as they see fit and if this has been changed, it is something that he doesn't know about and if they are now giving money to Burdette Park Board to run it as they see fit, he would also like to be informed of that point.

Commissioner Schaad said it seemed to him that common sense would answer these questions, and if there was a corporation and it had a Board of Directors, and if they don't like what the president is doing, they can always fire him and in this case, if they don't like what the Burdette Park Board is doing, when their appointment comes up, they don't have to be re-appointed and he understands, legally, that the Burdette Park Board controls Burdette Park, whether they like it or not.

Report, Gene Clabes, asked if the Commissioners didn't have to approve the payroll for Burdette Park.

Commissioner Schaad said yes, but they have no control over who is hired and fired. He guessed they could refuse to sign it and then see what happens.

Mr. Clabes then asked if the applications for the job came through the County Commissioners.

Commissioner Schaad said he only received the one from Mr. Hertzberger and he turned it over to the Burdette Park Board.

Mr. Clabes then asked if there was general knowledge among the Commissioners that the job was open.

Commissioner Willner answered "no".

Commissioner Ossenberg said he thought there had been some talk about it for sometime.

Commissioner Schaad said that he had many calls at the beginning of the year, when they took office, as he felt, very frankly, that everyone expected Mrs. Devoy to lose her job at that time. He said that she has been a real good park manager and he didn't have any interests in replacing her at that time because he felt she was entitled to remain her ten years so she could get her P.E.R.F., which would be in April of this year.

Gene Clabes said the appointment of Mr. Hertzberger happened matter of factly and he thought the people should have something to say about it.

Commissioner Ossenberg said other officeholders have a right to hire as they want to and the board took the action for the confirmation from the County Commissioners.

Commissioner Willner said he didn't have a chance to voice his opinion and he thought this to be the democratic process. He said he didn't mind Mrs. Devoy going, as he knew she would some day and as for Mr. Hertzberger, he was a school mate of his and he thought him to be a fine fellow, however this Commissioner would like to know when there is an opening and he would like to have a voice in who is going to be appointed and he would like to know what is going on and he did not. He also said he didn't feel that it was the County Commissioners that have been pushing this, but the president of the park board and this is his reason for saying that this was done underhandedly and this is the second time that it was done and he doesn't blame Mrs. Devoy for turning in her resignation, as he wouldn't work under a situation such as this either and this, he said, is his position.

County Attorney Swain then read the Burns Statute that applies here.

Commissioner Willner then asked if the statute states that there must be a Burdette Park Board.

County Attorney Swain then read the statute that applies to establishing the Board.

Commissioner Willner then asked if Mr. Stucki was an appointment of the County Commissioners.

Commissioner Ossenberg explained that the County Commissioners make three appointments who are paid members and the other three serve by virtue of their office.

Commissioner Willner said that recently, the Mayor of the city had said he wouldn't have any one member on more than one board and he thought this might be a good thing for the County Commissioners to follow. He said that Mr. Stucki is on the Alcoholic Beverage Board and also on the Burdette Park Board and he wasn't sure that this was a good idea.

RE: MONTHLY REPORTS

The monthly report of the Traffic Department was submitted to the Commissioners for the month of March.

Report received and ordered filed.

The report of the Pleasantview Rest Home was submitted to the Commissioners for the month of March.

Report received and ordered filed.

RE: REQUEST FOR EASEMENT

Mr. Ed Cole of the Southern Indiana Gas & Electric Co. presented an easement for Right of Way and requested that it be approved for the Hamilton Golf Course Club House along Old Petersburg Road, with the County Commissioners being the lessor and Robert T. Hamilton being the lessee.

Mr. Cole said this is on the Golf Club property and will be an underground cable.

Commissioner Ossenberg moved that the easement be approved. Commissioner Willner seconded the motion. So ordered.

RE: MR. ED COLE

A portion of the Hamilton Golf Course was mistakenly built on the property of the Southern Ind. Gas & Electric Co. and they thought they might be able to use some of the county's property to compensate for it.

Mr. Cole said he did receive a copy of the county-owned surplus property and he took it to the Gas Company's Engineering Department to see if any of these parcels were suitable for the company's use and they are evidently in the wrong location and none of them are suitable.

Mr. Volpe said that more property has since been advertised and if Mr. Cole would come to his office, he would be glad to give him a copy of them and they could check them out.

RE: LETTER FROM UNDERWRITERS ADJUSTING COMPANY

The following letter was received by County Attorney Stephens from the Underwriters Adjusting Company:

Re: Our Insured: Commissioners of Vanderburgh County  
 Claimant: Paul E. Smith, Deceased  
 Our File: 272-3B0820

Dear Mr. Stephens:

This is to acknowledge your letter dated March 27, 1974 directed to the Torian Insurance Agency.

This office represents the Continental Insurance Company who in turn provide liability coverage for the Commissioners of Vanderburgh County.

We have secured various statements obtained by the coroner as well as statements presented to us by the Vanderburgh County Sheriff's Department and all these materials have been reviewed in their entirety.

It is our position at this time, we do not feel our insured, Vanderburgh County Commissioners Sheriff's Department, are liable for the injuries of following death of Paul E. Smith and for that reason we at this time do not plan to make any voluntary payment. We feel that case is one to defend at this time.

In the event of litigation our file will be referred to the law firm of Clark, Statham, McCray and Gowdy in the handling of this matter.

Yours very truly, Jack R. Griffith, Senior Adjuster

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County Attorney Stephens said the hospital sent a claim for \$1,400.00, that he has looked into it and decided that it would be within the Insurance coverage anyhow so that was the result of his inquiry. The letter was noted as being received and filed.

RE: CLAIM

A claim was received from Engineer Associates Inc. for the Engineering Services on the Eichoff Road Project as follows:

|                  |  |                    |
|------------------|--|--------------------|
| Location         | 100% = \$3,710,409.00 x 5.134% x 7.2% =  | \$13,715.45        |
| Survey Phase I   | 100% = \$3,710,409.00 x 5.134% x 4.44% = | 8,457.86           |
| Survey Phase II  | 37% = \$3,710,409.00 x 5.134% x 2.60% =  | 4,952.80           |
| Survey Phase III | 100% = \$3,710,409.00 x 5.134% x 4.77% = | 9,086.49           |
| Design Phase I   | 55% = \$3,710,409.00 x 5.134% x 8.86% =  | 16,877.63          |
| Design Phase III | 18% = \$3,710,409.00 x 5.134% x 5.18% =  | 9,867.51           |
|                  |  | <u>\$62,957.74</u> |
|                  | Less Previous Payment                    | 31,259.73          |
|                  | Amount Due                               | <u>\$31,698.01</u> |

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

Mr. Leo Weiss said that he will have the plans for Phase I in three weeks. He said the Commissioners approved the route plans in January.

Mr. Nussmeyer expressed concern in regard to the R & S funds because after four years, the money will go back to the state and he doesn't want to lose it.

Mr. Volpe said that all the money that he has for projects from Highway, R & S and the Accumulative Bridge Fund, has been there for at least three years. He said that he has used this money as a float and has invested county revenue money so that it would affect the tax rate.

Mr. Nussmeyer thought the money available should be transferred to an active project so they wouldn't lose it.

Commissioner Schaad agreed and said they need to go with this project. He suggested that Mr. Volpe, Mr. Weiss and Mr. Nussmeyer go to the State Highway Department and work with the R & S people, to see where they stand and get it nailed down.

Mr. Weiss said that when they were at Road School, there were no federal funds available.

Mr. Nussmeyer said they were told that more funds would be available as of July 1.

Mr. Volpe said this is why he questioned Mr. Lochmueller last week, on the fact that we are going to have to fight the state for money that the state controls.

Mr. Nussmeyer said that his concern was that the four years might be up before a contract is let for Phase I of the Eichoff Road project.

Mr. Weiss thought that the four years would be up on July 1, 1974. He said the only way to find out would be to go back and check as to when these funds came in.

Commissioner Schaad asked Mr. Volpe to check on all the monies, as to when they came in on various projects and the amount of it and report back to the Commissioners next week.

Mr. Weiss said that they could beat the deadline by taking bids and letting the contract on the Eichoff Road project.

Mr. Volpe, Mr. Weiss and Mr. Nussmeyer will get together and check on the monies available and will report back next week.

Commissioner Ossenberg asked, if a phase of the project was being worked on and they had their engineering plans, wasn't it true that they most likely wouldn't take the money back.

Mr. Nussmeyer said that he didn't think they would.

RE: BARKER AVENUE PROJECT

Commissioner Schaad said that the city wants the county's share for the substitute plan for the Barker Avenue Project so it looks like they want \$443,000.00 from the county, which they are calling the River Parkway.

Commissioner Willner said he thought it was decided as not veing feasible at the last meeting that he attended.

Commissioner Schaad said the city has been working with the Railroad and he thought they decided, just last week, that it can be done by the L & N Railroad Co. moving some tracks and they agree to do this. He said that the total cost of the project will be \$1,750,000.00 and they are hoping to get \$857,000 from Urban Transportation, which leaves \$893,000.00 to be financed locally, with the county's share being \$443,000.00 and the city's to be \$450,000.00. He said our share would be the bridge, that there will be no grade crossing with the substitute plan. He said that it would be a good idea to find out where they stand on all of these projects.

Commissioner Ossenberg moved that Mr. Volpe, Mr. Weiss and Mr. Nussmeyer go to the State Highway Department and come back with a detailed report on all projects in which R & S money is involved. Commissioner Willner seconded the motion. So ordered.

RE: LAKE AT BURDETTE PARK

Mr. Leo Weiss said that Commissioner Ossenberg had mentioned something about the county laying the structure in the lake at Burdette Park, awhile back, and he has gone over the drop assembly and the head wall of this structure and they think it will cost from \$6,000 to \$7,000 and it was thought if they bought the pipe, the county could lay it. He said this will be 100 feet of four inch pipe and he didn't know if the county had the equipment of the manpower to do this.

Mr. Willard said he didn't think that the county could handle it.

Mr. Weiss said that he has some sketches on this work if they decide to take bids on the project.

RE: CLAIM

A claim was received from the Terminal Warehouse Co. for the rent of space for storage of voting machines per contract from April 1, 1974 to May 1, 1974, in the amount of \$500.00.

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

RE: GREEN RIVER ROAD

Mr. Nussmeyer said that Mr. Weiss had presented him with plans on Green River Road, from the Waterworks Department, on the ditches and at that time he objected to laying the water line on the shoulders so he got with Dennis Stallings and they called Jerry Lamb who has agreed to go 50-50 for the Right of Way. Mr. Nussmeyer said the cost has been estimated at \$2.00 a running foot for both sides. He said that Mr. Lamb suggested that they maintain the Right of Way buying, since they have the contract with George Ryan and they hope to complete it by the first of October.

Mr. Weiss said the Water Board feels, in order to expedite it, they would rather go ahead and buy half of the Right of Way.

Mr. Nussmeyer estimated that the cost for each would be from \$25,000 to \$30,000. He said that the money will come from the Contractual Account for Green River Road.

Commissioner Ossenberg moved that the Commissioners enter into an agreement with the Waterworks Department, to share half the cost of the Right of Way from Heckel Road to Highway 57. Commissioner Willner seconded the motion. So ordered.

Commissioner Willner asked what was going to be done from Pigeon Creek to Heckel Road. He said that without the total picture, he would withdraw his second to the motion, that he doesn't want a half-way project and if they are going to do Green River Road, he wanted it done all the way.

Commissioner Ossenberg then moved, restating his previous motion, that the county purchase the Right of Way from the Creek to Heckel Road, County-owned, and then that the Commissioners share into an agreement with the Evansville Waterworks Dept. to pay half of Heckel Road, North, to Highway 57. Commissioner Willner seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE FOR BIDS

Mr. Nussmeyer presented plans and specifications for the project on the bridge one mile West of Red Bank Road on Upper Mt. Vernon Road. He said that he is ready to advertise for bids and estimated the cost from \$30,000 to \$35,000.

Commissioner Willner moved that the specifications be approved and that the Auditor be authorized to advertise for bids. Commissioner Ossenberg seconded the motion. So ordered.

RE: CUTS IN

The following applications for cuts in were presented to the Commissioners for their approval:

Indiana Bell Telephone Co. requests to cut into Fleener Road on the South side in the berm to bury a telephone cable.

Indiana Bell Telephone Co. requests permission to cut into Petersburg Road & Browning Road on the North side of Petersburg & the East side of Browning Road in the berm to place underground conduit in manhole.

Indiana Bell Telephone Co. requests permission to cut into Baseline Road and Bender Road to bury a telephone cable.

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

RE: EVERGREEN ACRES

Mr. Nussmeyer said he had plans for an extension of Evergreen Acres and needed the Commissioners approval. He said it is to be three inches of asphalt and that would be over six inches of concrete base and it would have curbs on both sides.

Commissioner Willner asked what kind of soil it had as he wanted to be sure they didn't have the trouble they had out there before.

Mr. Nussmeyer said he would check with Tom Pugh on the soil type and he will bring this matter back next week.

RE: OAK GROVE ROAD

Plans were submitted to the Southern Railroad Co. sometime ago, for a crossing. The Chief Engineer said that the Southern Railroad Co. will not let us cross those tracks on Oak Grove Road & Highway 52.

Commissioner Willner said that the decision must be made as to if they are going to change the alignment or go with it as it is. He asked Mr. Nussmeyer for a recommendation.

Mr. Nussmeyer said if they are going to have to get away from the turnout, they will have to take advantage of what widening they have. He suggested that they go to the West and see what they can do with it.

County Attorney Stephens said that he will talk to the people at the Complete Lumber Co. and see if they might change the alignment.

RE: RESOLUTION ON TRAFFIC CONTROL

Mr. Judd had presented a resolution, last week, in amending the Master Traffic Control Code of Vanderburgh County, Indiana, designating that Elm Ave. & Igleheart Avenue, Elm Ave. & Franklin St. and Woods Ave. & Franklin St. be made stop inter-sections. This resolution had been approved last week and now comes before the Commissioners for their signatures.

RE: MR. WILLARD

Last week, the Commissioners agreed that two men be allowed to go to Minnesota to pick up two army trucks, at \$2.00 per hour. Mr. Willard said that the total cost is \$731.39 which was for the traveling expenses of the two men. He said that he would prepare a claim to present the Commissioners next week for these expenses.

RE: REPORT OF ABSENTEES

Mr. Willard presented the absentees list of the County Highway Dept. employees for the past week. Report received and ordered filed.

RE: HIGHWAY DEPT. WORK SUMMARY

Mr. Willard presented the Vanderburgh County Department Work Summary for the month of March. Work Summary received and ordered filed.

RE: WESTBROOK

Mr. Willard said that they would work on Westbrook, near Allens Lane when the weather warms up a little.

Commissioner Willner asked if Feigel Construction Co. was working on Mt. Pleasant Road. Mr. Willard said that Feigel said he would get on it when the weather breaks. He suggested that all who could, would go out and look at the county roads on Wednesday morning.

RE: MR. CROOKS...MONTHLY REPORT

The monthly report of the Building Commission was submitted by Mr. Crooks for the Month of March. Report received and ordered filed.

RE: ORDINANCE NO. 1118-E

Mr. Crooks presented an Ordinance amending Ordinance No. 1118, as amended, passed by the Board of Commissioners of the County of Vanderburgh, State of Indiana, on the first day of August, 1966.

Mr. Crooks said that this is a revision of the old Ordinance to make the fees for permits and licensing in uniformity with the city.

Commissioner Willner moved that the amended ordinance be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: CLAIM FOR REFUND

Mr. Crooks presented a claim from Robert E. Hollman for a refund of the difference between the cost of Master Plumbing License for 1973 and the Plumbing Registration fee in the amount of \$20.00.

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

RE: TRADESMAN LICENSE

Mr. Crooks made a request to make a common City-County Tradesman License. He said it is his recommendation to amend the working agreement between the City and the County to make a common City-County Contractors License. He said that he presented this to the Corporation Council and he needs the consent of the Commissioners stating that they want to do this so the Corporation Council can write up an agreement. This matter was taken under advisement for one week to be studied.

RE: REQUEST TO TRAVEL

Mr. Crooks said that Purdue is having a conference on Thursday and Friday on Earthquake Codes and he would like to attend.

Commissioner Ossenberg moved that Mr. Crooks be permitted to attend the conference. Commissioner Willner seconded the motion. So ordered.

RE: INSPECTION OF HOUSES

Mr. Crooks submitted a copy of a letter that he had sent to the Welfare Dept. as follows:

Our Building Inspector has checked three houses which were reported as fire hazards and "kid" hazards. His inspection verifies this to be true. We believe these properties belong to the Welfare Department. Would you please check your records on the following:

1. 2813 N. Grove St. -- Had been listed under the name of Reva Sanders.
2. 1600 Block on Allen's Lane -- two houses on same lot -- Had been listed under the name of Mrs. Gladys J. Hausman.

It is our understanding these two ladies are now residents in Fulton Square Housing as Welfare recipients.

Our recommendation is for these three houses to be razed. If they belong to the Welfare Department, would you please start the proper procedures for razing; if they are not Welfare properties, please advise so we may check further for the proper owners.

This matter will be held up for 30 days to see what the Welfare Dept. is going to do.

RE: MARTINS LANE

Mr. Crooks said that he had Joe Freeman, the Building Inspector, go out on Martins Lane where they are having a problem of drainage and trash and Mr. Freeman said that one of the contractors didn't want to finish his work until the sewer and water lines are laid.

He said that he told Mr. Freeman to find out who the contractor is.

RE: BOEHNE BUILDING

The following letter was received by the Commissioners from Mr. Norman Starks, Director of His Place, Inc.:

Dear Sirs:

This letter is to advise you that His Place, Inc., is no longer interested in the old Boehne Hospital Building. Our engineers estimates now place renovation costs at about \$100,000, which is neither practical nor feasible for us at this time.

We thank you very much for your consideration and assistance, especially that of Mr. Hotz. Sincerely yours, Norman Starks.

Commissioner Schaad said that they want the county to take the building back so they can cancel their Insurance. He said that they wanted to use the building for a drug use program but found that it would cost too much to renovate it.

Mr. Hotz said that the estimated cost to tear the building down is around \$15,000. He said that the building is in very bad shape.

Mr. Crooks said that he didn't anticipate anyone using it.

County Attorney said that their Insurance runs out in June.

Commissioner Willner moved that the county accept the building back from Alcoholic Help Inc. Commissioner Ossenber seconded the motion. So ordered.

Commissioner Willner then moved that Mr. Hotz advertise for bids to tear the building down, subject to his getting the money for same. Commissioner Ossenber seconded the motion. So ordered.

RE: FISHING AT BOEHNE LAKE

Commissioner Schaad said that they are having problems with the permits for fishing at Boehne Lake. He said there have been 438 permits issued as of a few days ago, and that there has been much trash, bottles and dead fish left around the lake, also that automobiles and trucks are parked in improper manner in restricted areas, that there is fishing in restricted areas, including the island behind the Superintendents residence.

It was thought that the Commissioners might further restrict the fishing area by fencing and putting up signs with the rules for fishing. He said that Mr. Lawson has many responsibilities and the time he has spent at the lake has become more and more of a burden, reducing his time to take care of the building and grounds. He said the rules are clearly stated on the permits but the people don't pay any attention to them.

Mr. Hotz said the problem is in enforcing the rules.

Commissioner Ossenberg said he thought the public should continue to have the privilege of fishing out there but he thought there should be restrictions as to boundary lines as to where they can fish and rules should be posted.

Mr. Hotz said it was suggested that the trash collectors pick up the trash out there.

Commissioner Schaad said that the news media needs to be told of this situation since they had already left the meeting.

He said that they could put up signs and trash cans and have the county garage haul away the trash as often as was necessary and suggested putting up a fence.

Mr. Hotz said they thought they might put barrels across the lake.

Commissioner Willner said he was agreeable as to the signs and trash pickup but not with the fence and restrictions or of placing barrels across the lake.

Commissioner Schaad suggested placing signs designating "No Fishing Beyond this point."

This was agreeable with the other Commissioners.

Commissioner Schaad said that he would fill the reporters in on this matter and ask them to publish it.

RE: HOUSES BURNED

Mr. Hotz said that the houses on Green River Road were burned and he would like for the Commissioners Secretary to send a letter of thanks to the McCutchanville Volunteer Fire Department as they did a wonderful job, and also to the the Civil Defense Police.

RE: MR. HARNESS....REQUEST TO TRAVEL

Mr. Harness said the County Home Association of the State of Indiana is holding their first meeting on April 26th. in Valparaiso, Indiana and he would like for Mr. & Mrs. Harness to motor to Valparaiso and return and would like mileage, food, and one nights lodging for two people at the county's expense.

Commissioner Willner moved that Mr. Harness's request be approved. Commissioner Ossenberg seconded the motion.

RE: PENN CENTRAL

Commissioner Schaad asked Mr. Willard if he had heard anything on the Penn Central Bridge.

Mr. Willard said he has heard nothing as yet.

RE: RED BANK ROAD & EXPRESSWAY...PETITION

The following letter was sent to Councilman Raymond Becker, from the White Community Club, Inc. and presented to the Commissioners:

Dear Councilman:

This petition is herewith presented in written form as advised by you to Mr. Shirley Marx, President of the White School Community Club.

At the intersection of Red Bank Road and the Expressway, i.e., State Highway 62, there are only single right and left lanes on both the north and the south approaches of Red Bank Road. The unpaved and inadequate shoulders are not suitable for traffic.

As a consequence there are congestion and undue slowing of traffic at both morning and evening peak traffic movements when those wanting to make a right hand turn have to wait in line until the traffic finally clears for those wanting to make a left hand turn.

We understand that at least five accidents have occurred at this intersection due to the inadequate approaches.

Therefore we respectfully request that the north and south approaches of Red Bank Road at the Expressway be widened to accommodate two lanes of traffic on both the right and left hand sides of the road.

When do you think that this can be done?

Respectfully yours, T. P. Whitsitt, Secretary

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 Commissioner Willner moved that this letter be referred to the Traffic Department for feasibility studies. Commissioner Ossenberg seconded the motion. So ordered.

RE: OUTER ST. JOE AVENUE

Commissioner Schaad said, regarding the St. Joe Avenue Right of Way property, the original appraisals are three parcels. One was \$576.00, another \$4,300 and the third parcel was \$1,120, for a total of \$5,996.00. He said the court awarded appraisals were \$700.00, the second, \$700.00 and the third, \$9,500 for a total of \$10,900.

County Attorney Swain said that he got in touch with Bob Rickard who said that the last offer was \$6,015.00.

Commissioner Schaad said that there is no urgency on this, that they are going ahead and do the project of widening St. Joe Avenue.

County Attorney said that it is set for trial and will be determined by the court.

Apparently Bob Rickard has offered \$6,015.00 but he wouldn't take it.

County Attorney Swain asked if he should try to settle for the \$10,900 or not.

Commissioner Schaad explained that this is the only three parcels that haven't been acquired to complete the first phase on outer St. Joe Avenue.

Commissioner Ossenberg moved that some kind of settlement be made. Commissioner Willner seconded the motion. So ordered.

The meeting recessed at 12:00 noon

PRESENT

COUNTY COMMISSIONERS

Robert Schaad  
 Thomas Ossenberg  
 Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe  
 Curt John (Dep)

COUNTY ATTORNEYS

William Stephens  
 Thomas Swain

REPORTERS

S. Clark  
 B. Thompson  
 G. Clabes  
 D. Goodnow  
 C. Leach

Secretary: Margie Meeks

Bob Schaad  
Thomas Ossenberg  
Robert L. Willner  
 BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
APRIL 15, 1974

The meeting of the County Commissioners was held on Monday, April 15, 1974, at 9:30 a.m. in the Commissioners Hearing Room with President Schaad presiding.

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

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

Commissioner Ossenberg said that he had a call from someone that was interested in parcel 29-98-5, 1416 W. Columbia Street, but he didn't have the list with him at the time and has since been unable to contact him. He entertained that if the gentleman comes in, the bidding be re-opened. There being no more bids, the sale will continue.

Mr. Stephens presented the prepared deeds for parcels that were sold last week. The County Auditor will furnish the purchasers with their deeds and collect the money for same at that time.

Commissioner Schaad asked about the property that Mr. Kornblum was to have checked for ownership, since there was some question on code 33-65-15, 800 Independence Ave. It is apparently owned by Jerry Meece but hasn't been recorded. A Mr. Cravens was interested in this property if the county still owned it. Commissioner Willner said that as far as he was concerned, it does belong to Jerry Meece.

RE: EMPLOYMENT CHANGES ... APPOINTMENTS

COUNTY TREASURERS OFFICE

|                  |                      |       |             |              |
|------------------|----------------------|-------|-------------|--------------|
| Margaret Baylor  | R.7 Box 220C         | Clerk | \$15.00 Day | Eff: 4/15/74 |
| Etta M. Mueller  | 1508 S. Red Bank Rd. | Clerk | \$15.00 Day | Eff: 4/15/74 |
| Frances Broerman | 3911 Covert Ave.     | Clerk | \$15.00 Day | Eff: 4/15/74 |
| Lois N. Triggs   | 1313 Stinson Ave.    | Clerk | \$15.00 Day | Eff: 4/15/74 |

RE: MONTHLY REPORTS

The monthly report of the Clerk of the Circuit Court was submitted to the Commissioners for the month of March. Report received and ordered filed.

The monthly report of the County Treasurer was submitted to the Commissioners for the month of March. Report received and ordered filed.

RE: VIOLATION OF HEALTH LAW

A copy of a letter to Mr. Ed Hermann from the City-County Department of Health was submitted to the Commissioners, in regard to their reference of March 6, 1974, regarding the condition of the property at the end of Hermann Road. The Health Department had requested their cooperation in eliminating this condition. They had received several complaints regarding the dumping of trash on this property and stated that it would be necessary for this area to be closed to further dumping and the correction of the present condition.

A reinvestigation was made on April 11, 1974 and this condition still has not been corrected and they ordered him to eliminate this condition within fifteen days or they would have to turn this matter over to the Prosecuting Attorney. Copy of letter received and ordered filed.

RE: LEASE ON COLISEUM

County Attorney Swain presented a copy of the lease agreement on the Coliseum, with the Board of County Commissioners of Vanderburgh County as Lessor and the Veterans Council as the Lessee.

Commissioner Schaad said that before the lease agreement was drawn up, the Veterans were suppose to carry the Insurance on the Coliseum but they never had the money to pay it so the county has always carried the Insurance and another lease has now been drawn up.

Commissioner Willner moved that the lease agreement be approved. Commissioner Ossenberg seconded the motion. So ordered.

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RE: CLAIMS

A claim was presented from G. H. Allen Inc. for the structure #122 at Old Mt. Vernon Highway . 216-3770 at \$3,929.40 and 203-3812 at #436.61, a total of \$4,366.01.

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

A claim was presented from Deig Brothers Inc. for Account No. 203-3767-216-3767, for work completed between February 25 and April 15, 1974, 216-3767 at \$3,995.72 and 203-3767 at \$443.97. The total amount due is \$4,439.69. This is for work done on Allens Lane where a bridge caved in.

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

RE: CHANGE ORDER

Mr. Nussmeyer presented a change order for Oak Grove Road. The contractor is Feigel Construction. The amount of the change order is \$300.00 in #1 and \$2,314.50 in #2, a total of \$2,614.50 which makes the new contract to amount to \$69,336.20 instead of the original contract price which was \$66,721.70.

Commissioner Ossenberg moved that the change order be approved. Commissioner Willner seconded the motion. So ordered.

RE: BUENA VISTA ROAD and FIRST AVENUE

Mr. Nussmeyer said that the city has agreed to take on Buena Vista Road and that they can use their H.U.D. funds, so they are going to take over the complete project and they have, in turn, asked the county to take over the project on First Avenue, as they are having problems out there.

Commissioner Willner thought that the structure out there was redone not too long ago.

Mr. Nussmeyer said this is on Dry Branch Creek and that the boxes catch all the driftwood when it rains.

Commissioner Ossenberg moved that this matter be deferred until they all go out and take a look at it. Commissioner Willner seconded the motion. So ordered.

RE: GREEN RIVER ROAD

Mr. Nussmeyer said that since the Commissioners intend to go along with the Waterworks on Green River Road, they can ask for R & S funds for the Right of Way. He said that he is going to Indianapolis with Jesse Dunville tomorrow.

RE: ST. JOE AVENUE

Commissioner Schaad said that they have authorized County Attorney Swain to go ahead and work on getting the three parcels for \$10,900 on Outer St. Joe Ave. He asked if that would take care of all the Right of Ways on St. Joe.

County Attorney Swain said it still seems to him that they don't own the Indiana Farm Bureau.

Commissioner Schaad said he thought they did because the Farm Bureau wanted to load and unload out there and he thought they gave the county money to put rock in their drive so he thought it was all settled.

Mr. Nussmeyer was asked to check to see if all the Right of Way purchases have been made on St. Joe Avenue.

RE: OAK GROVE ROAD

Mr. Nussmeyer presented plans on Oak Grove Road and said that they have been knocked out by the Southern Railroad and that he has talked to the owner of the Complete Lumber Co. and said that he isn't interested in changing the alignment there so he suggested moving it to the west.

Commissioner Willner thought that perhaps a road out there could be dedicated to the county for maintenance and that would be that.

Mr. Nussmeyer said that he was sure that the owner wouldn't go along with this.

Commissioner Schaad said he thought they should have the owner of the Complete Lumber Co. to come in to a meeting.

Commissioner Willner suggested that they take a trip out there so he could make one more attempt on it, so he and Mr. Nussmeyer decided to go out there this afternoon.

This matter was deferred until next week.

RE: EVERGREEN ACRES AND OLD STATE ESTATES

Mr. Bussing had requested that Evergreen Acres and Old State Estates be accepted by the County for maintenance.

Mr. Ludwig has been working on this and had said that when he was finished, he would give the Commissioners his recommendation.

Commissioner Schaad asked if Mr. Ludwig had a recommendation as yet.

Mr. Nussmeyer said that Mr. Bussing stated that these roads have been accepted.

County Attorney Stephens said the Commissioners had agreed to treat this matter as a new request since nothing could be found on it.

Commissioner Schaad said some action should be taken on it since it has been hanging fire for sometime.

Mr. Nussmeyer said that the Board wouldn't want to accept these roads as they are now.

County Attorney Stephens said he thought if Mr. Nussmeyer recommends that the Commissioners not accept these roads, he should state why.

Mr. Nussmeyer will submit his recommendation next week.

RE: OLD STATE ROAD BRIDGE

Commissioner Schaad asked County Attorney Swain if he and Gary Gerling had come up with anything on the Old State Road Bridge project.

County Attorney Swain said this is set for a hearing on June 11th and 12th.

RE: RED BANK ROAD

Commissioner Schaad asked how they were coming along on Red Bank Road and Mt. Vernon Ave. at the Church.

County Attorney Swain said he is suppose to call Ed Johnson on this matter, but hasn't as yet.

It was stated that it would be six weeks before the Telephone Co. can move the poles out there.

This matter will be continued next week.

RE: MR. WILLARD

Mr. Willard submitted the absentee list for the County Highway Employees, for the past week.

Absentee list received and filed.

RE: RE-SURFACING ROADS....PRIORITY LIST

Commissioner Schaad said that, the other day, he, Commissioner Willner, Jack Willard and Ed Martin, went out and inspected the county roads to see which roads should have priority on being repaired.. He submitted a list of roads that they recommended to be let out on contract and said that he would like a motion to let Mr. Martin draw up specifications on the roads so the Commissioners could advertise for bids and they could get it done as soon as possible.

Commissioner Ossenbergs asked what was going to be done about Green River Road. He said he didn't agree to take it off the priority list of roads and as he understood, it was that they entered into a joint agreement and the Waterworks Dept. was ready to go and the Right of Way was about to be purchased and they have a Right of Way buyer for the other section.

He asked Mr. Nussmeyer if they could get this under contract this year.

Mr. Nussmeyer said that it was possible but that it is according to how fast the Right of Way purchasers work.

Commissioner Willner said he was agreeable in getting Green River Road done because it is the most dangerous road in the county but he thought they had to get the Right of Way first, however he isn't in favor of spending all their money, if this takes it all.

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 Commissioner Schaad said he thought they had an agreement to wait until the project progresses more so why don't they have the specifications drawn up so they will have some estimate of cost and see what can be done.

Commissioner Ossenberg said he thought Green River Road should be number one on the priority list, for the contractual work in 1974.

Commissioner Willner moved that Mr. Martin draw up the specifications so they can see about what the cost will be on the contractual.

Commissioner Ossenberg seconded the motion. So ordered.

Commissioner Schaad presented a note from Mr. Willard on road mix, the work to be done by the county garage. He said that Mr. Willard can come up with the cost of repairing the list of roads that he presented.

Commissioner Ossenberg then asked if the gentlemen had traveled in his district at all.

He also said that he had some reservations about this list, and that he didn't push anyone to do any roads in the east side in 1973 and only two of them, out of the whole program, were fixed last year and there are some that need fixing out there now and apparently they traveled north and west, to look at the county roads. He also said that they are going to review some of these roads and they are going to start looking on the east side of Evansville.

Commissioner Schaad said that Commissioner Ossenberg was invited to come along and if he had a request, he should have made it to them, but he didn't say a thing about any roads in the east side that needed fixing.

Commissioner Ossenberg asked them if they traveled the east side. Commissioner Schaad said that he didn't say anything about it and they weren't asked to, that they would have been glad to do it but that he didn't come along.

Commissioner Ossenberg said that Commissioner Schaad and Commissioner Willner owned businesses and he didn't, that he worked for a man and he just can't take off anytime he wants to.

He said he thought they were going to travel all the county roads.

Commissioner Schaad said they went by the priority list that they got from the Area Plan Commission and they weren't going to have enough money to do these. He said that they want to work with Commissioner Ossenberg and they don't intend to eliminate him in anyway.

Commissioner Ossenberg said that they aren't going to eliminate him, also that the Commissioners were elected all over the county, not just a portion of it. He said that he was going to make this list, subject to his approval, that he could be voted down two to one, but he intends to see that the people in the east side get their fair share too.

Commissioner Schaad also had a list on Oil Mat and what they purpose doing on these, he didn't want the news media to think there is any differences between any of the three Commissioners, that it is just a matter of communication. He explained that they used the list given them by Area Plan, of the roads that needed repair, that they had previously thought that there needed to be a professional plan made up as to how much traffic there was and the condition of the roads so they asked Area Plan to make a study of them and they came up with a factor and the one with the highest factor was the road that should be fixed first, so the priority list was prepared. He said they then thought that the condition of the roads could get worse over the winter, so the Commissioners agreed, using this list, to review the roads and Ed Martin, Jack Willard and the three Commissioners were invited to go out and look at the roads and Commissioner Ossenberg couldn't go.

He said it wasn't his fault that he couldn't go, but the point is, that nothing audible was said that there were some roads, not on the list, that he wanted them to look at on the east side. He said his only resentment was that they go out and do the best they know how and then come to a public meeting and be criticized, but he said that they would get along.

Reporter Ron Lyles asked where this money is coming from and how much there is.

Commissioner Schaad said this is the gasoline tax money that comes down from the state, to the county garage, to fix the county roads.

The County Auditor said there is a balance of \$336,000 available in the Highway

Department budget for road work but added, that some of these funds already may be committed to road work that was contracted earlier.

He was asked to look up the balance of the Bituminous and Gravel Accounts, as this money would be included, also the salaries, etc. because they want to know how much money is actually available.

Commissioner Schaad asked Mr. Willard to come up with an estimate of cost on the oil berm roads and the ones that he is going to do, also that Mr. Martin come up with the contractual and then they can see how much money they have and can go from there.

He thought they would be safe by taking an estimate of cost plus 10% and they would have some idea as to what they have to spend.

This matter will be continued next week.

RE: MONTGOMERY ROAD

Mr. Willard asked about abandoning Montgomery Road, for maintenance, from Mann Road to I 64. He said it is a gravel road and no one lives on it, that the only thing it is used for is the farmers coming in to farm the land.

Commissioner Ossenberg moved that Montgomery Road be abandoned for maintenance, as stated. Commissioner Willner seconded the motion. So ordered.

RE: SHORT FISCHER ROAD

Mr. Willard said he would also like for the Commissioners to abandon Short Fischer Road, for maintenance, from Boonville-New Harmony to Harmony Lane. He said there is a bridge out there that has been out for about five years.

Commissioner Willner said this road had been officially abandoned for maintenance. He said there are about four homes on this road whose driveways come off of it and that the previous Commissioners had this road blacktopped and they took a cutting torch and cut the bridge railing off, then closed the road. He said that the mail carrier was using the road so the people had to put their mail boxes at the end of the road and he disagreed with their decision at that time and isn't sure that he agrees now because if one person lives on that road, he is entitled to have his road maintained as well as anyone else. He said he wasn't sure that this road should be abandoned for maintenance since the people that live there need to use the road.

After further discussion, Commissioner Willner moved to abandon the north end of the road, from the bridge to Harmony Lane, for maintenance, where no one lives. Commissioner Ossenberg seconded the motion. So ordered.

RE: MR. WILLARD

Mr. Willard said he was going to have to have operators, a laborer and truck drivers at the county garage.

He was authorized to advertise for these employees.

RE: MR. CROOKS

Mr. Crooks said he has prepared specifications for the wrecking of the old Boehne Building and he put in them, that the ground in the basement area, be filled and covered for seeding.

Commissioner Schaad wondered if the Wrecking Co. would throw the rubble in the basement area and level it off, if the county crew could haul the fill dirt out there. He said to leave the fill dirt and the seeding out of the specifications.

Mr. Crooks said that he would get a few informal estimates.

RE: COMPLAINT

Commissioner Schaad said that he has had several calls on the houses that were burned down on Green River Road because the rubble and the charred wood hasn't been cleaned up.

Mr. Willard said that he would take a bulldozer or a front-end loader and level it off.

RE: TRADESMAN LICENSE

Mr. Crooks made a request last week, to make a common Tradesman License in the city and County and he had recommended to amend the working agreement. He had stated that he needs the consent of the Commissioners so that the Corporation Council can write up an agreement. This has been under advisement.

Commissioner Ossenberg moved that their consent be given. Commissioner Willner said that he wasn't totally happy with it but he seconded the motion. So ordered.

RE: KEENELAND COURT AND SARATOGA DRIVE

Commissioner Ossenberg asked Mr. Judd what he had found out about the area of Keeneland Court and Saratoga Drive, where they had received numerous complaints and they want the traffic slowed down.

Mr. Judd said that he has been without a car but will get out there as soon as possible.

RE: EICHOFF ROAD

Mr. Leo Weiss presented the preliminary plans for Eichoff Road, Phase I, He said that they are going to build the north bound lane first. He also said that he has the legal descriptions for all fifteen parcels on the first phase. The preliminary plans, from 62 to Upper Mt. Vernon Road on the first phase, has been given to Mr. Nussmeyer.

RE: DIVIDEND RECEIVED

Mr. Jerry Dauble who is the agent for American United Life Insurance Co. said that they have been handling the group life Insurance for the county and that they had a dividend in the amount of \$2,535.48 for the year ending January 1, 1974, to present to the Commissioners.

Commissioner Willner moved that the check for \$2,535.48 be accepted. Commissioner Ossenberg seconded the motion. So ordered.

RE: POOR RELIEF

Shirley Barker.....301 Richardt.....Pigeon Township.....Mrs. Bowling, Investigator..

Ms. Barker said that last Tuesday, she went to the Pigeon Township Trustee's office for temporary help. She said that on March 17, she sold everything she had and went to Georgia where her son was stationed. She said she was promised housing, for her and her children. She said she was asked to move out of the apartment they lived in and her son went A.W.O.L. because he knew that she had no place to go. She said when they went to Georgia, she was told that there was nothing they could do because she was the boy's mother and they could only house a wife. They told her that her son could get a hardship discharge, which he has done but he has been unable to find a job. She said that she was laid off at Whirlpool and that she has been in the hospital four times within the past year and had surgery in December. She said she had found a house and had asked the Pigeon Trustee for help in paying her Gas & Electric bill which is \$46.77 and to get her water turned on. She said she has used the money she had for rent and in buying what furniture she has and that her ex-husband has helped her in furnishing the house but that they haven't moved in yet, that she and the children are staying with her parents. She said that she was burned out in 1972 and she is so far behind in everything but she has tried her best and wants to keep her kids in the same school.

She said that she has made application for A.D.C. and for food stamps but that she didn't have enough money for her food stamps and was refused help. She said that her ex-husband, Mr. Allen, has agreed that he would board in the house at \$15.00 per week until he uses up the \$350.00 that he has spent in helping her.

She said that the Trustee wants to take his income plus her income into consideration which she didn't think was right. She said that she got a job at Stop & Go and she intends to stay there.

Commissioner Schaad asked Ms. Barker what, specifically, that she was asking for.

Ms. Barker said that she needs \$61.77 plus \$33.00 for food, that the lights and gas are on but the landlord said they must be in her name and they will

not do this because she owes a bill of \$46.77, also in order to get the water turned on, she must make a \$15.00 deposit. She said that she is even willing to sign a note to pay the money back. She said that her pay at Stop & Go is \$1.90 per hour, that she works eight hours a day and a forty-eight hour week. Her rent is \$160.00 per month.

Mrs. Bowling said that Ms. Barker not only went to Georgia, but that she also went to Florida to look for a job. She said that Ms. Barker wasn't rejected, that they just asked her for Mr. Allen's income, because they had to include all incomes from one household. She said that she has talked to Mr. Allen and he said that he would share the bills and that she did include him in the foodstamps so this would include his income and she didn't know how much he made and Ms. Barker refused to give them this information. She said that she didn't know what his income was.

Mrs. Bowling said that Ms. Barker receives \$198.60 per month in Social Security for two children, \$60.00 support for another child and \$12.50 per week for another and that is why she, possibly, can't go on A.D.C., because the children are being taken care of.

Mrs. Bowling said that she recommended that Ms. Barker go to the old Courthouse and let them do a budget on her.

Commissioner Schaad explained to Ms. Barker that she wasn't officially denied help but that she would first have to supply the information that the Trustee needed and requested. He asked her if her ex-husband would loan her the money that she needed and she could pay him back.

Ms. Barker said that her ex-husband didn't have any more money to give her.

Commissioner Willner asked Ms. Barker if she was willing to exclude Mr. Allen from the food stamps. She said she would.

The investigator said that the people haven't moved into the house as yet and that Mr. Allen spent his money to set up the household.

Commissioner Willner moved that this case be referred back to the Trustee and said if Ms. Barker is willing to work with the Trustee, he thought she would be taken care of. Commissioner Ossenber seconded the motion. So ordered.

Commissioner Willner said that Ms. Barker should take Mr. Allen off the food stamps and add her son's name if he will be living there. He also said that if the son gets a job, his income will have to be added to her income.

RE: VOLUNTEER ACTION CENTER

County Attorney Stephens asked what the pleasure of the Commissioners was on the Volunteer Action Center, as to whether or not they wanted to enter into a contract with them. He said the Council has approved some \$12,000 for the county to enter into the contract. He said this is permissible under a new amendment to our code, where we can enter into a contract to perform certain services on behalf of the county.

Commissioner Schaad said that when this came up before, Mr. Wells was told to get the money and then come back, that he has now obtained the money and it is up to the Commissioners as to if they want to enter into the contract.

County Attorney Stephens said he would draw up the contract, based on county funding and after this year, it will be funded by the United Fund. He said that there is a study of this, right now, being made by the County Council, that they have acquired a study association to do it and they will make a recommendation. The Commissioners agreed that they would like for Mr. Wells to come back and explain this program to them so they will have complete understanding before the contract is drawn up.

The meeting recessed at 11:35 a.m.

PRESENT

COUNTY COMMISSIONERS

Robert Schaad  
Thomas Ossenber  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEY

William Stephens  
Thomas Swain

REPORTERS

B. Thompson R. Lyles  
G. Clabes C. Leach

Secretary: Margie Meeks

*Robert Schaad*  
*Thomas Ossenber*  
*Robert L. Willner*  
\_\_\_\_\_  
BOARD OF COUNTY COMMISSIONERS

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COUNTY COMMISSIONERS MEETING  
APRIL 22, 1974

The meeting of the County Commissioners was held on Monday, April 22, 1974, at 9:30 a.m. in the Commissioners Hearing Room with President Schaad presiding.

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

RE: SALE OF COUNTY OWNED SURPLUS PROPERTY

There being no bids on the county-owned surplus property, the bidding will remain open and the sale will continue.

RE: EMPLOYMENT CHANGES .....APPOINTMENTS

VANDEBURGH COUNTY ELECTION BOARD

|                   |                    |          |            |              |
|-------------------|--------------------|----------|------------|--------------|
| August Hallman    | 1122 W. Oregon St. | Watchman | \$2.00 Hr. | Eff: 4/17/74 |
| Lester Leinenbach | 600 W. Louisiana   | Watchman | \$2.00 Hr. | Eff: 4/17/74 |
| Michael Putnam    | 4909 Conlin Ave.   | Watchman | \$2.00 Hr. | Eff: 4/17/74 |
| Emil Raber        | 1624 S. New York   | Watchman | \$2.00 Hr. | Eff: 4/17/74 |

PLEASANTVIEW REST HOME

|                       |                   |            |            |              |
|-----------------------|-------------------|------------|------------|--------------|
| Gearldine Wilson      | 320 Read Street   | Cook       | \$1.90 Hr. | Eff: 4/20/74 |
| Dixie L. Lunkenheimer | 2609 W. Mill Road | Temp. R.N. | \$3.50 Hr. | Eff: 4/22/74 |

BURDETTE PARK

|                 |                    |          |             |              |
|-----------------|--------------------|----------|-------------|--------------|
| Danny R. Hape   | R.2 Hillview Drive | Security | \$5.00 Hr.  | Eff: 3/30/74 |
| Steven Craig    | 2604 W. Maryland   | Extra    | \$20.00 Day | Eff: 3/25/74 |
| Roy Perkins     |                    | Security | \$5.00 Hr.  | Eff: 3/23/74 |
| James Neighbors |                    | Security | \$5.00 Hr.  | Eff: 3/24/74 |

RE: EMPLOYMENT CHANGES .....RELEASES

PLEASANTVIEW REST HOME

|                 |                   |        |              |              |
|-----------------|-------------------|--------|--------------|--------------|
| Dorothy Rumade  | 904 W. Oregon St. | Cook   | \$1.90 Hr.   | Eff: 4/15/74 |
| Joanne Buchanan | 1400 S. Parker    | L.P.N. | \$582.00 Mo. | Eff: 4/15/74 |

VOTER REGISTRATION OFFICE

|                        |                  |       |             |              |
|------------------------|------------------|-------|-------------|--------------|
| Edna M. Anderson       | 1629 Division    | Clerk | \$15.00 Day | Eff: 4/10/74 |
| Elizabeth Omer         | 1025 Madison     | Clerk | \$15.00 Day | Eff: 4/11/74 |
| L. Lucille Becking     | 706 1/2 Court    | Clerk | \$15.00 Day | Eff: 4/15/74 |
| Dianne Chapman         | 2153 Sweetser    | Clerk | \$15.00 Day | Eff: 4/15/74 |
| Edith G. Johnson       | 917 N. Kelsey    | Clerk | \$15.00 Day | Eff: 4/15/74 |
| Norma J. Pittman       | 1115 Mary St.    | Clerk | \$15.00 Day | Eff: 4/11/74 |
| Florence Lietz         | 615 S.E. Third   | Clerk | \$15.00 Day | Eff: 4/11/74 |
| Frances M. Schwartz    | 5307 Winding Way | Clerk | \$15.00 Day | Eff: 4/15/74 |
| Carolyn H. Holderbaugh | 2413 Pollack     | Clerk | \$15.00 Day | Eff: 4/11/74 |
| Rosette Floyd          | 317 Madison      | Clerk | \$15.00 Day | Eff: 4/11/74 |

BURDETTE PARK

|                 |                  |       |            |              |
|-----------------|------------------|-------|------------|--------------|
| Steven J. Craig | 2604 W. Maryland | Extra | \$1.85 Hr. | Eff: 3/25/74 |
|-----------------|------------------|-------|------------|--------------|

RE: COMPLAINT

Mrs. Joanne Buchanan had been an employee at the Pleasantview Rest Home and complained that she had been released because she was sick.

Mr. Harness, the Administrator of the home, said that Mrs. Buchanan has been a nurse at the home for over 2 1/2 years, that she has been ill and unable to perform her duties for approximately 30 days out of the last 45 days so it has been necessary to replace her, as the state regulations states that he must have an L.P.N. or an R.N. on the job 40 hours a week.

Mrs. Buchanan said that she is still under the doctor's care and was more or less fired from her job, at least, this is the way she sees it.

Mr. Harness said that Mrs. Buchanan wasn't fired, that she was released because she couldn't perform her duties and that he would give her a letter of recommendation. He also said that this was the only thing that could be done under the salary ordinance.

Commissioner Schaad explained that the list of those appointed and released employees must go through the County Auditor's office so they will know who is to be on the payroll and those that are to be taken off.

Mr. Buchanan asked how many sick days were allowed for an employee. Mr. Harness said that sick pay amounts to one week's pay.

Commissioner Willner asked if a policy wasn't made on the insurance for sick leave.

Commissioner Schaad said the policy was that the county pay an employee's insurance for 30 days and after that, they were on their own.

Commissioner Willner said he thought Mrs. Buchanan was questioning as to if she can be released because she is sick. She said that this was correct.

Commissioner Ossenberg said that the Commissioners have granted 30 days sick leave to other people and it looks like they are discriminating against her.

Mr. Harness said she could be granted 30 days sick leave but in order to comply with regulations, her job must be terminated in order to hire a nurse in her place as this is a full time position. He asked if she wanted 30 days sick leave and then the termination of her job.

Mrs. Buchanan said that she was asking for her job back.

Mr. Harness said that she couldn't tell him when she is able to come back and perform her duties and under these conditions, he can't continue to wait for a doctor's statement as to when she can come back to work. He said he thought she had been off about four weeks this year and some of this time has been counted as vacation, which was not mandatory so he doesn't think she has a squawk coming, that she is trying to protect her job which he cannot do and he has been more than fair with her and in his opinion, her release stands, as written and if the Board wants to say they will pay her insurance, that is their privilege and if the insurance is taken out the first pay of the month, then the county has paid it for this month. He said that her last working day was on April 1st.

He said his policy for sick leave at the Pleasantview Rest Home is to allow one week.

He said that he has hired Dixie Lunkenheimer, an R.N. as temporary help as of 4/22/74 and he isn't sure she will work full time, that she is taking up the slack. He said that he has been interviewing nurses for five days and this is a hard job because one nurse that he interviewed works in a local hospital and must give two weeks notice.

Commissioner Ossenberg asked Mr. Harness if the doctor said that Mrs. Buchanan could come back next week and the temporary nurse didn't work out, would he then hire Mrs. Buchanan back.

Mr. Harness said that in view of what is going on here, he had his doubts.

County Attorney Swain asked Mr. Harness if he was penalizing her for being sick.

Mr. Harness said, "no sir."

Commissioner Ossenberg said he isn't sure that Mrs. Buchanan would even want to come back but in all fairness to her, he moved that Mr. Harness give her a letter of recommendation immediately and let her take it and find other employment and he thought this would clear up the situation, that he should state that she wasn't fired but that she was released and to explain the circumstances. He asked her if this was alright.

Mrs. Buchanan said she didn't necessarily want a letter, that she wanted it made public, that she was released because she was under the doctors care and was unable to work at the present time.

Mr. Harness said that he assured the Commissioners that there was nothing funny, fishy or political involved in this matter, whatsoever. He said he has never been given any directions by the Commissioners, as to who he should hire or fire, that

they told him to run the job to the best of his ability and that is what he has been doing.

Commissioner Willner seconded the motion made by Commissioner Ossenberg, in that Mr. Harness is to write Mrs. Buchanan a letter of recommendation. So ordered.

RE: LIST OF POLLING PLACES

A list of the polling places for the primary election on May 7, 1974, was presented and approved as of April 22, 1974. This list was turned over to the Auditors office for the record and to be advertised.

RE: REZONING PETITION..... Oscar F. & Josephine R. Folz

A Rezoning Petition was submitted to the Commissioners on first reading... Ordinance No. VC-4-1974.

Petitioners:

Owners of Record.....Oscar F. Folz and Josephine R. Folz

Optionee.....William T. Johnson, Fairfield Tennis Club, 4105 N. Green R. Rd  
Jack Schroeder, Attorney for the Petitioners.

Premises affected are situated East of Green River Road, a distance of approximately 1365 feet South and approximately 1585 feet East of the southeast corner of the intersection formed by Bergdolt Road and Green River Road.

The requested change is from A to C-1B.

The proposed land use is for the construction of indoor tennis courts and recreational facilities.

Mr. Schroeder presented a waiver from the owners of real estate located contiguous to the described real estate. He also said that Right of Way is required and it will come up in Area Plan as it is requested in the petition.

Commissioner Willner moved that this petition be referred to Area Plan on first reading. Commissioner Ossenberg seconded the motion. So ordered.

RE: EVANSVILLE COMPREHENSIVE RETARDATION CENTER

Mr. Will Fosse said that he was here concerning the retainage reduction of the Evansville Comprehensive Mental Retardation Center. He said the 10% retainage fee was contained monthly and put into local accounts and with the permission of those involved, the retainage can be reduced from 10% to 5%. He presented letters from the four bonding companies in submitting their approval. He said it would probably be two to three months before this money is finally paid to the contractors and everything must be approved by the state inspector and finally, the 5% will be paid after all agencies have approved the work.

County Attorney Swain said that he represents Kuebler Heat and Air Conditioning, as they are one of the contractors here but that this is from the Bonding Department so he doesn't have any objection to this one nor on Swanson Nunn, because it from the Bonding Department also but he questioned whether Jesse Stock and Citizens Realty Insurance Co. are in a position to bind the Bonding Company. He said he would rather have a letter from the Bonding Company, itself, instead of their agent, however if the contract itself, provides that at any particular time, the 5% can be dropped, he has no objection.

Commissioner Ossenberg moved that Kuebler Heat & Air Conditioning Co. and Swanson Nunn Electric Co. be approved and that Key Construction Company and Goedde Plumbing & Heating Co. be deferred until they get letters from the Bonding Companies.

Commissioner Willner said that he would like to hear from Tom Jones.

Mr. Jones said that the Building Commission did approve payment. He said that the stipulation at the Committee meeting was that the four contractors get paid when the work is satisfactorily done and upon completion, the 5% will be released. He said the Commissioners will be getting a letter from the Building Chairman, stating their approval of the reduction of retainage.

Commissioner Ossenberg changed his motion and so moved that the requests of all four contractors be delayed for one week, or until such a time as the letter is received from the chairman of the Evansville Comprehensive Retardation Center. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM L & N RAILROAD

A letter was received by the Board of Public Works from the L & N Railroad as follows:

File: Right of Way - Road Crossings

Dear Sir:

I would like to have permission to close Petersburg Road at intersection of Highway 41 and Highway 57 on April 22 and 23 to enable repairs to be made to the crossing. Very truly yours, T.R. Rosamond, Division Engineer.

A note to the Commissioners that was enclosed; read as follows:

The Board of Public Works approved their portion of the Roads in question, and are referring this to you for your approval.

Commissioner Willner moved that permission be granted. Commissioner Ossenberg seconded the motion. So ordered.

RE: OBJECTION MADE BY WEST SIDE NUT CLUB

RE: Eichoff Road and Green River Road

Mr. Charles Griffith, Treasurer of the West Side Nut Club, appeared and voiced the objection of the club in the diverting of any funds from the Eichoff Road project to a contemplated project to widen and improve Green River Road. He said he didn't know if such action is contemplated but he heard that there has been a fund in existence since approximately 1968 for a project of a North-South access route on the West Side which would hook in somewhere near the entrance of I.S.U.E. at Indiana 62 and would run North to hook in at Upper Mt. Vernon Road, on the first phase and possibly later come in to a spur of I-64. He said this is a rapidly developing area and he thought it, in the interest of the people, to have a North-South access route that has been improved. He said he was here on behalf of an organization whose members are 300 strong, many of whom operate businesses on the West side of Evansville and live there, and he wanted to voice their displeasure, disagreement and their objection to any attempt in contemplating the transfer of funds. He asked the Commissioners to explain just what was going on in regard to future plans so he could report to the President of the Nut Club.

Commissioner Ossenberg said that the project has not been totally abandoned, that there is still a possibility of the state coming with I-1-64 and the west side is one of the places being considered. He also said that a cross factor is involved on Eichoff Road and he thought that it all depends on what the total cost will be and whether Vanderburgh County can afford to build it. He said that he understands, after the plans were looked over by four engineers, that the entire project will cost as much as ten million dollars and he doesn't feel that Vanderburgh County can build it, however the county engineers haven't seen the final drawings and until such time as they do, he is going to respectfully ask their opinion. The final plans for the first phase of the Eichoff Road project will be presented later this morning.

Mr. Griffith asked if the first phase couldn't be financed with the money that is in the account at this time.

Commissioner Ossenberg said that it could.

Commissioner Willner said that he was not opposed to the Eichoff Road project and if it comes down to this year, of there being enough money to build Eichoff Road and letting Green River Road go to it's hazardous condition, where there have been some accidents and fatalities, then he would put the Eichoff Road project off for another year. He said they aren't sure that they won't have the finances to do both but he thought before they build new roads, they must maintain, safely, the roads that exist now, and as far as the west side being a rapidly improved area, he doubted that it surpassed the east side. He said the Eichoff Project started out and at that time he was under the impression that the state was to build the overpass or underpass across the highway, the school was to furnish some funds for it and the county was to furnish some funds, and now it has become strictly county, the state having withdrawn and the school having withdrawn any funds and the county is left with the whole project so he isn't sure that all the comments of Mr. Griffith should be directed to the County Commissioners. He said the county has done some light progress on it and the plans are finished but somehow, all the funds to finish it have all been left to the county and he thought they would be setting a new precedent to build an underpass or an overpass over a state highway, since in the past, this has been done with state funds.

Mr. Griffith said it was his understanding that the money now in that account was earmarked for the Eichoff Road project and he wasn't here to get into a haggle between the governmental agencies nor with the County Commissioners, that his sole reason for bringing this up was to indicate to the Commissioners that they would be most unhappy if these funds were used for a different project, leaving no money there for the Eichoff Road project in the future.

Commissioner Ossenberg said the present members weren't on the Board when this was originally started, that it was the previous Commissioners and the personnel of I.S.U.E. and at that particular time it was verbally agreed that I.S.U.E. would build the overpass and now it is all county and he had heard that the General Assembly granted them money for an overpass but that the money was diverted to some building.

He also thought this project, if it is to be built, the county will have to have assistance from the state and federal government and it will probably come under a F.A.S. secondary road type deal, where they can obtain federal funds, because Vanderburgh County cannot afford to build it, even though the west side is a rapid growing area.

He said that on July 1, 1974, the freeze is to come off of federal funds. He said that he was told that on June 15, 1974, the state is to make their decision as to where I-164 is going and assured Mr. Griffith that the road has not been abandoned. He said that he agreed with Commissioner Willner, in the respect that Green River Road should have some priority, because it is a heavily traveled dangerous road. He said the traffic count on this road is running between 3,000 and 3,500 cars a day and there definitely will be more with the new shopping center going up at Division Street and Green River Road.

Mr. Griffith then asked if any action of the County Commissioners will be postponed until they learn that the freeze is off the federal funds.

Commissioner Ossenberg said yes and apparently no action will be taken until after June 15, because this is when the state will come down and give the decision on the highway.

Commissioner Willner said there is one other point he would like to make, that on the plans, the new Eichoff Road was to be a limited road and last week, the Commissioners asked the County Attorney's to look into this because they weren't sure that the county could build a limited access road so the problems on Eichoff Road aren't over yet. He also said that the Commissioners had sent Mr. Nussmeyer to Indianapolis to check on our finances, as far as funds are concerned and he hasn't had a report on it yet.

Commissioner Schaad said that I-164 wouldn't take the place of this road, that shortly after the Commissioners took office, they had an informal meeting as to where I-164 should be located and were told by the state men, to go ahead with their project because I-164 would be a straight-through highway and wouldn't serve any traffic in access to the area concerns, that it is strictly for moving traffic and there would be very limited access so if we get this road, it won't take the place of what they need for a feeder road. He thanked Mr. Griffith for being present.

Mr. Griffith said he appreciated the opportunity of speaking and thanked the Commissioners for hearing him, on behalf of the West Side Nut Club.

Commissioner Willner said that he appreciated the interest shown, although he thought it to be a little premature.

RE: VOLUNTEER ACTION CENTER INC.

Mr. Don Wells appeared on behalf of the Volunteer Action Center and explained that they had been appropriated \$12,000 by the County Council and is here today to request a contract with the Commissioners to expend the money in the amount of \$12,000.00.

He presented a packet including reports and information and finances of the Center and said he would be glad to answer any questions.

Commissioner Willner said it was his opinion that this was a one-time deal and they will not be back next year, as they plan on being under the United Fund.

Mr. Wells said this true and that the formalities of the contract hasn't been worked out yet. He said that their attorney, Mr. Noffsinger has submitted a proposed contract to County Attorney Stephens and the exact details haven't been worked out and they would be asking for \$1,000 per month beginning May 1, 1974 and would, in return, recruit volunteers for the 83 unit services agencies in Vanderburgh County and they would also submit monthly reports to the Commissioners.

Mr. Wells also said that it is traditional that someone from the Commissioners serve as an ex officio, when a contract is let, with the Board of Directors of the agency contracting for the service. He said that he suggested to Mr. Noffsinger that the contract run from May 1 to March 31.

County Attorney Stephens said the money appropriated was only for this year.

Mr. John Oldham, currently the Treasurer of the Volunteer Action Center, said that it was set up on this basis since their budget has been running between \$1,300 and \$1,800 per month and they set this figure, knowing that it would take care of part of the budget and their other income would come in to handle it, so they can work with their figures and the \$12,000 will still be expended in 1974.

Commissioner Willner moved that the contract be approved, subject to the wording of the contract and the approval of the county attorney's. Commissioner Ossenber seconded the motion. So ordered.

RE: COUNCIL OF GOVERNMENTS

Mr. Bob Bowman, the new Director of the Council of Governments, who was to be on the agenda last week, returned this week because something happened and he wasn't listed. He submitted a copy of a letter he had sent to the County Auditor, as follows:

Dear Mr. Volpe:

Attached please find the following:

1. Letter from the Department of Housing and Urban Development requiring an independent audit of our accounting system.
2. Letter from the Council of Governments to HUD requesting \$1,200 of Consultant Money from Grant CPA-IN-05-36-1004 be set aside to pay Harding, Stephens and Shymanski for the required audit.
3. Statement from Harding, Stephens and Shymanski in the amount of \$1,175.00.

We are requesting a transfer of \$1,175.00 from the salary account of the January 2, 1974 County Council appropriation to contractual services. There will be no fiscal impact upon the budget when this action is taken. If you should have any further questions concerning this matter please call me.  
Sincerely, Mary R. Brown, Administrative Planner

Mr. Bowman said he was informed by the Department of Housing and Building Development in Indianapolis, that the money is available for that period of time but it hasn't been paid yet.

Mr. Volpe said the money that comes in from the last fiscal year, which is \$35,000 to \$40,000 has to come directly to them and he said he has drawn a negative balance because the federal government is about nine months short in picking up their contractual obligation, also on an independent audit, Indiana has an excellent Department of Independent Auditors for the State Board of Accounts and he wondered why they could not have been used, since that only costs \$10.00 per day, per man, and he wondered why this system was used since it is at least \$1,000 more, for doing exactly the same work.

Mr. Bowman said he wasn't with C.O.G. then and he didn't know, but that he remembered some discussion regarding a state law that someone who reconstructs the books cannot audit the books.

Mr. Volpe said that the State Board of Accounts has nothing to do with the reconstruction of the books. He said he wasn't sure that there was really budgetary authority to enter into a contract and thought they entered into a contract before the budget was there.

Commissioner Ossenber said it seemed to him that this was a requirement of HUD, that it had to be an outside independent organization to audit these books.

Mr. Volpe said that the State Board of Accounts is an outside independent organization.

Mr. Bowman said in the minutes of C.O.G., in 1971, contract authority was given to the Director of C.O.G.

Mr. Volpe said that the Director would have been given contractual authority if the County Council had set up a contractual account and he didn't know if this had been done or not.

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County Attorney Swain said that they are just asking for a transfer of funds and needs to go on the next Council Call.

Commissioner Schaad told Mr. Bowman to get with the County Auditor, to get on the Council Call to ask for the transfer of funds so it can be advertised.

Commissioner Willner questioned one statement which read that there will be no physical impact on this budget when this action is taken.

It was explained that he wanted to transfer the money from the salary account and there are no additional monies involved.

RE: REQUEST BY COUNCIL OF GOVERNMENTS

Mr. Bowman presented a letter he had received from Mr. Ruston, of the Building Authority, on the cost of alterations needed, as requested by C.O.G. It reads as follows:

SUBJECT: Alterations to Room 314

Dear Mr. Bowman

We quote as follows in accordance with the proposed plan submitted for room 314:

Furnish labor and materials to install new vinyl walls, baseboards, partitions, three wood doors, hardware, transom and grilles; fill in present opening between COG and Area Planning.

Furthermore, we propose to install four new electric switches for new offices; twelve electric and phone outlets and remove two thermostats.

.....\$2,852.00

Before work can proceed, we will need approval of the County Commissioners both as to the alterations and reimbursement of the above amount.

Sincerely, C. G. Ruston, Gen. Mgr.

Mr. Bowman presented plans of present and proposed usage of the space in the room and explained that the phones do not function separately and the estimated cost of the phone bill, at present is \$64.00 and to increase the number by six phones, will be an additional \$32.00 per month, which would be approximately \$100.00 per month. He said they would reduce the number down to two lines and they would reduce the charges to \$79.00 per month and the installation fee would be \$132.00. He said the reason he is here today is because the money they have coming in does not take care of any of the extra expenditures. The installation for the two additional numbers will be \$36.00, a total of \$168.00.

Commissioner Schaad said that since this a joint venture, he wondered whether the County Commissioners would get this money back in their budget since it includes the telephones.

Commissioner Ossenbergsaid that he thought HUD requires that they be sealed off from Area Plan, also that COG isn't listed in the phone book and he is sure that HUD will require it.

Mr. Bowman said they could handle the monthly phone bill in their proposed budget but they need money for the installation fee.

Commissioner Schaad said this is another request for County Council and that Mr. Bowman should get with Mr. Volpe, to get on the next Council Call.

County Attorney Swain explained that the City Council and the County Council, both have to approve any changes that need to be made, so Mr. Bowman will first have to go to the City Council and then to the County Council.

Commissioner Ossenbergsaid moved that this request be approved. Commissioner Willner seconded the motion. So ordered.

RE: COUNTY OWNED PROPERTY

There had been a question of ownership on parcel, code 33-65-15, 800 Independence Avenue, which was listed as surplus property but Mr. Kornblum, who had been checking on it, appeared and said that Mr. Jerry Meece owns this property and found his unrecorded deed. He said he would see that Mr. Meece gets the deed recorded.

Commissioner Willner moved that the Auditor be directed to find out the amount of back taxes that Mr. Meece owes and report back next week. Commissioner Ossenbergsaid seconded the motion. So ordered.

Mr. Volpe said that it is possible that a part of the delinquency does belong to the property that the state took and that he would check it out.

RE: CLAIMS

A claim was submitted from Robert Matthews for the Vanderburgh County Election Board (121-252) to purchase one lock set for Bi-partisan bins in the County Election Office in the amount of \$4.11.

This had to be purchased by the individual and not through the Purchasing Dept.

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

A claim was submitted by the Evansville Wet-Heat & Piping Co. to furnish a boiler feed water tank at Pleasantview Rest Home in the amount of \$1,425.00.

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

A claim was submitted from the Evansville Wet-Heat & Piping Co. for the installation of a boiler feed water tank at the Pleasantview Rest Home in the amount of \$1,300.00.

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

A claim was submitted by the Browning-Ferris Industries of Indiana Inc. for service of the dumpsters for March in the amount of \$2,038.75.

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

The following claims were submitted by the Torian Agency: Policy #L6 32 57 46

General Fund Insurance in the amount of \$13,370.00  
 County Highway Department Insurance in the amount of \$17,442.00  
 Welfare Department Insurance in the amount of \$3,609.00  
 Hillcrest & Washington Homes Insurance in the amount of \$150.00

Commissioner Ossenberg moved that these claims be approved for payment. Commissioner Willner seconded the motion. So ordered.

A claim was submitted from Sheriff Riney for meals served the prisoners, from March 15, 1974, to April 14, 1974, in the amount of \$6,487.40.

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

RE: PLANS SUBMITTED FOR EICHOFF ROAD

Mr. Leo Weiss submitted plans for Phase I of the Eichoff Road project, from Highway 62, North, to Upper Mt. Vernon Road. He also presented the additional easements. He asked the County Attorney's if they checked to see if the county could build limited access roads.

County Attorney Swain said they could build limited access roads with no stipulation.

RE: QUESTION ON TAX BILL

Mr. Volpe presented a tax bill and said that the parcel, code #21-73-23, was quit claimed to the county on July 12, 1973, and he noticed a large delinquency and he was wondering if there was a contract between the county and the donor on the thing, that it was owned by R. O. Williams and he thought maybe Mr. Williams just gave it to the county to get rid of it. He said that if it was pursuant to a contract of some sort, he might owe on the delinquency, whereas if he gave it to the county, he doesn't owe anything.

County Attorney Stephens said that there was no contract.

Mr. Volpe said that he would remove the delinquency on it.

RE: OPENING OF BIDS ON BRIDGE

The following bids were received on Bridge #148 over a Branch of Carpenter Creek, 1 mile West of Red Bank Road on Upper Mt. Vernon Road:

Deig Brothers.....\$52,449.75  
 G. H. Allen.....\$60,551.25

Barnett Brothers.....\$50,993.25  
 Engineers Estimate was \$49,824.00

Commissioner Ossenberg moved that the bids be referred to the County Engineer for study and recommendation. Commissioner Willner seconded the motion. So ordered.

RE: CUTS IN

An application was received from the Indiana Bell Telephone Co., requesting permission to cut in, South of Wimberg Road to bury a telephone feeder cable.

An application was received from the Waterworks Dept. requesting permission to make a shoulder cut at Bergdolt Road & O'Hara Drive, to install 2" water service to serve 4700 O'Hara Drive.

Mr. Nussmeyer said that they might have trouble with the shoulder cut.

Commissioner Ossenberg moved that the cuts in be approved but thought that he had better talk to Jerry Lamb in the Water Department. Commissioner Willner seconded the motion. So ordered.

RE: BERGDOLT ROAD AND HITCH PETERS ROAD

Mr. Nussmeyer said that the plans for Bergdolt Road and Hitch Peters Road were approved by the Commissioners two weeks ago and now is submitting them for the Commissioners signatures.

RE: CLAIM

A claim was received from the Southern Indiana Gas & Electric Co. for the relocating of electric facilities to clear for the widening of Middle Mt. Vernon Road, just West of Peerless Road in the amount of \$1,108.00. This is the total amount. No other charges will be made.

Commissioner Ossenberg moved, on the recommendation of Mr. Nussmeyer, that this claim be approved. Commissioner Willner seconded the motion. So ordered.

RE: MR. NUSSMEYER

Mr. Nussmeyer submitted an informal quotation for a new truck from Key Motors in the amount of \$3,571.00. He said that he has \$3,800.00 in his budget for the truck.

Commissioner Willner said he would like for it to be made clear on the purchasing of vehicles and asked if they were going to take the sole recommendation of the Purchasing Department for all the vehicles.

Commissioner Schaad said he understood that they get the bids and submit them to the Commissioners.

Commissioner Willner asked if they were instructed to get three quotes or will they just take one.

Commissioner Schaad said he thought they would get several bids.

Commissioner Willner said that the reason he was asking was because he didn't want the trouble that they had with the car for the Coroner and he thought the Commissioners should tell the Purchasing Department not to accept less than three bids.

Mr. Nussmeyer said that he would tell them.

Commissioner Ossenberg moved that Mr. Nussmeyer be given permission to talk to the Purchasing Department about getting bids on the new truck. Commissioner Willner seconded the motion. So ordered.

RE: EICHOFF ROAD

Mr. Nussmeyer had gone to Indianapolis to check on the accounts of the county. He said that he found that the R & S Account of Eichoff Road, in 1970, was \$419,298.12.

Mr. Volpe said that as of right now, there is \$701,074.93 on the Eichoff Road project, in the Roads & Streets Account.

Commissioner Schaad read the report, given him by the Deputy Auditor, stating that in the Bridge Account #203-3759.3 we had \$15,000 and nothing has been spent.

In Account #203-3770 we started with \$374,333.56 but as of February 19, 1974, we have \$366,518.62 and in the Highway Account #201-3741, we have \$265,000.00 and nothing has been spent. In R & S Funds Account #216-3741, there was \$756,217.73 and on April 11, 1974, a balance of \$701,074.93, so as of April 19, 1974, there is a balance on the Eichoff Road project, shown to be \$1,347,593.55.

Commissioner Schaad said that the amount that has been spent on this project in 1969, out of Accumulative Bridge is \$314.92 and in 1970, \$2,789.10 and out of R & S Funds, \$12,298.45 and in 1971, \$15,142.85 and in 1973, \$5,961.13 and in 1974, \$55,142.80, for a total of \$88,545.23 and there was another account of \$7,814.94, which makes a total of \$96,360.17 having been spent on Eichoff Road, so far.

Mr. Volpe then explained how he invests the money for the county and he said the thought has always been that by putting the money into the General Fund, it will benefit more people because it affects everyone.

RE: OAK GROVE ROAD

Commissioner Ossenberg said he talked to Mr. Stevens of the Complete Lumber Co. to see if he would change his mind but he said that he isn't interested in changing the alignment of the road. He said that it was in general agreement of the Foundation, that they would like to see the road moved west.

Mr. Nussmeyer said he would have the Rights of Way they need for Oak Grove Road next week and also those needed for Smith-Diamond Road.

Commissioner Willner said he thought they were setting a precedent here, that he agrees the road should be done, but they are building a road here for a number of businesses and not too long ago, one was turned down at Hwy. 41 and 57.

Commissioner Ossenberg said he saw the point that Commissioner Willner was making but he also saw the point of the situation, that there is no egress up to Green River Road.

Commissioner Willner said the point is that they have asked others to build their own road and they are setting a precedent by the county building it and he would hate to tell other people they won't do it when they are doing it for some people. He said he is willing to agree to doing this road because it is needed but if other situations like this arise, he doesn't want anyone to say they can't build a road. He said that he just wanted to make this point for the future.

They will proceed with this road as planned.

RE: MR. WILLARD

Mr. Willard presented a list of the absentees of the Highway Department for the past week.

Report received and ordered filed.

Mr. Willard said that if the Commissioners get any calls about the roads bleeding, they shouldn't pay any attention to them, because the hot weather will bring the oil to the top of the road.

RE: MR. HOTZ

Mr. Hotz asked if a letter of intent should be sent to the State Fire Marshall, stating that they intend to follow their recommendations. He said this was discussed and it was thought that the Commissioners should send this letter.

It was taken by consent, that a letter be written, that money has been approved by the County Council, so they can comply with the recommendations made on the repairs at Hillcrest & Washington Homes.

RE: KEENELAND COURT AND SARATOGA DRIVE

Mr. Judd isn't present this morning and he was to give a report of Keeneland Court and Saratoga Drive, as to the traffic problem out there and to make a recommendation, so this matter will be continued next week.

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RE: MR. HOTZ

Mr. Hotz said that since he has estimates on the five or six major items on the fire prevention deal, he would like the advice of the Commissioners, as to if he should get invitational bids or if it should be advertised.

County Attorney Stephens said that bids would have to be advertised for, since the estimated cost is around \$5,000.00.

Mr. Hotz said he will need the assistance of Mr. Crooks in drawing up the specifications.

RE: BOEHNE PROPERTY

Mr. Hotz said, in reference to the demolition of the old Boehne Building, Mr. Crooks had asked him to check with the Commissioners about the County Highway Department hauling the dirt and filling in the hold out there and wondered if they could legally do it, since it isn't a highway project.

County Attorney Stephens said they could contract it to the county highway and put the money back in the county highway department account.

RE: BOEHNE LAKE

Mr. Hotz said it had been recommended that signs be posted at Boehne Lake, with the regulations on it. He said that they were unable to make that kind of sign and wondered if they should spend the money to have signs made and then have them end up in the lake.

Commissioner Schaad said the rules and regulations are on the permits so it was agreeable with the Commissioners to forget the signs and see what happens.

RE: WINDOWS TO BE REMOVED FROM BOEHNE

Mr. Hotz said that Mr. Reed has had a project before the County Council on two occasions, from Revenue Sharing money, and was turned down, to enclose the pavilion located near Wesselmans Park and there are a number of windows in this building and he thought he could get enough windows out of other materials, to at least partially close the pavilion and he would like the permission of the Commissioners to remove the windows at Boehne and at some future time, they would try to enclose the pavilion.

Commissioner Schaad asked if there would be any salvage value, if someone would bid on tearing the building down and the windows were removed, would it make any difference as far as the amount of money being allowed.

Mr. Hotz said they usually wreck the whole thing. He said they were holding off on advertising for bids and have been removing items of value, that can be used at the other homes and will have this done by next week.

It was with the consent of the Commissioners, that Mr. Hotz have the windows removed from the building before he enters into a contract with the salvage company.

Commissioner Schaad asked Mr. Hotz if he was going to ask for bids on some of the doors at Boehne beforehand.

Mr. Hotz said that there were some good doors out there that they might be able to sell.

County Attorney Stephens wondered if the contractor would give a reduction on the contract if he kept the doors.

Mr. Hotz said that he hadn't discussed this with the contractor.

Commissioner Willner said that maybe they could store them and wait until they get enough surplus items together to hold a sale. He suggested the doors be stored at the Pleasantview Rest Home, since they just cleaned out a portion of the storage area.

Mr. Harness had no objection.

Commissioner Ossenbergh moved that the doors be removed and stored at the Pleasantview Rest Home, until such a time as they have enough items to advertise for an auction. Commissioner Willner seconded the motion. So ordered.

RE: EVERGREEN ACRES AND OLD STATE ESTATES

Commissioner Schaad said that Mr. Bussing has called him in regard to the county accepting Evergreen Acres and Old State Estates for maintenance. He asked Mr. Nussmeyer and Mr. Ludwig if they had a recommendation on them.

Commissioner Ossenberg said that Mr. Nussmeyer has advised Mr. Bussing, that if this request was made in 1968, he would have to come up with a letter from the County Engineer, who was, at that time, Mr. Biggerstaff, so stating when it was done, etc.

Mr. Nussmeyer had recommended that these roads not be accepted in their present condition.

Commissioner Schaad said that it seemed to him that Mr. Bussing should be notified.

Commissioner Willner said, here again, they are building roads for some people and turning others down and he isn't sure they are being consistant. He thought if they found the letter where the county accepted these roads, it would be fine, but if not, he thought they should take another look at it.

Commissioner Schaad said the recommendation was that the roads out there aren't up to county standards and they shouldn't be accepted for maintenance.

Commissioner Willner said he thought they should take another look at these roads.

This matter was deferred until next week.

RE: ADMITTANCE TO PLEASANTVIEW REST HOME

Mr. Harness submitted an application for the admittance of a Mr. George B. Patterson to the Pleasantview Rest Home and he recommended approval of it.

Commissioner Ossenberg moved that the admission be approved. Commissioner Willner seconded the motion. So ordered.

RE: POOR RELIEF

Frank W. Johnson....1610 S. Evans....Pigeon Township....Mrs. Duggin, Investigator

Mr. Morrison, the Pigeon Township Trustee, submitted the following letter in reference to this case:

Mrs. Ann Johnson, mother of Frank, applied to the Pigeon Township Trustee for medical assistance for her son. The son, Frank, was injured in an automobile accident in Illinois. This accident occurred in January, 1974. Frank Johnson was removed to the Mt. Carmel, Illinois, hospital and later transferred to the Deaconess Hospital of Evansville.

Since this accident occurred out of the state, we feel Pigeon Township is not responsible. Robert M. Morrison, Pigeon Twp. Trustee

Mrs. Duggin said that she was under the opinion that since the accident happened in Illinois, the Trustee wasn't responsible.

County Attorney Stephens said that Frank Johnson is a resident of Pigeon Township.

Mrs. Duggin said that a person must file with the Welfare Department within 72 hours after the accident but no one at the hospital told Mrs. Johnson.

Mrs. Johnson said that she is asking for help from the Trustee to pay his hospital bill. She said that the boys had car trouble and were trying to repair it when a drunk hit her son with his car and he had to have a leg removed. She said that her son will be in the hospital for at least two months and the doctor said that it will be at least a year before her son can do anything. She said that the hospital bill is now around \$3,000.

County Attorney Stephens asked if there could be any legal action taken.

Mrs. Johnson said they have Ted Lockyear as attorney for her son.

County Attorney Stephens said that it is possible for them to sue the tavern owner who sold drinks to the boy that hit her son.

Mrs. Johnson said that the hospital is going to turn the bill over to a collection agency.

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County Attorney Stephens said that they can turn the bill over to a collection agency but they can't collect because her son isn't working.

Mrs. Johnson said that her son has no insurance, that she has, but it doesn't cover her son.

Commissioner Schaad said he thought Mrs. Johnson's request is a little premature, since there may be a law suit.

Commissioner Willner moved that this case be referred back to the Trustee, with the stipulation that Mrs. Duggin stay on top of the case and work with the Johnson's and at a later date, if Mrs. Johnson feels that nothing is being done, she can come back. He said if there is a law suit filed, he would like for it to be after that time. He also told Mrs. Johnson to check with their attorney before they sign any papers. Commissioner Ossenberg seconded the motion. So ordered.

Mrs. Duggin was requested to check with the hospital to see what information she could get.

RE: UPPER MT. VERNON ROAD

Mr. Martin came before the Commissioners with two property owners from the 4600 and 4700 block of Upper Mt. Vernon Road and said they are having drainage problems, that the tile is broken and they constantly have water in their basements.

Commissioner Schaad said that he is familiar with this and that some of the tile is too small and it is deteriorating the road because of it's inability to drain off the road.

One gentleman said they didn't have this problem until Mr. Elliott laid the four inch tile and if this was replaced and the ditch cleaned, it would solve their problem.

Commissioner Schaad said that these people are willing to buy the larger tile.

Mr. Martin said the county could do this work on the basis of protecting a county road.

Commissioner Schaad said that Mr. Martin should have the city to flush out the ditch, then the county will put in a catch basin and replace the four inch tile with the eight inch tile that is purchased by the property owners.

The meeting recessed at 12:30 p.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u>                            | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u>          | <u>REPORTERS</u>   |
|--|-----------------------|----------------------------------|--|
| Robert Schaad<br>Thomas Ossenberg<br>Robert L. Willner | Lewis F. Volpe        | William Stephens<br>Thomas Swain | C. Leach<br>B. Thompson<br>S. Clark<br>G. Clabes<br>R. Lyles |

Secretary: Margie Meeks

*Bob Schaad*  
\_\_\_\_\_  
*Thomas Ossenberg*  
\_\_\_\_\_  
*Robert L. Willner*  
\_\_\_\_\_  
BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
APRIL 29, 1974

The meeting of the County Commissioners was held on Monday, April 29, 1974, at 9:30 a.m. in the Commissioners Hearing Room with President Schaad presiding.

There was one correction made in the previous minutes on page 11, under the heading of Windows to be Removed from Boehne, in that the pavilion that Mr. Hotz was speaking of, in wanting to enclose, at some future time, is located near Washington Home and not near Wesselman Park as was stated.

The minutes of the previous meeting was approved as engrossed by the Auditor with the above correction made. The reading of the minutes was dispensed with.

RE: SALE OF COUNTY OWNED PROPERTY

Mr. Kornblum had checked on a parcel of property, code 33-65-15, 800 Independence Avenue and found that Mr. Jerry Meece had purchased it in April of 1971 but had never recorded the deed.

Mr. Kornblum had said that he would check on the taxes that are owed on this property, so today, he submitted the following letter:

Dear Bob Schaad:

To the best of my knowledge and according to the Auditor and Treasurer, records show the amount of taxes due on the above mentioned real estate to be \$1,504.58. This is up to, but not including, the May installment of taxes. Improvement to be added by an Auditor's Assessment from 1972 forward after your transaction with Mr. Meece has been completed.

If I can be of any further help to you please contact me.

James L. Kornblum, Pigeon Township Assessor

Mr. Kornblum said that there was possibly a discrepancy in this property since it was a cut out.

Mr. Meece contends that part of the assessment that they do have on this parcel was quite possibly gone.

Commissioner Schaad said that the quickest way to dispose of this property would be to take bids on it. There being no objections, this was done by County Attorney Stephens.

Mr. Meece was the only bidder and he bid \$1504.58, the amount of taxes that was owed on this parcel.

Commissioner Ossenberg moved that the Commissioners accept this bid. Commissioner Willner seconded the motion. So ordered.

County Attorney Stephens said that he will have the deed ready for Mr. Meece next Monday morning.

There being no further bids on the county-owned surplus property, it was noted that the sale will continue.

RE: BIDS FOR MOVING VOTING MACHINES

A joint bid was received for moving the voting machines to and from the polling places for the Primary Election to be held on May 7, 1974, from the following:

- |  |                               |
|--|-------------------------------|
| Adco Moving & Storage Co. Inc.         | Kinder Moving & Storage Inc.  |
| Belmont Moving & Storage Inc.          | Nunley Gardner Inc.           |
| Evansville Transfer & Storage Co. Inc. | Shetler Moving & Storage Inc. |
| Geiger Transfer & Storage Co. Inc.     |                               |

The charge for the moving of the machines, by these companies, is \$45.00 within the city limits and \$50.00 outside the city, per machine.

Commissioner Willner moved that these seven bids be accepted, as stated. Commissioner Ossenberg seconded the motion. So ordered.

Special instructions were to be given to the firms, that the machine for Ward 4 Precinct 22 at Old North Church, be placed on the stage and the machines in Ward 2 Precinct 12 and Ward 3, Precinct 22, must be delivered on May 6, since there are no Saturday deliveries there. The contact is Wallace Phillips at 425 2621.

RE: EMPLOYMENT CHANGES.....APPOINTMENTSPLEASANTVIEW REST HOME

Phyllis A. Hepler      2411 N. Harlan      L.P.N.      \$582.00 Mo.      Eff: 5/6/74

COOPERATIVE EXTENSION SERVICE

Max W. Myers      1144 Millbrook Ct.      Extension Agent      \$342.88 Mo      Eff: 4/8/74  
 Sharon S. Anderson      1614 Morgan Ave.      Secretary      \$412.32 Mo.      Eff: 4/18/74  
 M. J. McCutchan      R.8 Box 178A      Part Time      \$3.50 Hr.      Eff: 3/11/74

AREA PLAN COMMISSION

Dorothy Grubb      1627 E. Franklin      Secretary      \$5,454.60 Yr.      Eff: 4/22/74  
 Jane E. Gourley      8700 Old State Rd.      Secretary      \$5,454.60 Yr.      Eff: 4/22/74

VAND. CO. ELECTION BOARD

George Hazard      2924 Englewood      Mechanic      \$2.00 Hr.      Eff: 4/8/74  
 Virgil O. Lee      101 N. Alvord      Supr. Inspectors      \$2.50 Hr.      Eff: 4/24/74  
 Barbara N. McGregor      3520 Koring Rd.      Supr. Absentee Ballots      \$2.50 Hr.      Eff: 4/23/74  
 Lucille Becking      706 Court St.      Clerical      \$2.00 Hr.      Eff: 4/29/74  
 Sharon Yunker      5313 Sherbrooke      Clerical      \$2.00 Hr.      Eff: 4/29/74

BURDETTE PARK

Henry Dersch      1201 Mt. Auburn      Custodian      \$5,560.00 Yr.      Eff: 4/16/74  
 Charles R. Alsip      2311 Herbert St.      Maintenance      \$1.85 Hr.      Eff: 4/10/74  
 Leslie W. Schmitt      506 Glendale      Night Man      \$2.00 Hr.      Eff: 4/19/74  
 Jack B. Schenk      1732 Glendale      Extra      \$17.00 Day      Eff: 4/21/74  
 Scott Maley      6314 Hogue Rd.      Extra      \$1.50 Hr.      Eff: 4/20/74  
 Dean Baumeier      10149 S.E.Browning      Extra      \$1.50 Hr.      Eff: 4/8/74  
 Dennis Baumeier      10149 S.E.Browning      Extra      \$1.50 Hr.      Eff: 4/8/74  
 Clay Shirk      4421 Crestview      Extra      \$1.65 Hr.      Eff: 4/9/74  
 David A. Waltz      6710 Hogue Rd.      Extra      \$1.50 Hr.      Eff: 4/9/74

RE: EMPLOYMENT CHANGES.....RELEASESCOOPERATIVE EXTENSION SERVICE

Margaret Weber      415 Peerless      Secretary      \$412.32 Mo.      Eff: 4/15/74

AREA PLAN COMMISSION

Dorothy Grubb      1627 E. Franklin St.      Secretary      \$4,979.60 Yr.      Eff: 4/19/74

BURDETTE PARK

Henry Dirsch      1201 Mt. Auburn Rd.      Extra      \$1.85 Hr.      Eff: 4/15/74  
 William Utley      Rte.2, Nurrenbern Rd.      Custodian      \$5,560.00 Yr.      Eff: 4/15/74

RE: GREEN RIVER ROAD DEDICATION

Mr. John Carroll appeared and said they were talking, previously, about a roadway dedication and acceptance on a section of Green River Road and Division Street. He said the road is nearing completion for use and they are dedicating a roadway which commences on Green River Road which would serve Sears Roebuck & Co. and a new three story office building which is in the process of being built. He said that it would come to a point 150 feet North of the center line of Green River Road and the reason for this is that there is a mutual reciprocal easement which has been entered into by the owners of the Plaza East Shopping Center, which grants access up to that 150 feet. He said this roadway has been put in according to county standards. He said that he didn't expect the Commissioners to accept the road for maintenance today, that he is requesting that they accept the dedication today and to ask the County Surveyor to review it from a standpoint of the county requirements in terms of the roadway. He said this is a 50 foot dedication of Right of Way for public roadway purposes to the county and to the public, also that the easements have been recorded. Mr. Carroll said that there had been a one-foot gap at the property line but there was some objection so it was moved to be on the property line.

Commissioner Willner moved that the dedication of this road, as part of the left half of the Southwest corner of 24-6-10, be accepted. Commissioner seconded the motion. So ordered.

Mr. Carroll said that he would have a name for the road before he requests the maintenance of it.

RE: COUNTY OWNED SURPLUS PROPERTY...CON'T.

Mr. Volpe said that parcel 12-112-5, Eastview Terrace, Section 5-12, 2317 Kathleen Ave. was sold to Leo E. Beck Jr. for \$400.00 on April 5, 1971, although it was appraised at \$185.00, so there must have been other bids on it. He said he talked to County Attorney Swain and was told that he had mailed the deed to Mr. Beck's address twice and it was returned both times. He wondered if the County Attorney should make up another deed so he could have it recorded. He could then bill Mr. Beck for two years taxss plus the recording fee.

Commissioner Ossenberg so moved that this be done. Commissioner Willner seconded the motion. So ordered.

RE: BRIDGE ON HWY. 41 SOUTH

Commissioner Schaad said that Bob Lambert of 1215 Second Street of Henderson Ky. was interested in buying the bridge on Hwy. 41 South, that the state wanted to abandon to the county. He thought that since he had purchased the ground to the east, he could buy the bridge to control the road. Mr. Lambert said that he would just finish it off so people couldn't dump there, also that the road doesn't go anywhere.

County Attorney Stephens said the state wanted to abandon it to the county but this can only be done if the county accepts it for a public road but that maybe the state will sell it to Mr. Lambert. He said he has written the state a letter and is waiting for an answer.

Commissioner Schaad said if this could be done, the bridge would have to be auctioned off, as other people might be interested and that they would contact him as to the state's decision. Mr. Lambert's phone number is 502-827-3433.

RE: COMMENTS ON ROAD PROJECTS

Mr. Paul Kinney, the President of the Green River Road Concourse Inc. said that they represent the businesses on Green River Road, from Pollack Avenue, North and while all businesses aren't members, the majority of them are and the main idea of the organization is to keep abreast of what is happening to the services that are provided by the city and county to Green River Road. He said that he understood that last week, there was some discussion of transferring money from the west side project to the east side project and they thought he should appear, in support of the transfer of this money. He said there are two major shopping centers on Green River Road with an additional one scheduled to open in late summer and another has been planned for the west side of Green River Road, north of Division Street. He said there is a neighborhood center at Green River Road and Division Street and there are six new car sales agencies and several used car agencies, also there are twenty-six separate eating establishments, not county those in the shopping centers and in addition, there are approximately 100 other businesses and offices there, also 7 major apartment projects and another is being planned. He was told that there are 16 commercial lots under development for offices and there are two industrial parks. He said the estimate of retail sales of Vanderburgh County is \$320,000,000.00 and they think that the merchants on Green River Road are responsible for at least 25% of this total.

Mr. Kinney said that the need is now and that there is no comparison between the needs of the Eichoff Road Project and the Green River Road Project, since I.S.U.E. is the only facility the west side project would serve and the opening date of the planned shopping centers out there haven't been announced yet. He said they would be in favor of the Commissioners changing the allocation of money for Eichoff Road to the Green River Road project.

Commissioner Schaad said the people on the west side do not object to the Green River Road project but they do object to taking the money that has been earmarked for the Eichoff Road project and transfer it to the Green River Road project.

Mr. Kinney said there was a news article stating that the transferral of the money was being considered and they thought they should present their argument.

Commissioner Schaad said that he also read this article and he didn't know who started it. He said the Green River Road project is important and that the Eichoff Road project has been hanging fire for about seven years, that about \$90,000 has been spent on it and he doesn't think it should be abandoned and

he, personally, doesn't think the money should be transferred.

Commissioner Ossenberg said his feelings were that Eichoff Road has not been abandoned and at this point and time, the Commissioners feel that the question is which project is top priority. He said the monies are being looked at, to see how these projects can be financed.

RE: F.A.S. APPLICATIONS

Mr. Lochmueller appeared and explained the applications of Federal Aid Secondary, on the Green River Road Project, from the city limits to Heckle Road. He said they are asking for preliminary engineering, of which the Federal will fund 70% of it which includes the environmental study that must be done and this is for, from 350 feet North of Morgan Avenue to Heckle Road. He said the approval of this application is being requested of the Commissioners and then it will be submitted to the Indiana State Highway Commission for their approval and for the approval of the Federal Highway Administration, for funds to do the preliminary engineering.

Commissioner Willner said that from Heckle Road, North, is the worse part of Green River Road and since they made an agreement with the Water Dept. to start buying Right of Way from Pigeon Creek to Millersburg Road, he wondered if the other project couldn't be included in this one, on the F.A.S. application, in case the money becomes available.

Mr. Lochmueller said the F.A.S. application is asking for money for the preliminary engineering and if this project is included, they would have to show their matching funds and also the R & S application would have to be submitted. He said it was his impression that the stretch from Heckle Road North, was in bad condition and needed to be repaired as soon as possible and that South of Heckle Road was a very needed project but definitely using Federal Funds.

Commissioner Ossenberg asked if it is required to own the Right of Way in order to make this application.

Mr. Lochmueller said, not if they are asking for preliminary engineering.

Commissioner Willner then moved that the application to F.A.S. for Green River Road, from Morgan Avenue to Heckle Road, for the preliminary engineering be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: EVANSVILLE COMPREHENSIVE RETARDATION CENTER

Mr. Will Fosse was present again today in regard to the retainage reduction of the Evansville Comprehensive Mental Retardation Center from 10% to 5%. This matter was submitted last week but Mr. Fosse didn't have all the proper letters from the bonding people concerning this reduction. He has now submitted them.

The Commissioners requested that this lease agreement between the County Commissioners and the Evansville Comprehensive Retardation Center, be submitted within ten days.

Commissioner Ossenberg moved that Kuebler Heat & Air Conditioning Co., Swanson Nunn Electric Co., Key Construction Co. and Goedde Plumbing & Heating Co. be approved in their consent to reduce the retainage to 5%. Commissioner Willner seconded the motion. So ordered.

The claims on this matter will be submitted at a later date.

RE: CERTIFICATE OF INSURANCE

A certificate of insurance was received from Lukens & Sons Insurance Co. on Swanson-Nunn Electric Co. for Workmens Compensation. Certificate received and ordered filed.

RE: REQUEST FOR INSTALLATION OF SIGNS

A letter was received from Mary Jane Frank, on behalf of numerous property owners, in requesting the reduction in and the posting of speed limits on New Green River Road, North from Hwy. 57 to it's intersection with Old Petersburg Road. She stated that South of Hwy. 57 has a 25 mile per hour speed limit and North of the Hwy. the unposted limit is 55 miles per hour but many cars

travel in excess of 60 miles per hour. She said that the length of the Hwy. North of Hwy. 57 is a little over one mile and in this short distance, there are approximately 30 homes and 20 children, that the children ride their bikes and play near the road and they hoped that some action be taken before the summer begins.

This matter was referred to Mr. Bill Judd, for study and recommendation.

RE: COMPLAINT ON GREEN RIVER ROAD

Mr. Stahl appeared and said he would like to speak on Green River Road, especially from Heckle Road, North, as this part of the road is in poor shape and dangerous to travel and something needs to be done.

Commissioner Schaad said to improve this road now would be a waste of money, since it will all be torn up before long, hopefully.

Commissioner Willner said that it is essential that we acquire the Right of Way out there, that there is no question about it.

Commissioner Ossenberg said the county joined with the Waterworks on this particular deal, that they have their Right of Way buyer and they are ready to go and the county is going to have to name a buyer for the Right of Way, from the creek on to where we tie in with them.

Commissioner Schaad said that it will take time but that they are trying to get the whole thing worked out.

RE: COMMENTS ON GREEN RIVER ROAD

Mr. Tom Hobdy, President of the Center Township Democrat Club Inc. issued the following statement to the Commissioners:

We, the members of the Center Township Democrat Club Inc., organized in Vanderburgh County, State of Indiana, by majority vote, have elected to exercise our democratic right of participation in open council to issue the following statement for the consideration of Commissioners Schaad, Ossenberg and Willner regarding the allocation funds for and subsequent improvement of Green River Road, specifically the section of said road which extends North from the Evansville, Indiana city limits to Highway 57.

Although our group is politically oriented, our interest in the improvement of Green River Road is not political in nature but rather is founded in our sincere desire for the safety and welfare of both the individuals and vehicles which travel the road as well as the property owners adjacent to it. Since a number of our members do maintain property adjacent to Green River Road, we speak with some authority when we note the following observations.

1. Although much has been said about the improvement of this section of Green River Road, no major improvements have taken place in the past 15 years.
2. With the increased growth of East Side shopping centers, what began as a convenient short-cut for commuters and shoppers has become a major thoroughfare for inbound and outgoing traffic of all descriptions. And, it is the only route from the North which leads directly to the aforementioned areas.
3. In addition to increased shopper and commuter traffic, heavy truck traffic which at one time was all but banned from traveling Green River Road, has increased considerably as out-of-town manufacturers supply retailers and wholesalers in the east side areas.
4. Because of increased heavy-truck traffic, observers have pointed out that many of these vehicles, because of their size, are forced to ride the shoulder of the road to make room for oncoming traffic. This implies an even greater hazard during the winter months due to snow and ice.
5. In support of the aforementioned facts and conclusions and again, as a result of observation, the roads have become filled with chuck holes, cracking shoulders and unrealistic topographical configurations all of which add to the hazardous driving conditions now present.
6. As a result of the increased useage and decaying condition of Green River Road, hundreds of minor accidents and too many major ones are being consistently reported; some officially and many more unofficially.

In conclusion, we, the Center Township Democrat Club, acting in this instance as interested citizens, are appealing to the good judgment of Commissioners Schaad, Ossenberg and Willner to decide in favor of absolute and immediate action relative to the improvement of Green River Road.

Letter received and ordered filed.

RE: OFFER OF VEHICLE FOR TOWING PURPOSES

The following letter was received by the County Commissioners from Clyde Cavanah, Director of Vanderburgh County Civil Defense:

Gentlemen:

We recently brought into Evansville-Vanderburgh County, a navy maintenance truck. This vehicle has a value of \$13,751.00. It is a ten-wheel drive with a 20-ton boom winch on the back and a 20-ton reel winch on the front of the vehicle. We have painted it and it is in excellent condition.

Our primary purpose for this vehicle is a rescue vehicle and we are training men at this time to man it and assist in regular highway accidents.

I have noticed that most departments are spending several dollars for towing fees, particularly during bad weather. We offer the availability of this vehicle for towing purposes to any city or county government department - not the public.

The vehicle is parked in the Levee Authority parking lot. A call to this department is sufficient to get towing assistance.

Commissioner Schaad said that this is a fine service that the Civil Defense has made available for the city and the county.

Commissioner Willner moved that this letter be reproduced and given to the necessary agencies. Commissioner Ossenbergh seconded the motion. So ordered.

RE: LETTER OF APPRECIATION

A letter was received by the Commissioners from Paul C. Fowler, Acting Director of the Center for Governmental services of the Indiana State University, as follows:

Dear Mr. Schaad,

We appreciate very much your willingness to participate in the field work course offered at Indiana State University. The outline of the course is included with this letter. It is difficult to know what type of response there will be by the students since this represents the initial effort for this kind of course. A description and outline of the course is being distributed to the faculty and students this week but students do not register for the course until June 7, 1974. In order to give students an opportunity to enroll, we have asked the county officials in twelve counties to participate. Students are required to fill out an application form to take the course and when we have the name of a student who wishes to work in your county, we will send it to you.

Again, thank you for your interest and participation in the program.  
Sincerely yours, Paul C. Fowler.

Commissioner Schaad said that this is something that needs to be done, to make the young people aware of county government.

RE: AGREEMENT SIGNED

The agreement between the County Commissioners and the Volunteer Action Center was submitted for the signatures of the Commissioners. This agreement had been approved, last week, subject to the wording of the contract and the approval of the County Attorney's so is now being signed.

This agreement shall be in force and effect for a period commencing May 1, 1974 and terminating December 31, 1974.

The county agrees to pay to the Volunteer Action Center, in consideration of the services to be performed as contemplated by this Agreement, the sum of Twelve Thousand Dollars, (\$12,000.00) payable at the rate of Fifteen Hundred Dollars (\$1,500.00) per month commencing May 1, 1974 and upon the first day of each calendar and consecutive month thereafter until and including the first day of December, 1974, whereupon said payments shall terminate and end.

RE: P.E.R.F.

Mr. Volpe said he received a letter from the Public Employees Retirement Fund, telling us that our percentage, as an employer, was reduced from 11.3 to 7.7 so when they make out their budgets for next year, instead of \$195,000 they would be quite safe with \$140 '00.

RE: ANNUAL REPORT

The annual report of the Department of Public Welfare for the year of 1973 was submitted to the Commissioners.  
Report received and ordered filed.

RE: OAK GROVE ROAD

Mr. Bob Bernhardt appeared and said that he owns property off Oak Grove Road. He said there has been discussion of an access road from Oak Grove Road to Boonville Highway and he thought that Mr. Nussmeyer had plans for this road. He said there is almost no access to the road now, from the west end there is only one and from the east it is a cobblestone road and almost 2 1/2 years ago, they were promised an access road from Boonville Highway. He thought this was a critical problem and this road was badly needed.

Commissioner Schaad said they have had quite a few problems with this and the Railroad created quite a few problems because they wouldn't let us cross their switching devices and the plans had to be changed so Mr. Nussmeyer is working with them. He said he thought the Oak Grove project had been approved and that the money was available.

Commissioner Willner said he thought the construction and improvement of the road and the ditch was approved but not the money for this new road.

Commissioner Ossenberg said that this was correct and since they had the money for Oak Grove Road and the ditch, they decided to go ahead with it and get that done so now they are going to have to come up with more money.

RE: REQUEST FROM BENDIX UNITED GEOPHYSICAL CORP.

Mr. J. R. Williams of the Bendix United Geophysical Corporation appeared and requested permission to do some high frequency vibrations on the Old Boonville and Harmony Road, from Cynthiana Road to the east end of Hwy. 41.

Commissioner Willner asked if there was any danger of this cracking any basements.

Mr. Williams said they have never had any damage from the work.

County Attorney Stephens said that last year, they sent a letter telling where and when they wanted to do it, when they would be finished and submitted a bond in a sufficient amount to guarantee any damages to the road.

Commissioner Schaad told Mr. Williams to send such a letter to County Attorney Stephens, as to exactly what roads he wants to travel, how far and when they wanted to do it, when they would be finished and to submit a bond in the amount of \$5,000. They will work twenty miles of road and are testing for oil and gas.

RE: EICHOFF ROAD

Mr. James Angermeier said he was confused in what he has read on the Eichoff Road project and he was asked by the West Side Nut Club and the west side residents, to speak on their behalf. He said that he is very interested in the development of the west side as well as the whole county. He said by checking with the County Auditor, he found that there are funds for the Eichoff Road project and he understands that there are state funds available and after seven years he thought the west side was richly deserving of a schedule that would be forthcoming from the Commissioners on this project with no further delay. He said he was traveling the roads in the west side with an investor from Detroit who is interested in some sizeable investments in that area and it is all hinged on this road. He thought it would be an injustice to the people to postpone this project any further.

Commissioner Schaad said there is a balance on the Eichoff Road project of \$1,347,593.55 as of April 19, 1974, which includes some R & S funds. He said that the final plans have been completed, all of the Right of Way parcels have been outlined and the Right of Way buyer has been appointed and it is ready to go. He said that he was told by the County Engineer that this will take care of the construction of the road from approximately Hwy. 62 to Upper Mt. Vernon Road, which will be the first phase.

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RE: MIDDLE MT. VERNON ROAD

Mr. Angermeier said that there was a start of a correction of a curve on Middle Mt. Vernon Road. He said that the dirt was moved and nothing further has been done and he would like to know if there are any plans for the completion of this curve.

Commissioner Schaad said that the contract has been let and it is just a matter of getting them out there to finish the job.

RE: COMPLAINT OF OIL DRILLING

Mr. Angermeier said that last Friday, there was an oil rig moved to the North of University Heights and he has had many calls on it. He wondered if the Commissioners knew that there was drilling of oil on the property adjacent to a subdivision where some 340 homes have wells that could be affected by this drilling. He wondered if there was an ordinance on this and if anyone is aware that this is going on and that it could seriously affect these people's water supply.

Commissioner Schaad said he didn't think the Commissioners would enter into this matter at all.

Mr. Angermeier asked that the Commissioners investigate with the Indiana Dept. of Natural Resources and find out when this permit was granted, because if this is the start of drilling oil wells, it has been known, in the past, to affect water supplies and the home owners need to be protected.

County Attorney Swain said this was a matter for the Area Plan Commission.

Mr. Angermeier said an officer in the Health Department told him that there was no ordinance on this, to his knowledge, and nothing that would safeguard the people in this area, in the event that something did happen out there.

Commissioner Willner said he felt that this would be a civil suit if their property is damaged but he wouldn't mind asking the County Attorney to check into it, to make sure, also to check as to the power of the Commissioners in this matter.

County Attorney Swain said that he would check this out.

RE: FISHING PERMIT REQUESTED

Mr. Angermeier said he understood that a person must be here in person to request a permit to fish at Boehne Lake. He said he was requested by the clergy of his church to represent him in requesting a permit to fish in the lake.

Commissioner Schaad told Mr. Angermeier to see the Commissioners secretary and that she will take care of it.

RE: MR. NUSSMEYER..... BIDS RECEIVED ON VAN

Four bids were submitted by the Purchasing Department on a Van for the Surveyor's office. Two were from Alvey Scott Motors and one was from Key Motors and the other bid was from Kenny Kent Chevrolet. These bids were referred to Mr. Nussmeyer for study and recommendation, the bid to be awarded next week.

RE: CLAIMS

An old claim from the Southern Railway Company was submitted to the Commissioners Bill #K00016, according to the agreement dated February 8, 1971. The final bill was in the amount of \$1,114.49 less the previous payment of \$296.44 on 12/15/71 which makes the claim in the amount of \$818.05 that is now owed.

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

A claim was received from Feigel Construction Corporation for Account #506-201-2260, County Roads for work completed between February 12 and April 29, 1974 in the amount of \$7,063.56.

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

RE: BRIDGE #148

Three bids were received last week on the Bridge #148 over a Branch of Carpenter Creek, 1 mile west of Red Bank Road on Upper Mt. Vernon Road.

Mr. Nussmeyer said that he would recommend that Barnett Brothers be awarded the contract, this being the low bid, but that they have a little financial problem and he needs to transfer \$12,000 in R & S money from the Green River Road bridge, over Eagle Slough Account since there is money left over in this account.

This matter was taken under advisement until the money can be transferred.

RE: EVERGREEN ACRES

A copy of a letter that Mr. Nussmeyer sent to Bussing Construction Corp. was submitted to the Commissioners, as follows:

Dear Mr. Bussing Jr.

The County will accept Section "K", Evergreen Acres commencing at Holly Hill Drive and extending in a Southwesterly direction approximately 1000 feet on Berry Drive:

Section "L" Evergreen Acres: Commencing at the intersection of Holly Hill Drive and Holly Court, and extending approximately 450 feet in a Northwesterly direction of Holly Hill Drive.

Commencing at the intersection of Larch Lane and Red Bud Lane and extending in a westerly direction approximately 900 feet on Red Bud Lane to the intersection of Holly Hill Drive. Respectfully Submitted, R. Nussmeyer, County Surveyor

Mr. Nussmeyer said that his recommendation is to approve the above for maintenance and to reject the rest of the streets that Mr. Bussing requested be approved.

Mr. Ludwig said that Mr. Bussing called him and that he is getting a letter from the former County Commissioners as to the former acceptance of other streets in Evergreen Acres and Old State Estates and that when he receives the letter, he will refer it to the Commissioners.

Commissioner Ossenberg moved that the streets, as recommended by Mr. Nussmeyer, be approved. Commissioner Willner seconded the motion. So ordered.

RE: CUTS IN

The Indiana Bell Telephone Co. requests permission to cut into Kratzville Road to bury a telephone cable.

Commissioner Willner moved that this cuts in be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: SMITH DIAMOND ROAD

Mr. Nussmeyer said that he needs a Right of Way buyer for Smith-Diamond Road. Commissioner Ossenberg said that Jim Shrode was named Right of Way buyer for this project, last year.

Mr. Nussmeyer said that there are two more parcels but that the profiles have been changed.

RE: ROADS THAT NEED TO BE RESURFACED ... CONTRACTUAL

The following list of roads that need to be resurfaced were presented to the Commissioners by Mr. Nussmeyer and Mr. Lochmueller; To be resurfaced by contract:

1. Lincoln Avenue - .5 miles long, 22 feet wide, City limits to County Line: Shoulders need grading.
- \*2. Heckle Road - Oak Hill to Green River Road, 1.0 miles long, 18 feet wide: Shoulders in good shape
3. Old Boonville Hwy. - Greenriver Road to the County line, 3.9 miles long, 18' wide: Shoulders bad in spots.
4. Millersburgh Road - from Oak Hill Road to Greenriver Road, 1.0 miles long, 18' feet wide: Shoulders bad in spots.
5. Kansas Road from State Road 57 to Greenriver Road, 1.0 miles long, 18 feet wide: Shoulders in bad shape.
- \*6. Boonville New Harmony Road from Greenriver Road to County Line, 1.1 miles long, 18 feet wide: Shoulders bad in spots.
7. Old U.S. 460 - Hwy 460 to County Line, Koring Road at County Line, 3.4 miles long, 22 feet wide: Shoulders bad in spots.

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- \*8. Burkhardt Road - 1.4 miles long, 18 feet wide: Shoulders bad in spots.
- 9. Hogue Road - Eichoff Road to City Limits, 3.4 miles long, 18 feet wide: Shoulders bad in spots.
- 10. Schutte Road - State Road 62 to Broadway Avenue, 1.4 miles long, 18 feet wide: Shoulder bad in spots.
- 11. Mt. Pleasant Road approximately 2 miles from Darmstadt Rd. to Old State Road. Number 2 was questioned and Commissioner Willner said it was let on contract about three years ago and it was in excellent condition but there were a few holes from Green River Road, going east to the County Line, that need patching, which the county can repair.
- \*Number 2, HECKLE ROAD, was deleted from the list.

Commissioner Willner said that there isn't one road listed here, that is in the far North part of the county and he thinks there are some that need repairs more than those listed

- \*Number 5, Commissioner Willner said that he would go along with number 5, Kansas Road, if the shoulders are cut down and it was decided to include this in the contract.

Number 6, Commissioner Willner said that number 6, Boonville-New Harmony, from Green River Road to County Line Road, was probably in better than 10% of the other roads in the county.

- \*Number 6, Boonville-New Harmony, was deleted from the list.

Number 8, Commissioner Willner said that number 8, Burkhardt Road, from Old Boonville Hwy. North to the Inn was in bad shape but it is covered by the bridge contract and he thought Mr. Nussmeyer had come back for additional funds.

Mr. Nussmeyer said that he would check on it.

- \*Number 8, Burkhardt Road, was deleted from the list.

Commissioner Willner asked if he could put other roads on this list, as there were no roads listed in the North part of the county.

Commissioner Schaad said that he had no objection but it was a question of whether they would have enough money but since a few of these aren't going to be done, it could be possible.

Commissioner Ossenberg moved that the repair of numbers 1,3,4,5, with the shoulders cut down, 7,9, & 10 be approved and that Mr. Nussmeyer prepare the specifications to advertise for bids. Number 11 was later approved and included as listed above.

Commissioner Willner said that he felt if this was done, the rest of the roads would be left out.

Commissioner Schaad said they could do these and see how much money they had left.

Commissioner Willner said that he would drive his car and furnish the gas and they would go look at the roads together and see what needs to be done.

Commissioner Ossenberg then rephrased his motion to read that the repair of these roads be approved subject to them driving the roads that Commissioner Willner contends are in better condition than the roads he has in question that he might want to add to this list.

Commissioner Willner seconded the motion. So ordered.

RE: ROADS TO BE DONE BY COUNTY HIGHWAY DEPT.

1. North Grove Road
2. Westbrook Court
3. Williams Road
4. Vienna Road from 460 Hwy. to Posey County Line
5. St. Joe Road from Hwy. 460 to #6 School Road
6. Fisher Road from Kuebler and Meier Road Intersection to Orchard Road
7. Mill Road from Hwy. 65 to Mesker Park Drive
8. Bromm Road from Orchard Road to Boonville-New Harmony Road
9. Schmitt Lane (Gravel Road now) from Hwy. 65 to County Line Rd. (Cut the Berm)
10. Baehl Road from Hwy. 65 to Nesbitt Station Road
11. St. Joseph Ave. from I-64's frontage road to Baseline Road
12. Adler Road from St. Joseph Road to Mann Road
13. Bartels Drive
14. New Maple Road
15. Schmidt Road
16. Millersburg Road from Green River Road to County Line

17. Heckle Road from Green River Road to County Line
18. Kansas Road from Green River Road to County Line

OIL MAT.... Cut the Berm on all these Roads

1. Massberg Road
2. Armstrong Road
3. Bixler Road from Nesbitt Station Road to past the first house on right side past the bridge
4. Mann Road
5. Wallenmeier Road from Nesbitt Station Road to Baseline Road

RE: MR. WILLARD

Mr. Willard presented a picture of Weinbach Avenue, South of the levee but said that he didn't know what he was going to do with the dirt that is out there.

RE: MR. CROOKS

Mr. Crooks said that the house at 13 North Grove Street has been sold and will be wrecked.

He also said that the two houses on Allens Lane were sold to Gertrude Moehlenkamp and she will have two weeks to dispose of them.

RE: MR. JUDD.....VALLEY DOWNS

Mr. Judd submitted a report on Valley Downs Subdivision as to recommendation of the speed limits, as follows:

Due to the construction of Guthrie May's Valley Downs Project, a heavier flow of traffic is being experienced on Saratoga Drive and the property holders are complaining.

There are two entrances to the Valley Downs project, one being on Saratoga Drive and the other being on Spring Valley Road. With the construction going on, these streets are being used as racetracks by drivers.

Due to the fact that this is a residential area, I suggest that a twenty mile per hour speed limit be established for the entire Valley Downs Project. This includes Saratoga Drive, the area going North on Stockwell Road from Theatre Drive and the streets listed below.

|                    |                |                 |
|--------------------|----------------|-----------------|
| Oxmoor Road        | Hunters Trace  | Kings Run       |
| Autumnwood Way     | Pirates Alley  | Ripplewood Lane |
| Spring Valley Road | Boxwood Lane . | Rockingham Way  |
| Crossbow Lane      | Foxcraft Way   |                 |
| Deer Trail         | Printers Alley |                 |

Mr. Judd said that he has the money for striping and they are striping the roads as quick as they can.

Commissioner Ossenberg moved that the recommendation of the Traffic Director, on Valley Downs, be approved. Commissioner Willner seconded the motion. So ordered.

RE: MR. HOTZ

Mr. Hotz said that he was informed by Mr. Ruston, that the sound system will be installed in the Commissioners Hearing room, this afternoon.

RE: MR. HARNESS

Mr. Harness said that Mr. & Mrs. Harness did attend the State County Home Association meeting in Valparaiso, Indiana, April 26, 1974. He said there was good attendance and they discussed the new labor laws, also the new minimum wage laws pertaining to Nursing Homes as of May 1, 1974. He said they discussed various problems and he felt that they helped each other. He thought they would be in compliance with the minimum wage, that they only have four people who are being paid less than the \$1.90 per hour minimum, however they are receiving room and board and he understands that this does enter in, as part of their salary. He thanked the Commissioners for allowing him to attend this meeting.

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RE: QUESTION ON LEAVE OF ABSENCE

Commissioner Willner said he understood that there was an employee at the County Garage that has been granted a leave of absence, primarily to obtain absentee votes and wasn't, to his knowledge, brought before the Commissioners for approval. He thought a basic rule was that all leave of absence requests would be brought before the Commissioners.

The other Commissioners said that this request was brought before them in the form of an Employment Change and was approved in the minutes of April 8, 1974.

RE: POOR RELIEF

Mrs. Anne Brown.....1226 Parrott Street.....Pigeon Township.....Mrs. Sallee, Investigator....Mr. Olsen, Chief Deputy.

Mrs. Brown said that she asked for rent of \$90.00 which was due on April 22, 1974 and was refused and said that she would need help until her baby is born in May and then Welfare can take over. She said her husband is in the state farm and that she has filed for divorce.

Mr. Olsen explained that Mrs. Brown wasn't refused, that the trustee can't pay the rent until it is one month past due and he said at that time, the trustee will pay \$60.00 of the rent and that Catholic Charities has agreed to pay the other \$30.00. He said that Mrs. Brown had lived with her father and stepmother and wondered why she moved out.

Mrs. Brown said that her father is behind on his bills and that he and her stepmother are separated.

Mr. Jim Rode of Legal Aid said if the State Board of Accounts has prohibited the trustee from paying rent until it was a month past due, he wasn't aware of it and he was sorry to waste everyone's time. He said that he had requested that he be furnished a list of the trustee's regulations and procedures but has consistently been denied.

Mr. Olsen said that this was a ruling from the State Board of Accounts and he would see if he could find the letter which was received several years ago.

Other Poor Relief recipients who were on the agenda were:  
John Stone....Mr. Rode said that Mr. Stone withdrew his petition.  
Karen Williams....Failed to appear  
Percy Smith....Failed to appear

The meeting adjourned at 12:00 noon

PRESENTCOUNTY COMMISSIONERS

Robert Schaad  
Thomas Ossenberg  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEYS

William Stephens  
Thomas Swain

REPORTERS

B. Thompson  
D. Goodnow  
G. Clabes  
C. Leach  
R. Lyles

Secretary: Margie Meeks.

  
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BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
MAY 6, 1974

The meeting of the County Commissioners was held on Monday, May 6, 1974, at 9:30 a.m. in the Commissioners Hearing Room with President Schaad presiding.

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

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

RE: BUDGETS FOR 1975

Commissioner Schaad announced that the Commissioners would like to have all of the county budgets in by June 10 so that they can submit them to the Auditor by July 1, 1974. This is pertaining to the Departments under the County Commissioners.

RE: ANYONE CAN BE HEARD

Commissioner Schaad stated, as he does at every meeting, that anyone can be heard by the Commissioners. He usually asks if there is anyone that wants to be heard, at the end of the meeting and said that since the reporters usually leave before the end of the meeting, they might think that this isn't the case, as was stated one morning in the courier, that it was a little difficult to be heard so he wanted to make it clear that anyone can be heard.

RE: SALE OF COUNTY OWNED PROPERTY

Mr. Meece was in and gave Mr. Volpe a check in the amount of \$1,504.48 for parcel 33-65-15, located at 800 Independence Avenue. Mr. Meece was given the deed and he said that he would have it recorded.

Mr. Charles Jackson of 201 S. Grand Avenue bid on two parcels, code No. 22-77-22 and 22-77-23 for \$125.00 each or \$250.00 for both as was the appraised value. 22-77-22 being 1919 S. Garvin, Kronenbergers Addition to Oakdale, L. 27, Blk. 2 and 22-77-23 is next to 1919 S. Garvin, Kronenbergers Addition to Oakdale, L. 28, Blk. 2.

Commissioner Willner moved that the bids be accepted and the parcels sold to Mr. Jackson for \$250.00. Commissioner Ossenbergh seconded the motion. So ordered.

Mr. Jackson said that he would like for the deed to be in the names of Charles and Opal Jackson.

County Attorney Bill Stephens said that he would have the deed ready next Monday and that Mr. Jackson could pay for the parcels at that time.

The deed was presented for Mr. Leo Beck Jr. on parcel 12-112-5, which is L. 5 in Blk. 12 in Eastview Terrace for the sum of \$400.00. His address is Rte. # 1 Box 37, Elberfeld, Indiana 47613. Mr. Volpe said that he would mail the deed to Mr. Beck.

There being no further bids, the bidding will remain open and the sale will continue.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

CLERK OF THE CIRCUIT COURT

Linda M. Delano 1216 Emmett St. Deputy Clerk \$214.00 Se. Mo. Eff: 5/1/74

VANDEBURGH SUPERIOR COURT

Tom R. Miller 1505 Lincoln Ave. Prob. Officer \$7,548.53 Yr. Eff: 5/1/74

RE: EMPLOYMENT CHANGES.....RELEASED

CLERK OF THE CIRCUIT COURT

Linda P. Jones R. #2, Lyle Rd. Deputy Clerk \$214.00 Se. Mo. Eff: 4/30/74

RE: MONTHLY REPORTS

The monthly report of the Bureau of Traffic Engineering was submitted to the Commissioners for the month of April, 1974.  
Report received and ordered filed.

The monthly report of the Pleasantview Rest Home was submitted for the month of April, 1974.  
Report received and ordered filed.

RE: UNITED GEOPHYSICAL CORPORATION

Commissioner Schaad explained that the Commissioners had a request, last week, from the United Geophysical Corporation and they were requested to furnish a bond in the amount of \$5,000.00. They submitted the following letter with a permit bond attached:

VANDEBURGH COUNTY ROAD COMMISSION  
EVANSVILLE, INDIANA

It is the desire of United Geophysical Corporation to make a seismographic survey along county roads using the Viborator method as shown on the attached plats. Also attached is surety Bond for \$5,000 dollars and proof of Liability insurance. Yours truly, J. R. Williams  
County Attorney Stephens said that the deed was in order.

Commissioner Ossenberg moved that the permit be granted and that they have posted sufficient liability. Commissioner Willner seconded the motion. So ordered.

RE: PARK STUDY PROPOSAL

A proposal was received from the Allen Organization, as follows:

The ALLEN ORGANIZATION, Park and Recreation Planners, a Department of Rist-Frost, Associates, Consulting Engineers, Glen Falls, New York, is pleased to submit to the County Commissioners of Vanderburgh County, Indiana, a Proposal for professional services in the preparation of a Comprehensive Park, Open Space and Recreation Plan for the County. The following is proposed:

1. An analysis of population and social trends of the County as they relate to parks and recreation. This would include population distribution, characteristics, growth, and other pertinent statistics.
2. An analysis of the existing neighborhood pattern of the County.
3. An analysis of road patterns and zoning as related to parks and recreation.
4. Evaluation of existing public parks and recreation areas including Burdette Park.
5. A study of the County to determine potential park sites and open space.
6. Recommendations on proposed park and recreation areas and facilities:
  - (a) Site selection of major park areas in the County.
  - (b) The preparation of functional schematic plans of each of the sites selected indicating to scale, the type, number, size and location of each facility including roads, parking areas, golf courses, swimming facilities, camping area, picnic sites, trails, etc.
7. The preparation of a Comprehensive Park and Recreation Plan of the County indicating the recommended sites and their relative location.

PROCEDURE

1. A review of all recent studies, reports, soil conservation service maps, recreation area inventories and photogrammetric maps pertinent to the study.
2. The necessary interviews and conferences with County officials and private citizens.
3. Field trips in the County for the purpose of obtaining the necessary information.
4. Presentation of preliminary findings and recommendations.
5. Preparation of the Comprehensive Park and Recreation Plan and Report which will include:
  - (a) Description of County
  - (b) Inventory of Park and recreation facilities.
  - (c) Need and demand for recreation in the County.
  - (d) Recommendations on administration and areas and facilities.
  - (e) Means and methods of acquisition and development.
  - (f) Revenue Producing Facilities.
  - (g) Priority Schedule of Development

RE: DRAINAGE PROBLEM

Mr. Patrick Weigman of 621 Drexel Drive appeared and said that he had a drainage problem in that he has an excessive amount of water to come in the front and on the side of his property and the water is not flowing freely. He said that before it gets to his property, it passes through a twelve inch culvert which isn't big enough and the water goes over the road, into his driveway, into his garage and also under his front porch. He said this happens five or six times a year, and that the county workers were out there and cleaned out the ditch but this hasn't seemed to solve the problem. He asked that something be done to keep the water from coming onto his property.

Commissioner Schaad said that Ed Johnson was at the Commissioners office some-time ago, telling him of this complaint and wanted to know if there was anything they could do about it.

He explained to Mr. Johnson that if it didn't have anything to do with the county roads or the county Right of Way, that it was a problem between the owner and the contractor but to determine if the county could or should do anything, he asked the County Engineer to take a look at it.

Mr. Martin presented a drawing and said that the solution would be to replace the twelve inch pipe with a twenty-four inch pipe under a concrete driveway.

Commissioner Schaad said he understood that the man who owns this house, where the pipe needs to be changed, didn't build the house, he bought it from someone else and he understood that the previous owner was told that this should be a larger tile when the house was built. He said it has always been the policy for the property owners to buy the tile and the county put it in.

Mr. Martin thought they could go back to the first joint in the driveway as it would be easy enough to break there without causing jagged edges. He estimated the cost to be from \$750.00 to \$900.00.

Mr. Martin said he would contact the owner of this property to see what can be worked out.

This matter will be continued next week.

RE: OPENING OF BIDS

There were two bids received on the project of Bergdolt Road, East of Hitch Peters Road and Lynch Road and Hitch Peters Road intersection, as follows:

|                                    |              |                      |             |
|------------------------------------|--------------|----------------------|-------------|
| Feigel Construction Co.....        | \$108,138.00 | Engineers Estimate - | \$98,232.50 |
| Deig Lumber & Construction Co..... | \$114,011.50 |                      |             |

These bids were referred to Mr. Nussmeyer for study and recommendation. This matter will be continued next week.

RE: REQUEST FROM CONRAD BAKER FOUNDATION

Mr. Dick Brennon of the Conrad Foundation appeared and requested permission of the Commissioners to exchange twelve of their Circuit Court room benches with the Posey County Courthouse for opera seats that they can use and it would be an even exchange.

Commissioner Ossenbergh moved that the Commissioners give the Conrad Baker Foundation, the privilege of trading with the Posey County Circuit Court. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST TO USE VOTING MACHINES

A request was received from the Republican Central Committee for the use of a voting machine to be used in the County Civic Auditorium on May 11, as well as a request for the use of a voting machine by the Democratic Central Committee, for the election of the Central Committee officers at St. Benedicts Auditorium on May 11, 1974.

Commissioner Ossenbergh moved that both organizations be permitted to use a machine at these locations, with the understanding that transportation costs will be borne by both organizations and that they have some type of Insurance coverage to take care of any damages.

It was stated that this coverage is in the lease.

Commissioner Willner seconded the motion. So ordered.

6. Presentation of final report.

One hundred (100) copies of the report would be provided and four (4) copies of each plan, one of which will be in color for exhibition purposes. All plans will be reduced in size and included in the report.

The County will furnish the Planners with transportation within the County whenever required and supply the Planners with all available studies, maps, air photos, and data pertinent to the study.

FEE AND TERMS

Our fee for the above services will include all expenses and will be Six Thousand Dollars (\$6,000.00) payable as follows:

- (a) Upon acceptance of this proposal, the sum of Seven Hundred Dollars (\$700.00) as a retainer.
- (b) Three monthly payments of One Thousand, One Hundred Dollars (\$1,100.00) each.
- (c) Upon presentation of the final report, the sum of Two Thousand Dollars (\$2,000.00) or less.

TIME

The ALLEN ORGANIZATION will make every effort to start the assignment within three weeks and to complete it within a five month period.

The signing of this Proposal constitutes an agreement.

Respectfully submitted, Allen Organization  
Stewart Allen, Director

Commissioner Schaad said that they went before the Council at their last meeting and they approved the spending of \$3,000.00 of the county's money to share with \$3,000.00 of Federal money to make a study of all the parks in Vanderburgh County.

The agreement has been signed by President Schaad, for the Commissioners, to have this study done.

County Attorney Stephens said that he has looked into the matter of a question that was raised on the County-wide park district and he is satisfied that there is no county-wide park district, that it hasn't been established in the proper manner and several important steps have been taken but one of the things that must be done is that the City Park Department had to pass a resolution, a copy of which had to be given the Treasurer, Auditor and there had to be a publication in the newspaper for two weeks on the adoption of the resolution and if 5% of the registered voters in the county oppose it, there must be a referendum and none of this was done. He said as far as he is concerned, the City Park Department is operating under the old Second-Class city law.

Commissioner Ossenbergsaid this was passed in 1963 and in 1964, the city represented only the city side of it and they were given 4¢ on the tax rate and the county was never mentioned.

County Attorney Stephens said a law does exist permitting a second-class city to adopt a first-class city park department, county-wide.

RE: CLAIMS

A claim was received from the Terminal Warehouse Co. Inc. for rent of space for storage of voting machines per contract from May 1st, 1974 to June 1st, 1974. Invoice number 11122. The amount of the claim is \$500.00.

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

The following claims were received from Torian Insurance Agency:  
For Welfare Dept. on Continental Auto policy Insurance #L6 32 11 46 in the amount of \$319.00.

For General Fund Insurance, Continental Auto policy #L6 32 11 46 in the amount of \$4,699.00.

For County Highway Department Insurance, Continent Auto policy #L6 32 1146 in the amount of \$3,629.00.

For Insurance - General Fund - Hartford Steam Boiler policy #90 11827, covering Boiler and Machinery - annual premium, in the amount of \$2,340.00.

Commissioner Ossenberg moved that the claims from Torian Insurance Agency be approved for payment. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS ON CONTRACTORS APPROVED FOR E.A.R.C.

The retainage reduction of the Evansville Comprehensive Retardation Center from 10% to 5% was approved last week.  
The claims are now submitted as follows:

Swanson-Nunn Electric Co. Reduction in the amount of \$5,199.81  
Kuebler Heating & Air Conditioning Inc. Reduction of retainage in the amount of \$9,754.35  
Goedde Plumbing & Heating Inc. Retainage reduction in the amount of \$4,189.82.  
Key Construction Co. Reduction of retainage in the amount of \$39,911.55.

Commissioner Ossenberg moved that these claims be approved for payment. Commissioner Willner seconded the motion. So ordered.

RE: MR. WILLARD.....REPORTS

Mr. Willard submitted a report of absentees of the County Highway Dept. employees for the past week.  
Report received and filed.

Mr. Willard submitted his report of the Vanderburgh County Highway Department Work Summary for the month of April, 1974.  
Report received and filed.

RE: COMMENTS ON COUNTY WIDE PARK DISTRICT

County Attorney Stephens said that he has looked into the matter of a question that was raised on the county-wide park district and he is satisfied that there is no county-wide park district, that it hasn't been established in the proper manner and several important steps have been taken, but one of the things that must be done is that the City Park Department had to pass a resolution, a copy of which had to be given the Treasurer, the Auditor, and there had to be a publication in the newspaper for two weeks on the adoption of the resolution and if 5% of the registered voters in the county oppose it, there must be a referendum and none of this was done. He said as far as he is concerned, the City Park Department is operating under the old Second-Class city law.

Commissioner Ossenberg said this was passed in 1963 and in 1964, the city represented only the city side of it and they were given 4¢ on the tax rate and the county was never mentioned.

County Attorney Stephens said a law does exist permitting a second-class city to adopt a first-class city park department, county-wide.

RE: DRAINAGE PROBLEM

Commissioner Willner said that at the intersection of Boonville-New Harmony Road, at Buente Ditch, just east of Highway 65, the roadway ditch is washing out the field. He said this is a legal drain, also that the telephone and light poles are even caving in and he wondered who is responsible. He said that at one time the ditch was concreted.

County Attorney Stephens said it is the county's Drainage Board whose responsibility it is to maintain it.

This matter was then placed on the agenda for the Drainage Board meeting that will be held later this morning.

RE: CLAIM

Mr. Crooks submitted a claim for a refund from William Trainer for the difference between the cost of Master Plumbers License for 1973 and the Plumbing registration fee which is \$20.00.

Commissioner Willner moved that the claim for refund be approved. Commissioner Ossenberg seconded the motion. So ordered.

RE: REPORT

Mr. Crooks submitted the monthly report of the Building Commission on permits issued during the month of April, 1974.  
Report received and filed.

RE: MR. JUDD

A letter was received from Mary Jane Frank, last week, requesting the posting of reduced speed signs.

Mr. Judd said the signs are being made but he doesn't have them posted, as yet. He also said he should start striping the county roads this week.

RE: MR. HOTZ

Mr. Hotz said he has a number of hospital beds that he talked to the Commissioners about last week and that he was going to store them in a basement room at Boehne and he would like to have permission to release some of them from time to time for the use of the Welfare Department. He asked also, if it would be possible, if the Cancer Society or the Red Cross requested the use of some beds, would it be possible to lease them.

County Attorney Stephens said they could lease them to the Cancer Society or the Red Cross, but he would suggest to let them use the beds without a formal lease.

Commissioner Willner moved that Mr. Hotz have permission to lend the beds to any governmental unit, Red Cross, or the Cancer Society without a formal lease, with the understanding that we get them back if the county needs them. Commissioner Ossenberg seconded the motion. So ordered.

Mr. Hotz said that he has a boiler that serviced the building that is going to be torn down and has only been used for one season. He said he had Mr. Wolf of the Evansville Wet Heat Company out and he looked at the boiler and said that it was in good shape.

Mr. Hotz said he thought the boiler and approximately 150 radiators should be sold.

County Attorney Stephens told him that they would have to be advertised four times and then auctioned off, that it wouldn't be necessary to hire a licensed auctioneer, that any county official could auction them off. He requested that the Commissioners declare these items as surplus and that they be advertised.

County Attorney Stephens asked Mr. Hotz if he had anything else to sell.

Mr. Hotz said he also had some doors, windows, lumber and miscellaneous items to get rid of, that they are stored at the Pleasantview Rest Home. He said however, that the boiler should be sold as it is sitting, with the understanding that the purchaser move it out as a unit, plus the radiators and he thought the ads should be separate.

County Attorney Stephens said that ads cost money and the separate items could be listed in one ad.

Commissioner Ossenberg moved that these items be declared as surplus and that Mr. Hotz be authorized to advertise for bids. Commissioner Willner seconded the motion. So ordered.

Mr. Hotz said that in discussing the bids for the Fire Prevention for the Pleasantview Rest Home and the Hillcrest-Washington Home, said that he has had two estimates on the metal for the doors and they have come to the conclusion that they should purchase the metal and have the lock sets punched and have his men install the metal and the doors may not even have to be removed. He asked permission to accept invitational bids on the material only, which will cost less than the costs he has had. He said he has had bids of \$12.00 to \$21.00 on the cost if the doors were taken to the shop so he assumed that material only, would cost considerably less.

Commissioner Ossenberg moved that Mr. Hotz get invitational bids on material only, to put the metal on these doors for fireproofing them in accordance with the code of the Fire Marshall and Mr. Hotz's men to attach the metal. Commissioner Willner seconded the motion. So ordered.

RE: LETTER RECEIVED

Commissioner Schaad said that the Commissioners received a letter which read as follows:

Dear Commissioners:

Could you please investigate the "Massage Parlors" now operating in Vanderburgh County under the guise of "Health Clubs".

Signed A Concerned Citizen

This letter was referred to Phil Hayes.

RE: MR. NUSSMEYER

Mr. Nussmeyer submitted a request of a cuts in from the Waterworks Department to cut into Cross Bow to Oxmoor to install 975' Water Main.

Commissioner Ossenberg moved that this cuts in be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS

Mr. Nussmeyer submitted a claim from Feigel Construction Corp. for Account No. 216-3743-201-3743, Middle Mt. Vernon Road for work completed between April 1 and May 6, 1974 in the amount of \$1,413.75.

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

A claim was submitted from Feigel Construction Co. Inc. for Account No. 506-3-201-3745, Oak Grove Road, for work completed between April 1 and May 6, 1974 in the amount of \$9,463.06.

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

A claim was submitted by Robert F. Traylor Corp. for Account No. 216-3764-203-3759-5, Burkhardt Road over Boesche Ditch, for work completed between April 1 and May 6, 1974, in the amount of \$14,525.31.

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

A claim was submitted by G. H. Allen Inc. for Account No. 216-3770-203-3812, Old Mt. Vernon Highway for work done between April 1 and May 6, 1974, in the amount of \$6,127.50.

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

A claim was submitted by G. H. Allen Inc. for Account No. 210-3770-203-3812, 2 miles east of Smith Diamond Road on Cypress Dale for work done between April 1 and May 6, 1974, in the amount of \$16,332.40.

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

RE: INLAND CONTAINER....EASEMENT

Inland Container is granting the county, an easement for the widening of Hitch Peters Road. They sent the following letter to Mr. Nussmeyer, attached to the copies of the easement:

Dear Dick:

Attached are executed copies of the easement requested by Vanderburgh County.

Will you please have them further executed by the county and return two executed and recorded copies to Inland for our Corporate files?

Thank you very much.

We will certainly be glad to see this excellent improvement project implemented. If you have any questions or suggestions, please call me.

Commissioner Ossenberg moved that the easement be accepted. Commissioner Schaad seconded the motion. So ordered.

Mr. Nussmeyer reported on the West Side Christian Church and said that the easement was signed last week, that the attorney's got together and straightened it out.

RE: EVERGREEN HEIGHTS #2

The plans for Evergreen Heights #2 were referred to Mr. Pugh two weeks ago for his comments on it.

Mr. Pugh submitted his report and said that his primary concern was that an adequate floodway would be protected behind the homes which are planned to be built parallel with the creek and he suggested a 40 foot easement on each side of the creek might be necessary for the over flowing flood waters through this valley and that this easement should not have any permanent building constructed within it, that the lots in the eastern sector of the subdivision may be affected by the water backing up from the culvert at Bujey Drive. He said the soil packs also have severe limitations for private septic systems, also that plans for the subdivision should include a channel project designed by a qualified engineer to protect these homes and those up stream and down stream from flooding in 100 year year storms. He said the Indiana Department of Natural Resources has jurisdiction of construction plans and flood plains, therefore they may assist in reviewing this plan in the safety of the homes from flooding.

County Attorney Stephens said it is up to the owners to put the restrictions in that they want.

After further discussion, Commissioner Willner said he would move to approve the plans subject to the engineer's certification that the 100 year level storm would not affect the residents of this subdivision.

Mr. Nussmeyer said he didn't think they would find an engineer to do this.

Mr. Pugh said he couldn't understand why this couldn't be done under agricultural zoning.

County Attorney Stephens said if they had a possible flooding problem being generated by approval of this plat, he would say the Commissioners shouldn't approve it.

Mr. Nussmeyer said they aren't being asked to approve the plat, that they are being asked to approve the road plan.

County Attorney Stephens said to approve the road plans may not have any affect on the water, but if it could, this is something that would have to be considered before road plans were approved.

Mr. Pugh said the problem is that there are some unsafe lots being considered but the approval of the road plans wouldn't add additional water to the residential lots.

Commissioner Schaad said the approval of the road plans probably wouldn't make it any worse as far as the flooding is concerned but the damage has already been done but it is adding to it.

Mr. Pugh said that they should let the developers do their own drainage work instead of letting them do it after the houses are built.

Mr. Nussmeyer said it would be his recommendation to call the engineer back and see what he has to say.

Commissioner Ossenberg moved, on the recommendation of Mr. Nussmeyer, not to do anything until this matter is discussed with the engineer next week. Commissioner Willner seconded the motion. So ordered.

RE: WHISPERING HILLS SUBDIVISION ... SECTION A

Mr. Ludwick presented two sets of road plans for Whispering Hills Subdivision Section A and said that all the Commissioners will be approving are the plans and nothing more. He said that Mr. Martin checked these out and recommended approval of them.

Commissioner Ossenberg moved that the plans be approved. Commissioner Willner seconded the motion. So ordered.

RE: LETTER FROM INDIANA STATE HIGHWAY COMMISSION

Mr. Nussmeyer received a letter from the State Aid Division of the Indiana State Highway Commission, stating that it appears that the 1974 - 1975 Federal Aid Secondary funding to 92 counties in Indiana will be approximately \$3,500,000.00 to \$4,000,000.00 and in order to make a fair portion of the funding, they requested that the questionnaire be completed and returned to them.

Commissioner Schaad said that the Green River Road Corridor between P6005 and Heckle Road will cost approximately \$2,000,000.00, the St. Joe Avenue, 1000 feet North of Diamond Avenue to 70 feet North of Westchester Avenue will cost approximately \$1,500,000.00.

Commissioner Ossenberg moved that Mr. Nussmeyer fill in the questionnaire and send it in right away. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST BY MR. FLITTNER

Mr. Bernard Flittner asked the help of the Commissioners in getting some driveway cuttings along Old State, Hillsdale Road and Wortman Road, as there is a problem of cutting the roads Right of Ways every year.

Commissioner Ossenberg moved that Mr. Willard be ordered to go out to these roads and give Mr. Flittner some assistance. Commissioner Willner seconded the motion. So ordered.

Mr. Flittner asked if someone is paid to do this work and wondered what the problem is because he hasn't been able to get results.

Commissioner Willner said it was paid from gasoline tax and it is a three week to a month affair to make all these roads and he didn't think they had started as yet.

Commissioner Schaad requested that Jack Willard be asked to call Mr. Flittner at 425-9027 so they can get this done as soon as possible.

Mr. Flittner asked what the status of the overpass on the Railroad was.

Commissioner Ossenberg said this is going to trial on June 11 & 12.

Commissioner Schaad said that after the court establishes a price, the money can be put in escrow and they can go ahead with the project but nothing can be done until that time.

RE: POOR RELIEF

Mr. Anthony Stewart of 573 S. Garvin, said that two months ago his wife lost a baby and he went to the Pigeon Township Trustee because he can't pay the hospital bill since he is on disability and he was turned down.

Commissioner Schaad explained that the procedure is to request to be placed on the agenda so the trustee can have an investigator present so they can hear from both sides.

Mr. Stewart was requested to come back next week.

RE: UNIVERSITY HEIGHTS

Mr. Angermeier complained, last week, that an oil rig moved to the North of University Heights and he had many calls on it and wondered what could be done.

County Attorney Swain was to have checked into this as to the legality and as to the power of the Commissioners in this matter.

County Attorney Swain is in court today and was unable to be here today so this matter will be taken up next week.

RE: PROBLEM AT BOONVILLE-NEW HARMONY ROAD

Commissioner Willner said they are having a problem out on the Boonville-New Harmony Road, East of Highway 65. The problem is on the south side at the intersection of Buente Upper Big Creek. The problem is not with the legal drain but rather with the public ditch. The ground is caving in and the electric poles are falling in. The Electric Co. has gone out there and put up guide

wires, but the situation is really bad and he wants some action on it now. He said, Jack Willard can go out there and put in some rip-rap which should solve the problem.

Mr. Ludwick and Mr. Nussmeyer are to go out and look the situation over and report back to the Commissioners next Monday.

This problem was thought to be a problem of the Drainage Board but then it was found that it had nothing to do with the legal drain so it is the business of the County Commissioners.

The meeting recessed at 11:07 a.m.

PRESENT

COUNTY COMMISSIONERS

Robert Schaad  
Thomas Ossenberg  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe  
Curt John (Dep.)

COUNTY ATTORNEYS

William Stephens

REPORTERS

S. Clark  
B. Thompson  
G. Clabes  
R. Lyles

Secretary: Margie Meeks

  
  
  
 BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
May 13, 1974

The meeting of the County Commissioners was held on Monday, May 13, 1974, at 9:30 a.m. in the Commissioners Hearing Room with President Schaad presiding.

The minutes of the previous meeting were approved as engrossed by the Auditor with the following amendments made and the reading of them was dispensed with:

Approval was made, last week, for the reduction of retainage fee from 10% to 5% on the contractors for the Evansville Comprehensive Mental Retardation Center and it was based on six payments and should have been based on five payments, so the previous claims were in error and were destroyed. The correct claims read as follows:

|   |             |
|---|-------------|
| Kuebler Heating & Air Conditioning Inc..... | \$9,273.22  |
| Key Construction Co.....                    | \$35,753.31 |
| Swanson-Nunn Electric Co.....               | \$4,816.62  |
| Goedde Plumbing & Heating Inc.....          | \$3,608.94  |

It was agreed by the Commissioners that the new claims be stamped for their signatures as to their approval of them.

RE: COUNTY OWNED SURPLUS PROPERTY

Mr. Hotz asked if the parcel on Old Petersburg Road had been pinpointed as to it's location, as he has had calls on it. The code is #34-90-1.

County Attorney Swain said they don't locate the parcels, that the purchasers buy them at their own risk.

Mr. Cole said that this parcel is an improvement only, that there is no land included.

Last week, Mr. Charles Jackson of 201 S. Grand Ave. bid \$250.00 on two parcels, Code #22-77-22 and 22-77-23 and appeared again today, since he found that they have a Barrett Law assessment against them, equal to the purchase price.

Commissioner Schaad said it doesn't seem quite fair for the gentleman to bid on these parcels and then have an equal amount against it.

County Attorney Stephens said the parcels are sold legally, subject to any and all liens but it is up to the Commissioners as to what they want to do.

Mr. Volpe suggested that under the circumstances, where a person has bid on property but the deed has not been delivered, to take the Barrett Law into consideration of the \$250.00 since it is to everyone's advantage to get the property back on the tax roles.

Commissioner Willner asked Mr. Jackson if he had a figure in mind that he would pay over and above the Barrett Law for these two parcels of property.

Mr. Jackson said if the Barrett Law should come to \$250.00, he would be willing to pay this amount and if it is a lower amount, that he would let it go against the property itself. He said he would pay \$250.00 for these parcels to have the property clear as this is what he had in mind when he bid on it before.

Commissioner Schaad suggested this matter be taken under advisement so Mr. Jackson can see exactly what it will cost to pay off the Barrett Law assessment and then come back and the Commissioners will resolve it.

This was agreeable with all concerned.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS  
HIGHWAY DEPARTMENT

|                              |                       |            |                 |              |
|------------------------------|-----------------------|------------|-----------------|--------------|
| Paul D. Liggett              | 421 VanNess Ave.      | Mechanic   | \$3,613 Per.Hr. | Eff: 5/6/74  |
| Loren A. McBride             | 1801 S. New York Ave. | Laborer    | \$3,297 Per.Hr. | Eff: 4/30/74 |
| Michael O. Capps             | 1401 Laubscher Rd.    | Laborer    | \$3,297 Per.Hr. | Eff: 4/29/74 |
| Alice Lee                    | 5111 Nolan Ave.       | Bookkeeper | \$6,034.60 Yr.  | Eff: 5/7/74  |
| (Back from Leave of Absence) |                       |            |                 |              |

BURDETTE PARK

|                    |                   |            |          |         |              |
|--------------------|-------------------|------------|----------|---------|--------------|
| Robert Hertzberger | R.R.2, Nurrenbern | Manager    | \$374.52 | Se. Mo. | Eff: 5/1/74  |
| Louise Devoy       | R.R.2, Nurrenbern | Asst. Mgr. | \$263.75 | Se. Mo. | Eff: 5/1/74  |
| Shirley Hape       | 2824 Dennison     | Secretary  | \$193.16 | Se. Mo. | Eff: 5/1/74  |
| Clara Brown        | 303 S. Barker     | Extra      | \$1.65   | Per Hr. | Eff: 4/22/74 |
| Cheryl Mackey      | 432 N. Elm        | Extra      | \$1.65   | Per Hr. | Eff: 4/22/74 |
| Betty Upton        | 1141 Cumberland   | Extra      | \$1.65   | Per Hr. | Eff: 4/22/74 |

RE: APPOINTMENT CHANGES.....RELEASESBURDETTE PARK

|                    |                   |            |          |         |              |
|--------------------|-------------------|------------|----------|---------|--------------|
| Louise Devoy       | R.R.2, Nurrenbern | Manager    | \$374.52 | Se. Mo. | Eff: 4/30/74 |
| Robert Hertzberger | R.R.2, Nurrenbern | Asst. Mgr. | \$263.75 | Se. Mo. | Eff: 4/30/74 |

RE: UNIVERSITY HEIGHTS

Commissioner Willner explained that Mr. Pat Weigman of 621 Drexel Drive, was in last week and complained of the water problem he has in which water comes onto his property. He said he has had other calls on the water problem and they would like for the Commissioners to look over the total area because they say there are more problems in the area other than this one.

Mr. Weigman said there are drainage problems in the area but to his knowledge, there is no area where the water is going up to the homes and this is his problem and he feels that his problem is more significant than the actual drainage problems.

Mr. Martin said that he tried to contact the people who live across the street and has the twelve inch pipe under his drive that is apparently causing the trouble and was unable to do so. He said that Mr. Weigman contacted the people and he was told that this wasn't their problem.

Mr. Martin said it would take approximately five yards of concrete to do the job if the old concrete was knocked out of there and the approximately cost of the job would be from \$550.00 to \$700.00.

County Attorney Stephens said that so far, we have no way other than a rumor, in that the contractor was told when these homes were built, that there should be twenty-four inch pipe under the drives.

Commissioner Ossenberg moved that Mr. Ed Martin talk to the man across the street from Mr. Weigman and see what he can find out with the suggestion that if he is reluctant, that the Commissioners would like to talk to him in an open meeting. Commissioner Willner seconded the motion. So ordered.

Mr. Martin will keep Mr. Weigman informed as to what is going on and he will also talk to Mr. Angermeier as to the other problems that exist in that area.

RE: RESOLUTION ON TRAFFIC CODE

A couple of weeks ago, the residents of Valley Downs Subdivision requested that the speed limit in that area be reduced.

Mr. Judd had submitted a report with his recommendation on the reduction of speed in this subdivision which was approved by the Commissioners last week. The resolution amending the Master Traffic Control Code is now being submitted to the Commissioners for their signatures.

SECTION 1 of the Resolution reads as follows:

It is hereby determined and declared that Section 3 of the Master Traffic Control Code be and the same is hereby amended to read as follows:

It shall be unlawful to operate a motor vehicle in excess of twenty (20) miles per hour upon and along the following roads, streets, and highways, to-wit:

All public streets located within Valley Downs, a subdivision lying adjacent to the City of Evansville, Vanderburgh County, Indiana, as shown recorded in Plat Record K at Page 151 of the records in the Recorder's Office of said County, including the following named public streets and highways, i.e., Saratoga Drive, Oxmoor Road, Autumnwood Way, Spring Valley Road, Crosslow Lane, Deer Trail, Hunters Trace, Pirates Alley, Boxwood Lane, Foxcraft Way, Printers Allen, Kings Run, Ripplewood Lane and Rockingham Way (4-29-74)".

PASSED by the Board of Commissioners of the County of Vanderburgh on the 29th day of April, 1974 and upon said day signed and executed by the members of said Board and attested to by the Vanderburgh County Auditor.

RE: CLAIM

A claim was received from Browning-Ferris Industries of Indiana Inc. which is total billing for the month of April for dumpster service in the amount of \$1,665.59.

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

RE: CONTRACT PRESENTED

Commissioner Schaad received a contract from H.C. Nutting Co. who would make the soil Engineering Survey as far as the Eichoff Road Improvement is concerned. This matter was referred to Mr. Ludwick.

RE: NEU ROAD

Mr. Willard said that a Mr. Bruner is having a drainage problem on Neu Road, that he went out there and found there was a high pressure gas line and that it would cost about \$2,500.00 to get it located and moved. He said they did install a pipe but he doesn't know of anything else they can do to solve the drainage problem.

Commissioner Willner said he thought the Gas Company wants the county to pay for the location of that high pressure gas line. He wondered if the Gas Company had an easement from the county.

Mr. Willard said he got a call and was told that the Engineer's had agreed to do this work but that the county was trying to give them a run-around.

Commissioner Willner said he doesn't think the county should spend this money to move the gas line and if the Gas Company don't have an easement and they have to move it, then we could put a bigger culvert in, though he doesn't think it the obligation of the county to do so.

Mr. Cole of the Gas Company will check on this and report back to the Commissioners.

RE: MR. WILLARD

Mr. Willard presented his report of the absentees of the County Highway Department for the past week.  
Report received and ordered filed.

Mr. Willard said he has received another truck and will eventually have six of them.

RE: SEVEN HILLS ROAD

Mr. Willard said there is a ditch on Seven Hills Road and a man cut out of his field, right onto our road and he presented pictures showing chuckholes in the road and said it is almost impossible to get down that road.  
This matter was referred back to County Attorney Swain.

RE: PROBLEM WITH LEGAL DRAIN

Commissioner Willner said that the problem on Boonville-New Harmony Road, East of 65, of a legal drain was brought up last week and Mr. Martin was to have checked it out.

Mr. Martin said he went out to look at this and since that time he had a note saying that it was west of 65. He said that he would go back and look at it. Commissioner Willner said that he would go with Mr. Martin.

RE: OLD LINCOLN AVE. & FUQUAY ROAD

Commissioner Ossenbergh said he has had several calls on Old Lincoln Avenue and Fuquay Road, where they put in a culvert because they have quite a ditch out there and the people are going around the ditch and going up in the people's yard. He wondered if this couldn't be resurfaced.

Mr. Willard said he would get someone out there to take care of this matter.

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RE: PROBLEM ON SEIB ROAD

Mr. Willard said he had a call from a Mrs. McCutchan out on Seib Road, who said that a Mrs. Cymbala stops up her field tile and the water backs up on the McCutchan's property. He said they went out and cleaned the county's part of the culvert and told Mrs. McCutchan that she needed to get an attorney.

County Attorney Stephens said that Mrs. McCutchan said that Mrs. Cymbala has filled the tile again and if she has, something can be done because it is the county's ditch. He said the problem is apparently the tile on her own ground. He said that she told him that there are two problems, that Mrs. Cymbala is clogging the public ditch and she is clogging up her own tile and he didn't know which one was causing the problem and said that it could be both. Mr. Willard will check this out and report back to the Commissioners.

RE: CLAIMS FOR TAX REFUNDS

Mr. Volpe received a letter from the State Board of Tax Commissioners, in the matter of the tax refund claims of T. W. George Estate that have been approved by them.

Mr. Volpe said this has to do with an opinion on oil that the Indiana law on oil is incorrect and that Mr. Eades has asked that he bring them before the Commissioners.

Mr. Eades told Mr. Volpe that Gibson and Posey County's have refused to pay, even though the state has ordered it paid and they want to take it back to court again.

This matter was referred to the County Attorney's for study.

RE: MR. HARNESS

Mr. Harness, the Superintendent of the Pleasantview Rest Home, said that somehow, they were overpaid \$12.50 for one of the patients, from the state and that they want their money back. He asked how he would go about doing this.

Mr. Volpe told Mr. Harness to just make out a blue claim from Blue Cross-Blue Shield, due to an overpayment of \$12.50 and he would pay it from the account of Refunds and Indemnities.

RE: CLAIM

Mr. Ludwick submitted a claim from Feigel Construction Co. on Account #506-201-2260, from last year's contract, for work done between April 29 and May 13, 1974. for final payment of \$9,553.89.

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

RE: MIDDLE MT. VERNON ROAD

When asked about the status of Middle Mt. Vernon Road, Mr. Ludwick said they should start on this project this week or next week.

RE: BERGDOLT ROAD

Mr. Ludwick said that they are \$3,000 short on the Bergdolt Road project, that this is Revenue Sharing money and it is just a matter of transferring funds that are available. He said he would write a letter to the County Council and try to get it on the agenda for Wednesday night since it doesn't have to be advertised. Mr. Volpe said he would then write an addendum and clip it to the ordinance.

RE: GREEN RIVER ROAD

Mr. Ludwick said there is a need of an appraiser for the Green River Road widening, also a Right of Way buyer and this must be two different people since there is Federal money involved.

Commissioner Ossenberg moved that Mr. Don Cox be appointed as appraiser for Green River Road and that Lillian Carnegie be appointed as the Right of Way buyer. Commissioner Willner seconded the motion. So ordered.

Commissioner Ossenberg explained that application was made for F.A.S. funds on Green River Road and it requires the county to buy from the creek up to Heckle Road and when Federal money is involved, we need an appraiser, then, also, we need a Right of Way buyer for both sides. He said the county tied in with the Waterworks Department from Millersburg Road, up.

RE: EVERGREEN ACRES & OLD STATE ESTATES

Mr. Ludwick presented a letter from former Commissioner Huett on Evergreen Acres, that Mr. Bussing has been wanting the county to accept and he was told that he needed some proof as to the possibility of the previous Commissioners accepting Evergreen Acres. The letter reads as follows:

Gentlemen:

On July 30th, 1968, when the undersigned was still a member of the Board of County Commissioners of Vanderburgh County, we received a letter asking that the Commissioners inspect the following streets in Evergreen Acres for acceptance in the county road program for maintenance:

Larch Lane from Pine Place North to Mt. Pleasant Road, for a distance of approximately 1500 feet.

Holly Hill Drive from Larch Lane Northwest for a distance of about 900 feet.

Berry Lane from Holly Hill Drive North to Larch Lane for a distance of about 500 feet.

In Old State Estates the following streets:

Heather Place from Pine Place North for a distance of about 500 feet.

Pine Creek Drive from Heather Place East and South to Old State Road for a distance of about 1400 feet.

The undersigned along with the then County Surveyor, Sam Biggerstaff made a thorough inspection of the above listed streets and notified Mr. Bussing that these streets were adequately constructed and in proper condition for Vanderburgh County to accept these streets for county maintenance.

I know of my own knowledge that the Commissioners of Vanderburgh County did accept these streets at a subsequent meeting of the Vanderburgh County Commissioners and that following that time the Commissioners proceeded to do minor maintenance work on some of the above listed streets and that we also opened, widened and did other dredging of some ditches in both Evergreen Acres and Old State Estates.

Several property owners in both Subdivisions called the County Highway Superintendent as well as the County Commissioners for various small maintenance requests thereto from time to time and in addition thereto the undersigned and Sam Elder of the City-County Board of Health met several times on properties in these two (2) Subdivisions to work out sanitation problems affecting the streets in these subdivisions.

If these streets do not appear in the county highway road problems at the present time it is no doubt due to some clerical error, as they were definitely accepted for county maintenance and were maintained by Vanderburgh County Highway Department.

Yours very truly, Richard E. Hewitt

Mr. Ludwick said that there are no records of the former County Commissioners ever accepting Evergreen Acres and Old State Estates.

County Attorney Stephens said that if an error had been made, he would think it would take more than one former Commissioner's opinion.

Reporter Gene Clabes asked if gasoline tax money was collected on these roads.

The letter was referred to Mr. Willard who said that he would check and see if gasoline tax money had been collected on these roads, also if any maintenance was ever done on them and that he would report back to the Commissioners next week.

RE: BRIDGEVIEW DRIVE

Mr. Ludwick said that on Bridgeview Drive, which is off Reiter Drive, a sewer was put in by Curtis Construction Company, last year and a pipe was removed from under Bridgeview Drive and was never replaced. They had called Mr. Willard, at that time, and asked if he would replace the pipe and it was agreed that if the county would buy the pipe, Curtis Construction Company would install it and this has never been done and it has been causing problems out there and he thought this job should be completed.

Mr. Willard said that Mr. Eifler told him if there were any problems, to get in touch with him and he would take care of it.

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 County Attorney Swain said that it was supposed to be returned to the same shape as it was before the job was done and the pipe was in the county's Right of Way.

Commissioner Schaad said they should do the whole job, that the county shouldn't have to buy the pipe.

This matter was referred to Mr. Willard, for him to talk to Mr. Eifler and he, in turn, is to talk to Curtis Construction Company to see if this matter can't be resolved and Mr. Willard will report back next week.

RE: UNIVERSITY HEIGHTS....STREET PLANS

Mr. Del Mullen of Meadowview Drive, owner of property where they are having drainage problems, and Mr. Lee Hoffman of Ohio Valley Engineers, who is doing the engineering on the project, appeared and said that University Heights was platted in 1957.

Mr. Mullen said that Mr. Pugh had suggested, when he bought the property, that he should have an easement along the side of the property and the houses were set up as recommended because the property owners didn't want any problems. He said there was already a small problem on Bujey Drive which probably aggravated the present condition but at that time, a tremendous culvert was put under the road. He said at the present time Mr. Pugh is concerned because the ditch isn't draining adequately into that culvert and they are dredging it as they are developing it.

Mr. Mullen said that he thought Mr. Pugh originally wanted a thirty foot easement which he was agreeable to right away and about a year and a half ago, he went into the Engineer's office and it seemed that no one knew exactly what they wanted in the way of this easement and he told them that someone should write them up and he would sign them. He said that according to the letter he has, they are now recommending forty feet and he thought that thirty feet was a reasonable request.

Commissioner Schaad said a request for these street plans were before the Commissioners for approval and were held up because of the problems in the area.

Mr. Hoffman said they are asking for the approval of the street plans at the present time.

After further discussion, Commissioner Willner said he has no objection to the work they are doing here if they get the easement and get the ditch dredged. He said he sees no flooding in this area, that the problem is West of Old State Road and they will have to depend on the Engineer as to what should be done.

Commissioner Ossenbergh moved that the street plans be approved, subject to what Mr. Pugh wants as far as granting Right of Way and what needs to be done to get proper drainage in that ditch. Commissioner Willner seconded the motion. So ordered.

RE: ROADS TO BE RESURFACED.....CONTRACTUAL

Commissioner Willner said that he was out to look at Lincoln Avenue, from the City limits to the County Line and he was in favor of deleting this location from the list of roads to be resurfaced. The other Commissioners agreed. The entire list was reviewed and the following action was taken as to the repair of these roads:

1. Lincoln avenue - .5 miles long, 22 feet wide, City limits to County Line-Deleted
2. Heckle Road - Oak Hill to Green River Road, 1.0 miles long, 18 feet wide-Deleted
3. Old Boonville Hwy.-Greenriver Road to County Line, 3.9 miles long, 18' feet wide: Shoulders bad in spots.-Remains
4. Millersburgh Road - from Oak Hill Road to Greenriver Road, 1.0 miles long, 18' feet wide: Shoulders bad in spots.-Remains
5. Kansas Road from State Road 57 to Greenriver Road, 1.0 miles long, 18 feet wide: Shoulders in bad shape.-Remains
6. Boonville-New Harmony Road from Greenriver Road to County Line, 1.1 miles long, 18 feet wide: Shoulders bad in spots.-Deleted
7. Old U.S. 460 - Hwy. 460 to County Line, Koring Road at County Line, 3.4 miles long, 22 feet wide: Shoulders bad in spots.-Remains
8. Burkhardt Road - 1.4 miles long, 18 feet wide.-Deleted
9. Hogue Road - Eichoff Road to City Limits, 3.4 miles long, 18 feet wide: Shoulders bad in spots.- Remains
10. Schutte Road - State Road 62 to Broadway Avenue, 1.4 miles long, 18 feet wide: Shoulders bad in spots.-Remains
11. Mt. Pleasant Road approximately 2 miles from Darmstadt Rd. to Old State Rd.-Remains

Numbers 1,2,6 and 8 were deleted

Numbers 3,4,5,7,9,10 and 11 remains

Commissioner Schaad said that he would like for the specifications prepared by the County Engineer so bids can be taken for the resurfacing of the roads that remain on the list.

RE: EICHOFF ROAD

Commissioner Willner said it has been brought to his attention that the Right-of Way buyers have already been appointed by the previous Commissioners for Eichoff Road and that they are Don Cox and Bob Rickard. He said he wasn't sure this was a wise decision since if they have two Right of Way buyers who are not in complete agreement, he thought they were in for some problems and he would suggest that they appoint one of these persons as an appraiser and the other, the Right of Way buyer. He thought, also, that having a county chairman as a Right-of Way buyer has some problems but this is up to the other Commissioners.

County Attorney Stephens said the previous Commissioners probably made a verbal agreement with these men and they probably performed some services and if a change were made, they would get compensation for any work they have done.

Commissioner Schaad said the Right of Way buyers hadn't come up with any uniformity of what they are going to offer so he had Mr. Rickard stop doing anything on it.

Mr. Leo Weiss said they handled this themselves and have the appraiser and buyer under them so they can get a uniformity in the cost and he thought with two separate buyers going separate ways, there will be things started that they don't want. He said that if it was allright with the Commissioners, he would guide these people and hold it in line, without cost to the county. This matter was deferred at this time.

RE: POOR RELIEF

Anthony Stewart...573 S. Garvin St....Pigeon Township...Mrs. Anslinger, Investigator

Mr. Stewart said that his wife lost a baby in December and he can't pay the hospital bill. He said he went to the Pigeon Township Trustee to ask for help in getting this bill paid and was refused because he was too young. Mr. Stewart said the bill was about \$487.00, also that he isn't working and that he has been drawing disability from Social Security in the amount of \$110.00 per month.

Commissioner Willner said if this is true, Mr. Stewart is at the wrong agency, that he should be at the Welfare Department if he has permanent disability. He said that the Trustee's office is to provide help for a short period of time, until a person is back on his feet and is able to make a living, that the Trustee is not set up to be a long-range relief and this is why the Welfare Department is set up for long term relief.

Mrs. Anslinger said that the hospital bill was made in December and that Kathleen, Mr. Stewart's wife, was a part-time student at Bosse High School at that time and was registered under her maiden name of Covington and she is employed at Anchor Industries, full time, as of May 2, 1974, also under the name of Covington and that she will receive her first full pay on May 17, 1974 and she makes \$2.00 per hour. She said she called Social Security and that Anthony is drawing \$122.20 Social Security disability plus \$ 37.80 S.S.I. which makes a total of \$160.00 per month and with this income, she didn't think the Trustee should interfere, that they should be able to take care of this bill themselves. She said that there total income will be approximately \$500.00 per month.

Commissioner Willner asked Mr. Stewart why Mrs. Stewart went under the name of Covington.

Mr. Stewart said that his wife kept the name of Covington to stay in school and at her place of employment because the school put her out there.

Mrs. Anslinger said that if they help a young couple like this, they will be back again and again, also that Mr. Stewart had been working at the zoo and he quit this job because he was afraid of injuring his other eye and she said that there are many handicapped people who hold jobs.

Mr. Stewart said the figures that Mrs. Anslinger has aren't correct. He said that he used to draw \$114.00 per month in disability but they take out for medicaid so he draws \$110.00 per month at the present time. He said that if they got \$500.00 per month, he would have the hospital bill paid.

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Commissioner Willner explained that his wife's first pay will be on May 17 and together they will be getting about \$500.00 per month. He also said he doesn't understand why she is working under her maiden name.

Commissioner Ossenberg said that it seemed to him that in the future she will have trouble with Social Security.

Mr. Stewart said the school told him that Mrs. Stewart would use her maiden name until she graduates from high school.

Mrs. Anslinger said that Mr. Olsen talked to the counselor at Bosse High School who said that they were not aware of Kathleen being married.

Mr. Rode of Legal Aid asked if it would be possible to defer this case until next week, since Mr. Stewart doesn't seem to agree with the amount of money coming in and this will give him time to check on it.

Commissioner Willner moved to grant one week's extension on the hearing of this case. Commissioner Ossenberg seconded the motion. So ordered.

The meeting recessed at 11:25 a.m.

PRESENT

COUNTY COMMISSIONERS

Robert Schaad  
Thomas Ossenberg  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEYS

William Stephens  
Thomas Swain

REPORTERS

B. Thompson  
G. Clabes  
R. Lyles  
S. Clark  
C. Leach

Secretary: Margie Meeks

Bob Schaad

Thomas Ossenberg

Robert L. Willner

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSIONERS MEETING  
May 20, 1974

The meeting of the County Commissioners was held on Monday, May 20, 1974, at 9:30 a.m. in the Commissioners Hearing Room with President Schaad presiding.

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

RE: COUNTY OWNED SURPLUS PROPERTY

Mr. Charles Jackson of 201 S. Grand Avenue had previously bid \$250.00 for two parcels, code #22-77-22 and 22-77-23, which was approved but he then found that the parcels had a Barrett Law assessment against them so he was requested, last week, to find out exactly what it would cost to pay off this assessment and to come back this week.

Mr. Jackson found that the amount of this assessment to be \$264.12 which he has agreed to pay. He then offered a bid of \$10.00 for the two parcels.

County Attorney Stephens pointed out to the Commissioners that they have been selling the surplus property, up to now, subject to any and all liens that may be against said property and if they want to change this practice, it is alright with him.

Commissioner Schaad said he thinks they need to protect the public and he knows they should realize when they buy surplus property, that it is subject to all previous liens but it would have to be researched and asked who would do it.

County Attorney Stephens said that the attorney's weren't going to do it and this is the reason the property is being sold at next to nothing, but he said that their decision is okay with him.

Commissioner Willner moved that after Mr. Jackson pays the Barrett Law assessment, that his bid of \$10.00 for the two parcels be accepted. Commissioner Ossenbergh seconded the motion. So ordered.

There were no more bids on the county-owned surplus property at this time. The sale will continue.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

COUNTY SURVEYOR

John W. Bugg      1418 E. Missouri      Rodman      \$5,720.00 Yr.      Eff: 5/15/74

PLEASANTVIEW REST HOME

Sharon Kuhr      1220 Richland Ave.      Aide      \$1.90 Hr.      Eff: 5/22/74

CUMULATIVE BRIDGE FUND

Alvin L. Paul      R.R.2, Wadesville      Chief Inspct.      \$9,000 Yr.      Eff: 5/15/74

COUNTY HIGHWAY DEPARTMENT

Dennis U. Merideth      1503 W. Louisiana      Truck Driver      \$3.40 Hr.      Eff: 5/20/74  
Richard L. Walters      1316 Gavitt Ave.      Dog Catcher  
Truck Driver      \$3.40 Hr.      Eff: 5/17/74

COUNTY TREASURER

Pamela Meyer      4512 Hogue Road      Extra Clerk      \$15.00 Day      Eff: 5/14/74

AUDITORS OFFICE

Lisa L. Iaccarino      3017 E. Oak      Summer Help      \$15.00 Day      Eff: 5/13/74  
Mary L. Miller      711 S. Alvord      Summer Help      \$15.00 Day      Eff: 5/15/74

RE: EMPLOYMENT CHANGES.....RELEASES

VANDEBURGH COUNTY HIGHWAY DEPARTMENT

Dennis U. Merideth      1503 W. Louisiana      H.E.O.      \$3,718 Hr.      Eff: 5/18/74

VANDEBURGH SUPERIOR COURT

Carl A. Miller                      Probation Officer                      Eff: 5/22/74

RE: CLAIM

County Attorney Swain submitted a claim from Gaylon L. Clark Jr. for expense of services in the preparation for a trial to be held in June, for services carried out from June 4, 1973, to January 7, 1974 in the case of Shannon Versus the Board of County Commissioners, in the amount of \$439.52.

This is the second claim submitted, since the first one was apparently lost and it seemed to Mr. Swain that the claim was approved but lacked the Commissioners signatures.

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

RE: ENGINEERING AGREEMENT

A contract between the Board of County Commissioners and Engineer Associates Inc. was presented whereby the Board agrees to employ the Engineer's to perform the services of Engineering and Architectural design of all facilities related to the expansion and/or improvements to Burdette Park including sanitary sewers, storm drainage and water, buildings, recreational and camping areas and related appurtenances.

Commissioner Ossenberg said this contract was entered into sometime ago and the county council, last Wednesday, gave the county \$100,000.00 to start this expansion, so they will now enter into this contract.

Commissioner Ossenberg moved this contract be approved. Commissioner Willner seconded the motion. So ordered.

RE: MONTHLY REPORTS

The monthly report of the Clerk of the Circuit Court was submitted for the month of April.

Report received and filed.

The monthly report of the County Treasurer was submitted for the month of April. Report received and filed.

RE: RENEWAL OF COOPERATIVE AGREEMENT

The renewal agreement between the Vanderburgh County Soil and Water Conservation District and the Board of County Commissioners of Vanderburgh County and the Soil Conservation Service of the United States Department of Agriculture was presented for the approval of the Commissioners.

The effective date of this annual renewal is July 1, 1974.

Commissioner Ossenberg moved that this agreement be approved. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....OSCAR & JOSEPHINE FOLZ

Ordinance No. 74-23 PC --VC-4-74

Premises affected are situated East of Green River Road, a distance of approximately 1365 feet South and approximately 1585 feet East of the southeast corner of the intersection formed by Bergdolt Road and Green River Road.

The requested change is from Agriculture to C-1B (General Commercial)

The proposed land use for the above is for the construction of indoor tennis courts and recreational facilities.

The Area Plan Commission recommends approval of this petition.

Mr. Jack Schroeder appeared on behalf of Bill Johnson who has an option to purchase this land and he is interested in developing an indoor tennis facility in connection with the use of the outdoor courts that he already has, also that they hope to enter into negotiations with Empire Steel Corporation to construct the building at a cost of about one-half million dollars.

Mr. Schroeder said that there were no remonstrators at the Area Plan meeting and that they have no drainage problems and he submitted a staff field report.

Area Plan approved this rezoning petition.

Commissioner Ossenberg moved that the petition and the staff field report from the Area Plan Commission be accepted and approved and the Soil Engineer's report be adhered to. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....Nunn Milling Company

Premises affected are situated on the Northeast side of New Harmony Road, a distance of 400 feet Northwesterly of the corner formed by the intersection of New Harmony Road and Robinhood Drive.

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

The proposed use is for a parking lot and storage.

Commissioner Ossenberg moved that this petition of Nunn Milling Co. be referred to the Area Plan Commission on first reading. Commissioner Willner seconded the motion. So ordered.

RE: REZONING PETITION.....Kenneth & Helen Alvey

Premises affected are located by commencing at the intersection of North Green River Road and State Highway 57 and extending Northeast along State Highway 57, approximately 1,100 feet, more or less, to a point on the Northwest side of said State Highway and extending as frontage along said Highway Northeast, approximately 200 feet and to a maximum depth of 394 feet Northwest.

The requested change is from Agriculture to C-1B.

The purposed land use is for the operation of a sign business.

Commissioner Ossenberg moved that this petition be referred to the Area Plan Commission on first reading. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST FOR PUBLIC RECREATION

Mrs. Betty Jarboe of 3919 Clement Street in Western Terrace appeared before the Commissioners and said that for the last eight years they have had public recreation and that they have over 300 homes out there so there are a great number of children but that last year, since the School Corporation ran out of money, they did away with the public recreation.

Mrs. Jarboe explained that the field they have is donated by Mr. Rodenberg and is located in the county while the houses are in the city and when they went to the Public Recreation, they were told that since the field was in the county, they wouldn't finance any recreation and they said that there may be public recreation at Tekoppel School, but they couldn't be sure.

Mrs. Jarboe said that there are no sidewalks out there and most of the children are small.

She said that the public recreation records will show that this field has had the largest attendance of children. She said there is no where else for public recreation and that Mr. Rodenberg always makes the initial cut on the field which has been done and that the boys in the area keep the grass cut.

She said she was referred to the County Council to see if they couldn't have some sort of planned recreation with supervision. She said the parents have always been very cooperative.

Commissioner Ossenberg explained that she was before the County Commissioners and would need to get on the agenda for the County Council meeting which meets on the third Wednesday of the month and that she should ask for a certain sum of money for the supervision. He also explained that in the school recreation, the city took over where the schools left off, so the County Council appropriated money to have the same thing in the county schools.

Mr. Volpe said that since their group isn't incorporated, the Commissioners would get the money and it would be up to them to see that this was taken care of.

Commissioner Ossenberg said he thought the school recreation program for the county came out of Revenue Sharing and said there is still money available. He suggested that Mrs. Jarboe go to the Recreation Department and ask them to give her a figure and find out just how much money they will need so they know how much money she will need to ask for, from the County Council and that the Commissioners would be at the County Council meeting to support her project.

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Commissioner Willner asked if he was understanding right in thinking that the county is going to open a public recreation program for the county school children or any children in the county. He said he thought all county children were entitled to participate in the program and if the county is going to do this for one, they are going to have to do it for all.

Mrs. Jarboe said that up until last year when they found that they were covered under the school's insurance policy, they took up a collection to pay for the insurance but this was disbanded when they found they were covered.

Commissioner Schaad told Mrs. Jarboe to get the information to Mr. Volpe before the end of the month in order to get on the agenda for the next Council Call, to be held on June 19th. at 7:00 p.m. and to let him know if there is anything he can do, as this is a good program and they need to do more about it but that the County Council must appropriate the money for the program.

RE: CLAIMS

A claim was received from Engineer Associates for the Eichoff Road project in the amount of \$16,896.66.

This claim was referred to Mr. Nussmeyer for study.

A claim was received from Howard Oagley for a refund in the amount of \$17.00, due to an error, since there is no fee for setting mobile homes.

Commissioner Ossenberg moved that the refund be approved. Commissioner Willner seconded the motion. So ordered.

A claim was submitted by the Sheriff for the meals of the prisoners that were served from April 15, 1974, to May 14, 1974 in the amount of \$6,993.35.

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

A claim was received from Haynie Travel Service Inc. for a round trip to San Diego for Shannie Wilson, that was made for the Area Plan Commission. Inv.#34269.

This claim was approved by Mr. Horace Lukens in the amount of \$268.55.

The claim was held up before because it was for first class fare of \$332.55 and now she is asking for the tourist fare.

The claim was first referred to County Attorney Swain for recommendation, but later in the meeting, Mr. Swain said that since Shannie Wilson was going to be an employee of the City Attorney, the Area Plan Commission had requested that she make the trip.

After further discussion, Commissioner Ossenberg said he felt that they were entitled to their money and they have come up with a reduction so he moved that this claim be approved for payment. Commissioner Schaad seconded the motion. So ordered.

A claim was received from Heldt Monroe Co. Inc. in the amount of \$58.76.

This claim was for bills incurred in 1973.

Mr. Volpe said the money wasn't incumbered and he wanted to know if these bills had been paid before. The money is in this years budget and he wanted the Commissioners to know that they are six months old.

Commissioner Ossenberg moved that this claim be approved, on the recommendation of the County Attorney. Commissioner Willner seconded the motion. So ordered.

RE: MEMORIAL DAY HOLIDAY

Commissioner Schaad announced that there will be no meeting next Monday due to the Memorial holiday.

The next meeting of the County Commissioners will be on Tuesday, May 28, 1974, at 9:30 a.m.

RE: MR. WILLARD

Willard submitted an absentee report of the employees of the County Highway Department for the past week.

Report received and filed.

RE: PROBLEM ON ROAD TO BURDETTE PARK

Mr. Willard said that he has been getting some calls from Burdette Park pertaining to the culvert out there at the Park entrance, where they are going to tear the bridge out. He said they are county roads out there and the people out

there said that if the county furnishes the pipe, they will furnish the labor and install them.

County Attorney Swain said that it is his understanding that these roads are county roads and that the county gets gas tax money from them.

Mr. Willard said that he has the money to buy these culverts.

Mr. Ludwick said he talked to Mr. Stateler of the State Board of Accounts, who told him this can't be done by the county.

This matter was deferred until it could be researched by County Attorney Swain.

Later in the meeting, after Mr. Swain had looked into it, he said that the State Board of Accounts say that to be perfectly safe, the way to do it is to let the Vanderburgh County Highway Department do the work, then bill their time and material to Burdette Park and let them pay for it and Mr. Willard can see that the money goes back into the Highway Contractual Account.

Commissioner Ossenberg said that this is a critical situation and any bus that goes over this road could fall through and he thought it would have to be declared an emergency since one end has settled about six inches and there is no other way to get into the park.

RE: COMMENT ON ROADS

Commissioner Willner said in all fairness to both parties, the extension of Darmstadt Road is a beautiful job and is holding up very good, but Buente Road which was also done last year, is in terrible condition and it all goes back to drainage and if the water is kept off the road, the oilmat will hold up but if the water is left standing on the road, they are just throwing money away.

RE: CULVERT ON BRIDGEVIEW ROAD

Mr. Ludwick said Mr. Wallace was suppose to get a letter from Curtis Construction Company and appear before the Commissioners but he hasn't heard from him. He said he doesn't know if they are going to put in a pipe or not. He also said that Mr. Willard won't put the pipe in because when the Curtis Construction Company put the sewer in, they pulled the pipe out along the edge of the road and it was the entrance to this man's private driveway and he wants the county to put it back and he won't do it.

This matter was referred to the County Attorney for him to contact Curtis Construction Company and inform them to put the pipe back.

Mr. Willard said that Mr. Eifler told him to contact him if they needed him for anything so he contacted Mr. Eifler and told him about it so he was going to look into it.

Mr. Willard will report back to the Commissioners when he knows something to tell them.

RE: PROBLEM ON NEU ROAD

Commissioner Schaad said a problem of drainage was discussed, that they were having on Neu Road and that the tile should be deeper and the reason it couldn't be put any deeper was because there was a high pressure gas line out there and they wanted the county to pay \$2,800 for them to lower it to drain the road properly. He wondered, since they didn't have an easement, how they got it in there.

County Attorney Stephens said that he has a conference with Mr. Bamberger tomorrow and maybe it concerns this problem.

This matter was referred to County Attorney Stephens.

RE: EVERGREEN ACRES AND OLD STATE ESTATES

A letter was received, last week, from former Commissioner Richard Huett, stating that the streets in Evergreen Acres and Old State Estates were accepted by the county for maintenance in 1968 but no record of this has been found and Mr. Willard was to check to see if any gas tax money was collected on these roads.

Mr. Willard said that he has checked and has found no record of ever having received any gasoline tax money for maintenance of these roads nor any records of these roads ever having been officially accepted by the county.

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Commissioner Schaad said it was found where the application was made but the application was never acted upon. He said it was referred to the County Engineer at that time, but nothing could be found as to their ever having been accepted.

Commissioner Ossenberg said he thought Mr. Bussing should have a letter from Mr. Biggerstaff who was at that time, the County Engineer.

Commissioner Willner said he knew there were problems out there and he isn't in favor of accepting these roads in their present condition and they will have to be brought up to the county standards before he would accept them. He suggested on getting an Engineer's view point and tell the contractor what needs to be done before the county will accept these roads.

Commissioner Schaad said, if he remembered correctly, the Engineer's office said the roads didn't come up to county standards and they didn't recommend that the county accept them, so they will have to work something out with the Engineer's office.

The County Attorney was requested to write Mr. Bussing a letter, telling him that the roads don't meet county standards and that if and when they do, the Commissioners will consider accepting them and also to ask him if he has any evidence as to them being accepted back in 1968, since all they can find is where the request was made.

RE: BOONVILLE-NEW HARMONY ROAD

Commissioner Willner said that he and Mr. Martin traveled to the Boonville-New Harmony Road, West of 65, where the telephone poles and the light poles were washed out. Mr. Martin said the ditch has eroded and that it needs rip rap.

Mr. Willard said he could take care of this.

Commissioner Willner said he thought what caused the problem was that the concrete had buckled and stands straight up in the ditch and this has caused the water to be diverted and a piece of it will have to be removed. They are going to look at the problem this afternoon and will report back.

RE: REIS LANE AND MEL ROAD

Mr. Ray Shapker appeared and said that they haven't been able to get their road oiled and as a result they have a lot of dust.

Commissioner Schaad said that some of the people out there don't want oil and they will be making them mad.

Mr. Shapker said they would be making about six families happy and a couple mad but they are the ones who has to eat this dust and it would be nice if they could chip and seal it.

Mr. Willard said that the fences are out at the edge of the road and there can be no ditches out there as there is no room and there is only room for one lane traffic.

Mrs. Shapker said if the Commissioners couldn't see fit to oil the whole road, she thought they should at least oil the road in front of their house.

Commissioner Willner said the perfect solution would be to get the necessary Right of Way and blacktop the road, however he thought the only thing they could do would be to oil it in front of their house.

Mr. Shapker said that when the county put fine gravel on it and then oiled it, the road gets like a blacktop and it was real nice for a couple of years but now it is bad and there is always clouds of dust out there.

Mrs. Shapker said it would be hard to get two-thirds of the residents signatures on a petition, that they will just barely miss it because a few people don't want oil because it gets on their cars.

Commissioner Willner moved that the county oilmat Reis Lane this year. Commissioner Ossenberg seconded the motion. So ordered.

RE: DRAINAGE PROBLEM

Mr. Harold McCoy of 1721 Fuquay Road appeared and said that there is a ditch that crosses his property at an angle and this ditch is allowed to be blocked in several different places and it stands full of water and he asked the Commissioners if there was any chance of getting it unblocked.

Commissioner Schaad explained that Roberson Ditch isn't a legal drain and the Commissioners don't have jurisdiction over ditches unless it is a legal drain or a roadside ditch.

Mr. McCoy asked what constituted a legal drain.

Commissioner Schaad explained that a legal drain is made so by a petition whereby the people are assessed and the benefits go toward maintenance or the building of it.

Mr. Martin will get with Mr. McCoy and go out there and look at the problem.

RE: UNIVERSITY HEIGHTS

Mr. Angermeier presented the following letter in conjunction with his previous appearance before the Commissioners:

Gentlemen:

I am writing this in regard to the drainage problems in University Heights. I have appeared in behalf of some of the property owners as well as myself. I am requesting the drainage maps of now and the two previous engineer's drainage maps that were prepared within the last three years and of their opinions.

I am further requesting that before any work is performed that all property owners involved be ordered by registered mail to appear before the County Commissioners before a decision is made. Sincerely yours, James Angermeier, Co. Assessor.

Mr. Angermeier said a gentleman came to his office last week and at that time, had asked for permissions which was part of his office and part of the Auditors office and also the authority be given to the Commissioners and he wanted it made clear that this gentleman wanted permission to copy all of the plat maps relative to the townships and he said he had no objection so the gentleman did this for the Vanderburgh County Conservation District.

He presented a brochure that was made up as a result of this, with advertising, etc. and said that the Rockford Map Publishing Company wants to handle it themselves and that they want to secure the names and addresses of all the people in the county from the Auditors office so that they can contact the people and they would attempt to sell them one of these plat maps for a sum of money and have them answer a questionnaire.

Mr. Angermeier said that whatever the Commissioners wanted to do is their privilege, also that they said they would prepare, for the county, hugh maps showing all of the property owners on a big outlay that could be used for reassessments in the county.

Mr. Angermeier strongly urged the Commissioners to ask additional questions about this, such as the charge of the book and to give the matter a great deal of study. He said he was sure this would be very profitable to them and thought the county should share in the profit but he wanted it made clear that whatever the Commissioners decision is, that it makes no difference to him.

RE: DEMOLITION BIDS

County Attorney Stephens said there is a problem here since one newspaper left out a line in the ad for bids for the demolition of the Boehne building and he didn't know if any or all bidders had an actual copy of the notice to bidders which contained the omitted line and if they did, there is no problem. He said, as a practical matter, they could announce ahead of time that the bids can be opened and if the low bidder has omitted the service specified in the omitted line, the bids would have to be thrown out.

Commissioner Willner moved that the above prevail in that if the low bidder of these bids fail to include, as part of his bid, the removal of under earth under the building and to remove the walls below grade level, then all bids are to be thrown out. Commissioner Ossenbergh seconded the motion. So ordered.

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The bids were then opened and read as follows:

|                         |             |
|-------------------------|-------------|
| Valley Wrecking Co..... | \$14,900.00 |
| B & B Wrecking Co.....  | \$22,579.00 |
| Deig Brothers.....      | \$21,833.00 |
| Door Wrecking Co.....   | \$16,400.00 |

It was found that the low bid was that of Valley Wrecking Co. and it is in accordance with the specifications on file in the Building Commissioners office.

Commissioner Willner moved, on the recommendation of the County Attorney, that the bids be referred to Mr. Crooks so he can study them and make a recommendation on awarding the contract. Commissioner Schaad seconded the motion. So ordered.

Mr. Crooks then submitted the bills for the newspaper ads of the notice to bidders for the wrecking of this building.

Commissioner Willner moved that the newspapers be paid for the ads. Commissioner Schaad seconded the motion. So ordered.

RE: UNIVERSITY HEIGHTS.....STREET PLANS

The matter of the street plans for University Heights were discussed last week and the motion was made and seconded that the street plans be approved, subject to what Mr. Pugh wants as far as granting the Right of Way and what needs to be done to get proper drainage.

Mr. Crooks said that he and Mr. Pugh went out to look at it and he said that he saw nothing wrong with allowing the thirty foot easement, providing that they relocate part of the ditch and grade it, also to make a bank structure. This was his recommendation.

County Attorney Stephens said that they wouldn't need a covenant or anything else in the contract.

Commissioner Willner moved that this matter be made a part of the minutes. Commissioner Ossenberg seconded the motion. So ordered.

RE: MR. JUDD

Mr. Judd was unable to attend the meeting today and the Commissioners had some questions on signs that were to be installed so this matter will be taken up next week.

RE: CLAIMS

Mr. Nussmeyer presented a claim from G.H. Allen Inc. for Structure #122, Account No. 216-3770-203-3812, for work completed between May 6th and 20th, 1974 in the amount of \$20,413.41.

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

Mr. Nussmeyer presented a claim for two miles East of Smith Diamond on Cypress Dale, Account No. 216-3770-203-3812 for work completed between May 6th and 20th, 1974, in the amount of \$5,399.55.

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

A claim was presented by Mr. Nussmeyer from Feigel Construction Co. Inc. for Oak Grove Road East of Green River Road, Account No. 506-3-201-3745, in the amount of \$35,203.24.

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

A claim was presented by Mr. Nussmeyer from Deig Brothers Inc. for Allens Lane over Locust Creek for work completed between April 15 and May 20, 1974, Account No. 216-3767-203-3767, in the amount of \$37,204.97.

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

RE: CUTS IN

An application was received from the Waterworks Department, requesting permission to cut into Shutte Road to the end of the line on Broadway approximately one-half mile for installation of a water main extension.

Commissioner Ossenberg moved that this cuts in be approved. Commissioner Willner seconded the motion. So ordered.

RE: CONTRACT AWARDED FOR VAN

Mr. Nussmeyer presented invitational bids that the Purchasing Department had requested for a van that is needed by the County Surveyors office. He said that some of them aren't suitable so he obtained another bid from Alvey Scott Motors. The bids are as follows:

- Alvey Scott Motors Inc..... \$3,352.73
- Alvey Scott Motors Inc..... \$3,739.90
- Alvey Scott Motors Inc..... \$3,800.00
- Key Motors Corp..... \$3,571.35

Mr. Nussmeyer recommended the approval of the bid from Alvey Scott Motors in the amount of \$3,800.00 since this vehicle is more suited to his purpose.

Commissioner Willner moved that the bid from Alvey Scott Motors in the amount of \$3,800.00 be accepted for the County Surveyors office if it is available with a two barrel carburetor. Commissioner Ossenberg seconded the motion. So ordered.

RE: AUTHORIZED TO ADVERTISE FOR BIDS

Mr. Ludwick presented a Notice to Road & Maintenance Contractors for the resurfacing of the following roads:

1. Old Boonville Hwy. -- Greenriver Rd. to County Line, 3.9 miles long, 18' wide.
2. Millersburgh Road -- From Oak Hill Rd. to Greenriver Rd. 1.0 miles long, 18' wide.
3. Kansas Road from State Road 57 to Green river Rd. 1.0 miles long, 18' wide.
4. Old 460, Koring Rd. to County Line Rd. 3.4 miles long, 22' wide.
5. Hogue Road -- Eichoff Rd. to City Limits, 3.4 miles long, 18' wide.
6. Schutte Road -- State Rd. 62 to Broadway Ave., 1.4 miles long, 18' wide.
7. Mt. Pleasant Rd. from Darmstadt Rd. to Old State Rd. 1.0 miles, 18' wide.

Mr. Ludwick said that he has a little problem since the estimated cost is about \$284,030.56 and that there is only \$255,309.07 in contractual.

Mr. Willard said that there should be about \$60,000 in Revenue Sharing money.

County Attorney Stephens said they can advertise for bids but can't award the contract before the money is there.

Commissioner Willner moved that the Auditor be authorized to advertise for bids. Commissioner Ossenberg seconded the motion. So ordered.

The meeting recessed at 11:40 a.m.

PRESENT

| <u>COUNTY COMMISSIONERS</u> | <u>COUNTY AUDITOR</u> | <u>COUNTY ATTORNEYS</u> | <u>REPORTERS</u> |
|-----------------------------|-----------------------|-------------------------|------------------|
| Robert Schaad               | Lewis F. Volpe        | William Stephens        | S. Clark         |
| Thomas Ossenberg            |                       | Thomas Swain            | C. Leach         |
| Robert L. Willner           |                       |                         | R. Lyles         |
|                             |                       |                         | G. Clabes        |
|                             |                       |                         | B. Thompson      |

Secretary: Margie Meeks.

*Bob Leach*  
 \_\_\_\_\_  
*Thomas Ossenberg*  
 \_\_\_\_\_  
*Robert L. Willner*  
 \_\_\_\_\_  
 BOARD OF COUNTY COMMISSIONERS

659

COUNTY COMMISSIONERS MEETING  
MAY 28, 1974

The meeting of the County Commissioners was held on Tuesday, May 28, 1974, at 9:30 a.m. in the Commissioners Hearing Room with President Schaad presiding.

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

RE: COUNTY OWNED SURPLUS PROPERTY

Commissioner Ossenberg wondered if all the county-owned property could be re-grouped and re-advertised, to make the people aware of these parcels being for sale.

Commissioner Ossenberg moved that these parcels be re-advertised, to see if it will create interest in order to sell some of this property. Commissioner Willner seconded the motion. So ordered.

The bidding will remain open next week for anyone who wants to bid on the county owned surplus property that is still available.

RE: EMPLOYMENT CHANGES.....APPOINTMENTS

BURDETTE PARK

|                  |                   |                |                  |              |
|------------------|-------------------|----------------|------------------|--------------|
| Greg Stallings   | 7601 Newburgh Rd. | Extra          | \$1.50 per hr.   | Eff: 5/10/74 |
| Amy Stallings    | 7601 Newburgh Rd. | Extra          | \$1.50 per hr.   | Eff: 5/10/74 |
| Wm. C. Roland    | 5111 Nolan        | Extra          | \$1.50 per hr.   | Eff: 5/13/74 |
| Cheryl Cox       | 1304 S. Red Bank  | Extra          | \$1.60 per hr.   | Eff: 5/18/74 |
| Paula Schmidt    | 2612 E. Missouri  | Head Guard     | \$13.00 per Day  | Eff: 5/19/74 |
| Robbyn Whitledge | 1411 Cumberland   | Extra          | \$1.65 per hr.   | Eff: 5/19/74 |
| Tim Hall         | 4604 Claremont    | Extra          | \$1.50 per hr.   | Eff: 5/15/74 |
| Terri S. Babbs   | 303 S. Woods      | Cashier        | \$1.70 per hr.   | Eff: 5/21/74 |
| Henry Dersch     | R.2 Nurrenbern    | Ass't. Manager | \$263.75 Se. Mo. | Eff: 5/16/74 |

COUNTY TREASURERS OFFICE

|                    |                   |             |             |              |
|--------------------|-------------------|-------------|-------------|--------------|
| Cheryl A. Fellwock | 1715 Crystal Crt. | Extra Clerk | \$15.00 Day | Eff: 5/22/74 |
|--------------------|-------------------|-------------|-------------|--------------|

VOTERS REGISTRATION OFFICE

|                   |                     |       |                 |              |
|-------------------|---------------------|-------|-----------------|--------------|
| Dianne Chapman    | 2153 Sweetser       | Clerk | \$15.00 per day | Eff: 5/21/74 |
| Margaret Blaxton  | 8209 Old State Road | Clerk | \$15.00 per day | Eff: 5/23/74 |
| Susan E. O'Leary  | 2406 Old State Rd.  | Clerk | \$15.00 per day | Eff: 5/28/74 |
| Donna J. Stephens | 1419 S. Plaza Dr.   | Clerk | \$15.00 per day | Eff: 5/28/74 |
| Lucille Becking   | 706 1/2 Court       | Clerk | \$15.00 per day | Eff: 5/28/74 |

VANDEBURGH COUNTY SURVEYOR

|                 |                  |               |                |              |
|-----------------|------------------|---------------|----------------|--------------|
| John W. Bugg    | 1418 E. Missouri | Instrumentman | \$5,720.00 Yr. | Eff: 5/15/74 |
| Jeffery Mueller | 4912 Conlin      | Draftsman     | \$5,720.00 Yr. | Eff: 5/23/74 |

RE: EMPLOYMENT CHANGES.....RELEASES

BURDETTE PARK

|                   |                    |                |                  |              |
|-------------------|--------------------|----------------|------------------|--------------|
| Louise DeVoy      | R.2 Nurrenbern     | Ass't. Manager | \$263.75 Se. Mo. | Eff: 5/16/74 |
| Clara Brown       | 303 S. Barker Ave. | Extra          | \$1.65 per hr.   | Eff: 5/18/74 |
| James Bengert     | 1300 S. Roosevelt  | Extra          | \$1.70 per hr.   | Eff: 5/17/74 |
| Michael Ellington | 3653 Jackson Ave.  | Extra          | \$1.70 per hr.   | Eff: 5/15/74 |
| Douglas Claybourn | 2901 Igleheart     | Extra          | \$1.65 per hr.   | Eff: 5/14/74 |
| Brent Ellard      | 1219 Emmett St.    | Extra          | \$1.60 per hr.   | Eff: 5/14/74 |
| Terri S. Babbs    | 303 S. Woods Ave.  | Extra          | \$1.45 per hr.   | Eff: 5/20/74 |
| Henry Dersch      | R.2 Nurrenbern     | Custodian      | \$231.66 Se. Mo. | Eff: 5/15/74 |

VOTERS REGISTRATION OFFICE

|                |                    |       |                 |              |
|----------------|--------------------|-------|-----------------|--------------|
| Dianne Chapman | 2153 Sweetser Ave. | Clerk | \$15.00 per day | Eff: 5/24/74 |
|----------------|--------------------|-------|-----------------|--------------|

VANDEBURGH COUNTY SURVEYOR

|              |                      |        |                |              |
|--------------|----------------------|--------|----------------|--------------|
| John W. Bugg | 1418 E. Missouri St. | Rodman | \$5,720.00 Yr. | Eff: 5/15/74 |
|--------------|----------------------|--------|----------------|--------------|

RE: VIOLATION OF MUNICIPAL CODE

A letter was received by the County Commissioners from the Zoning Administrator of the Area Planning Commission, stating that a complaint had been filed with their office on a reported violation of county-owned property at 301 and 305 Cass Avenue which revealed the presence of debris and high weeds which is an eyesore and a nuisance and unless this violation ceases within ten days of the date of this letter, it will be necessary for them to refer this matter for legal action.

Commissioner Schaad said that these parcels aren't included on the list of county-owned surplus property.

Mr. Volpe said these parcels could have been acquired by the county, some way other than on a tax sale and he will check these out so that all of the surplus property can be advertised.

The letter was referred to Mr. Hotz but he was asked to hold it until Mr. Volpe checks on these properties.

RE: CERTIFICATE OF INSURANCE

A Certificate of Insurance was received by the Board of Commissioners from the Great American Insurance Company certifying that a policy has been issued to U. S. Sheet Metal & Roofing Co. Inc. Certificate received and filed.

RE: UNIVERSITY HEIGHTS

A letter was received by the County Commissioners from Mr. Angermeier. It was the same letter that was presented to them last week. It reads as follows:

Gentlemen:

I am writing this in regard to the drainage problems in University Heights. I have appeared in behalf of some of the property owners as well as myself. I am requesting the drainage maps of now and the two previous engineer's drainage maps that were prepared within the last three years and of their opinions.

I am further requesting that before any work is performed that all property owners involved be ordered by registered mail to appear before the County Commissioners before a decision is made. Sincerely yours, James L. Angermeier.

Commissioner Schaad said that they were out at the Guthrie's, who are having the drainage problem and told them that Mr. Martin was going to get different opinions in solving this problem. He said the Guthrie's were upset when they found there was a meeting this morning and they weren't invited. He thought it would be a good idea to take this matter under advisement and put Mr. & Mrs. Guthrie on the agenda for June 10th, and he asked Mr. Martin to advise them, Mr. Waitman and Mr. Angermeier of the meeting. Mr. Martin said that he would notify these people.

RE: LETTER FROM ROCKFORD MAP PUBLISHERS INC.

The following letter was received by the Commissioners:

Dear Mr. Schaad:

Recently we met with Mr. James L. Angermeier regarding the possibility of obtaining for our use the names of all land owners in Vanderburgh County and their mailing addresses. We understand these names are on plates and it would be no problem in having them run off on tape such as was done for the voting listing.

Mr. Angermeier, having worked with us before in publishing out plat book of your county in 1971, was very helpful and contacted Mr. L. Volpe's office. It was agreed after this discussion that the names could be obtained, but the use of the equipment and the labor involved would have to be approved by the County Commissioners.

My firm is willing to pay for the cost of having the names placed on the tapes with the understanding that it would take perhaps four days and the operator would be paid according to the amount of days it took. It is our understanding in this department the operator is paid a weekly salary of \$150.00 and would be paid for those days not normally performing regular duties.

Any materials such as paper or tape used we would also pay for, if need be. We understand the tape used is for this machine only and we could not supply this. Additional ribbons for the machine we would, of course, replace if worn out.

Mr. Angermeier has indicated there are approximately 15,000 names and addresses. These would be for those land owners shown in our plat books plus all subdivisions. We wish these for a market research project for our next plat book now in its publication stage. It is important, therefore, that the names be obtained within the next 30 days.

Mr. Angermeier also wishes for us to provide him with large 3 to 8 inch to the mile scale of each township for the assessment program beginning in 1975. We would be happy to provide these at no charge at 2 3/8 inch to the mile scale and if larger, to discount it according to the press charges. This could very easily be worked out with Mr. Angermeier at a later date. We can, for his information, go as high as 8 inches which I believe is what he wanted.

We will also supply, as in the past, Mr. Angermeier's office with a supply of our regular 8 1/2" x 11" size plat books for each assessor's use.

We would appreciate this being brought before the County Commissioners for approval at your next meeting and inform Mr. Angermeier. I will be in touch with him to arrange the mechanics of the program.

Our sincere thanks in advance for your cooperation. Sincerely yours,

Rockford Map Publishing Co. Inc.

Fred C. Brandt, Ass;t. Sales Manager

Commissioner Schaad said he understood that the company is going to sell these books and that they want to pay for the work that is going to be done and he doesn't know what the policy of the Commissioners has been in the past.

Mr. Volpe said he thought that one of the things they requested was that a list be made of the 15,000 addressograph plates, of which he has had no experience except for the list made by the Jacob's Company six years ago but he said that if it was done, the permission to do it should come from the Commissioners and if his employee did it, they would have to come to an agreement with her to do it at night, on a private basis, although he wouldn't let anyone other than one of his employees do it, since this is his machine but he thought this might be a possibility of setting a bad precedent.

County Attorney Swain said the minutes should show that the County Commissioners aren't committing themselves to a purchase of these books and that they are public records so it is perfectly all right to use them when the office is open.

Mr. Cole suggested the company put an ad in the newspaper stating that this information is available instead of getting the 15,000 names for which they will send out a lot of mail that no one wants.

Commissioner Ossenbergh moved that the Rockford Map Publishers come before the Commissioners to explain their program as to what they intend to do and whose time it will take up to do it. Commissioner Willner seconded the motion. So ordered.

RE: REQUEST OF CLAIM FOR TAXES

Mr. Volpe explained that the Redevelopment Commission is taking over a parcel of ground as of March 20, 1974, on which there had been taxes delinquent in 1973 and he would like for the County Attorney to put in a claim for the 1973 taxes since there is no mention of it in the letter.

This matter was referred to County Attorney Stephens.

RE: LETTER FROM BAUGH AND BAUGH-ATTORNEYS

The following letter was received by the Commissioners in regard to the acceptance of streets in Evergreen Acres:

Dear Sirs:

This office represents several of the residents and homeowners in the Evergreen Acres Subdivision. We have noted on page 5 of the minutes of your meeting of May 13, 1974, that the question of the acceptance by the county for maintenance of the streets in Evergreen Acres will come up at your meeting of May 27, 1974.

It is the opinion of the residents of Evergreen Acres, whom I represent, that the streets in this subdivision should not be accepted by the County at this time. Many of the streets in this subdivision, including those specifically referred to in your minutes of May 13, are in a deplorable condition. The streets are cracked and broken in numerous places, and chuckholes abound throughout the subdivision. It has been suggested that several of the streets are definitely hazardous for operators of motorcycles and bicycles. In addition, a potentially extremely hazardous condition exists with respect to some of the streets as a result of streets in substantial quantities, and this, of course, constitutes a hazard to vehicles using the streets and a hardship even to pedestrians wanting to walk on the streets.

For these reasons, my clients strongly recommend against the County accepting the streets until they have been repaired and brought up to proper condition, and until the drainage problems created by the subdivider, Bussing Construction Corp, has been corrected. My clients feel that acceptance of the streets at this time would subject the County to liability for repairing the streets to bring them up to proper condition and, in addition, might well subject the County to liability arising out of improperly designed streets in the event that an automobile accident occurs as the result of this improper drainage. We will appreciate your sympathetic consideration of this letter. Sincerely, Baugh and Baugh, by Jerry P. Baugh.

Mr. Gary Gerling appeared, representing Bussing Construction Co. and Mr. Bussing Jr. He said, with reference to the preceding letter, he thinks that the background of it is brought out that Mr. Baugh represents some people who have made some complaints on mud drainage because of new construction taking place in the area. He said that it is his understanding from Mr. Bussing and Mr. Pugh, and others who have been out there, that Mr. Bussing has taken every step within reason to protect the streets, the drainage, the erosion of soil and whatever, for the development of the area, which was approved by officers of this county and he has been developing according to the standards as set out by the county and has gone even further in going to the Federal officers in securing their recommendation and implementing them. Mr. Gerling said that Mr. Bussing evidently hasn't satisfied Mr. Baugh and they question whether Mr. Baugh represents every resident in Evergreen Acres, that he understands that Mr. Baugh only represents two residents, one of which substantially contributed to the erosion problem by failing to plant and take care of her real estate.

He said there is a law suit pending in Superior Court concerning some drainage problem in Evergreen Acres, which Mr. Bussing is contesting and they will do whatever the court decides is the proper course of action and he said that their position is that the court will say they have done all they can.

In reference to the street problem, he said there was an article in the newspaper giving the opinion that the Commissioners had already had a meeting and determined what to do about Evergreen Acres and he was sure the Commissioners wouldn't make a decision without hearing all the evidence.

Mr. Gerling said he wasn't prepared to give the Commissioners all the information this morning but thought the Commissioners should have all the facts which included that the streets, in 1968, were built according to the Engineer's recommendation, were properly submitted to the county for acceptance for maintenance and at that time, they were submitted and accepted and were in good condition because they had been properly built and constructed and that since that time, at least some maintenance work had been performed on each of these streets, by the county, pursuant to an acceptance which was made by the then existing Board who failed to record the acceptance properly but that the problem of the streets stems not from how they were originally built but from the fact that there hasn't been proper maintenance for the last six years. He said he would like to document these facts so the Commissioners can make the decision as to whether or not the street problem in Vanderburgh County is the responsibility of Mr. Bussing or if it is the responsibility of someone else. He asked that the Commissioners reserve their final judgment on this matter until they have all the information before them.

Mr. Gerling said he would like for the record to show that they have a continuing request for acceptance of the streets in Evergreen Acres which were previously filed and they will be supplementing this information to the Commissioners at the Commissioners meeting of June 17th, 1974.

County Attorney Stephens was requested, last week, to write a letter to Mr. Bussing telling him that the roads don't meet county standards and that if and when they do, the Commissioners will consider accepting them and also to ask him if he has any evidence as to the roads being accepted in 1968.

Mr. Stephens has prepared the letter but it hasn't been mailed yet.

Commissioner Ossenberrg moved that the previous order be rescinded for the present time and that the letter be held. Commissioner Willner seconded the motion. So ordered.

The Auditor's secretary is to contact Mr. Baugh so that he can present his facts at the meeting of June 17th, also.

RE: INTERLOCAL GOVERNMENTAL COOPERATIVE AGREEMENT

A form was received by the Commissioners concerning a Manpower Interlocal Governmental Cooperative agreement of the State of Indiana to develop procedures for program planning.

This matter was taken under advisement and referred to County Attorney Swain.

RE: MR. CROOKS.....CONTRACT AWARDED

Bids were received, last week, for the demolition of the Boehne Building, as follows:

Valley Wrecking Co.....\$14,900.00  
 B & B Wrecking Co.....\$22,579.00  
 Deig Bros. Lumber & Const..\$21,833.00  
 Door Wrecking Co.....\$16,400.00

Commissioner Ossenberg moved that Valley Wrecking Co. be awarded the contract, subject to the performance bond. Commissioner Willner seconded the motion. So ordered.

RE: MR. JUDD.....NEW GREEN RIVER ROAD

Mr. Judd recommended that the speed limit on New Green River Road, from Highway 57 to Old Petersburg Road, be reduced from 55 miles per hour to 35 miles per hour.

Commissioner Ossenberg moved, on the recommendation of the Traffic Engineer, to approve the 35 miles per hour speed limit on New Green River Road and for County Attorney, Bill Stephens, to prepare the ordinance. Commissioner Willner seconded the motion. So ordered.

Mr. Judd said that the signs would be reposted.

Mr. Judd said that they are a little behind in their painting, that they have a new thermo plastic machine and his crew is on this at the present time and as soon as they get done with this, they will start painting again.

RE: MR. HARNESS

Mr. Harness presented an application for the admittance of a Lena M. Brockriede to the Pleasantview Rest Home and recommended it's approval.

Commissioner Ossenberg moved that the application be approved. Commissioner Willner seconded the motion. So ordered.

RE: MR. WILLARD

Mr. Willard submitted the absentee report of the employees of the County Highway Department for the past week.  
 Report received and filed.

RE: BOONVILLE-NEW HARMONY ROAD

Commissioner Willner said that the gentleman on Boonville-New Harmony Road, East of Highway 65, called again and said he wants to do his planting and wondered if it would be possible to rip rap the north side of that bank where the poles fell in, due to the ground caving in.

Mr. Willard said that they are going to do this work tomorrow or as soon as the weather permits.

Commissioner Willner said that he would call the man and ask him to hold up his planting until the work can be done.

RE: BAUMGART ROAD

Commissioner Willner reported that he has had two calls on the cutting of weeds on Baumgart Road.

RE: REIS LANE

Commissioner Schaad said he had several calls on Reis Lane, objecting to the road being oiled.

Mr. & Mrs. Shapker were in last week and asked that the road be oiled and the Commissioners had agreed to oil it.

Commissioner Schaad said that he called the County Attorney after getting so many calls objecting to the road being oiled, and the County Attorney said that maybe they needed to get a petition up out there and if more than half of the people want the road oiled, the county will oil it and if more than half of the people don't want the road oiled, they won't oil it.

Mrs. Shapker had said, last week, that she had a petition to get the road oiled that was signed by more than half of the people out there.

Mr. Willard said that he would have the Road Inspector go out to see Mrs. Shapker and have her bring in the petition next week and the Commissioners will take action at that time.

RE: REQUEST FOR REMOVAL OF PATCH MATERIAL

Mr. Wilfred Diekmann said that last year, someone dumped a half load of patch material on his property at Highway 41 and Old State Road and he would appreciate it being removed. He said that he was told that the County Highway Department put it there.

Mr. Willard said that he was told that the State Highway Department did it. He said that he will talk to the State Highway Department and will then call Mr. Diekmann to let him know what he finds out.

RE: SEIB ROAD

Mr. Willard had reported, a couple of weeks ago, that a Mrs. McCutchan, on Seib Road, had called and said that a Mrs. Cymbala had stopped up the public ditch and her own tile, causing water to back up on the McCutchan property.

Commissioner Schaad asked Mr. Willard what has been done on this problem.

Mr. Willard said that they cleaned out the tile but that it is stopped up again.

RE: CUTS IN

The Indiana Bell Telephone Co. requests permission to cut into Hogue Road, 3' off the North side of Hogue Road & 100' East of Marlene Drive, to bury telephone cable.

The Indiana Bell Telephone Company requests permission to cut into Baseline Road to bury telephone cable.

The Indiana Bell Telephone Company requests permission to cut into Marenholz Drive to bury a telephone cable.

Commissioner Ossenberg moved that the cuts-in requested by Indiana Bell Telephone Company be approved. Commissioner Willner seconded the motion. So ordered.

The Waterworks Department requests permission to cut into Browning Road, from a point 3,500 feet south of the intersection of Boonville, Hew Harmony and Browning Roads to Boonville-New Harmony Road and west to Highway 41. 16 inch main from Highway 41 to tank site at Boonville-New Harmony Road.

Commissioner Willner said that this was a little late as they have already made some cuts in the road pavements. He asked if he could have a copy of the specifications.

Mr. Nussmeyer said he would see that Commissioner Willner gets a copy.

Commissioner Willner said that some of the road was new, just being done last year, also Browning Road and Darmstadt Road was in good shape and he is interested in getting it put back exactly as it is now.

Mr. Weiss said they have had an inspector out on Darmstadt Road and the contractor doesn't want to listen to him and he didn't know what to do. He said he has brought this matter before the water board and the job has been shut down several times. He said that the specifications say that it should be compacted but they won't do it.

Commissioner Ossenberg asked Mr. Martin if he didn't have the final say so.

Mr. Weiss said that he supposedly did, but that he has been unable to get the contractor, George Ryan Construction Company, to follow the specifications on road cuts and compactions.

Commissioner Willner said that they took a three foot cut right through Browning Road.

Mr. Weiss said he asked that the road surface be soft cut so as to make a neat cut, but this hasn't been done.

Commissioner Willner said that the Commissioners only avenue is that if the inspector isn't happy with the way it is done, to just shut it down, as he won't give his approval of the cuts until he is assured that it is done right.

Commissioner Ossenberg said that he wouldn't approve any of the cuts either, until they live up to the specifications and they aren't doing this.

Commissioner Willner said they are still having problems with Curtis Construction Company in the West Side, that it is inexcusable and he doesn't want to see the same thing happen on the North Side.

Mr. Weiss said they have also laid pipe within a few inches of the road and there are no flashers out there. He said he asked the Construction Company about it and they intimated that they weren't going to do it and he hasn't seen any flashers up yet. He said that Deig Brothers has laid pipe along Petersburg Road and they put flashers up and he didn't even have to say anything to them.

Commissioner Ossenberg thought it might be wise to call in Mr. Ryan and his attorney along with the Waterworks Department, as he isn't going along with this.

Mr. Nussmeyer said the Commissioners can't very well deny the permits but they can request that the roads be put back equal to what they are. He said that he would get with Mr. Dennis Stallings and see if he can't get this thing straightened out.

The Commissioners agreed that they wouldn't mind giving approval on Phase I of Project 21C and see how they do it.

Commissioner Willner moved that the first phase of the request on Project 21C, of the Waterworks Department, to cut into Browning Road to install 12 inch main on Browning Road from a point 3,500 feet South of the intersection of Boonville-New Harmony Road and Browning Roads to Boonville-New Harmony Road and west to Highway 41. 16 inch main from Highway 41 to tank site at Boonville-New Harmony Road and St. Joe Avenue, be approved subject to a sufficient progress report from the engineer. Commissioner Ossenberg seconded the motion. So ordered.

The Waterworks Department requests permission to cut into Kings Hill Drive to install 370' 8" Water Main Extension.

Commissioner Ossenberg moved that this cuts-in be approved. Commissioner Willner seconded the motion. So ordered.

RE: CLAIMS AND EASEMENTS

Mr. Nussmeyer presented the following claims for Smith-Diamond Road Bridge, Account # 203-3759.10...

Herman & Irene Cooper, Easement Purchase of 1 1/2 acres @ \$500.00 per acre, Parcel #1 in the amount of \$750.00.

James A. Shrode, Acquittion of 2 parcels Right of Way - Anna Joeckel - Herman and Irene Cooper in the amount of \$400.00.

Anna Joeckel for Right of Way purchase of 1 1/2 acres at \$500.00 per acre in the amount of \$750.00.

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

A claim was presented from G. H. Allen Inc. for the Trapp Road Bridge #21, Account # 506.3-3952, for work completed between April 1 and May 28, 1974, in the amount of \$1,888.91, Final payment.

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

RE: APPROVAL OF R & S - 14 R

Mr. Nussmeyer said that bids had been taken about a month ago on Structure #148, Upper Mt. Vernon Road over Carpenter Creek and that the contract can now be awarded since a notification has been received, stating that the Indiana Arterial Road and Street Board, in their meeting of May 16, 1974, has approved the application for the transfer of \$22,500 from #10 (\$49,500) total, with the condition that a signed application is received by them.

RE: CONTRACT AWARDED

The awarding of the contract for the Bridge #148 - BC-2-74, Upper Mt. Vernon Road over a branch of Carpenter Creek had been held up pending the approval of R & S so it can now be awarded. The bids were as follows:

Barnett Brothers.....\$50,993.25  
 Deig Brothers.....\$52,449.75  
 G. H. Allen.....\$60,551.25

Mr. Nussmeyer had recommended that Barnett Brothers be awarded the contract subject to the transfer of R & S money from the Green River Road bridge, since there was money left over in that account and it has now been done.

Commissioner Ossenberb moved that the contract be awarded to Barnett Brothers. Commissioner Willner seconded the motion. So ordered.

RE: CLAIM

A claim was received from Engineer Associates for the Engineering Services on the Eichoff Road project in the amount of \$16,896.66.

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

RE: SOUTHERN RAILROAD

Mr. Nussmeyer said that he sent the Southern Railroad Co. a set of amended plans for the crossing at Oak Grove Road a couple of months ago and he still hasn't heard anything from them.

County Attorney Stephens said it would take a long time if they contacted the Public Service Commission and that he would contact the Southern Railroad first, to see if he can do any good.

RE: EICHOFF ROAD

A contract was received last from A. C. Nutting Co. who is going to do the core drilling on the Eichoff Road project. It was referred to Mr. Nussmeyer, at that time, and is now being presented for the Commissioners signatures but there was a problem, in that the county can't enter into two contracts so this was referred to County Attorney Stephens, who will take it up with Mr. Weiss and get it straightened out.

RE: REQUEST BY MR. WILLARD

Mr. Willard said that he would like permission for the purchasing department to prepare specifications for another salt spreader.

Commissioner Willner moved that Mr. Willard have the permission of the Commissioners to have the purchasing department prepare these specifications. Commissioner Ossenberb seconded the motion. So ordered.

RE: REQUEST FOR PUBLIC RECREATION

Commissioner Willner said that Mrs. Betty Jarboe of 3919 Clement Street in Western Terrace was here last week and requested money for Public Recreation and she was requested to get figures on the amount of money that will be needed for this project. He presented the figures she has submitted and said that the program will last seven weeks, 9:00 a.m. to 4 p.m. daily, with two adult leaders, one at \$2.25 per hour and the other at \$2.00 per hour, plus the equipment. The total amount being requested is \$1,080.00 and this is to be placed on the council call.

Commissioner Willner said he will follow up on this to see that Mrs. Jarboe has the figures in writing from the Recreation Commission and he will ask her to attend the County Council meeting on June 19, 1974, to explain the program.

RE: HITCH PETERS ROAD

Mr. Nussmeyer said in regard to Hitch Peters Road at the intersection of Lynch Road, the Feigel Construction Company was low in their bid for the project and the bid was in order but there is a problem that needs to be corrected in the next council call and Feigel Construction Company wants a tentative award of the contract, to face six to eight weeks delivery on their pipe.

County Attorney Stephens said this can't be legally done until the money is available.

County Attorney Stephens said that they can't be given a formal contract but the record can show that it is the recommendation of the County Surveyor that Feigel Construction Company be awarded the contract and that as soon as the money is available, they will sign a formal contract and the Board of County Commissioners accepts the recommendation but aren't entering into a contract at the present time.

Mr. Nussmeyer will write a letter of recommendation to the Commissioners, that Feigel Construction Company be awarded the contract.

RE: CULVERT ON BRIDGEVIEW ROAD

Curtis Construction Company put a sewer in on Bridgeview Road and they pulled a pipe out, along the edge of the road at the entrance of a private driveway and didn't put it back.

Mr. Willard was to have reported his findings after talking to Mr. Eifler and Curtis Construction.

This matter will be taken up next week.

RE: DRAINAGE PROBLEM

Mr. McCoy of 1721 Fuquay Road, appeared last week, and said that a ditch crosses his property and is allowed to be blocked in several places and it stands full of water. He said that he would like for the ditch to be unblocked.

Mr. Martin and Mr. McCoy were going to look at this problem but Mr. Martin said that when he went out there to meet Mr. McCoy, he was't there, so said that he would get back with him.

RE: SEVEN HILLS ROAD

There was a problem of chuckholes on Seven Hills Road, where a man had cut out of his field onto the county road, which made the road almost impassible. This matter had been referred to County Attorney Swain and he will be asked to report on this matter next week.

RE: AGRICULTURAL ZONING

Commissioner Willner said that the Area Plan Commission had been requested, at their meeting, to give the Commissioners their recommendations on Agricultural Zoning, which was a couple of months ago and the Commissioners haven't heard anything from them, as yet. He said that he is going to bring some pictures showing what has happened on our county roads. This matter will be taken up next week.

RE: LETTER FROM DEPARTMENT OF ARMY ENGINEERS

Commissioner Schaad presented a letter from the Department of Army Engineers, stating that they have been coordinating with the Department of Natural Resources for the past several months for stream profiles of Pigeon Creek, which show that it is about 1.2 feet too high in the vicinity of Oak Hill Road bridge. It stated that a copy of the correct profile was enclosed and a set of the flood plain maps based on the correct profile has been forwarded to Mr. Tom Pugh for his review and the use of the community.

Mr. Pugh said that he went over the letter carefully and thought it would clear the way for proposed zoning.

RE: MEETING SET

Mr. Pugh said there will be a meeting tomorrow evening with the Levee Authority in Room 301 at 7:00 p.m. regarding Pigeon Creek.

RE: GRANT APPLICATION FORM PRESENTED

An application was presented for the project of office equipment, to streamline the procedures of the Vanderburgh County Prosecuting Attorney's office.

The total project is to cost \$2,000 with \$100.00 coming from the Prosecutor's budget, \$100.00 coming from the state and \$1,800.00 of the cost are the Federal Funds being requested of the Indiana Criminal Justice Planning Agency.

Commissioner Ossenberg moved that the Grant Application be approved. Commissioner Willner seconded the motion. So ordered.

The meeting adjourned at 11:20 a.m.

PRESENT

COUNTY COMMISSIONERS

Robert Schaad  
Thomas Ossenberg  
Robert L. Willner

COUNTY AUDITOR

Lewis F. Volpe

COUNTY ATTORNEYS

William Stephens  
Thomas Swain

REPORTERS

B. Gladdish  
J. Kessner  
J. Perkins  
R. Lyles  
G. Clabes

Secretary: Margie Meeks

Bob Schaad  
Thomas Ossenberg  
Robert L. Willner  
 BOARD OF COUNTY COMMISSIONERS